CITY OF KELOWNA

MEMORANDUM

Date: October 20, 2003

File No.: LL03-0018

To: City Manager

From: Planning and Development Services Department

Subject:

APPLICATION NO. LL03-0018 OWNER: Do Gi Ent. Ltd. & RM & GC

Enterprises

AT: 234-236 and 238 Leon Avenue APPLICANT: Gotcha Nightclub

PURPOSE: TO OBTAIN COUNCIL SUPPORT FOR THE

AMALGAMATION OF TWO LIQUOR PRIMARY

ESTABLISHMENTS

REPORT PREPARED BY: RYAN SMITH

1.0 RECOMMENDATION

THAT Council support the amalgamation of Gotchas Nightclub and Oasis Nightclub proposed by Gotchas Nightclub located on Lots 7 and 8, Blk.10, DL.139, ODYD Plan 462, being 234-236 and 238 Leon Avenue, Kelowna, BC;

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

2.0 SUMMARY

The applicant is seeking Council support for the amalgamation of two liquor primary license establishments.

3.0 BACKGROUND

3.1 The Proposal

The applicants own both the Oasis Nightclub and Gotchas Nightclub. These nightclubs are located side by side on Leon Avenue and share an internal connection. The applicant is proposing to amalgamate the two establishments under one liquor primary license. There will be no net increase in person capacity associated with this amalgamation and the hours of operation will not change. The total capacity of the amalgamated licenses will be 473 persons.

3.2 Site Context

The subject property is located on the north side of Leon Avenue between Water and Abbott Streets, in the Central City Sector.

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Adjacent zones and uses are:

North -C7 –Central Business Commercial – The Finer Choice Restaurant East -C7 –Central Business Commercial – Yawbus 3 Sub and Pizza

South -C7 –Central Business Commercial – Parking Lot West -C7 –Central Business Commercial – La Bussola/Junior's/Club Oasis

3.3 Site Location Map

Subject Property: 234-236 and 238 Leon Avenue



4.0 <u>TECHNICAL COMMENTS</u>

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 objections.

4.2. RCMP

RCMP do not object to this initiative as long as there is no increase in overall capacity.

4.3. Fire Department

No concerns.

4.4 Public Health Inspector

Once change is made, client to amalgamate two health operating permits into one. Must adhere to WCB, Environmental Tobacco Smoke Protection criteria.

5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

The Planning and Corporate Services Department has no concerns with the proposed amalgamation of the two liquor primary establishments. As the nightclubs are located side by side, share ownership, and share and internal connection the proposal seems very logical. As there will be no net increase in capacity the policies created by the Mayor's Entertainment District Task Force for dealing with nightclubs in the "Yellow Zone" are not applicable. Mayor's Entertainment District Task Force Policy would not support a new establishment of this size, in this location; however, as the proposal represents no net change in the current capacity staff are prepared to support this request.

Previously in 2003 Council considered and denied and application by Gotchas to increase their seating capacity and extend their hours of operation to 4:00 a.m..

Andrew Bruce Manager Of Development Services	
Approved for inclusion	
R.L. (Ron) Mattiussi, ACP, MCIP Director of Planning & Corporate Services	
RM/AB/rs Attach.	

FACT SHEET

1. **APPLICATION NO.:** LL03-0018

2. **APPLICATION TYPE:** Liquor License Application

3a. OWNER: Do Gi Ent. Ltd. **ADDRESS** Box 28001 **CITY** Kelowna, BC

POSTAL CODE V1W 4A6

3b. OWNER: RM & GC Enterprises Ltd

ADDRESS 1630 Ellis St **CITY** Kelowna, BC

POSTAL CODE

APPLICANT/CONTACT PERSON: 4. Bob Audy (Gotchas Nightclub) 234-236 and 238 Leon Avenue **ADDRESS**

Kelowna, BC CITY

POSTAL CODE

TELEPHONE/FAX NO.: 860-0800/8603088

5. **APPLICATION PROGRESS:**

CIVIC ADDRESS:

8.

September 26, 2003 September 26, 2003 Date of Application: **Date Application Complete:** Staff Report to Council:

LEGAL DESCRIPTION: 6. Lot 7 and Lot 8, Blk.10, DL.139,

ODYD Plan 462

7. SITE LOCATION: The subject property is located on the north

side of Leon Avenue between Water and Abbott Streets, in the Central City Sector. 238 Leon Avenue, Kelowna, BC

9. AREA OF SUBJECT PROPERTY: N/A

10. EXISTING ZONE CATEGORY: C7 – Central Business Commerciall

11. PURPOSE OF THE APPLICATION: TO OBTAIN COUNCIL SUPPORT FOR THE

> AMALGAMATION OF TWO LIQUOR PRIMARY ESTABLISHMENTS

14. MIN. OF TRANS./HIGHWAYS FILES NO.: N/A

NOTE: IF LANDS ARE WITHIN 800 m OF A CONTROLLED ACCESS HIGHWAY

15. DEVELOPMENT PERMIT MAP 13.2

N/A **IMPLICATIONS**

ATTACHMENTS

(not attached to the electronic version of the report)

Location of subject property