
CITY OF KELOWNA

MEMORANDUM

Date: May 22, 2003
File No.: LL02-0010

To: City Manager

From: Planning and Corporate Services Department

Subject:

APPLICATION NO. LL02-0010

OWNER: M.S. Developments Inc.

AT: 1630-1654 Ellis Street
466-484 Leon Avenue

APPLICANT: Nicholas Sintichakis

PURPOSE: TO OBTAIN COUNCIL SUPPORT FOR AN INCREASE IN
PERSON CAPACITY FROM 102 PERSONS TO 132
PERSONS

REPORT PREPARED BY: RYAN SMITH

1.0 RECOMMENDATION

THAT Council support an increase in person capacity from 102 persons to 132 persons on Lots 1 and 2, Blk. 8, D.L. 139, Plan 462, proposed by Nicholas Sintichakis and Antonio Pantazopolos for 1630 Ellis Street;

AND THAT Council direct staff to forward the appropriate resolution to the Liquor Control and Licensing Board in Victoria.

2.0 SUMMARY

The applicant seeks Council support for a person capacity increase from 102 persons to 132 persons. The applicant is proposing to delete an office area from the approved floor plans in order to create a larger seating area. The hours of operation for the establishment that were previously approved by Council are 11 a.m. to 1 a.m. Sunday to Saturday.

3.0 BACKGROUND

3.1 The Proposal

The applicant received Council approval to operate an upscale pub that would be located on the corner of Ellis Street and Leon Avenue, adjacent to Yamas Restaurant on February 4th, 2003. The pub will cater to the business people, professional office staff and shoppers in the area as well as the residents of the area.

The hours of operation of the pub would be 11 a.m. to 1 a.m. No change to these hours is proposed at this time. The person capacity for the Pub approved by Council on February 4th, 2003 is 102 persons. As the original application for the pub was process under the old Provincial Liquor Licensing regulations, 102 was calculated as the person capacity for the pub. The applicant is proposing to increase this by 30 to 132 persons. The applicants are proposing to accomplish this by converting office area into useable pub floor area. The pub also has a patio area with a person capacity of 31.

The site is currently zoned C7 – Central Business Commercial. A neighbourhood public house is a permitted use in this zone.

3.2 Site Context

The subject property is located on the northwest corner of Ellis Street and Leon Avenue in the downtown area.

Adjacent zones and uses are:

North	-C7 – Central Business Commercial – Yamas Restaurant
East	-C7 – Central Business Commercial – TD Bank
South	-C7 – Central Business Commercial – Miller Wyatt Ltd.
West	-C7 – Central Business Commercial – Ki-Low-Na Friendship Society

3.3 Site Location Map

Subject Properties: 1630-1654 Ellis Street/466-484 Leon Avenue



3.4 Current Development Policy

3.4.1 Kelowna Official Community Plan

The Kelowna Official Community Plan (Section 9-2) states that new retail, service, office, hotel/motel, and entertainment facilities should be encouraged to locate within urban centres. The proposal is consistent with this aim.

3.4.2 Kelowna Downtown Plan

One of the goals stated in the Kelowna Downtown Plan is to have a Downtown that expresses its identity through arts and cultural assets, as a unique place to live, work, socialise, shop and conduct business.

4.0 TECHNICAL COMMENTS

The application has been submitted to various technical agencies and City departments, and the following comments have been submitted:

4.1. Inspection Services Department

No Concerns.

4.2. RCMP

The above noted request for liquor license application has been reviewed. From a policing perspective we cannot support this request as it would add a burden to our existing policing resources.

4.3. Fire Department

No comment.

4.4. Public Health Inspector

Must comply with environmental tobacco smoke regulation 03/2002. No objection.

5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

The Planning and Development Services Department has no objections to this application. The proposed Pub-style establishment is relatively small in scale as compared to other liquor primary establishments in the vicinity and due to its proximity to the new Chapman Parkade, parking should not be an issue. The applicants are also proposing to cater to a mature demographic that is not likely to trigger many problems in the downtown core. The location of this establishment is not in close proximity to any residential development and therefore staff feels that a person capacity increase would have little effect on the surrounding area. The location of the pub is also outside the area identified by the Mayor's Entertainment District Task Force which is recommending no further expansion of existing or new Liquor Primary Establishments in that area.

Andrew Bruce
Current Planning Manager

Approved for inclusion

R.L. (Ron) Mattiussi, ACP, MCIP
Director of Planning & Development Services

RWS
Attach.

FACT SHEET

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| 1. APPLICATION NO.: | LL02-0010 |
| 2. APPLICATION TYPE: | Liquor License Application |
| 3. OWNER:
ADDRESS
. CITY
. POSTAL CODE | M.S. Developments Inc.
5-246 Lawrence Avenue
Kelowna
V1Y 6L3 |
| 4. APPLICANT/CONTACT PERSON:
. ADDRESS
. CITY
. POSTAL CODE
. TELEPHONE/FAX NO.: | Antonio Pantazopoulos
1630 Ellis St.
Kelowna

(250) 317-5443 |
| 5. APPLICATION PROGRESS:
Date of Application:
Date Application Complete:
Staff Report to Council: | November 14 th , 2002
November 14 th , 2002 |
| 6. LEGAL DESCRIPTION: | Lot 1, Plan 462, BLK 8, DL 139
Lot 2, Plan 462, BLK 8, DL 139 |
| 7. SITE LOCATION: | The subject property is located on the north-west corner of Ellis Street and Leon Avenue in the downtown area. |
| 8. CIVIC ADDRESS: | 1630-54 Ellis Street, Kelowna, BC
466-484 Leon Avenue, Kelowna, BC |
| 9. AREA OF SUBJECT PROPERTY: | 557m2 |
| 10. EXISTING ZONE CATEGORY: | C7 |
| 11. PURPOSE OF THE APPLICATION: | PERSON CAPACITY INCREASE |
| 14. MIN. OF TRANS./HIGHWAYS FILES NO.:
NOTE: IF LANDS ARE WITHIN 800 m OF A
CONTROLLED ACCESS HIGHWAY | N/A |
| 15. DEVELOPMENT PERMIT MAP 13.2
IMPLICATIONS | N/A |

ATTACHMENTS

(not attached to the electronic version of the report)

- Location of subject property
- Site plan
- Floor plan