

City of Kelowna

Regular Council Meeting

AGENDA



Tuesday, June 14, 2016
6:00 pm
Council Chamber
City Hall, 1435 Water Street

Pages

1. **Call to Order**
2. **Reaffirmation of Oath of Office**
The Oath of Office will be read by Councillor Singh.
3. **Confirmation of Minutes** 1 - 10
Public Hearing - May 31, 2016
Regular Meeting - May 31, 2016
4. **Bylaws Considered at Public Hearing**
 - 4.1 **731 Royal Pine Drive, BL11248 (Z16-0013) - Richard & Jennifer Sutton** 11 - 11
To give Bylaw No. 11248 second and third reading in order to rezone the subject property to allow for the development of a carriage house.
 - 4.2 **2420 Abbott Street, BL11252 (Z16-0014) - Stephani Bruckal** 12 - 12
To give Bylaw No. 11252 second and third reading in order to rezone the subject property to facilitate the construction of a second dwelling.
5. **Notification of Meeting**
The City Clerk will provide information as to how the following items on the Agenda were publicized.
6. **Development Permit and Development Variance Permit Reports**
 - 6.1 **610 Peck Road, DVP16-0098 - Arthur & Barbara Schmid** 13 - 22
City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the required variance(s) to come forward.
To allow off-street parking to be located in the required front yard (4.5m) on an existing driveway.

- 6.2 866 Coronado Crescent, DVP16-0106 - Trevor & Kyla Feddersen** **23 - 35**
- City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the required variance(s) to come forward.**
- To vary the required minimum side yard setback to facilitate an addition to an existing single detached dwelling.
-
- 6.3 2075 KLO Road, BL11188 (TA15-0010) - Amendment to Section 11 - Agricultural Zone** **36 - 36**
- To adopt Bylaw No. 11188 in order to amend Section 11 of City of Kelowna Zoning Bylaw No. 8000 in order to allow the construction of 10 agri-tourist accommodations on the subject property.
-
- 6.4 2075 KLO Road, BL11189 (Z15-0045) - Eva Linttell** **37 - 37**
- To adopt Bylaw No. 11189 in order to rezone the subject property to facilitate agri-tourist accommodations.
-
- 6.5 2075 KLO Road, DP16-0110 & DVP15-0191 - Eva M. Linttell** **38 - 65**
- City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the required variance(s) to come forward.**
- To consider a Staff recommendation to NOT issue a Development Variance Permit to vary the location of agri-tourist accommodation units on the subject property.
-
- 6.6 477 Christleton Avenue, BL11222 (Z16-0007) - Legault Enterprises Ltd.** **66 - 66**
- To adopt Bylaw No. 11222 in order to rezone the subject property to facilitate the development of two detached dwellings.
-
- 6.7 Item To Be Deferred to the June 28, 2016 Meeting - 477 Christleton Avenue, DP16-0029 & DVP16-0030 - Legault Enterprises Ltd.**

7. Reminders

8. Termination



City of Kelowna

Public Hearing

Minutes

Date: Tuesday, May 31, 2016
 Location: Council Chamber
 City Hall, 1435 Water Street

Members Present Mayor Colin Basran, Councillors Maxine DeHart, Ryan Donn, Gail Given, Tracy Gray, Charlie Hodge, Brad Sieben, Mohini Singh, Luke Stack

Staff Present Acting City Manager, Joe Creron, City Clerk, Stephen Fleming, Community Planning Department Manager, Ryan Smith; Urban Planning Manager, Terry Barton; Planner, Laura Bentley*; Suburban & Rural Planning Manager, Todd Cashin*; Divisional Director, Community Planning & Real Estate, Doug Gilchrist; Council Recording Secretary, Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the Hearing to order at 6:03 p.m.

Mayor Basran advised that the purpose of the Hearing is to consider certain bylaws which, if adopted, will amend "Kelowna 2030 - Official Community Plan Bylaw No. 10500" and Zoning Bylaw No. 8000", and all submissions received, either in writing or verbally, will be taken into consideration when the proposed bylaws are presented for reading at the Regular Council Meeting which follows this Public Hearing.

2. Notification of Meeting

The City Clerk advised that Notice of this Public Hearing was advertised by being posted on the Notice Board at City Hall on May 17, 2016 and by being placed in the Kelowna Capital News issues on May 20 and May 25, 2016 and by sending out or otherwise delivering 22 statutory notices to the owners and occupiers of surrounding properties, and 1171 informational notices to residents in the same postal delivery route, between May 17 and May 20, 2016.

The correspondence and/or petitions received in response to advertising for the applications on tonight's agenda were arranged and circulated to Council in accordance with Council Policy No. 309.

3. Individual Bylaw Submissions

3.1 Regional Context Statement, BL11205 (OCP16-0002) - City of Kelowna

Staff:

- Displayed a PowerPoint presentation summarizing the application.

The City Clerk advised that no correspondence or petitions had been received.

Mayor Basran invited the applicant or anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

No one came forward from the gallery.

There were no further comments.

3.2 894 Stremel Road, BL11244 (OCP16-0001) & BL11245 (Z16-0006) - McBeetle Holdings

Staff:

- Displayed a PowerPoint presentation summarizing the application.

The City Clerk advised that no correspondence or petitions had been received.

Mayor Basran invited the applicant or anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

Applicant:

- Present and available for questions.

Gallery:

Wayne Raines:

- Also representing neighbours South of Stremel Road and East of Orchard Ford.
- Raised concern with road alignments and traffic volumes in the general area.

There were no further comments.

3.3 820 Finns Road, BL11246 (OCP15-0016) & BL11247 (Z15-0053) - Raif Holdings Ltd.

Staff:

- Displayed a PowerPoint presentation summarizing the application.

The City Clerk advised that no correspondence or petitions had been received.

Mayor Basran invited the applicant or anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

Applicant:

- Present and available for questions.

Gallery:

Wayne Raines:

- Inquired if the dedication on the north end will have future access to Highway 97.

Staff:

- Confirmed dedication on the north end would have future access to Highway 97.

There were no further comments.

4. Termination

The Hearing was declared terminated at 6:22 p.m.

Mayor

/acm

Heidi Hering

City Clerk

DRAFT



City of Kelowna Regular Council Meeting Minutes

Date: Tuesday, May 31, 2016
Location: Council Chamber
City Hall, 1435 Water Street

Members Present Mayor Colin Basran, Councillors Maxine DeHart*, Ryan Donn, Gail Given, Tracy Gray, Charlie Hodge, Brad Sieben*, Mohini Singh, Luke Stack

Staff Present Acting City Manager, Joe Creron, City Clerk, Stephen Fleming, Community Planning Department Manager, Ryan Smith*; Urban Planning Manager, Terry Barton; Divisional Director, Community Planning & Real Estate, Doug Gilchrist; Council Recording Secretary, Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 6:22 p.m.

2. Reaffirmation of Oath of Office

The Oath of Office was read by Councillor Sieben.

3. Confirmation of Minutes

Moved By Councillor Gray/Seconded By Councillor Singh

R462/16/05/31 THAT the Minutes of the Public Hearing and Regular Meeting of May 17, 2016 be confirmed as circulated.

Carried

4. Bylaws Considered at Public Hearing

4.1 BL11205 (OCP16-0002) - Amendment to Chapter 2 - Regional Context

Moved By Councillor Gray/Seconded By Councillor Hodge

R463/16/05/31 THAT Bylaw No. 11205 be read a second and third time and adopted

Carried

4.2 894 Stremel Road, BL11244 (OCP16-0001) - McBeetle Holdings Ltd.

Moved By Councillor Hodge/Seconded By Councillor Donn

R464/16/05/31 THAT Bylaw No. 11244 be read a second and third time.

Carried

4.3 894 Stremel Road, BL11245 (Z16-0006) - McBeetle Holdings Ltd.

Moved By Councillor Gray/Seconded By Councillor Donn

R465/16/05/31 THAT Bylaw No. 11245 be read a second and third time.

Carried

4.4 820 Finns Road, BL11246 (OCP15-00016) - Raif Holdings Ltd.

Moved By Councillor Singh/Seconded By Councillor DeHart

R466/16/05/31 THAT Bylaw No. 11246 be read a second and third time.

Carried

4.5 820 Finns Road, BL11247 (Z15-0053) Raif Holdings Ltd.

Moved By Councillor Stack/Seconded By Councillor DeHart

R467/16/05/31 THAT Bylaw No. 11247 be read a second and third time.

Carried

5. Notification of Meeting

The City Clerk advised that Notice of these Liquor License Applications were advertised by being posted on the Notice Board at City Hall on May 17, 2016, and by being placed in the Kelowna Capital News issues on May 20 and May 25, 2016 and by sending out or otherwise delivering 35 statutory notices to the owners and occupiers of surrounding properties, and 1274 informational notices to residents in the same postal delivery route, between May 17 and May 20, 2016.

Notice of Council's consideration of these *Development Variance Permit Applications* was given by sending out or otherwise delivering 43 statutory notices to the owners and occupiers of surrounding properties, and 804 informational notices to residents in the same postal delivery route, between May 17 and May 20, 2016.

The correspondence and/or petitions received in response to advertising for the applications on tonight's Agenda were arranged and circulated to Council in accordance with Council Policy No. 309.

6. Liquor License Application Reports

6.1 889 Vaughan Avenue, LL14-0006 - 1568447 Alberta Ltd.

Councillor DeHart declared a conflict of interest on the following two applications as it is in direct competition with her employer the Ramada Hotel and departed the meeting at 6:28 p.m.

Councillor Sieben declared a conflict of interest as it is located in close proximity to a similar business that is owned and operated by a family member and departed the meeting at 6:28 p.m.

Staff:

- Displayed a PowerPoint presentation summarizing the application and responded to questions from Council.
- Confirmed the closing time is 1:00 a.m. not 2:00 a.m.

The City Clerk advised that no correspondence or petitions had been received.

Mayor Basran invited the applicant or anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

Mr. Bert Hicks, Rising Tide Consultants

- Provided a brief history of the Brewery Lounge.
- Has no objection to staff's report.
- Would appreciate Council's support.

No one came forward from the gallery.

There were no further comments.

Moved By Councillor Hodge/Seconded By Councillor Singh

R468/16/05/31 THAT Council directs Staff to forward the following Recommendation to the Provincial Liquor Control and Licensing Branch (LCLB):

In accordance with Section 53 of the Liquor Control and Licensing Regulation and Council Policy 359, BE IT RESOLVED THAT:

Council recommends support of applications from rising Tide Consultants for a brewery lounge endorsement and special event area endorsements for Lot 1, Section 30 Township 26, ODYD, Plan EPP34493, located at 889 Vaughan Ave., Kelowna, BC for the following reasons:

The addition of Brewery Lounge and Special Event Area endorsements to the new brewery are anticipated to add additional hospitality options for tourists in the downtown area.

Council's comments on LCLB's prescribed considerations are as follows:

Criteria for a brewery lounge and special event area endorsement:

a. The location of the brewery lounge/special event area:

The proposed lounge area is designed to be located on two levels of the brewery, with the majority of seats located on the ground floor. There is a patio area on the lower level that is to be included as part of the lounge.

b. The proximity of the brewery lounge /special event area to other social or recreational facilities and public buildings: are as noted on the attached map. The potential for negative impact is considered minimal.

c. The person capacity of the Brewery lounge and Special Events Area:

The person capacity of the lounge and Special Events Area is limited to a total of 160 persons for all areas owing to the amount of off-street parking available on the property.

d. **Hours of liquor service of the lounge and special events area:**
9:00 AM to 1:00 AM, Sunday to Saturday

e. **Traffic, noise, parking and zoning:**
There is a nominal increase in traffic and parking associated with this application. The person capacity of the facility is limited by the amount of parking available. The parking available on the property meets zoning bylaw regulation. The use of the property as a brewery is permitted under the current I2 - General Industrial and I4 - Central Industrial zones.

f. **The impact on the community if the application is approved:**
The use of the site for a brewery lounge and Special Event area is not anticipated to be major, as the proposed development is expected to add more options for brewery tour/tasting to the downtown area, and is expected to benefit other downtown tourist related businesses. Surrounding social or recreational facilities will not conflict with the proposed establishment.

Council's comments on the views of residents are as contained within the minutes of the meeting at which the application was considered by Council. The methods used to gather views of residents were as per Council Policy #359 "Liquor Licensing Policy and Procedures."

Carried

Councillor Sieben rejoined the meeting at 6:38 p.m.

6.2 165 Highway 33 E, LL15-0031 - Klar Enterprises Inc.

Staff:

- Displayed a PowerPoint presentation summarizing the application and responded to questions from Council.

The City Clerk advised that no correspondence or petitions had been received.

Mayor Basran invited the applicant or anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

Chung Lee, Highway 33, Applicant

- Provided additional information regarding the closing time of midnight. Advised that by 12:30 a.m. all patrons must exit the building.
- Previously the establishment opened at 12:00 p.m. but changed the opening time to 3:00 p.m. due to school kids accessing during school hours.
- Confirmed that no minors will be present when liquor is served.
- Spoke to the business model and uniqueness of the business.

No one came forward from the gallery.

There were no further comments.

Moved By Councillor Hodge/Seconded By Councillor Donn

R469/16/05/31 THAT Council directs staff to forward the following recommendation to the Provincial Liquor Control and Licensing Branch (LCLB):

In accordance with Section 10 of the Liquor Control and Licensing Regulation and Council Policy 359, BE IT RESOLVED THAT:

Council recommends support for the application from Headquarters49 Entertainment Ltd (HQ49) at 165 Hwy 33 E, legally described as Lot B, Section 23, Township 26, ODYD, Plan 38074 for a liquor primary license with hours of operation from 8:30 pm to 12:00 midnight, seven days a week subject to the following conditions:

1. The licenced area supported be restricted to the "general seating area" as outlined on the floor plan submitted and two karaoke rooms adjacent to the proposed bar area numbered 101 and 102 with permanent signs. Licensing of the two karaoke rooms is contingent on the licensee keeping the windows unobstructed to permit line of sight monitoring when the room is occupied and this monitoring is to be supported with an operational CCTV video monitoring system.
2. The maximum occupant load is 40 during licensing hours.
3. No minors will be permitted within the premises when operating under a Liquor Primary licence. No liquor will be permitted outside of the permitted licenced area within the floor plan. When converting the venue from an all-ages establishment to Liquor Primary, policy requires the premises be vacant for a period of not less than 30 minutes with the exception of staff. When operated as an all-ages establishment all liquor must be removed out of view and secured.
4. The Council's comments on the prescribed considerations are as follows:
 - The location of the establishment;
 - The location of the establishment is suitable for liquor service.
 - The potential for noise if the application is approved;
 - The potential for noise may increase but it has not been a problem in this location in the past.
 - The impact on the community if the application is approved;
 - The impact on the community will be minimal.

The Council's comments on the views of residents are as contained within the minutes of the meeting at which the application was considered by Council. The methods used to gather views of residents were as per Council Policy #359 "Liquor Licensing Policy and Procedures".

Carried

Councillor DeHart rejoined the meeting at 6:57 p.m.

7. Development Permit and Development Variance Permit Reports

7.1 2741 Highway 97 N, DVP16-0073 - R.J.S. Holdings Inc.

Staff:

- Displayed a PowerPoint presentation summarizing the application and responded to questions from Council.

The City Clerk advised that no correspondence or petitions had been received.

Mayor Basran invited the applicant or anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

David Atkinson, Five Star Permits, Applicant Representative

- Advised that the dealerships are two separate entities and it's a necessity to have two signs.
- Advised that Nissan puts strict deadlines on sign companies and once permit approval was received the sign was installed within a week.

- Commented on the excessive additional costs to be incurred if both “Nissan” and “Infinite” are contained on one sign.
- Responded to questions from Council.

No one came forward from the gallery.

There were no further comments.

Moved By Councillor Given/Seconded By Councillor Donn

R470/16/05/31 THAT Council NOT authorize the issuance of Development Variance Permit No. DVP16-0073 for the property legally known as Lot A, District Lot 124, ODYD, Plan 38380, located on 2741 Hwy 97 N, Kelowna, BC;

Carried
Councillor Sieben - Opposed

7.2 200 Clarissa Road, BL11225 (Z16-0002) - David & Margaret Ward

Moved By Councillor DeHart/Seconded By Councillor Sieben

R471/16/05/31 THAT Bylaw No. 11225 be adopted.

Carried

7.3 200 Clarissa Road, DP16-0004 & DVP16-0005 - David & Margaret Ward

Staff:

- Displayed a PowerPoint presentation summarizing the application and responded to questions from Council.

The City Clerk advised that no correspondence or petitions had been received.

Mayor Basran invited the applicant or anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

Applicant:

- Present and available for questions.

No one came forward from the gallery.

There were no further comments.

Moved By Councillor Hodge/Seconded By Councillor Singh

R472/16/05/31 THAT final adoption of Rezoning Bylaw No. 11225 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP16-0007 for Lot 12, Section 23, Township 26, ODYD, Plan 15416, 200 Clarissa Rd, Kelowna, BC, subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule “A,”
2. The exterior design and finish of the building to be constructed on the land, be in accordance with Schedule “B”;

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP16-0005 for Lot 12, Section 23, Township 26, ODYD, Plan 15416, 200 Clarissa Rd, Kelowna, BC;

AND THAT variances to the following section of Zoning Bylaw No. 8000 be granted:

Section 13.1.6(a): RU1c - Large Lot Housing with Carriage House Development Regulations

To vary the maximum combined area of all accessory buildings/structures and carriage houses (e.g. footprint size) from 130m² required to 183.5m² proposed.

AND THAT Council's consideration of this Development Permit be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated March 8, 2016.

Carried

8. Reminders

Councillor Stack

- Made comment on lack of portable sign bylaw enforcement.
- Will register concerns via City's Service Request for sign infractions that are noticed.

Staff:

- Made comment on Sign Bylaw provisions for portable signs. Revised bylaw will provide better guidance on where to place signage.

Council:

- Made comment on the various aspects of the current and upcoming Sign Bylaw.

9. Termination

The meeting was declared terminated at 7:38 p.m.

Mayor

/acm

Steph Theriault
City Clerk

CITY OF KELOWNA
BYLAW NO. 11248
Z16-0013 - Richard & Jennifer-Lyn Sutton
731 Royal Pine Drive

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 25, Section 30, Township 26, ODYD, Plan 40293 located on Royal Pine Drive, Kelowna, B.C., from the RU1 - Large Lot Housing zone to the RU1c - Large Lot Housing with Carriage House zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 30th day of May, 2016.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 11252
Z16-0014 - Stephani Bruckal
2420 Abbott Street

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A District Lot 14 ODYD Plan KAP69396 Except Plan KAP73098 located at Abbott Street, Kelowna, B.C., from the RU1 - Large Lot Housing zone to the RU6 - Two Dwelling Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 30th day of May, 2016.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: June 14, 2016

RIM No. 0940-50

To: City Manager

From: Community Planning Department (TB)

Application: DVP16-0098 **Owner:** Arthur Schmid
Barbara Schmid

Address: 610 Peck Rd **Applicant:** Barbara Schmid

Subject: Development Variance Permit

Existing OCP Designation: S2RES - Single/Two Unit Residential

Existing Zone: RU1 - Large Lot Housing

Proposed Zone: RU1 - Large Lot Housing

1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP16-0098 for Lot 14, District Lot 5196, and of Section 14, Township 26, ODYD, Plan 25160, located at 610 Peck Road, Kelowna, BC;

AND THAT variances to the following section of Zoning Bylaw No. 8000 be granted:

Section 8.1.9(b): Parking and Loading

To allow off-street parking to be located in the required front yard on a driveway that does not provide access to a required off-street parking space.

AND FURTHER THAT this Development Variance Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

2.0 Purpose

To allow off-street parking to be located in the required front yard (4.5m) on an existing driveway.

3.0 Community Planning

Community Planning supports the requested variance to allow off-street parking to be located in the required front yard on an existing driveway that does not provide access to a required off-street parking space.

The parking became non-conforming when the applicant made improvements to their home without permits, effectively removing their two required off-street parking spaces in their garage. The location of the driveway is not intended to change and the approval of this variance will allow the applicant to apply for a building permit to legalize and ensure life safety requirements are met for the enclosure of the garage.

4.0 Proposal

4.1 Background

The subject property is located on the corner of Hollywood Road S and Peck Road in Rutland. The home was constructed in 1981 with a carport, which was later converted to a garage with building permits in 1987. The applicant enclosed their sundeck and converted their garage to living space in 2010 without required building permits. This eliminated their two required off-street parking spaces, leaving the only parking available on the driveway in the required front yard (4.5m).

4.2 Project Description

The applicant has applied for a building permit to legalize the work that was completed without permit in 2010. This will ensure that the construction meets life and safety standards as well as current BC Building Code. In order for this permit to be issued and any life safety issues to be resolved, a variance must be approved to allow parking in the required front yard.

The current location of the driveway is on the east side of the subject property, approximately 18m away from the stop sign at Hollywood Road S and Peck Road. This is sufficient distance from the stop sign that there will be no impact to site lines or traffic safety through the approval of this variance.

In accordance with Council Policy #367 the applicant completed neighbourhood consultation in April by going door to door and presenting the site plan.

4.3 Site Context

The subject property is located on the north east corner of Hollywood Road S and Peck Road in Rutland.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 - Large Lot Housing	Residential
East	RU1 - Large Lot Housing	Residential
South	RU1 - Large Lot Housing	Vacant
West	RU1 - Large Lot Housing	Residential

Subject Property Map: 610 Peck Road



Google Street View 2009: Shows garage being converted to habitable living space



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU1 ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Front Yard Setback for Parking	4.5m	0.0m ¹
¹ Indicates a requested variance to allow 2 parking spaces in the required front yard.		

5.0 Current Bylaws

5.1 Kelowna Subdivision, Development, and Servicing Bylaw No. 7900

Residential driveway access onto an arterial or Class 1 collector road is not permitted unless alternate access is impossible. (Section 4.6)¹

5.2 Kelowna Building Bylaw No. 7245

No person shall commence construction or continue to construct a building or structure without first obtaining a permit for that purpose from the Building Inspector.²

6.0 Technical Comments

¹ Kelowna Subdivision, Development, and Servicing Bylaw No. 7900 Section 4: Highway 4.6

² Kelowna Building Bylaw No. 7245 Part 2: Prohibitions 2.2.1(a)

6.1 Building & Permitting Department

No comment.

6.2 Development Engineering Department

No response.

6.3 Fire Department

No concerns.

7.0 Application Chronology

Date of Application Received: April 1, 2016
Date Public Consultation Completed: April 18, 2016

Report prepared by:

Trisa Brandt, Planner I

Reviewed by: ☐ Terry Barton, Urban Planning Manager

Approved for Inclusion: ☐ Ryan Smith, Community Planning Department Manager

Attachments:

Schedule "A": Context/Site Photo

Schedule "A": Site Plan

Draft Development Variance Permit DVP 16-0098

DEVELOPMENT VARIANCE PERMIT



APPROVED ISSUANCE OF DEVELOPMENT VARIANCE PERMIT NO. DVP16-0098

Issued To: Arthur Schmid
Barbara Schmid

Site Address: 610 Peck Road

Legal Description: Lot 14, District Lot 5196, and of Section 14, Township 26, ODYD, Plan 25160

Zoning Classification: RU1 - Large Lot Housing

SCOPE OF APPROVAL

This Permit applies to and only to those lands within the Municipality as described above, and any and all buildings, structures and other development thereon.

This Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this Permit, noted in the Terms and Conditions below.

The issuance of a Permit limits the Permit Holder to be in strict compliance with regulations of the Zoning Bylaw and all other Bylaws unless specific Variances have been authorized by the Permit. No implied Variances from bylaw provisions shall be granted by virtue of drawing notations that are inconsistent with bylaw provisions and that may not have been identified as required Variances by the applicant or Municipal staff.

1. TERMS AND CONDITIONS

THAT Development Variance Permit No. DVP16-0098 for Lot 13, District Lot 5196, and of Section 14, Township 26, ODYD, Plan 25160, located at 610 Peck Road, Kelowna, BC be approved;

THAT variances to the following sections of Zoning Bylaw No. 8000 be granted, as shown on Schedule "A":

Section 8.1.9(b): Parking and Loading

To allow off-street parking to be located in the required front yard on a driveway that does not provide access to a required off-street parking space.

AND FURTHER THAT this Development Variance Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

2. PERFORMANCE SECURITY

None required.

3. DEVELOPMENT

The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit that shall form a part hereof.

If the Permit Holder does not commence the development permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.

This Permit IS NOT a Building Permit.

4. APPLICANT'S AGREEMENT

I hereby declare that all of the above statements and the information contained in the material submitted in support of this Permit are to the best of my belief, true and correct in all respects. Upon issuance of the Permit for me by the Municipality, then in such case, I covenant and agree to save harmless and effectually indemnify the Municipality against:

- a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality granting to me the said Permit.
- b) All costs, expenses, claims that may be incurred by the Municipality if the construction by me of engineering or other types of works as called for by the Permit results in damages to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly or indirectly in any way or to any degree, to construct, repair, or maintain.

I further covenant and agree that should I be granted a Development Permit and/or Development Variance Permit, the Municipality may withhold the granting of any Occupancy Permit for the occupancy and / or use of any building or part thereof constructed upon the hereinbefore referred to land until all of the engineering works or other works called for by the Permit have been completed to the satisfaction of the Municipal Engineer and Divisional Director of Community Planning & Real Estate.

Should there be any change in ownership or legal description of the property, I undertake to notify the Community Planning Department immediately to avoid any unnecessary delay in processing the application.

I HEREBY UNDERSTAND AND AGREE TO ALL THE TERMS AND CONDITIONS SPECIFIED IN THIS PERMIT.

Signature of Owner / Authorized Agent

Date

Print Name in Bold Letters

Telephone No.

5. APPROVALS

Issued and approved by Council on the _____ day of _____, 2016.

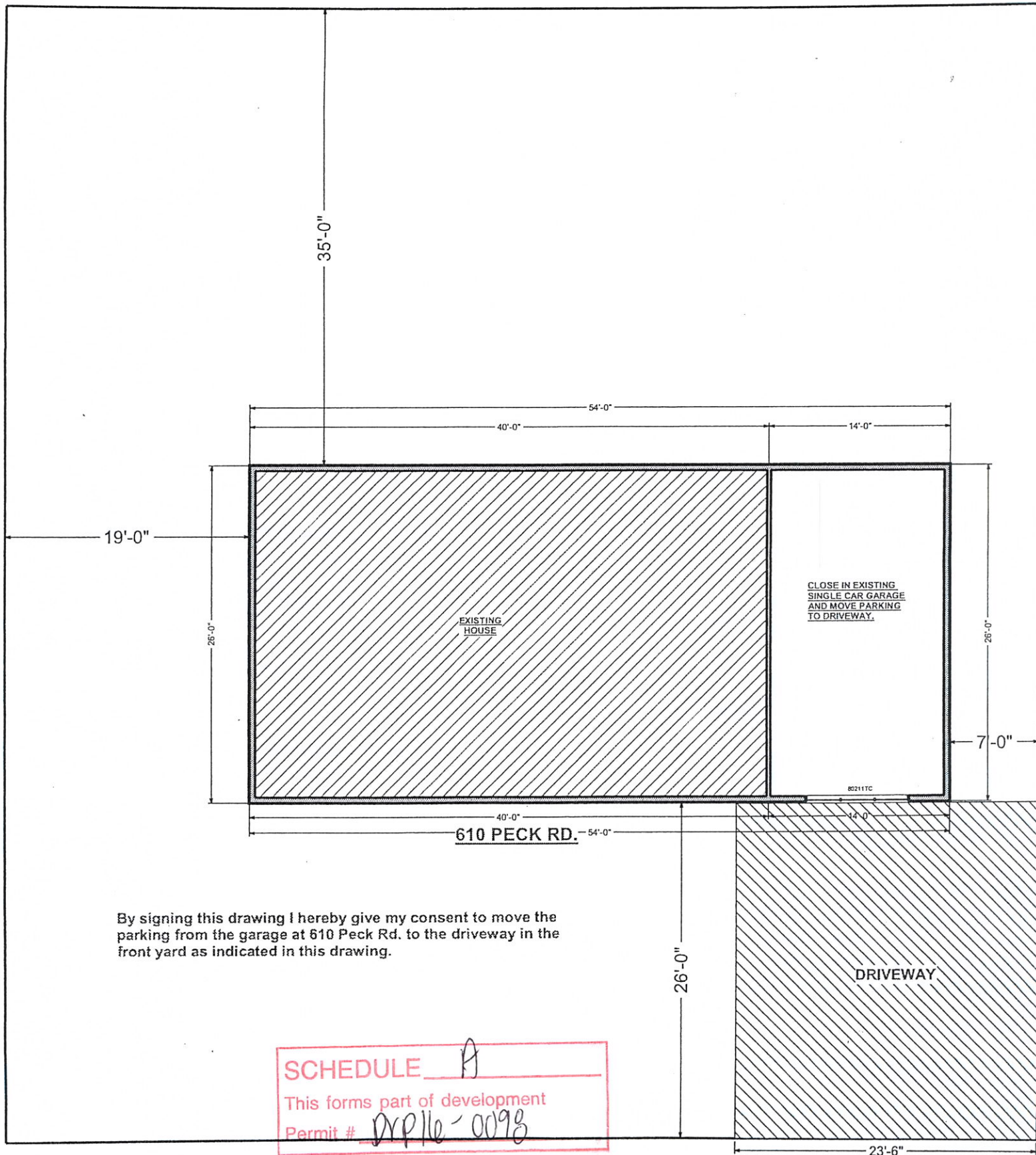
Ryan Smith, Community Planning Department Manager
Community Planning & Real Estate

Date

**The PERMIT HOLDER is the CURRENT LAND OWNER.
Security shall be returned to the PERMIT HOLDER.**



SCHEDULE A
This forms part of development
Permit # DWP16-0098



REPORT TO COUNCIL



Date: June 14, 2016

RIM No. 0940-50

To: City Manager

From: Community Planning Department (LK)

Application: DVP16-0106 Owner: Trevor & Kyla Feddersen

Address: 866 Coronado Crescent Applicant: Trevor Feddersen

Subject: Development Variance Permit

Existing OCP Designation: S2RES - Single /Two Unit Residential

Existing Zone: RU1 - Large Lot Housing

1.0 Recommendation

THAT Council Authorizes the issuance of Development Variance Permit No. 8000 DVP15-0106 for Lot 24 District Lot 580A SDYD Plan 25407, located at 866 Coronado Crescent;

AND THAT variances to the following section of the Zoning Bylaw NO. 8000 be granted:

Section 13.1.6(d): RU1 - Large Lot Housing Development Regulations

To vary the required minimum side yard from 2.3 m permitted to 2.19 m proposed

AND FURTHER THAT this Development Variance Permit is valid for two (2) years from the date of Council approval; with no opportunity to extend.

2.0 Purpose

To vary the required minimum side yard setback to facilitate an addition to an existing single detached dwelling.

3.0 Community Planning

Community Planning Staff supports the requested side setback variance to facilitate a second storey addition to the east side of an existing single family dwelling. The addition to the dwelling is directly above the existing garage area and will not increase the overall footprint of the building.

Council Policy No. 367 with respect to public consultation was undertaken by the applicant. All adjacent neighbours within a 50 m radius of the subject parcel were contacted by the applicant.

4.0 Proposal

4.1 Project Description

The single family dwelling was constructed on the subject parcel in 1976. The following year, an addition for the existing attached single car garage was completed. The proposal is to add a second level above the existing garage. The requested variance is to decrease the second storey setback to the east side property line. The Zoning Bylaw requires a side setback of 2.0 m for a single storey structure. With the addition in this area, the building becomes two storey and the setback requirement increases to 2.3 m. The proposed setback is 2.19 m at the front corner of the house. As the building is slightly skewed on the lot, the side setback increases to 2.33 m at the rear corner of the house and will exceed the zoning bylaw requirement. The requested variance to the side setback is minor in nature and the Building Permit will address the increased life safety requirements.

The applicant is proposing a second storey addition above the existing garage located at the east end of the dwelling. Due to the increased floor to ceiling distance within the garage, the addition will have a slightly higher roof peak than that of the existing. The overall building height remains well below the maximum allowed within the development regulations of the Zoning Bylaw. The existing upper floor area will be minimally reconfigured for access to the new addition. The proposed addition will provide for a new great room and larger master bedroom.

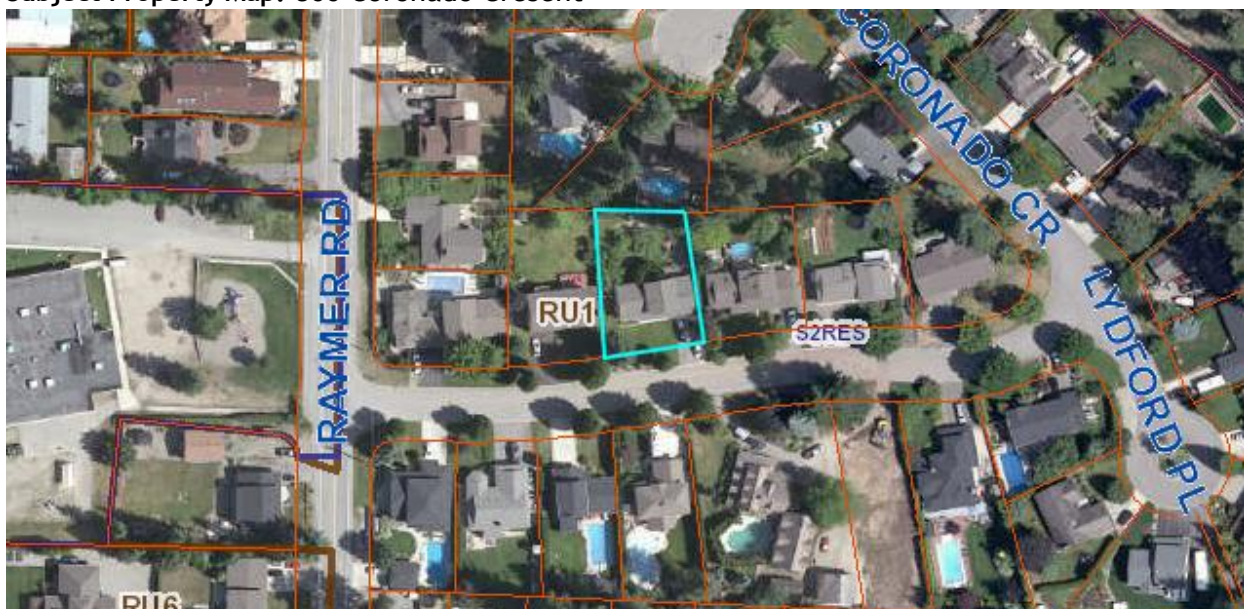
The exterior finishes and roofing materials of the addition will be completed to match the existing dwelling.

4.2 Site Context

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 - Large Lot Housing	S2RES - Single /Two Unit Residential
East	RU1 - Large Lot Housing	S2RES - Single /Two Unit Residential
South	RU1 - Large Lot Housing	S2RES - Single /Two Unit Residential
West	RU1 - Large Lot Housing	S2RES - Single /Two Unit Residential

Subject Property Map: 866 Coronado Cresnet



4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU1 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Minimum Lot Area	550 m ²	971 m ²
Minimum Lot Width	16.5 m	24.38 m
Minimum Lot Depth	30 m	33.67 m
Development Regulations		
Maximum Site Coverage (buildings)	40%	18.48%
Maximum Site Coverage (buildings, driveways and parking)	50%	24.61%
Maximum Height	9.5 m or 2 ½ storeys	7.18 m to peak & 2 storeys
Minimum Front Yard	6.0 m	8.96 m
Minimum Side Yard (east)	2.3 m	2.19 m (-0.11 m) ❶
Minimum Side Yard (west)	2.3 m	3.73 m
Minimum Rear Yard	7.5 m	26.71 m
Other Regulations		
Minimum Parking Requirements	2 stalls	2 stalls
❶ Indicates a requested variance to the proposed east side setback.		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Compact Urban Form.¹ Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

6.0 Technical Comments

6.1 Building & Permitting Department

- Full Plan check for Building Code related issues will be done at time of Building Permit applications.

6.2 Development Engineering Department

- Refer to Attachment A.

6.3 Fire Department

- Requirements of section 9.10.19 Smoke Alarms and Carbon Monoxide alarms of the BCBC 2012 are to be met.

7.0 Application Chronology

¹ City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

Date of Application Received: April 8, 2016
Date Public Consultation Completed: May 1, 2016

Report prepared by:

Lydia Korolchuk, Planner

Reviewed by:



Terry Barton, Urban Planning Manager

Approved for Inclusion:



Ryan Smith, Community Planning Department Manager

Attachments:

Site Context Map

Attachment A: Development Engineering Memorandum

Site Plan & Floor Plans

Conceptual Elevations

Draft Development Variance Permit No. DVP16-0106

CITY OF KELOWNA
MEMORANDUM

Date: May 5, 2016
File No.: DVP16-0106
To: Community Planning (LK)
From: Development Engineering Manager (SM)
Subject: 866 Coronado Crescent

Development Engineering comments and requirements regarding this development variance permit application are as follows:

This development variance permit application to vary the side setback to facilitate a second storey addition to an existing single family dwelling does not compromise any municipal services.



Steve Muenz, P. Eng.
Development Engineering Manager

SS

Site Plan

CITY OF KELOWNA - COMMUNITY PLANNING

REVISED PLANS

File No.: DCP16-01.06

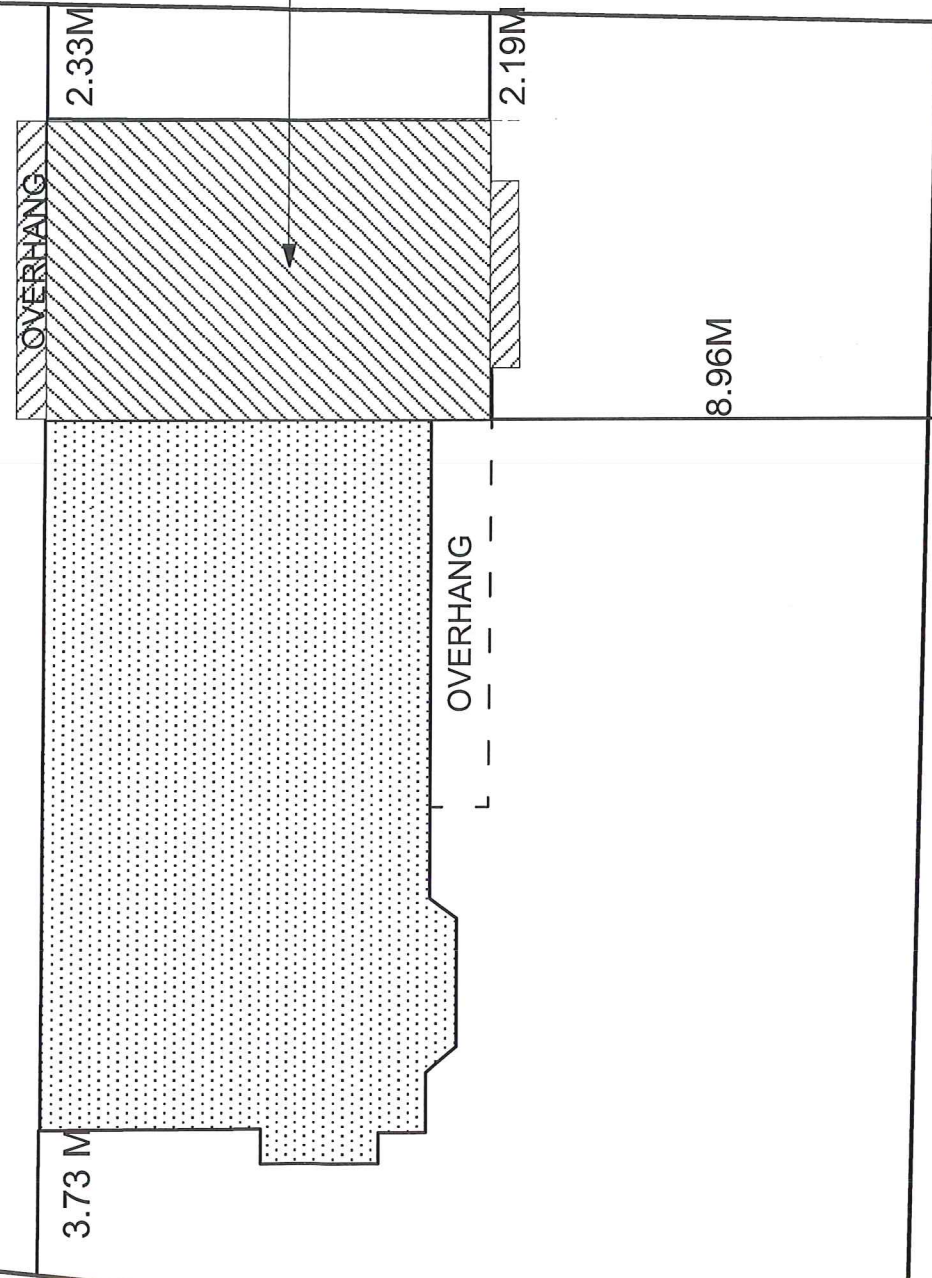
Date Received: May 3/16

24.384 M



39.947 M

33.668 M



27.432 M

Coronado
Crescent

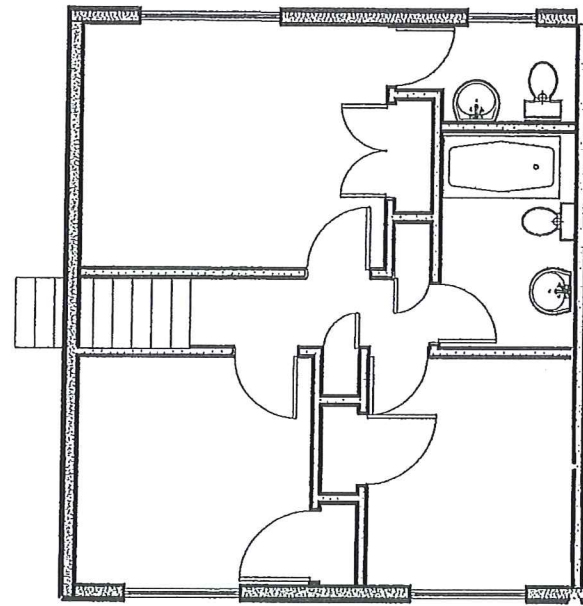
Site Plan



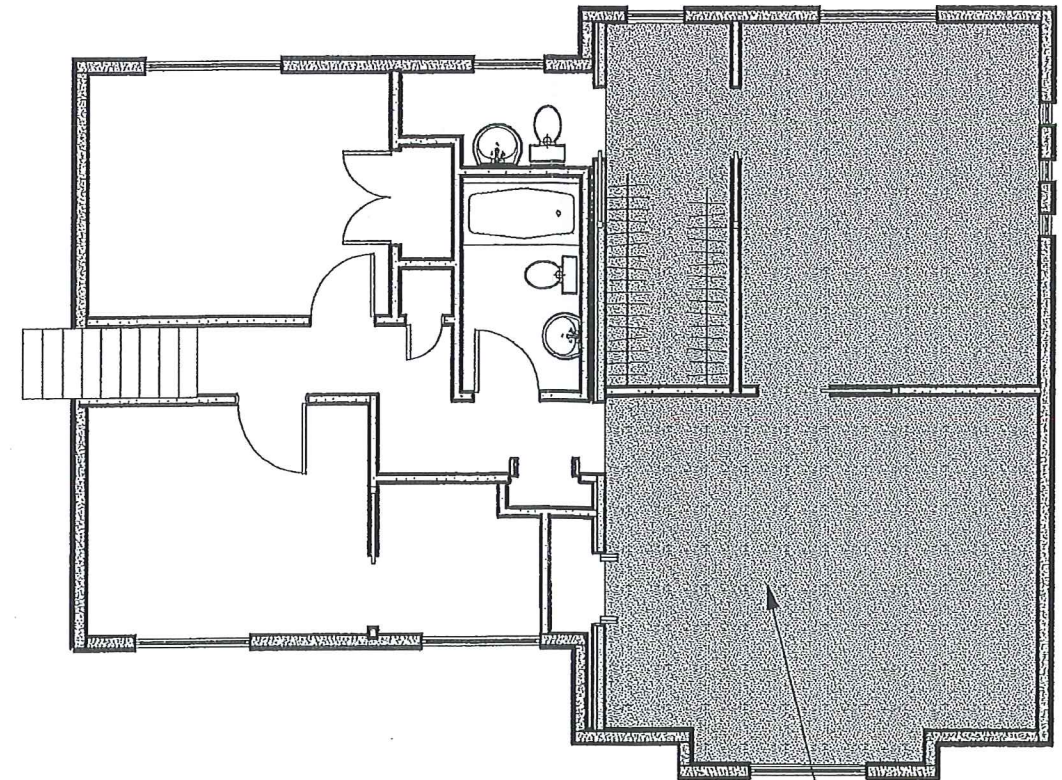
Elevations

2 OF 5

Coronado Crescent
Scale: 1/8" = 1'0"

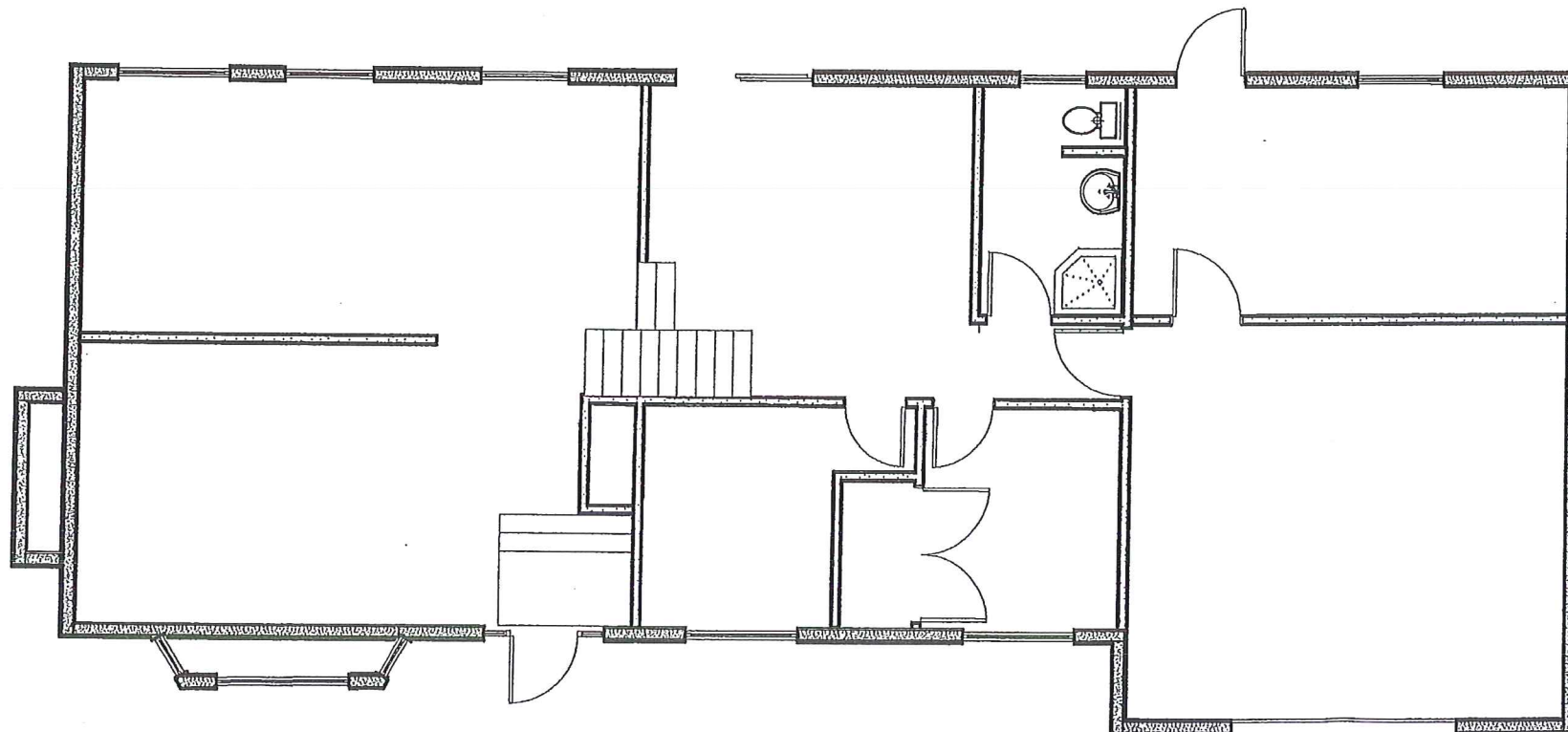


UPPER EXISTING PLAN



RENO PLAN

NEW CONSTRUCTION

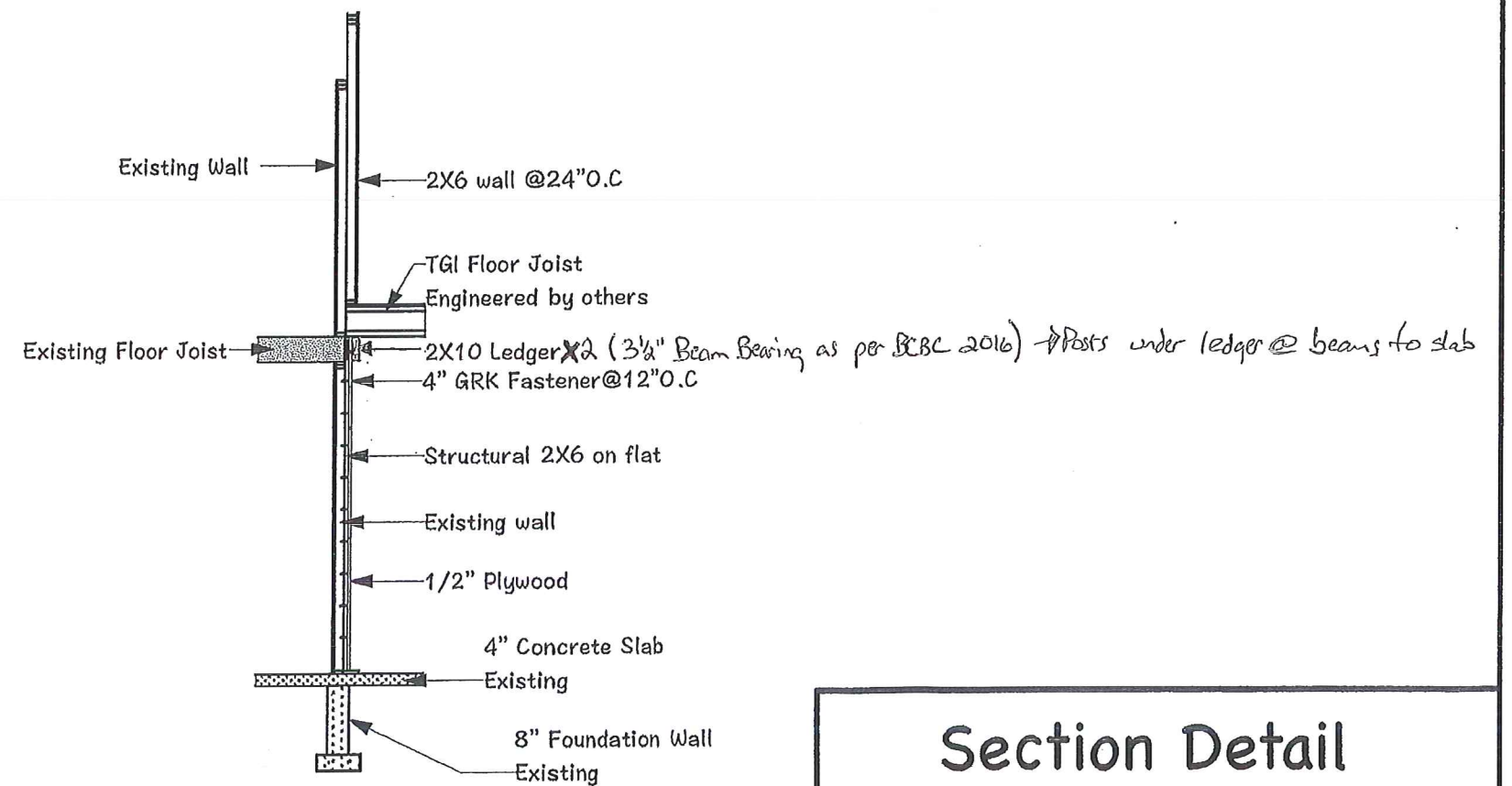
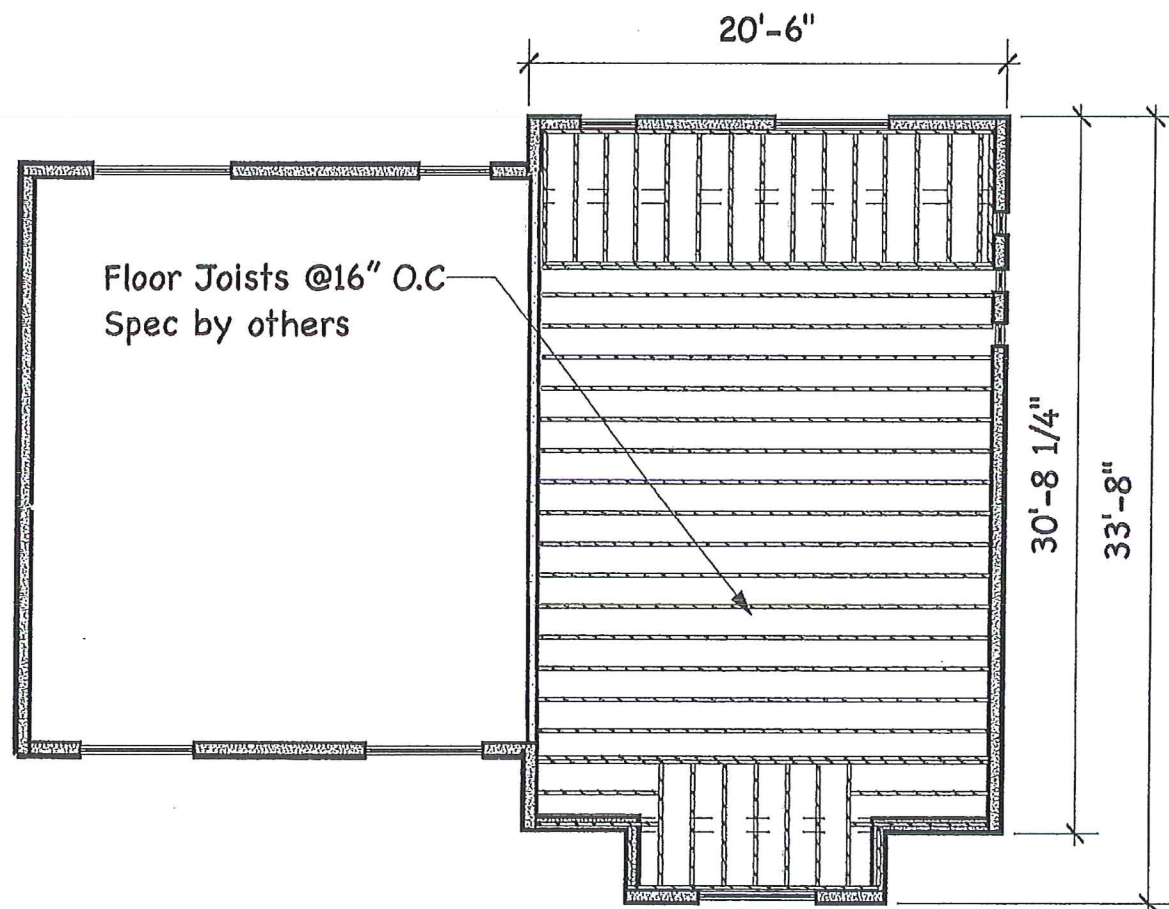
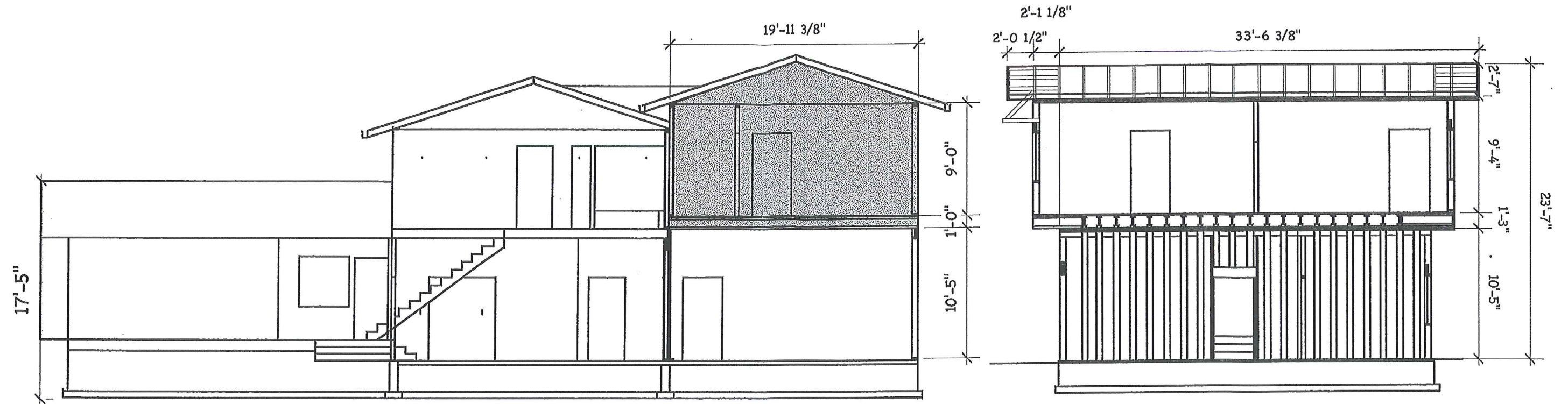


LOWER EXISTING PLAN

FLOOR PLANS

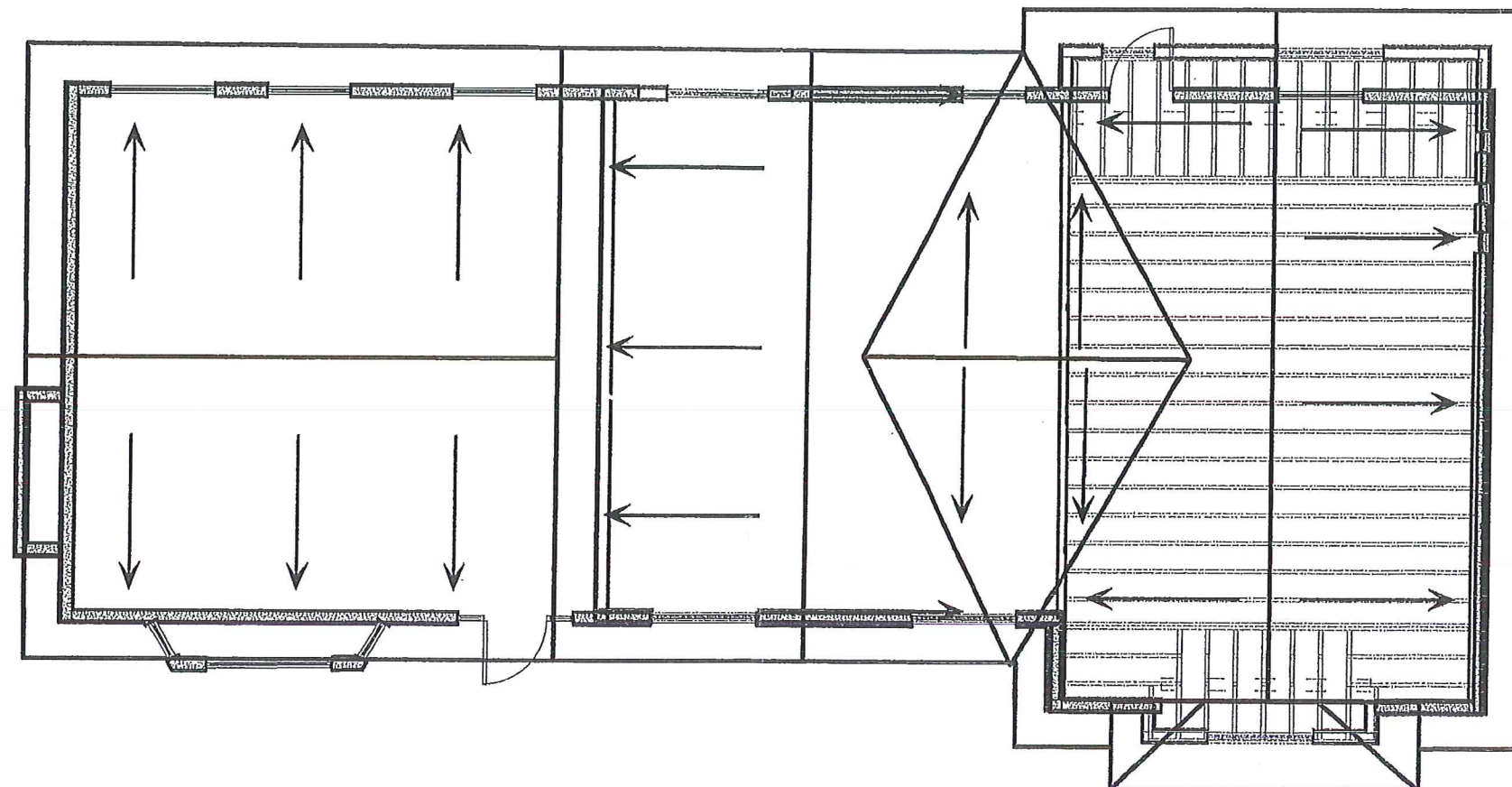
3 OF 5

Coronado Crescent
Scale: 1/8" = 1'0"



Section Detail

4 OF 5 Coronado Crescent
Scale: 1/8" = 1'0"



ROOF LAYOUT

5 OF 5

Coronado Crescent

Scale: 1/8" = 1'0"

DEVELOPMENT VARIANCE PERMIT



APPROVED ISSUANCE OF DEVELOPMENT VARIANCE PERMIT NO. DVP16-0106

Issued To: Trevor & Kyla Feddersen
Site Address: 866 Coronado Crescent
Legal Description: Lot 24 District Lot 580A SDYD Plan 25407
Zoning Classification: RU1 - Large Lot Housing
Development Permit Area: N/A

SCOPE OF APPROVAL

This Permit applies to and only to those lands within the Municipality as described above, and any and all buildings, structures and other development thereon.

This Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this Permit, noted in the Terms and Conditions below.

The issuance of a Permit limits the Permit Holder to be in strict compliance with regulations of the Zoning Bylaw and all other Bylaws unless specific Variances have been authorized by the Permit. No implied Variances from bylaw provisions shall be granted by virtue of drawing notations that are inconsistent with bylaw provisions and that may not have been identified as required Variances by the applicant or Municipal staff.

1. TERMS AND CONDITIONS

THAT Council authorizes the issuance of Development Variance Permit No. DVP16-0106 for Lot 24 District Lot 580A SDYD Plan 25407, located at 866 Coronado Crescent, Kelowna, BC;

AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted, as shown on Schedule "A":

Section 13.1.6(d): RU1 - Large Lot Housing Development Regulations

To vary the required side setback from 2.3 m permitted to 2.19 m proposed.

AND FURTHER THAT this Development Variance Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

2. PERFORMANCE SECURITY

None required.

3. DEVELOPMENT

The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit that shall form a part hereof.

If the Permit Holder does not commence the development permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.

This Permit IS NOT a Building Permit.

4. APPLICANT'S AGREEMENT

I hereby declare that all of the above statements and the information contained in the material submitted in support of this Permit are to the best of my belief, true and correct in all respects. Upon issuance of the Permit for me by the Municipality, then in such case, I covenant and agree to save harmless and effectually indemnify the Municipality against:

- a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality granting to me the said Permit.
- b) All costs, expenses, claims that may be incurred by the Municipality if the construction by me of engineering or other types of works as called for by the Permit results in damages to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly or indirectly in any way or to any degree, to construct, repair, or maintain.

I further covenant and agree that should I be granted a Development Permit and/or Development Variance Permit, the Municipality may withhold the granting of any Occupancy Permit for the occupancy and / or use of any building or part thereof constructed upon the hereinbefore referred to land until all of the engineering works or other works called for by the Permit have been completed to the satisfaction of the Municipal Engineer and Divisional Director of Community Planning & Real Estate.

Should there be any change in ownership or legal description of the property, I undertake to notify the Community Planning Department immediately to avoid any unnecessary delay in processing the application.

I HEREBY UNDERSTAND AND AGREE TO ALL THE TERMS AND CONDITIONS SPECIFIED IN THIS PERMIT.

Signature of Owner / Authorized Agent

Date

Print Name in Bold Letters

Telephone No.

5. APPROVALS

Issued and approved by Council on the _____ day of _____, 2016.

Ryan Smith, Community Planning Department Manager
Community Planning & Real Estate

Date

**The PERMIT HOLDER is the CURRENT LAND OWNER.
Security shall be returned to the PERMIT HOLDER.**

CITY OF KELOWNA

TA15-0010 - Amendment to Section 11 - Agricultural Zones

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

- "Table 11.1.8 (e) does not apply to Lot B, District Lot 131, ODYD, Plan 39954 located at 2075 KLO Road, where a maximum of ten (10) agri-tourist accommodation units are permitted."

- 36

CITY OF KELOWNA
BYLAW NO. 11189
Z15-0045 - Eva Linttell
2075 KLO Road

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot B, District Lot 131, ODYD, Plan 39954 located on KLO Road, Kelowna, B.C., from the A1 - Agriculture 1 zone to the A1t - Agriculture 1 with Agri-tourist Accommodation zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 25th day of January, 2016.

Considered at a Public Hearing on the 16th day of February, 2016.

Read a second and third time by the Municipal Council this 16th day of February, 2016.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: June 14, 2016

RIM No. 0940-50

To: City Manager

From: Community Planning Department (TY)

Application: DVP15-0191 & DP16-0110

Owner: Eva M. Linttell

Address: 2075 KLO Road

Applicant: Tyler Linttell

Subject: Development Variance Permit & Farm Protection Development Permit

Existing OCP Designation: REP Resource Protection Area

Existing Zone: A1t - Agriculture 1 with Agri-tourist Accommodation

1.0 Recommendation

THAT Final Adoption of Rezoning Bylaw No. 11188 (TA15-0010) and Text Amendment Bylaw No. 11189 (Z15-0045) be considered by Council;

AND THAT Council NOT authorize the issuance of Development Variance Permit No. DVP15-0191 for Lot B District Lot 131 ODYD Plan 39954, located at 2075 KLO Road, Kelowna, BC.

2.0 Purpose

To consider a Staff recommendation to NOT issue a Development Variance Permit to vary the location of agri-tourist accommodation units on the subject property.

3.0 Community Planning

Community Planning does not support the proposed location of the agri-tourist accommodation units. The current DVP15-0191 & DP16-0110 application is to determine if the proposed location of the Agri-tourist Accommodation Units (RV sites) and Farm Plan is acceptable to Council.

Agri-tourist accommodation is a *permitted non-farm* use in the Agricultural Land Reserve (ALR) according to the ALR Subdivision and Procedure Regulation. While the use is a *permitted non-farm use* by the Agricultural Land Commission (ALC), the activity is not a *farm-use* and therefore

may be regulated or prohibited by a local government bylaw. The City of Kelowna regulates this use in a number of ways as outlined in Kelowna's Official Community Plan (OCP) and Zoning Bylaw No. 8000 throughout this report. City of Kelowna regulates agri-tourist accommodation as a secondary use if the accommodation is associated with an agri-tourism activity, this accommodation and tourism activity must be subordinate and secondary to the principal agricultural use.

City Council gave second and third readings to applications TA15-0110 & Z15-0045 to rezone the subject parcel from the A1 zone to the A1t zone, and to permit a total of 10 RV sites on the subject property. Council considered the RV Sites to be secondary based on the proposed Farm Plan provided during these applications. The Farm Plan currently proposed is substantially the same as originally proposed to Council.

Community Planning do not support the Variance as proposed as the principals of Homeplating (Farm yard footprint) are not realized with the proposed layout. RV Sites and associated permanent infrastructure are proposed throughout the property and go well beyond Kelowna's established agricultural guidelines and objectives.

Guidelines¹ On agricultural lands, where appropriate, locate all buildings and structures, including farm help housing and farm retail sales, within a contiguous area (i.e. homeplate). Exceptions may be permitted where the buildings or structures are for farm use only;

Objective² Minimize Impacts on Agricultural Land. Minimize the impact of penetration of road and utility corridors through agricultural lands, utilizing only those lands necessary and to the maximum capacity prior to seeking new corridors.

Additional policies are found in section 7.0 of this report.

The existing driveway, principal dwelling, parking areas, accessory building and basketball sport court do not meet a contiguous footprint, close to a front property line. The location of the proposed RV Sites, gravel drives and permanent infrastructure such as underground City of Kelowna water and sewer services as well as upgraded underground electrical services are proposed through the centre of the property, and across the rear perimeter of the agricultural parcel.

3.1 Application Background

In February of 2016, Kelowna Council gave second and third reading to a Text Amendment and Rezoning application on the subject parcel, granting the ability to increase allowable agri-tourist accommodation units (RV Sites) from five units permitted in Zoning Bylaw No. 8000 to ten units, and to rezone the parcel from the A1 zone to the A1t zone.

Requirements of Fourth Reading/Final Adoption of TA15-0010 and Z15-0045 include:

- Satisfy Development Engineering requirements (enter into a servicing agreement and providing bonding to complete the appropriate upgrades);
- Registering a Section 219 Restrictive Covenant, restricting the allowable area on the land, dates, and storage of the agri-tourist accommodation operation;
- Applying for a Development Variance Permit for the location of the units; and
- Apply for a Farm Protection Development Permit for all proposed uses on the parcel.

¹ City of Kelowna Official Community Plan, 1.2 (Farm Protection Development Permit Guidelines Chapter).

² City of Kelowna Official Community Plan, 7.5.1 (Infrastructure Chapter).

The applicant has completed the first two requirements. The DVP and Farm Protection Development Permit applications currently being considered by Council is the final step to give Final Reading to the Rezoning from A1 to A1t and to grant the Text Amendment that will allow a total of 10 RV Sites on the subject parcel.

4.0 Proposal

4.1 Background

The subject parcel is 7.7 ha/14.24 ac and is in the process of converting the hay field into vegetable gardens, implementing an apiary and constructing a bird barn for broiler chickens. The applicant is developing a family run RV park and farm as well as third party leasing of certain farm operations.

4.2 Project Description

The development proposed by the applicant consists of two components, a phased agriculture plan as detailed in Schedule C, and RV Sites. The agriculture plan is phased over a five-year full buildout including vegetable gardens, laying chickens, broiler chickens and honey bees. All components will be implemented as detailed in Schedule C by the end of 2016. The agri-tourist accommodation component consists of ten RV sites complete with permanent water, sewer and power hookups along with the associated washroom and shower facilities. The bird component of the agriculture and the RV sites will be operated by the Lintell family, with the vegetable component leased to Wise Earth Farms (John Hofer and Brenda Paterson), and the apiary leased to McPhail Enterprises (Mark McPhail).

The proposed Farm Plan does increase the amount and diversity of farming on the subject parcel from previous agricultural production of hay which does meet agricultural goals. The proposed plan does not further disturb the Mission Creek Riparian Management Area along the south of the subject property.

Table 1: Breakdown of Proposed Uses

Existing Residential farm yard & non-farm use footprint (including all driveway, parking areas & structures)	4,485 m ²	1.11 ac	8%
Proposed Agri-tourist Accommodation Footprint (unit pads & washrooms/ showers)	2,215 m ²	.55 ac	4%
Proposed Agriculture Area	29,600 m ²	6.82 ac	51%
Undisturbed Riparian Management Area (Mission Creek)	9,010 m ²	2.23 ac	16%
Remaining Land (not agriculture, undeveloped, or landscape buffer)	12,337 m ²	3.54 ac	21%
Subject Parcel	57,647 m²	14.25 ac	100%

The Phased Agricultural Plan (Schedule C) outlining the principal use on the land must be adhered to in order to operate the secondary use of RV Sites. Should the Farm Plan change, an amended Farm Protection DP is required. A staff level amendment would occur should the revised farm plan substantially show that the agriculture is the primary use, otherwise a Council consideration of the amendment would take place.

Image 1: 2015 Existing Conditions 2075 KLO Road

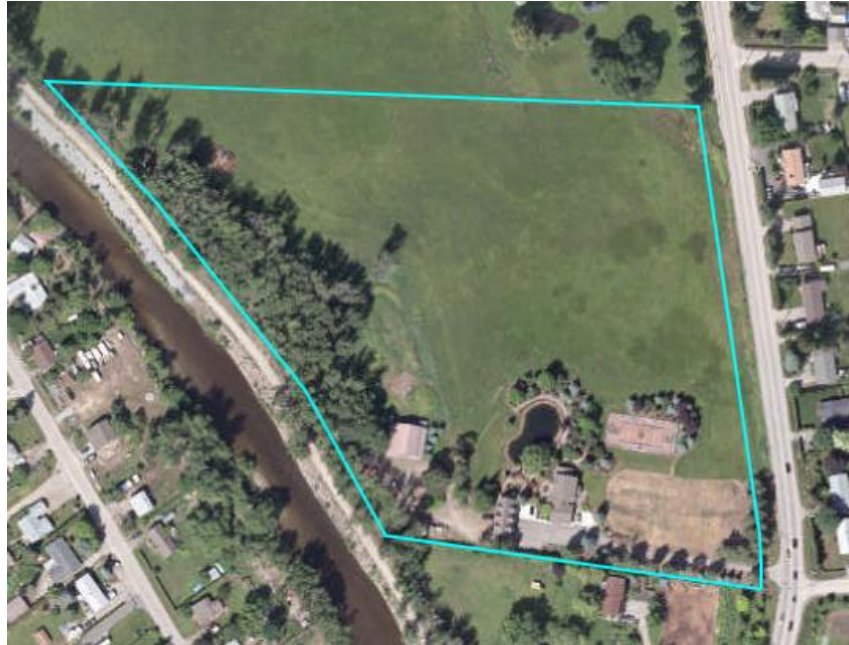
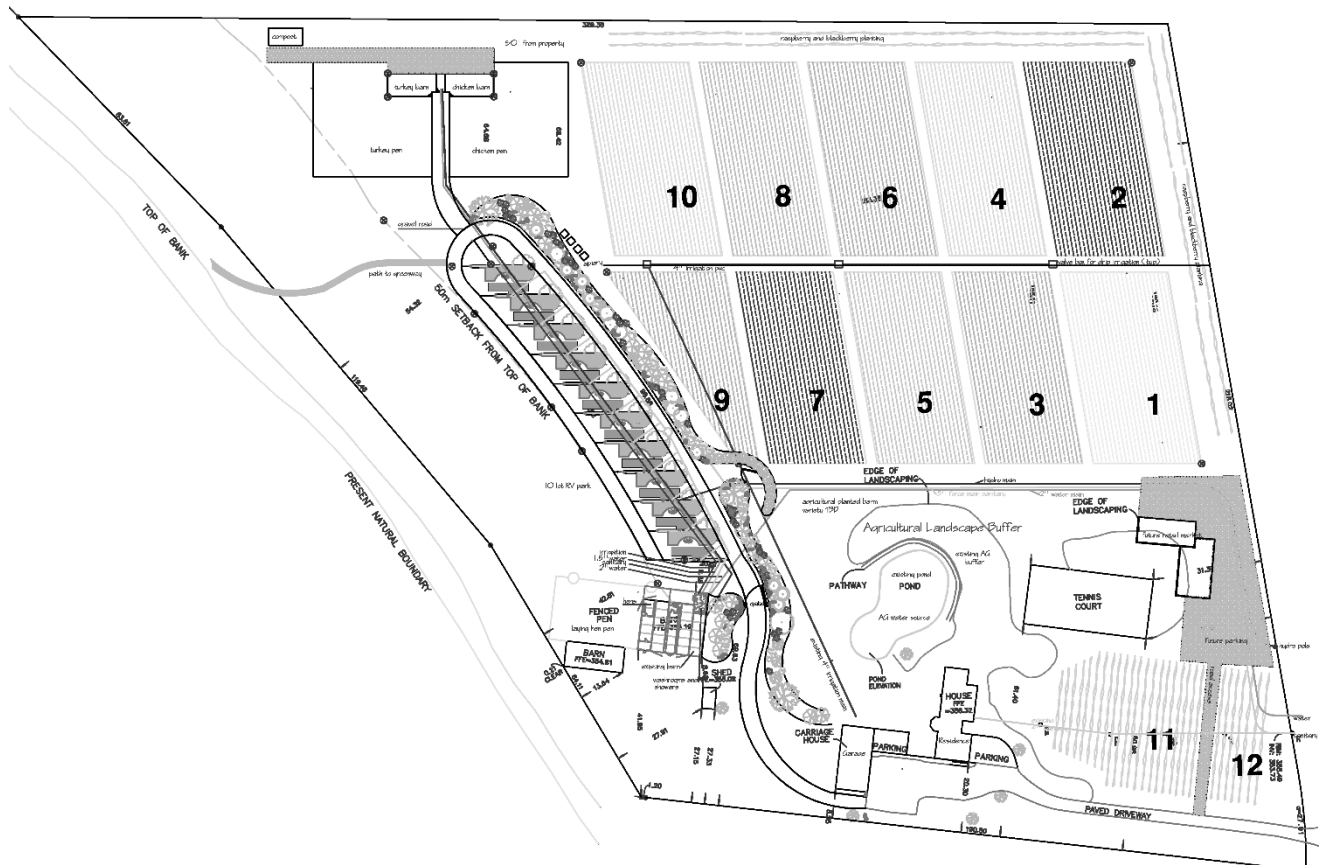


Image 2: Proposed Agriculture & RV Sites



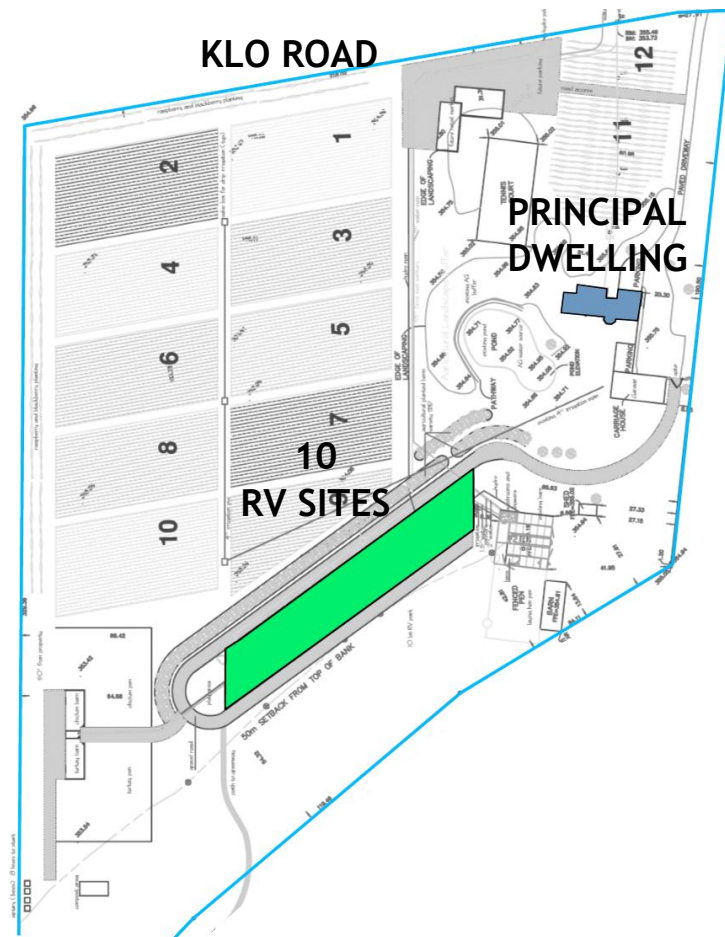
4.3 Variance

The proposed variance is required as the location of the ten RV sites do not adhere to Zoning Bylaw No. 8000 regulation of:

- Within 30.0 m of the principal residence or
- Within 30.0 m of a road frontage of the lot.

The location as proposed by the applicant is along the rear of the property, positioned along the Riparian Management Area setback from Mission Creek. The closest RV site is within 85.0 m of the principal residence, the furthest RV site located 180.0 m from the principal residence.

Image 3: Principal Dwelling & Agri-tourist Accommodation Siting



City staff are certainly in support of expanding agriculture on the property. One way to reduce speculation and reduce the possibility of an accessory use becoming a principal use is to maintain a small footprint on the land. The proposed site plan does not represent that minimal footprint. The proposed RV site location is the same soil makeup as the remaining parcel of land in agricultural production. The RV site location that would meet Zoning Bylaw No. 8000, between the principal residence and the road, is being used as agriculture.

No additional dwellings or suites are a result of this application. The principal dwelling remains the only living space on the property. The existing barn is being renovated for washroom and showers only. No kitchen facility is being created within the barn.

4.4 BREAKDOWN OF AGRICULTURAL PHASING PLAN - as per attached Schedule C

FARM USE YEAR ONE 2016	
VEGETABLE GARDEN	ENTIRE VEGETABLE FIELD PLOWED & DISKED
	PLOTS 1 & 2 PLANTED AUGUST 1 ST (WINTER, SPRING CROPS FOR 2017)
	PLOTS 3 & 4 PLANTED JUNE 1 ST (SQUASH)
	PLOTS 5 & 6 PLANTED MAY 15 TH (CORN)
	PLOTS 7 & 8 PLANTED JUNE 15 TH (LEGAL HEMP)
	PLOT 10 PLANTED MAY 15 TH (GROUND CHERRIES)
	PLOT 11 PLANTED (FLOWERS)
	PERIMETER PLANTING (RASPBERRIES & BLACKBERRIES)
BROILER CHICKENS	CONSTRUCTION OF COOP
	300 CHICKENS
APIARY	8 COLONIES
LAYING HENS	100 LAYING HENS MAY 1 ST
YEAR 2 2017	
VEGETABLE GARDEN	PLOTS 1, 2 & 11 PERMANENT BEDS CREATED, HIGH DENSITY & FREQUENT PLANTINGS.
	ALL REMAINING PLOTS TO CONTINUE WITH YEAR 1 AGRICULTURE
BROILER CHICKENS	INCREASED TO 500 CHICKENS, AN ADDITIONAL 500 CHICKENS IN THE FALL
APIARY	IF SUCCESSFUL, INCREASE COLONIES. EXISTING 8 WILL REMAIN PERMANENTLY.
LAYING HENS	CONTINUATION OF YEAR 1
YEAR 3 2018	
VEGETABLE GARDEN	PLOTS 3, 4, 5, 6 PERMANENT BEDS CREATED, HIGH DENSITY & FREQUENT PLANTINGS.
	PLOTS 7, 8, 9, 10, 12 TO CONTINUE WITH YEAR 1 AGRICULTURE
BROILER CHICKENS	INCREASE TO 1,000 CHICKENS, AN ADDITIONAL 1,000 CHICKENS IN THE FALL
YEAR 4 2019	
VEGETABLE GARDEN	PLOTS 7, 8, 9, 10, 12 CREATING PERMANENT BEDS, HIGH DENSITY & FREQUENT PLANTINGS.
YEAR 5 FULL BUILDOUT 2020	
VEGETABLE GARDEN	ENTIRE VEGETABLE GARDEN AREA IS IN PERMANENT BEDS, FULLY IRRIGATED
	RASPBERRIES & BLACKBERRIES ARE ESTABLISHED AS A SOLID PERIMETER
BROILER CHICKENS	1,000 CHICKENS, ADDITIONAL 1,000 CHICKENS IN THE FALL
APIARY	A MINIMUM OF 8 COLONIES, WITH THE POSSIBILITY OF ADDITIONAL COLONIES.
LAYING HENS	100 LAYING HENS
NON-FARM USE YEAR 1 2016	
AGRI-TOURIST ACCOMMODATION UNITS	10 RV SITES CREATED, SEWER, WATER, ELECTRICAL, GRAVEL DRIVE AND PADS.

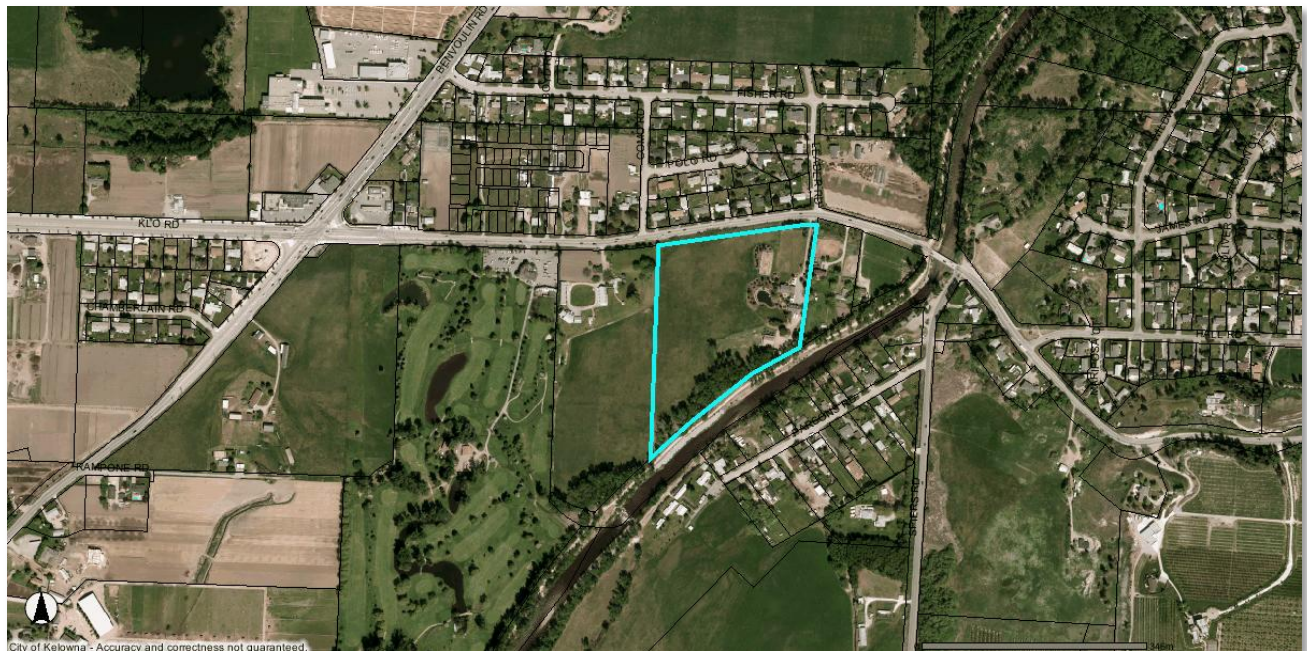
Image 4: Example of Vegetable Farm, Wise Earth Farm, 3019 Leader Rd



4.5 Site Context

Neighbourhood Context

The subject property is located between KLO Road and Mission Creek in the South Pandosy / KLO Sector of Kelowna. The site area is 5.76 hectares (14.24 acres). The soils in this area are Class 4 with improved ratings of Class 2 according to Canada Land Inventory. Overall soil limitations include "excess water" and "fertility" in small areas. These soils are suitable for pasture, as well as forage and vegetable crops.

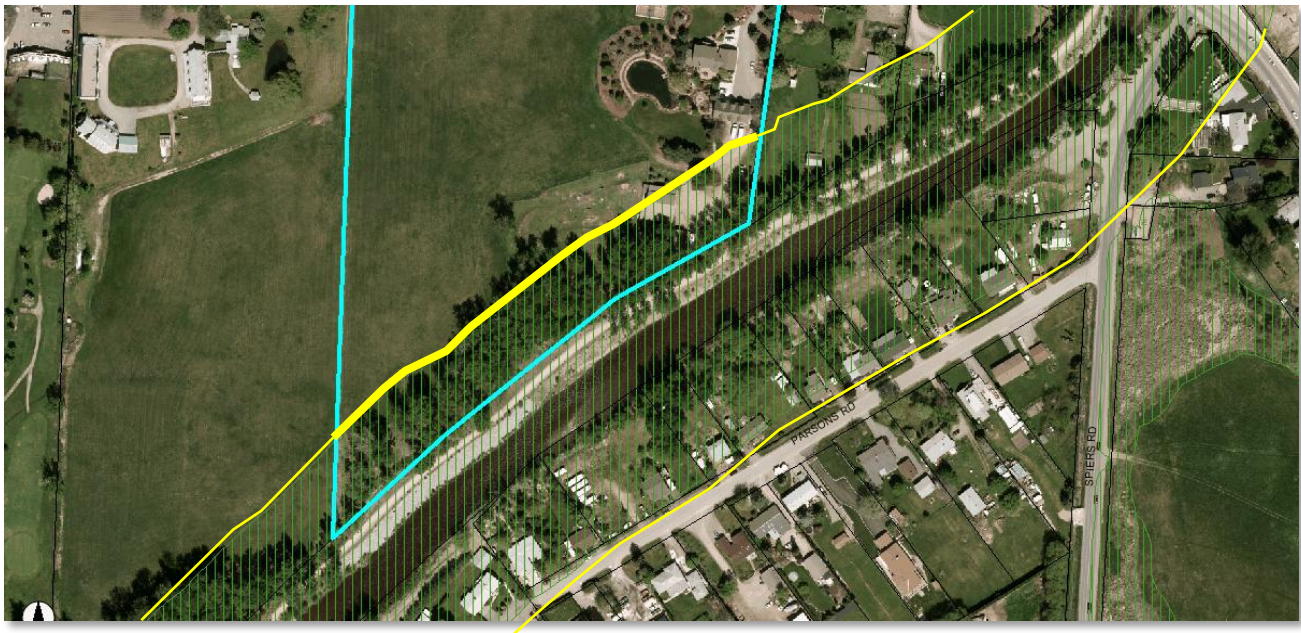


Map 1: Parcel Summary: 5.76 ha/14.24 ac

Mission Creek Greenway runs along the south property line of the subject parcel. Land on the subject parcel within the Mission Creek Riparian Area is not able to be developed on as shown in the Riparian Management Area, Mission Creek Map in this report. 2075 KLO Road is in the Agricultural Land Reserve, designated REP Resource Protection Area in Kelowna's OCP and outside of the Permanent Growth Boundary. A Riparian Area Setback requirement for Mission Creek runs adjacent to the south property line of the subject parcel. As the parcel is upstream of Gordon Drive, the Minimum Riparian Management Area is 50 m, measured perpendicularly inland from the top of bank, top of ravine, or natural boundary of Mission Creek.

Table 2: Adjacent land uses are as follows:

Orientation	Zoning	Land Use	Future Land Use
North	A1	Single Family Dwelling Properties	S2RES
East	A1	Single Family Dwelling	REP
South	A1 RR3	Mission Creek Greenway Single Family Dwelling Properties Single Family Dwelling with Hay	PARK S2RES REP
West	A1	Single family Dwelling with Vegetable & Truck, Hay	REP



Map 2: Mission Creek Riparian Management Area Map

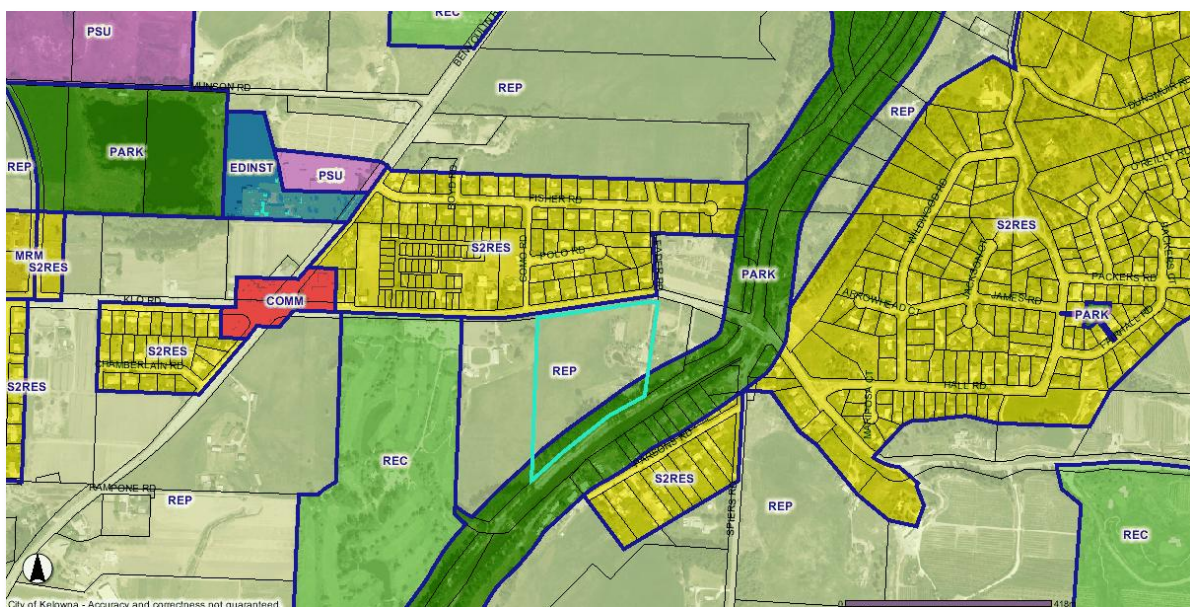
4.6 Zoning Analysis Table

CRITERIA	A1t ZONE REQUIREMENTS	EXISTING	PROPOSED
Existing Lot/Subdivision Regulations			
Minimum Lot Area	2.0 ha / 20,000 m ²	5.76 ha / 57,627 m ²	5.76 ha / 57,627 m ²
Minimum Lot Width	40.0 m	246.0 m	246.0 m
Development Regulations			
Maximum Site Coverage	10%	1,370 m ² = 2%	1,370 m ² = 2%
Maximum Height	9.5 m / 2 ½ storeys	2 storeys	2 storeys
Minimum Front Yard	6.0 m	93.0 m	93.0 m
Minimum Side Yard (west)	3.0 m	> 150.0 m	> 150.0 m
Minimum Side Yard (east)	3.0 m	8.5 m	8.5 m
Minimum Rear Yard	10.0 m	22.0 m (barn)	22.0 m (office & washrooms)
Other Regulations			
Maximum setback from Mission Creek	50.0 m	~29.0 m (barn)	~29.0 m (office & washrooms)
Maximum Number of Agri-tourist Accommodations	5 units	na	10 units ^①
Agri-tourist Accommodation	WITHIN 30 m of principal residence or property line fronting a road	na	~ 180 m ^②
OCP Homeplating guidelines (non-agricultural use footprint maximum area)	60 m x 60 m = 3,600 m ² & Located adjacent to a property line	8,126 m ² & Adjacent to a property line	8,126 m ² (Existing) + ~ 2,920 m ² (RV Sites)
^① Indicates a requested Text Amendment to the maximum number of agri-tourist accommodations (final adoption being considered in conjunction with this report) ^② Indicates a requested Variance to the maximum distance from a principal residence.			

4.7 Future Land Use

The subject property has a future land use of REP - Resource Protection, which is adjacent on both sides. Park - Major Park / Open Space (Public) exists to the south and S2RES - Single / Two Unit Residential to the north.

Map 3: Future Land Use



5.0 Public Notification

As per Council Policy 367, the applicant completed Public Notification & Consultation in the form of neighbourhood circulation and a Public Information Session. Please note, the site plan circulated was the original site plan that indicated orchard trees in the place of the vegetable and berry garden.

- Circulated information to neighbours on August 26, 2015
One letter of opposition: Lack of privacy for Parson Road Residents, Sound of diesel engines
- Held Public Information Session September 22, 2015. Approximately 13 people attended.
Comments included:
Concerns with traffic safety with the driveway access on KLO Road, views of RV sites from Residential yards, the possibility of more than 10 RV sites being created after approvals, lack of privacy from Parsons Road residents, noise of RV engines and tourists.
Support for proposed RV site location, for application as proposed.

The Public Hearing for TA15-0010 & Z15-0045 brought forward a high number of support and opposition in Kelowna. Petitions, emails, and speakers represented in support and opposition of the application.

6.0 Current Development Policies

6.1 Kelowna Official Community Plan (OCP)

Farm Protection Development Permit: Objectives ³ Protect farm land and farm operations; Minimize the conflicts created by activities designated as farm use by ALC regulation and non-farm uses within agricultural areas.

Farm Protection Guidelines: Homeplate ⁴ On agricultural lands, where appropriate, locate all buildings and structures, including farm help housing and farm retail sales, within a contiguous area (i.e. homeplate). Exceptions may be permitted where the buildings or structures are for farm use only;

Farm Protection Guidelines: Landscape buffer ⁵ On agricultural and non-agricultural lands, establish and maintain a landscape buffer along the agricultural and/or property boundary, except where development is for a permitted farm use that will not encourage public attendance and does not concern additional residences (including secondary suites), in accordance with the following criteria:

Agricultural Land Use Policies: Protect Agricultural Land ⁶ Retain the agricultural land base by supporting the ALR and by protecting agricultural lands from development, except as otherwise noted in the City of Kelowna Agricultural Plan. Ensure that the primary use of agricultural land is agriculture, regardless of parcel size.

³ City of Kelowna Official Community Plan, (Farm Protection Development Permit Guidelines Chapter).

⁴ City of Kelowna Official Community Plan, Policy 1.2 (Farm Protection Development Permit Guidelines Chapter).

⁵ City of Kelowna Official Community Plan, Policy 1.3 (Farm Protection Development Permit Guidelines Chapter).

⁶ City of Kelowna Official Community Plan, Policy 5.33.1 (Development Process Chapter).

Agricultural Land Use Policies: Urban Uses ⁷ Direct urban uses to lands within the urban portion of the Permanent Growth Boundary, in the interest of reducing development and speculative pressure on agricultural lands.

Agricultural Land Use Policies: Homeplating ⁸ Locate buildings and structures, including farm help housing and farm retail sales area and structures, on agricultural parcels in close proximity to one another and where appropriate, near the existing road frontage. The goal should be to maximize use of existing infrastructure and reduce impacts on productive agricultural lands.

6.2 Ministry of Agriculture (MOA)

Regulating Agri-Tourism and Farm Retail Sales In The Agricultural Land Reserve. Discussion Paper and Proposed Minister's Bylaw Standards. ⁹

Proposed Definition: *Accessory (agri-tourism)* means that the *agri-tourism* is subordinate to the active *farm operation* on the same lot. *Agri-tourism* uses and activities only augment a farmer's regular farm income, not exceed or replace it.

Proposed Definition: *Agri-tourism* is travel that combines agricultural or rural settings with products of agricultural operations - all within a tourism experience that is paid for by visitors. It is a tourist activity, service or facility which is *accessory* to a *farm operation*, as defined in the *Farm Practices Protection (Right to Farm) Act*, where the land is classified as a farm under the *Assessment Act*; and, where the farm is in active operation each year.

Site Layout for Agri-tourism Activities: Site coverage and setbacks for agri-tourism structures must follow the standards for farm structures provided in Part 2 of the "Guide for Bylaw Development in Farming Areas".

6.3 Suburban and Rural Planning

The intent of the A1t zone is to provide assistance to bona fide farmers who wish to provide seasonal accommodation proven to be in aid of and directly associated with established farm operations. The existing non-farm structures and uses on the property do not adhere to homeplate principles. The proposed 10 RV sites and associated permanent utilities in the proposed location will increase this non conformity.

7.4 Technical Comments

- Building & Permitting Department

A full plan check for BC Building Code is required prior to issuance of a Building Permit. Engineered drawings are required for structural, mechanical, geotechnical requirements of the development.

- Development Engineering Department

The TA15-0010 & Z15-0045 requirements have been met. No additional items are required as a result of the current application.

⁷ City of Kelowna Official Community Plan, Policy 5.33.3 (Development Process Chapter).

⁸ City of Kelowna Official Community Plan, Policy 5.34.3 (Development Process Chapter).

⁹ Ministry of Agriculture, Regulating Agri-tourism and Farm Retail Sales in the Agricultural Land Reserve, Discussion Paper and Proposed Minister's Bylaw Standards. September 14, 2015.

- Fire Department

RV sites must be accessible for an emergency vehicle. No wood burning fire pits are permitted.

7.0 Agricultural Advisory Committee

The above noted application along with Application TA15-0010 & Z15-0045 was reviewed by the Agricultural Advisory Committee at the meeting held on November 12, 2015 and the following recommendations were passed:

The Agricultural Advisory Committee did not support the application as it is contrary to the policies and bylaws of the City of Kelowna. Historically RV sites are not very compatible with agriculture. RV parks do not benefit agriculture.

The Members are pleased with the enthusiasm by the Applicant and admire the Applicant's plans; however, the plan is contrary to City bylaws. The Members feel the proposal would be more comfortable if there was more agriculture on the site then envisioned as they believe that agriculture should come first and then agri-tourism.

8.0 Alternate Recommendation

THAT final adoption of Rezoning Bylaw No. 11189 (Z15-0000) and Text Amendment Bylaw No. 11188 (TA15-0000) be considered by Council;

AND THAT Council authorize the issuance of Development Variance Permit No. DVP15-0191 for Lot B District Lot 131 ODYD Plan 39954, located at 2075 KLO Road, Kelowna, BC;

AND THAT variances to the following section of Zoning Bylaw No. 8000 be granted:

Section 11.1.8.h - Agricultural Zones - Agri-tourist accommodation

To vary the location of agri-tourist accommodation units from within 30.0 m of the principal dwelling to within 180.0 m of the principal dwelling as shown in Schedule A.

AND THAT Council authorize the issuance of Development Permit No. DP16-0110 for Lot B District Lot 131 ODYD Plan 39954, located at 2075 KLO Road, Kelowna, BC subject to the following:

1. The dimensions and siting of the development on the land be in accordance with Schedule "A" and Schedule "C";
2. Landscaping to be provided on the land be in accordance with Schedule "B";
3. The applicant be required to post with the City a Landscape Performance Security deposit in the amount of 125% of the estimated value of the Required Landscape Buffer and Year 1 Agricultural Plan in accordance with Schedules "A", "B" and "C".

AND FURTHER THAT this Development Variance Permit and Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

9.0 Application Chronology

Application Complete:	August 14, 2015
Application Circulated:	August 14, 2015
Public Consultation Completed:	September 22, 2015
Updated Site Plan Received:	November 18, 2015
First Reading:	January 25, 2016
Second/Third Reading T15-0010 & Z15-0045:	February 16, 2016
TA15-0010 Z15-0045 Requirements Met:	June 2016

Report prepared by:	Tracey Yuzik, Planner
Reviewed by:	Todd Cashin, Subdivision, Suburban and Rural Planning Manager
Reviewed by:	Ryan Smith, Community Planning Department Manager
Approved for Inclusion:	Doug Gilchrist, Divisional Director, Community Planning & Real Estate

Attachments:

Development Variance Permit/ Farm Protection Development Permit DVP15-0191 & DP16-0110
Schedule A: Site Plan & Floor Plans
Schedule B: Landscape Plan
Schedule C: Agricultural Plan & Phasing Plan

DEVELOPMENT VARIANCE PERMIT & DEVELOPMENT PERMIT



APPROVED ISSUANCE OF DEVELOPMENT VARIANCE PERMIT & DEVELOPMENT PERMIT NO. DVP15-0191 & DP16-0110

Issued To: Eva Linttell
Site Address: 2075 KLO Road
Legal Description: Lot B District Lot 131 ODYD Plan 39954
Zoning Classification: A1t - Agriculture 1 (ALR)
Development Permit Area: Farm Protection

SCOPE OF APPROVAL

This Permit applies to and only to those lands within the Municipality as described above, and any and all buildings, structures and other development thereon.

This Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this Permit, noted in the Terms and Conditions below.

The issuance of a Permit limits the Permit Holder to be in strict compliance with regulations of the Zoning Bylaw and all other Bylaws unless specific Variances have been authorized by the Permit. No implied Variances from bylaw provisions shall be granted by virtue of drawing notations that are inconsistent with bylaw provisions and that may not have been identified as required Variances by the applicant or Municipal staff.

1. TERMS AND CONDITIONS

THAT Council authorize the issuance of Development Variance Permit No. DVP15-0191 for Lot B District Lot 131 ODYD Plan 39954, located at 2075 KLO Road, Kelowna, BC;

AND THAT variances to the following section of Zoning Bylaw No. 8000 be granted:

Section 11.1.8.h - Agricultural Zones - Agri-tourist accommodation

To vary the location of agri-tourist accommodation units from within 30.0 m of the principal dwelling to within 180.0 m of the principal dwelling as shown in Schedule A.

AND THAT Council authorize the issuance of Development Permit No. DP16-0110 for Lot B District Lot 131 ODYD Plan 39954, located at 2075 KLO Road, Kelowna, BC subject to the following:

1. The dimensions and siting of the development on the land be in accordance with Schedule "A" and Schedule "C";
2. Landscaping to be provided on the land be in accordance with Schedule "B";
3. The applicant be required to post with the City a Landscape Performance Security deposit in the amount of 125% of the estimated value of the Landscaping and Year 1 Agricultural Plan in accordance with Schedule "A" and Schedule "C".

AND FURTHER THAT this Development Variance Permit and Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

2. PERFORMANCE SECURITY

As a condition of the issuance of this Permit, Council is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Permit Holder and be paid to the Permit Holder if the security is returned. The condition of the posting of the security is that should the Permit Holder fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the Municipality may use the security to carry out the work by its servants, agents or contractors, and any surplus shall be paid over to the Permit Holder, or should the Permit Holder carry out the development permitted by this Permit within the time set out above, the security shall be returned to the Permit Holder. There is filed accordingly:

- a) A Certified Cheque in the amount of \$ _____ OR
- b) An Irrevocable Letter of Credit in the amount of \$ _____ .

Before any bond or security required under this Permit is reduced or released, the Developer will provide the City with a statutory declaration certifying that all labour, material, workers' compensation and other taxes and costs have been paid.

3. DEVELOPMENT

The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit that shall form a part hereof.

If the Permit Holder does not commence the development permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.

This Permit IS NOT a Building Permit.

4. APPLICANT'S AGREEMENT

I hereby declare that all of the above statements and the information contained in the material submitted in support of this Permit are to the best of my belief, true and correct in all respects. Upon issuance of the Permit for me by the Municipality, then in such case, I covenant and agree to save harmless and effectually indemnify the Municipality against:

- a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality granting to me the said Permit.
- b) All costs, expenses, claims that may be incurred by the Municipality if the construction by me of engineering or other types of works as called for by the Permit results in damages to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly or indirectly in any way or to any degree, to construct, repair, or maintain.

I further covenant and agree that should I be granted a Development Permit and/or Development Variance Permit, the Municipality may withhold the granting of any Occupancy Permit for the occupancy and / or use of any building or part thereof constructed upon the hereinbefore referred to land until all of the engineering works or other works called for by the Permit have been completed to the satisfaction of the Municipal Engineer and Divisional Director of Community Planning & Real Estate.

Should there be any change in ownership or legal description of the property, I undertake to notify the Community Planning Department immediately to avoid any unnecessary delay in processing the application.

I HEREBY UNDERSTAND AND AGREE TO ALL THE TERMS AND CONDITIONS SPECIFIED IN THIS PERMIT.

Signature of Owner / Authorized Agent

Date

Print Name in Bold Letters

Telephone No.

5. APPROVALS

Issued and approved by Council on the _____ day of _____, 2016.

Ryan Smith, Community Planning Department Manager
Community Planning & Real Estate

Date

**The PERMIT HOLDER is the CURRENT LAND OWNER.
Security shall be returned to the PERMIT HOLDER.**

SCHEDULE A

DVP15-0191

DP16-0110



NOTES / GENERAL

REVISIONS

CHECKED	BY	DATE
FOR APPROVAL		
DESIGN		
MANAGEMENT		



Cedarscape Ltd.

landscape designers, consultants and contractors

2075 KLO Road
Kelowna, B.C. V1W 2H9
phone: 250.862.1606
fax: 250.860.0147

DRAWN & DESIGNED: SCOTT LINTLELL
DATE: May 02, 2016

CLIENT:
Lintell Projects Inc.

ADDRESS:
2075 KLO Road, Kelowna

SCALE:

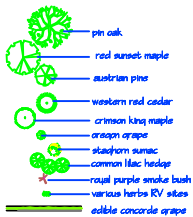
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Kelowna Urban Farm and RV Park

SHEET TITLE
SITE PLAN

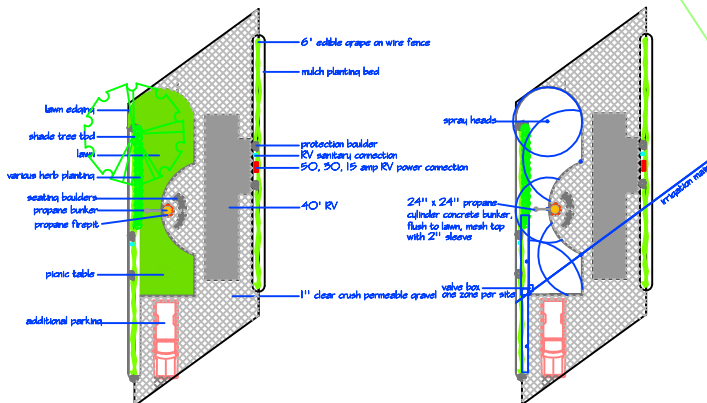
PROJECT NO. 55

SHEET NO.

PLANTING LEGEND



TOTAL FARM AREA = 14.28 acres = 622,036.8 sq.ft.
TOTAL RV AREA = 24,746 sq.ft.
-10 rv stalls
-south service road
-island in west turn around
TOTAL AREA FOR RV 3.9%



TYPICAL RV SITE
27.5' X 68'

TYPICAL RV SITE
Irrigation Plan

Kelowna Urban Farm and RV Park

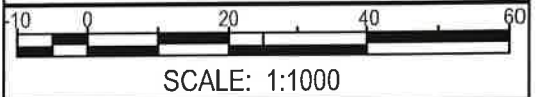
2075 KLO Road, Kelowna, BC
Lintell Estate Farm



Scale in feet

WATER & SANITARY SERVICES SITE PLAN

Lot B, Plan KAP39954, D.L. 131,
L.D. 41, ODYD
PID: 011-725-281 ROLL: 217-10738.348
2075 KLO ROAD, KELOWNA, BC
OWNER: LINTTELL ESTATE FARM



- NOTES:
1. CONTRACTOR TO VERIFY IDENTIFICATION AND LOCATION OF EXISTING UTILITIES PRIOR TO CONSTRUCTION
 2. CONSTRUCTION PRACTICES TO CONFORM TO CITY OF KELOWNA SUBDIVISION AND MMCD
 3. BEDDING SAND SHALL BE PLACED AND THOROUGHLY COMPACTED IN THE TRENCH SUCH THAT THE PIPE IS SUPPORTED ALONG ITS ENTIRE LENGTH (AND UNDER BELLS AND FLANGES) BY A LAYER OF SAND. ADDITIONAL BEDDING SAND SHALL BE PLACED AND COMPACTED AROUND THE PIPE AND ABOVE FOR THE ENTIRE WIDTH OF THE TRENCH.
 4. ALL SANITARY GRAVITY PIPE TO BE SDR 35 AND GRADED TO LIFT STATION @ MIN. 1.5 TO 2%
 5. ENSURE THAT TANK AND MANHOLE ARE PLACED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS, AND THAT PERIMETER COMPACTION IS IN MIN. 0.3m LIFTS
 6. HDPE PRESSURE WATER MAIN TO BE A MIN. 1.2m DEPTH BELOW FINISHED GRADE. ENSURE THAT PIPE MAINTAINS AN EVEN CONSISTENT VERTICAL GRADE THROUGHOUT
 7. WORKERS' COMPENSATION SAFETY PRACTICES TO BE FOLLOWED FOR DEEP TRENCH EXCAVATION

ISSUED FOR REVIEW
DATE: MAR. 23, 2016

ISSUED FOR CONSTRUCTION
DATE: _____

ASBUILT INSPECTION
DATE: _____

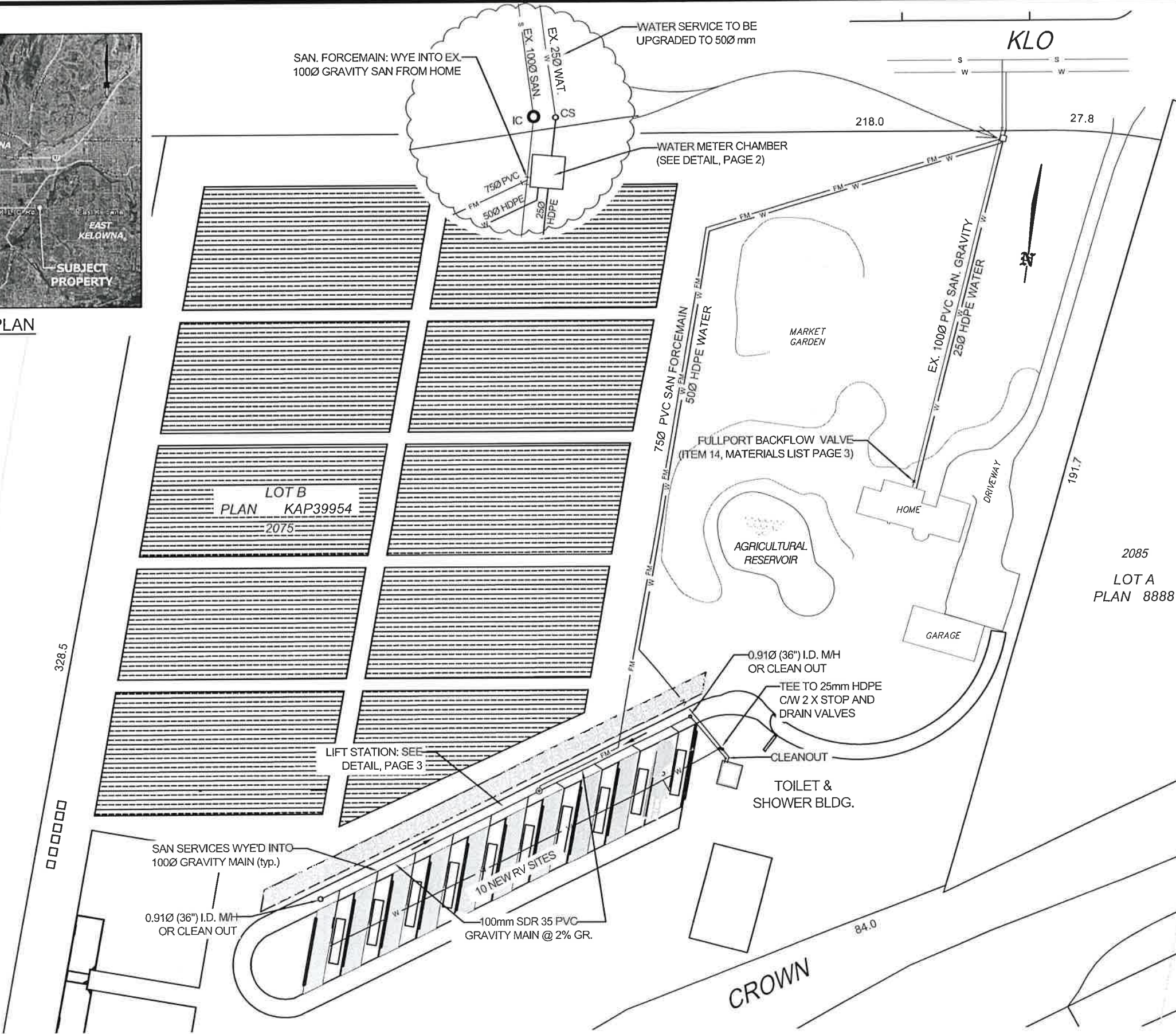
DRAWN BY: W.S.
DATE: MAR. 10, 2016

OLAND ENGINEERING LIMITED
1805 Capistrano Drive
Kelowna, BC V1V 2Z3
CELL: (250) 862-6322 FAX: (778) 753-6586
PHONE: (250) 768-5114 EMAIL: jeff@OlandEngineering.ca
WEBSITE: <http://OlandEngineering.ca>

G. JEFFREY OLAND, P.ENG.
DATE: MAR 23/16 16-013.PLANS.1-SITE PLAN

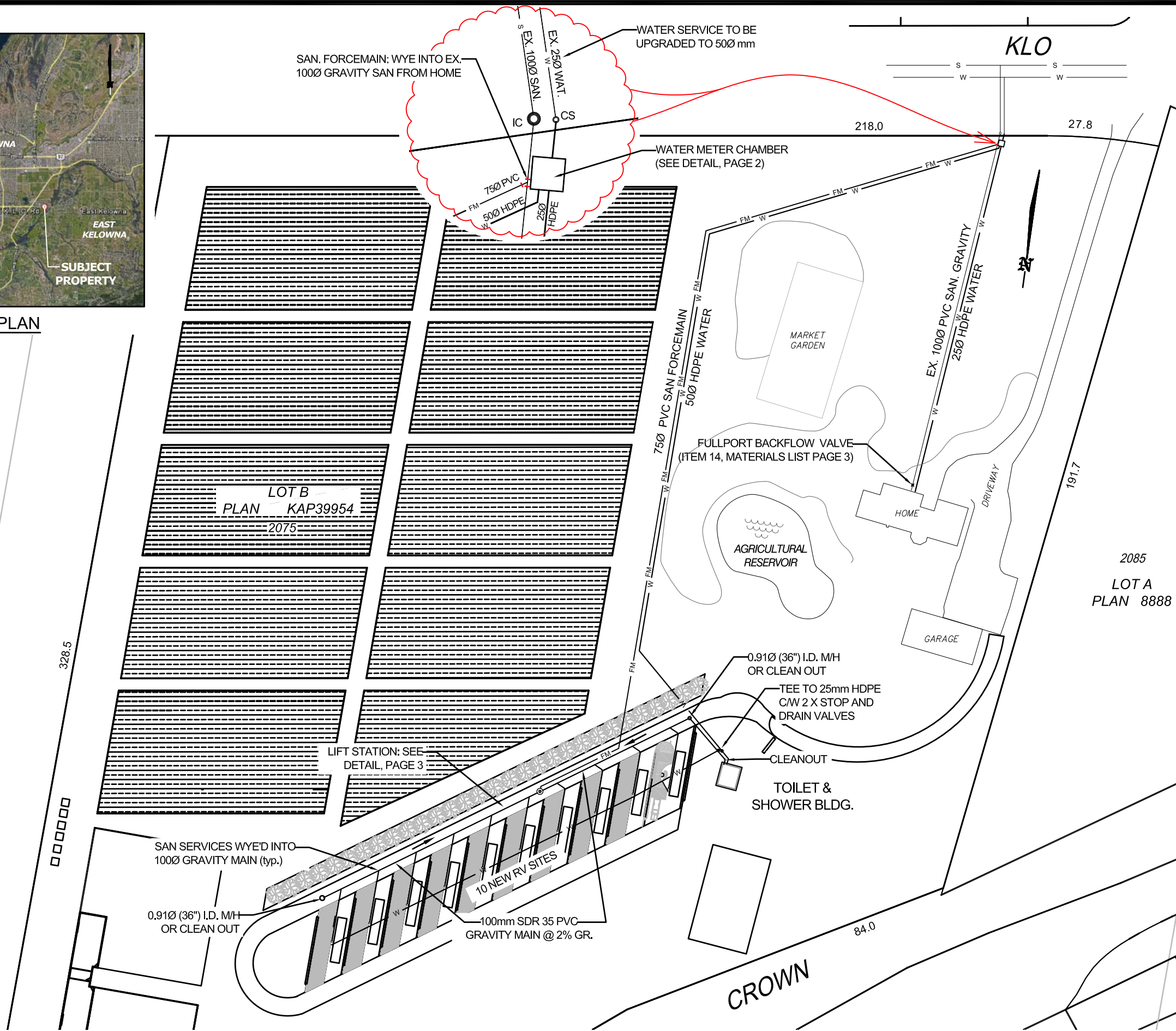


KEYPLAN



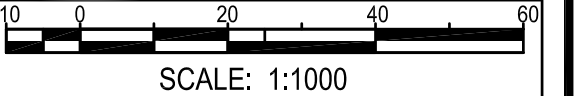


KEYPLAN



WATER & SANITARY SCHEDULE A
SERVICES SITE PLAN FOR 91

Lot B, Plan KAP39954, D.L. 131,
L.D. 41, ODYD
PID: 011-725-281 ROLL: 217-10738.348
2075 KLO ROAD, KELOWNA, BC
OWNER: LINTTELL ESTATE FARM



- NOTES:
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 7. WORKERS' COMPENSATION SAFETY PRACTICES TO BE FOLLOWED FOR DEEP TRENCH EXCAVATION

ISSUED FOR REVIEW
DATE: MAR. 11, 2016

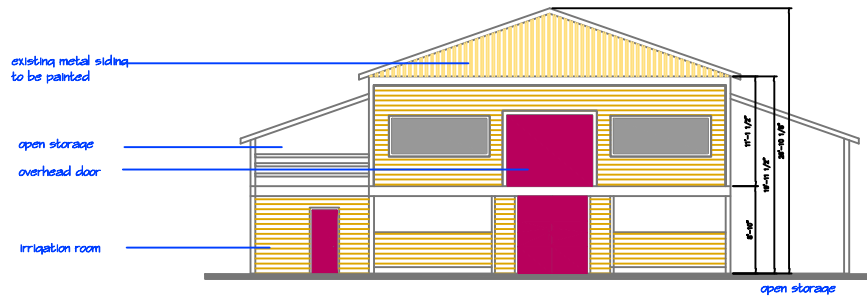
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DATE: _____

ASBUILT INSPECTION
DATE: _____

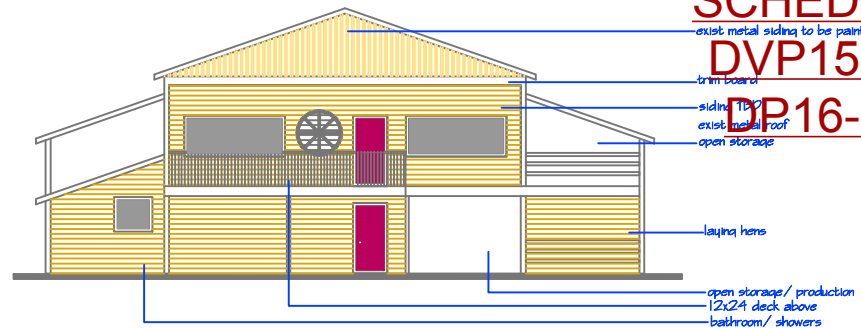
DRAWN BY: W.S.
DATE: MAR. 10, 2016

OLAND ENGINEERING LIMITED
1805 Capistrano Drive
Kelowna, BC V1V 2Z3
CELL: (250) 862-6322 FAX: (778) 753-6586
PHONE: (250) 766-5114 EMAIL: jeff@OlandEngineering.ca
WEBSITE: http://OlandEngineering.ca

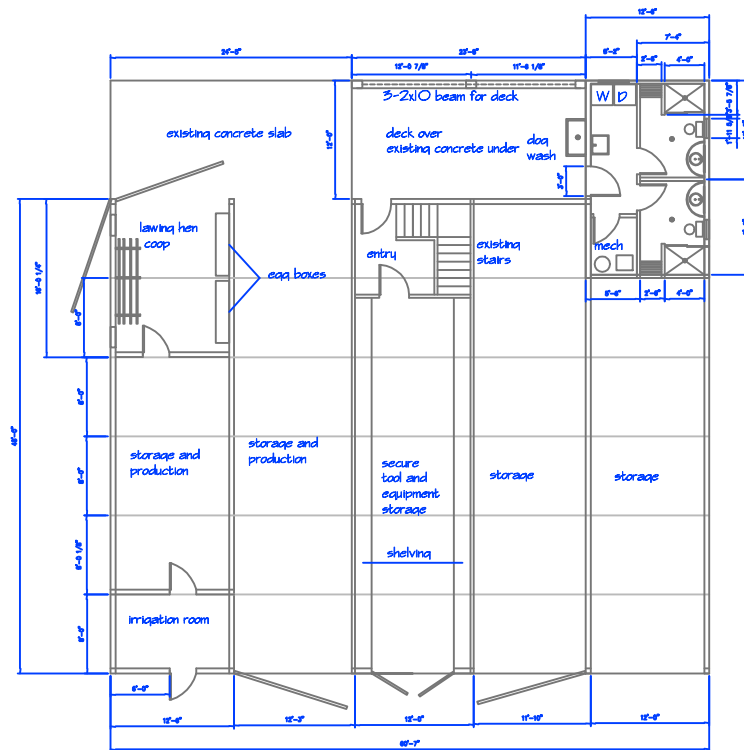
C. JEFFREY OLAND, P.ENG.
DATE: 16-013.PLANS.1-SITE PLAN



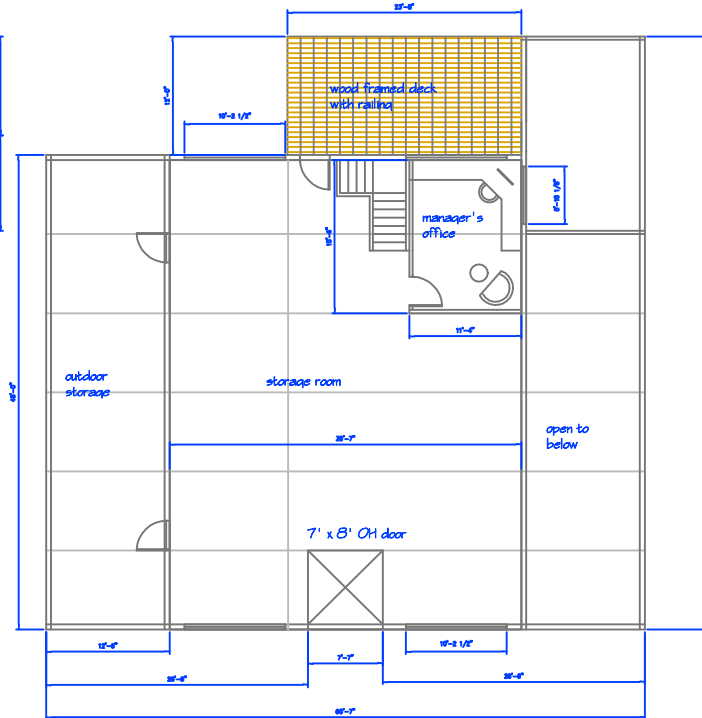
West Elevation



East Elevation



Lower Floor Plan



Upper Floor Plan

Mission Creek Urban Farm and RV Park

Barn Renovation

SCHEDULE A
DVP15-0191
DP16-0110

NOTES / GENERAL

REVISIONS

CHECKED BY DATE
 FOR APPROVAL
 FOR REVIEW
 FOR MODIFICATION



2075 KLO Road
 Kelowna, B.C. V1W 2H9
 phone: 250.862.4606
 fax: 250.860.0417

DRAWN & DESIGNED: SCOTT LINTNELL
 DATE: March 13, 2016

CLIENT:
 Lintell Projects Inc.

ADDRESS:
 2075 KLO Road

PROJECT TITLE
 Mission Creek Urban Farm and RV Park

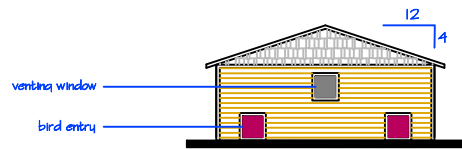
SHEET TITLE
 Barn Renovation

PROJECT NO. 58
 SHEET NO.

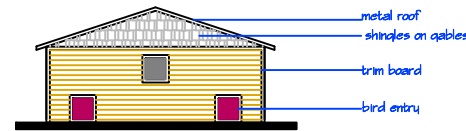
SCHEDULE A

DVP15-0191

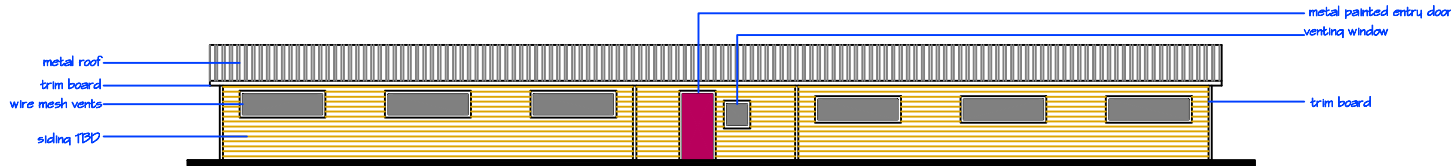
DP16-0110



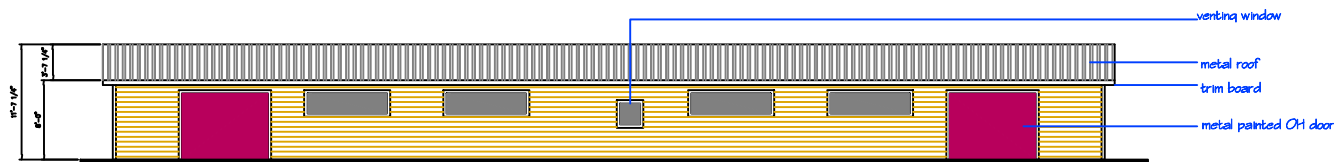
North Elevation



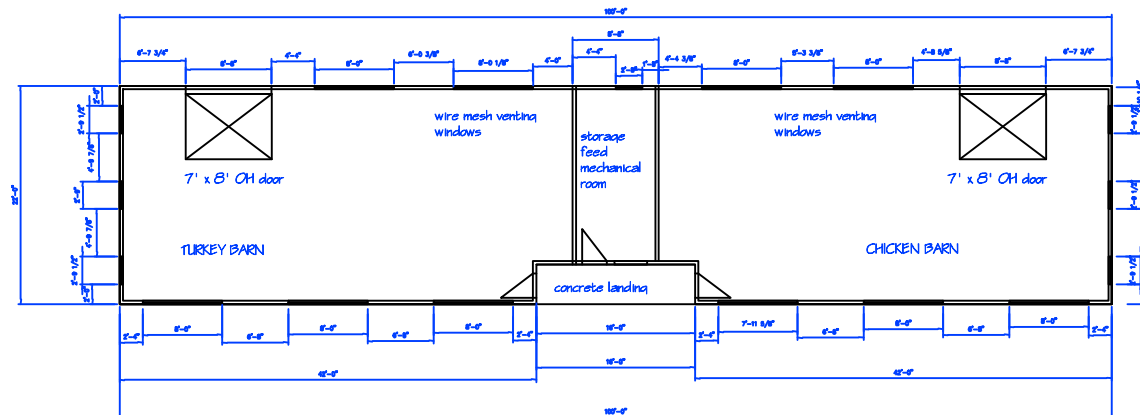
South Elevation



East Elevation



West Elevation



Floor Plan

CONSTRUCTION DETAILS FARM CODE

4" 25 mpa concrete on compacted pit run
2x4 wood frame construction
3/8" plywood wall sheathing
vapor barrier
R-15 batt insulation in walls
4/12 roof trusses @ 4' o/c
siding TBD
1x6 fascia painted
metal painted main doors
metal painted OH doors
electrical lighting
water to birds

NOTES / GENERAL

REVISIONS

CHECKED	BY	DATE
FOR APPROVAL		
OWNER		
ARCHITECT		



Cedarscape Ltd.

landscape designers, consultants
and contractors
2075 KLO Road
Kelowna, B.C. V1W 2H9
phone: 250.862.4606
fax: 250.860.0147

DESIGN & DESIGNER: SCOTT LINTELL
DATE: March 13, 2016

CLIENT: Lintell Projects Inc

ADDRESS: 2075 KLO Road

SCALE:

PROJECT TITLE:
Mission Creek Urban Farm
and RV Park

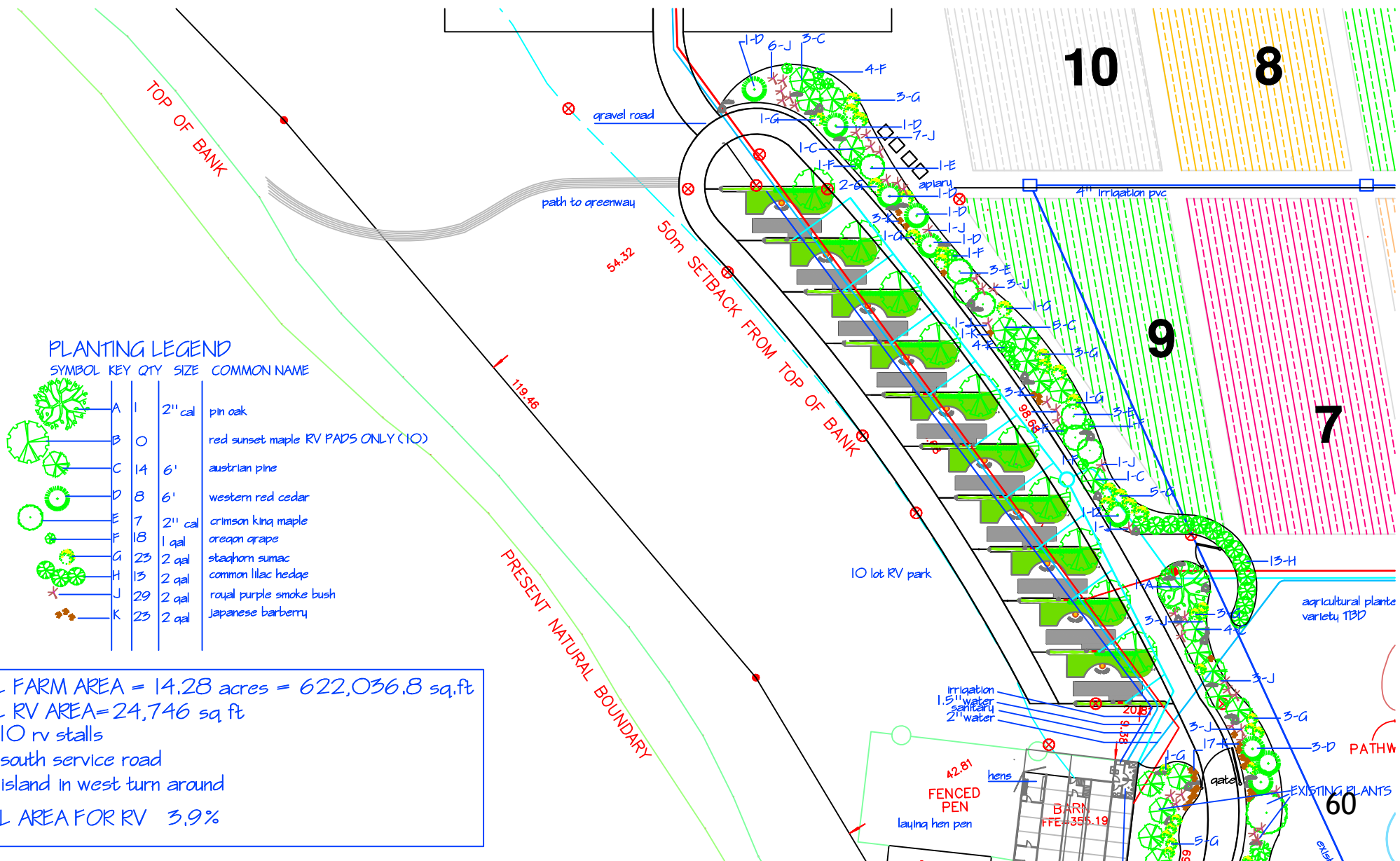
SHEET TITLE:
Poultry Barn

PROJECT NO. SHEET NO.

Mission Creek Urban Farm and RV Park

Poultry Barn

SCHEDULE B
DVP15-0191
DP16-0110



Agricultural 5 Year Plan

Year one, 2016, will involve several steps and will require two full time workers. To start with, the entire field must be plowed and disked. Second, main trunk irrigation lines must be installed. Following this, each bed will be dealt with individually. Plots one and two* will be planted August 1 with winter and spring crops for 2017. Plots three and four* will be planted with squash June 1. Plots five and six* will be planted with corn May 15th and every two weeks following for a total of 12 weeks. Plots seven and eight* will be planted with legal hemp June 15th. Plot 9* will not be planted in 2016 because room must be left for construction. Plot 10* will be planted with ground cherries May 15th. Plot 11* will be planted with flowers. 2016 will also include the preparation of the perimeter for raspberries and blackberries.

Year two, 2017, will require six people and will build on the previous year and will work towards creating more permanent beds and crops. Permanent beds will be created on plots one, two and eleven and they will be planted with high density and frequent plantings. The remainder of the plots will continue similarly to year one. The perimeter will be planted with raspberries and blackberries.

Year three, 2018, will require fourteen people and will continue to progress towards more permanent agriculture. Plots three, four, five and six will be formed into permanent beds, similar to plots one, two and three in year two. Plots seven, eight, nine and ten will have similar plantings to year one.

Year four, 2019, will require twenty people. In this year the remaining plots will have permanent beds made and all beds will be planted with high density crops on frequent planting occasions.

Year five, 2020, will realize the full plan. All beds will be fully operational in permanent bed systems and thriving agriculture. The property will likely produce 200,000lbs of vegetables and fruit.

*Please refer to drawings for exact location of each plot number.

Agricultural Plan – Lintell Rezoning Application

Broiler Chickens

Year 1:

300 chickens are currently on order for April 24th. Construction on the coop will begin once permits are granted. Depending on success and demand for the first flock, 300 more may be produced.

Year 2:

In year two the spring crop will be increased to 500. Another crop of 500 will also be raised in the fall. This will put the total number of chickens at 1000 for year two.

Year 3:

Year three will be the first year at which the coop is used to its maximum capacity. The spring crop will be increased to 1000 broiler chickens as will the fall crop. Depending on market demand and the potential for a chicken quota, there may also be a third, midsummer flock of 1000 chickens.

Apiary

Year 1:

Mark McPhail is committed to putting eight colonies on our property in the spring of 2016.

Year 2:

Depending on the success of the bees in year 1, Mark is likely to put more colonies on the property in the spring of 2017. The increase will be at his discretion. He is eager to have more hives in Kelowna, but he cannot overpopulate the area with bees as lack of foraging material will harm the hives.

Laying Hens

Year 1:

100 laying hens are on order for May 1 of 2016. These chickens will lay approximately 85 eggs per day. The number of laying hens will not increase because we do not have the infrastructure in place to support more.

Farming Partnership Agreement

SCHEDULE C

DVP15-0191

DP16-0110

Between:

Scott and Eva Linttell
2075 KLO Road
Kelowna, BC

And

Wise Earth Farm / John Hofer and Brenda Paterson
2071 Fisher Rd
Kelowna, BC

Whereas the two parties agree to form a partnership to productively farm approximately eight acres of the Linttell property @ 2075 KLO Road, Kelowna, BC in bio-intensive, naturally grown farming methods, similar to Wise Earth Farm existing operation at 2071 Fisher Rd.

Linttell to Provide:

- Approx 8 acres of good, arable farmland
- Initial breaking/ploughing of the land, followed by rototilling and/or disc
- Farm tractor, gator and bobcat with fuel for use on our farm
- 5 Ton Farm truck with 1000 gal tank and pump for irrigation
- Irrigation source (pond) with pump, 4" irrigation hook up and electricity
- Existing irrigation parts inventory for use on our farm
- Initial soil testing with positive results
- Tyler Linttell's help with all aspects of farming while receiving mentorship from John Hofer
- Retail customers from our RV park

Wise Earth Farm / John Hofer-Brenda Paterson to provide

- All aspects of farm planning, planting, operation and harvesting
- All labour as required for above
- Soil supplements as required
- Any structures, greenhouses as required, approved by Linttell prior to installation
- Sales, marketing and delivery of produce to customers
- Mentorship program for Tyler Linttell

In consideration for the use of lands, Linttell shall receive the following:

- Weekly CSA box for 4
- [REDACTED] share of gross revenue from farming operation commencing year two

This agreement shall be a ten year term with option to renew, with no penalty to either party. Either party may cancel with 30 days written notice, however, balance of farming year shall not be interrupted.


This agreement subject to City of Kelowna Council approval as per application to rezone 2075 KLO rd. property from A1 to A1t including 10 RV sites

Agreed this 20th day of January, 2016


Eva Linttell


Scott Linttell


John Hofer


Brenda Paterson

Mark McPhail
Beekeeper
McPhail Enterprises
680 Elm Rd.
Kelowna, BC V1W 1T8
250-718-3028

October 15, 2015

Introductory Apiary at 2075 KLO Road

Attention Tyler Lintell:

As follow up to our site meeting yesterday, I hereby confirm our intention to place eight colonies of bees on your property at 2075 KLO Road in the spring of 2016. This will occur at the end of April subject to weather conditions.

The site is ideal for an apiary with a) the existing and proposed agriculture to serve as foraging habitat, b) the existing water feature pond and the nearby Mission Creek providing the necessary fresh water source. We will enclose the hives with adequate fencing to prevent any possible damage by wildlife. There should be no interface problems between the bees and people. Before placement, we can together determine the exact location for the hives giving consideration to the RVs, the home site, neighbouring properties and of course the ideal bee habitat. As discussed, we will evaluate the first year operation before adding additional colonies; but given what I saw yesterday, everything looks very promising.

Thank you for this opportunity. I look forward to working with you.

McPhail Enterprises,

Mark McPhail



Cedarscape
Ltd.

LANDSCAPE DESIGNERS • CONSULTANTS • CONTRACTORS

SCHEDULE C
DVP15-0191
DP16-0110

May 13, 2016

Kelowna Urban Farm and RV Park

2075 KLO Road

Kelowna, BC

We are pleased to submit the following quotation which includes all materials, equipment and labour for the project as specified below as per plan.

RV Park Planting Berm \$ 18,750

- grading and shaping berm with material on site
- supply and install plant material as per plant list
- drip irrigation to all plants
- 3" bark mulch to berm
- staking trees as required.

Berry Patch - 2 rows 5,000

- 9' x 3" posts at 20' o/c
- 3 strands wire
- rototilling and soil prep
- drip irrigation

Soil preparation for field 4,500

- plow field as per plan **
- rototilling twice ** (once complete)
- spread soil nutrients **

Irrigation

- T from existing 4" main 2,500
- install 400' x 4" main
- 3 connection points for drip irrigation
- drip irrigation by farmer

Total excluding gst \$30,750

note ** marks items completed

Meat Bird Barn

Structure & pens

31,290.00

Total excluding gst \$62,040.00



CITY OF KELOWNA
BYLAW NO. 11222
Z16-0007 - Legault Enterprises Ltd.
477 Christleton Avenue

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 1, District Lot 14, ODYD, Plan 8009 located on Christleton Avenue, Kelowna, B.C., from the RU1 - Large Lot Housing zone to the RU6 - Two Dwelling Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 4th day of April, 2016.

Considered at a Public Hearing on the 3rd day of May, 2016.

Read a second and third time by the Municipal Council this 3rd day of May, 2016.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk