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**CITY OF KELOWNA**

**MEMORANDUM**

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**Date:** September 17, 2003  
**File No.:** LL03-0017

**To:** City Manager

**From:** Planning and Corporate Services Department

**Subject:**

**APPLICATION NO.** LL03-0017

**OWNER:** Canada West Tree Fruits Ltd

**AT:** 2755-2789 KLO Road

**APPLICANT:** McCulloch Orchard Greens Inc.

**PURPOSE:** THE APPLICANT IS SEEKING COUNCIL ENSORSEMENT FOR AN INTERIOR CAPACITY INCREASE (75 to 92 persons)

**REPORT PREPARED BY:** RYAN SMITH

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1.0 RECOMMENDATION

THAT Council support an interior capacity increase for the liquor primary licensed establishment from 75 to 92 on Lot A, Section 9 & 10, Township 26, Plan 43297, ODYD; proposed by McCulloch Orchard Greens for 2777 KLO Road;

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

2.0 SUMMARY

The applicant is seeking Council endorsement for an interior capacity increase (75-92 persons)

3.0 BACKGROUND

3.1 The Proposal

The applicant is proposing to rearrange the interior floor space of the Bunk House by enclosing and outdoor seating area to create more indoor seating in order comply with the regulations of the Workers Compensation Board relating to smoking and non-smoking areas. The interior seating capacity will increase from 75 to 92 persons, however, there will be no net gain of seating at the establishment from what currently exists.

### 3.2 Site Context

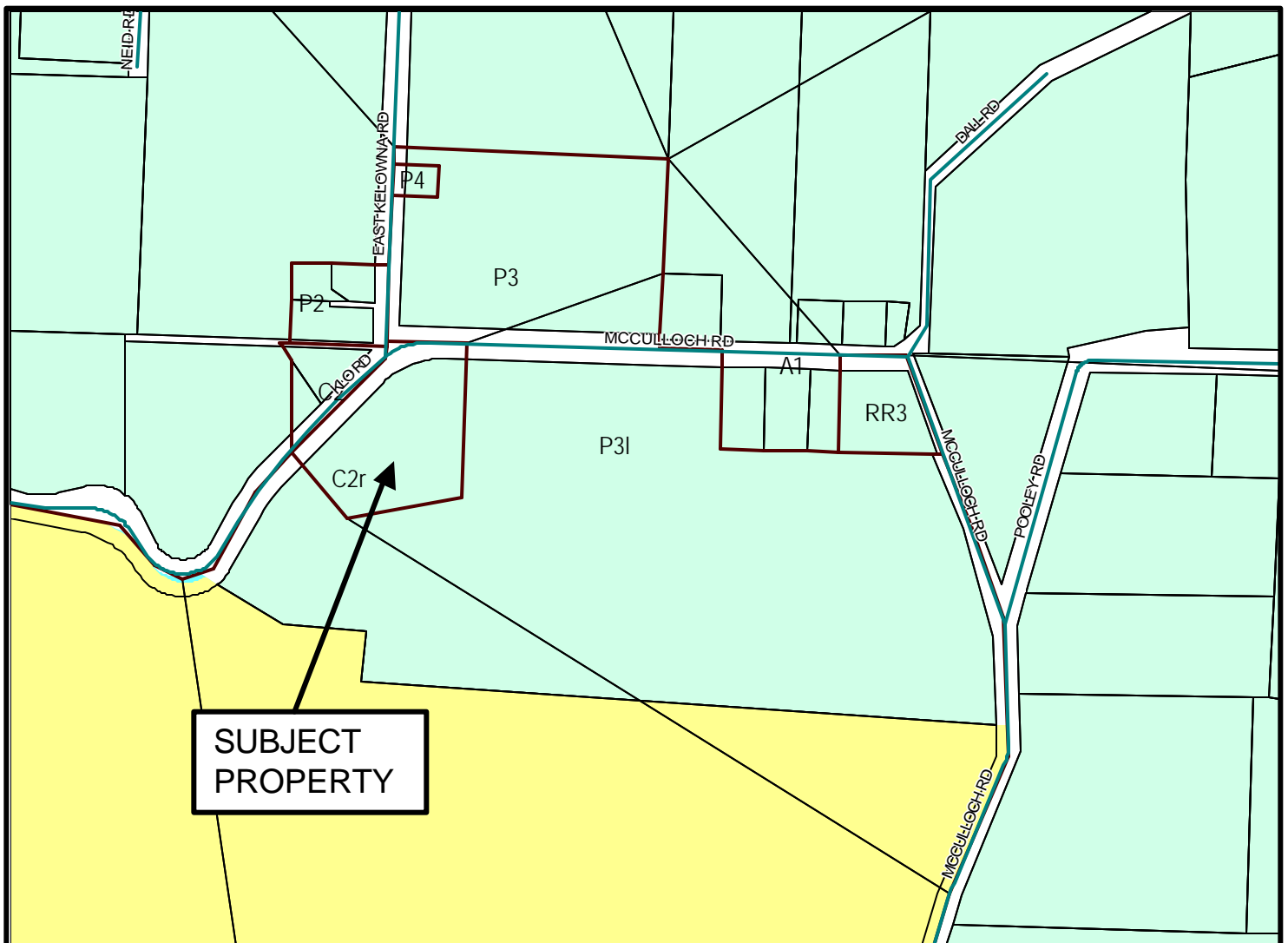
The subject property is located on KLO Road in close proximity to the intersection of East Kelowna Road and McCulloch.

Adjacent zones and uses are:

North - P3 – Parks and Open Space  
East - P3 – Parks and Open Space  
South - P3 – Parks and Open Space  
West - A1 – Agriculture 1

### 3.3 Site Location Map

Subject Property: 2777 KLO Road



#### 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

Support application.

##### 4.3. Fire Department

No Concerns.

##### 4.4. Public Health Inspector

No Comment.

#### 5.0 PLANNING AND CORPORATE SERVICES DEPARTMENT

The Planning and Corporate Services Department has no concerns with the proposed Liquor License application. There is no net increase in capacity associated with this proposal and the recommendations of the Mayor's Entertainment District Task Force are not relevant to this proposal.

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Andrew Bruce  
Development Services Manager

Approved for inclusion

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

RM/AB/rs  
Attach.

**FACT SHEET**

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| <b>1. APPLICATION NO.:</b>   | LL03-0017   |
| <b>2. APPLICATION TYPE:</b>  | Liquor License  |
| <b>3. OWNER:<br/>ADDRESS<br/>. CITY<br/>. POSTAL CODE</b>  | Canada West Tree Fruits Ltd<br>200-537 Leon Ave<br>Kelowna, BC  |
| <b>4. APPLICANT/CONTACT PERSON:<br/>. ADDRESS<br/>. CITY<br/>. POSTAL CODE<br/>. TELEPHONE/FAX NO.:</b>              | McCulloch Orchard Greens Inc.<br>2777 KLO Road<br>Kelowna, BC<br>V1W 4A5<br>868-3844  |
| <b>5. APPLICATION PROGRESS:<br/>Date of Application:<br/>Date Application Complete:<br/>Staff Report to Council:</b> | August 27, 2003<br>August 27, 2003<br>October 14, 2003  |
| <b>6. LEGAL DESCRIPTION:</b>   | Lot A, Section 9 & 10, Township 26,<br>Plan 43297, ODYD   |
| <b>7. SITE LOCATION:</b>   | The subject property is located on<br>KLO Road in close proximity to the<br>intersection of East Kelowna Road<br>and McCulloch. |
| <b>8. CIVIC ADDRESS:</b>   | 2777 KLO Road   |
| <b>9. AREA OF SUBJECT PROPERTY:</b>  | 12 HA   |
| <b>10. EXISTING ZONE CATEGORY:</b>   | C2 LP/RLS   |
| <b>11. PURPOSE OF THE APPLICATION:</b>   | Increase interior seating capacity.   |
| <b>14. MIN. OF TRANS./HIGHWAYS FILES NO.:<br/>NOTE: IF LANDS ARE WITHIN 800 m OF A<br/>CONTROLLED ACCESS HIGHWAY</b> | N/A   |
| <b>15. DEVELOPMENT PERMIT MAP 13.2<br/>IMPLICATIONS</b>  | N/A   |

**ATTACHMENTS**

**(not attached to the electronic version of the report)**

- Location of Subject Property
- Existing Floor Plan
- Proposed Floor Plan