

# 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

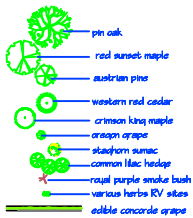
SCALE:

PROJECT TITLE  
Kelowna Urban Farm and RV Park

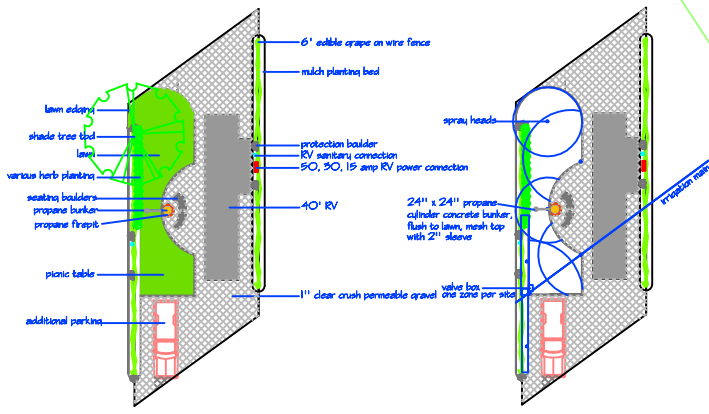
SHEET TITLE  
SITE PLAN

PROJECT NO. 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

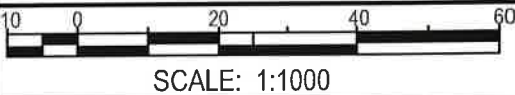


Scale in feet



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: \_\_\_\_\_

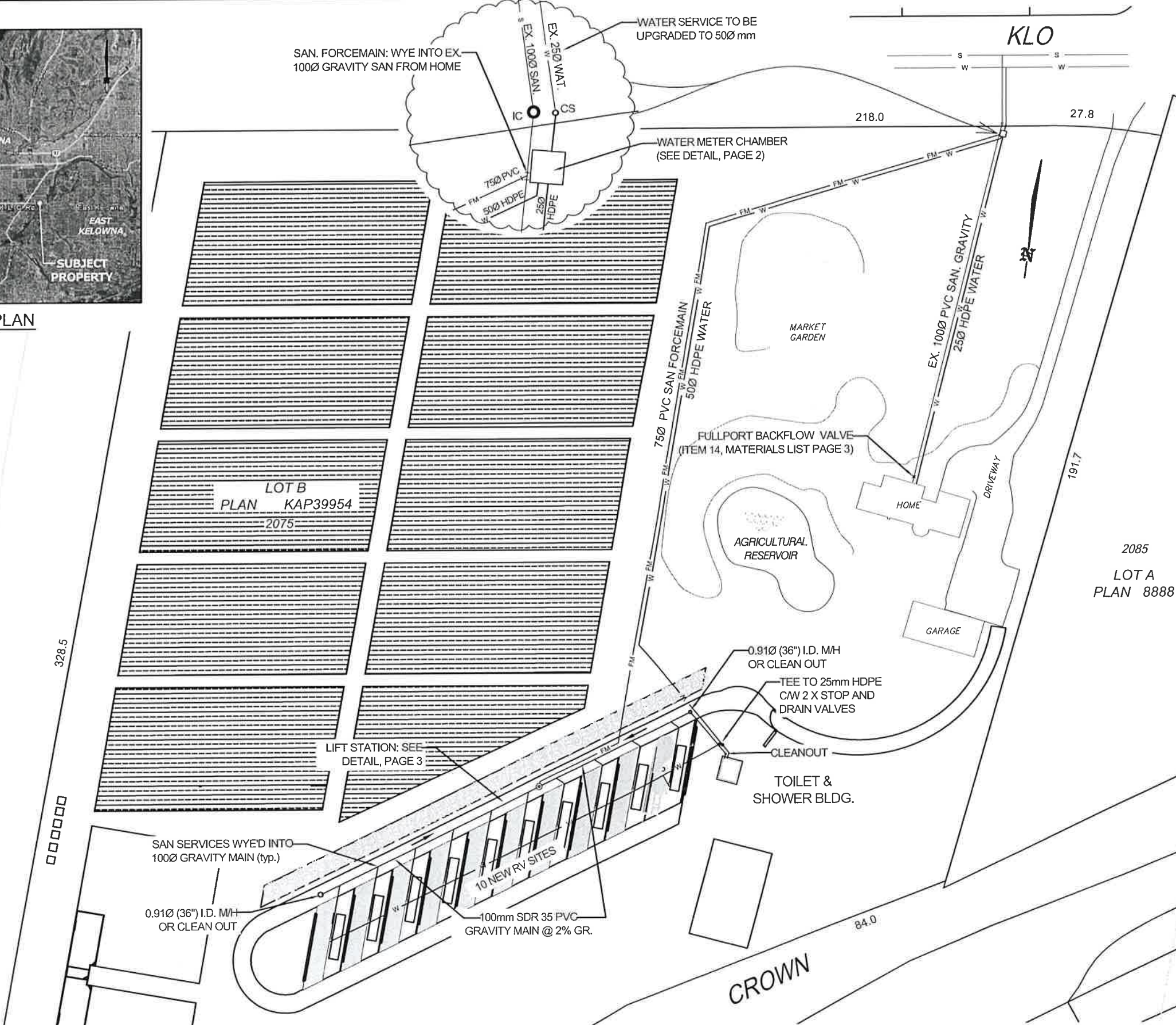
DRAWN BY: W.S.  
DATE: MAR. 10, 2016

**OLAND ENGINEERING LIMITED**  
1805 Capistrano Drive  
Kelowna, BC V1V 2Z3  
CELL: (250) 862-6322 FAX: (778) 753-6586  
PHONE: (250) 768-5014 EMAIL: jeff@OlandEngineering.ca  
WEBSITE: <http://OlandEngineering.ca>

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



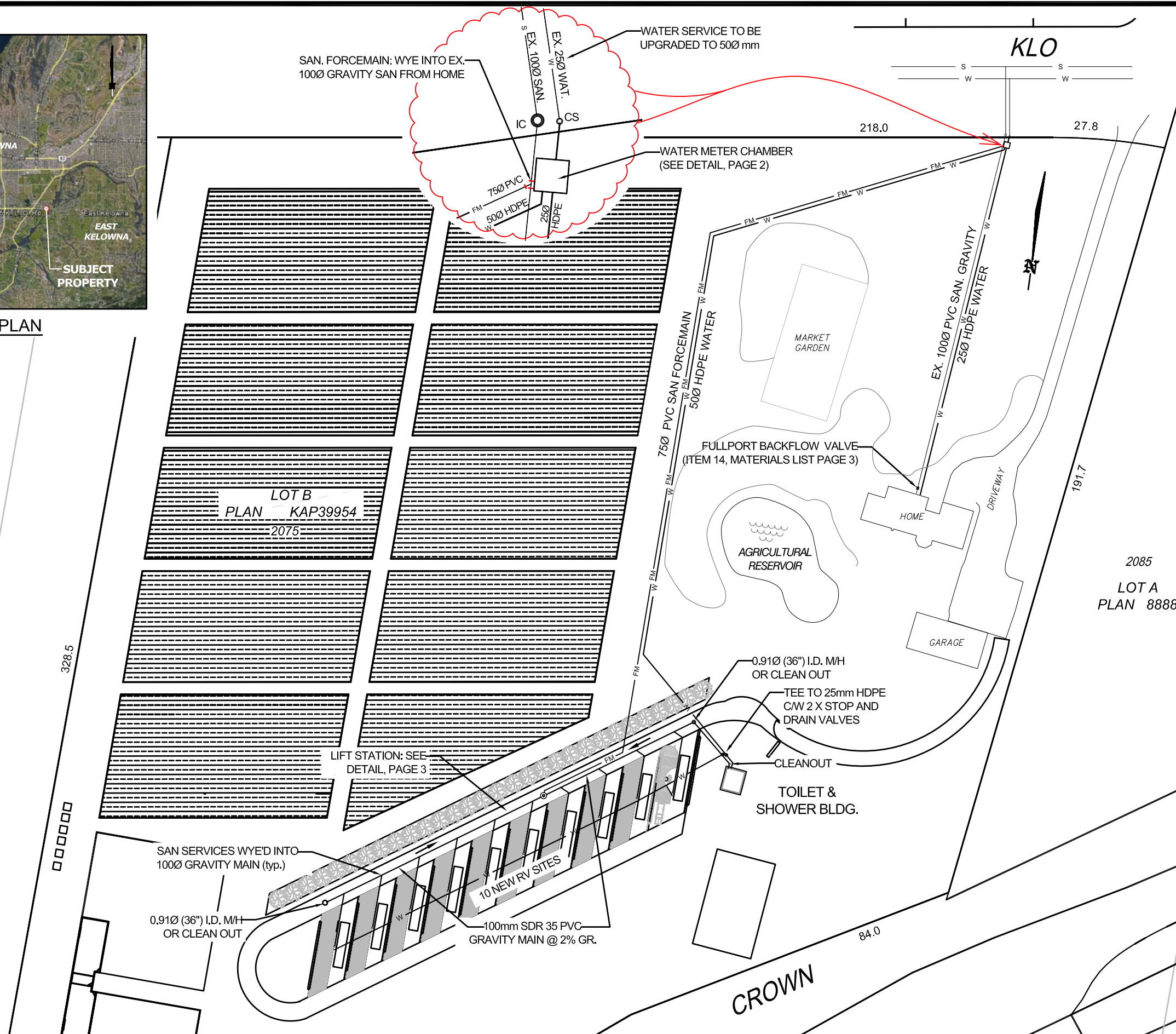
KEYPLAN





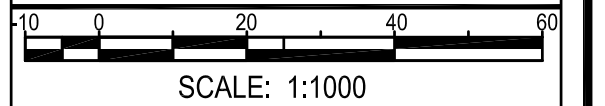


KEYPLAN



**WATER & SANITARY SCHEDULE A**  
**SERVICES SITE PLAN FOR 1-1**  
**PLAN 15-0191**  
**DP16-0110**

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



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

ISSUED FOR REVIEW  
DATE: MAR. 11, 2016

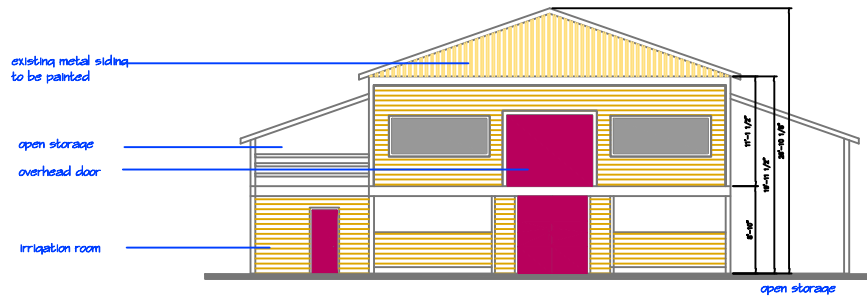
ISSUED FOR CONSTRUCTION  
DATE: \_\_\_\_\_

ASBUILT INSPECTION  
DATE: \_\_\_\_\_

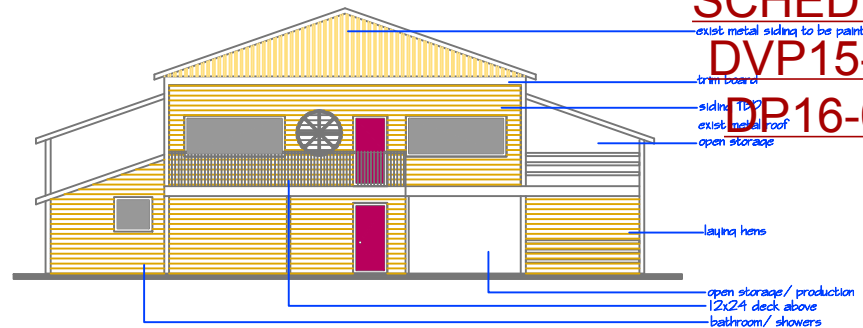
DRAWN BY: W.S.  
DATE: MAR. 10, 2016

**OLAND ENGINEERING LIMITED**  
1805 Capistrano Drive  
Kelowna, BC V1V 2Z3  
CELL: (250) 862-6322 FAX: (778) 753-6586  
PHONE: (250) 766-5114 EMAIL: jeff@OlandEngineering.ca  
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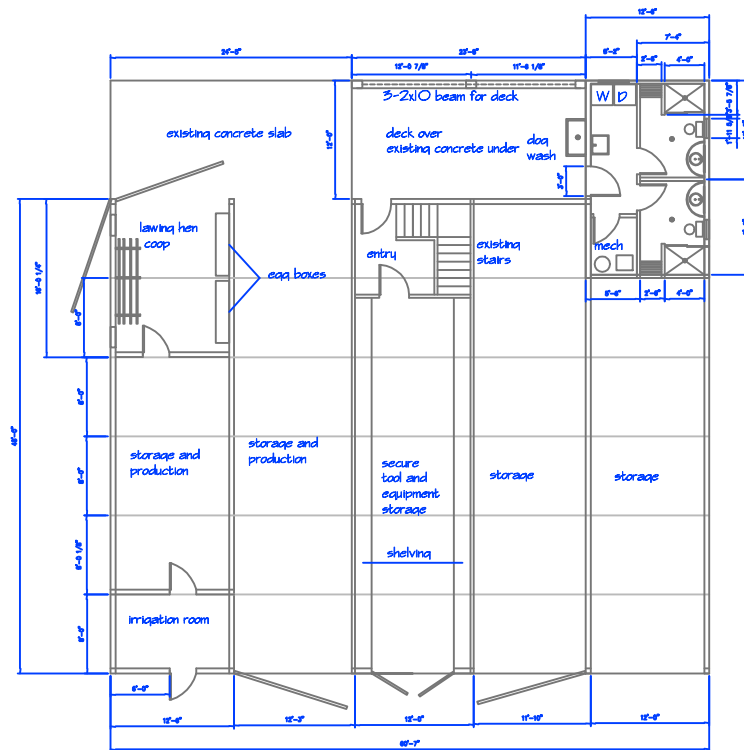
C. JEFFREY OLAND, P.ENG.  
DATE: 16-013.PLANS.1-SITE PLAN



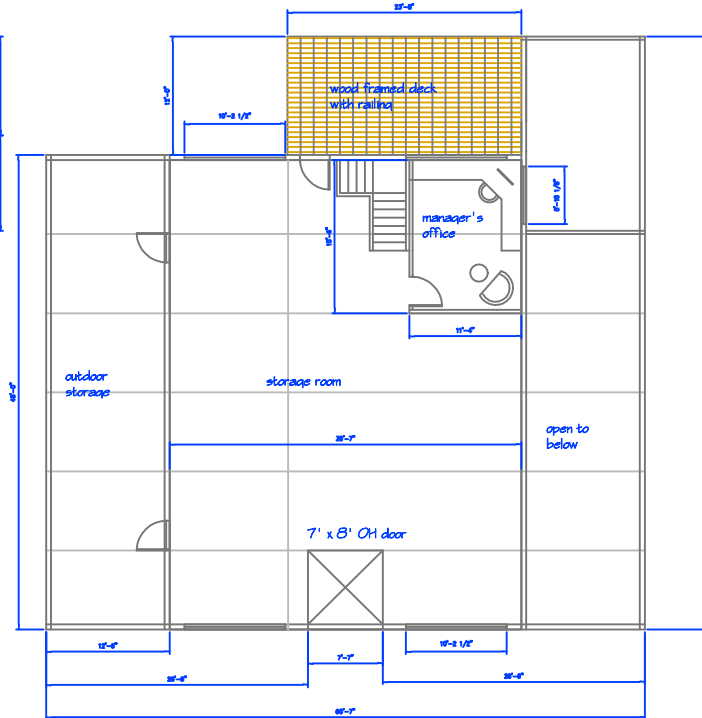
West Elevation



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  
 OWNER  
 ARCHITECT



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

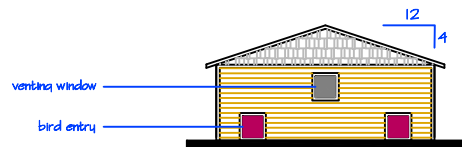
SHEET TITLE  
 Barn Renovation

PROJECT NO. SHEET NO.

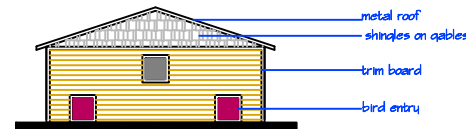
# SCHEDULE A

## DVP15-0191

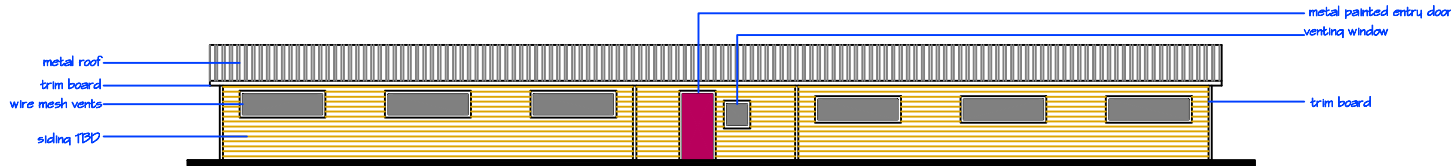
## DP16-0110



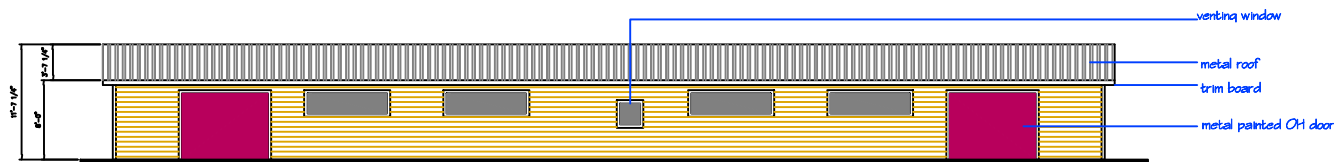
North Elevation



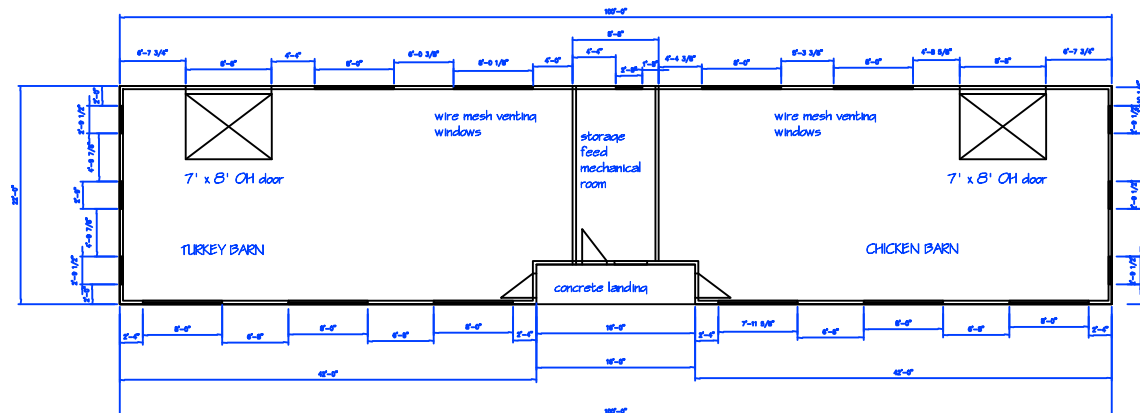
South Elevation



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

# Mission Creek Urban Farm and RV Park

## Poultry Barn

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:

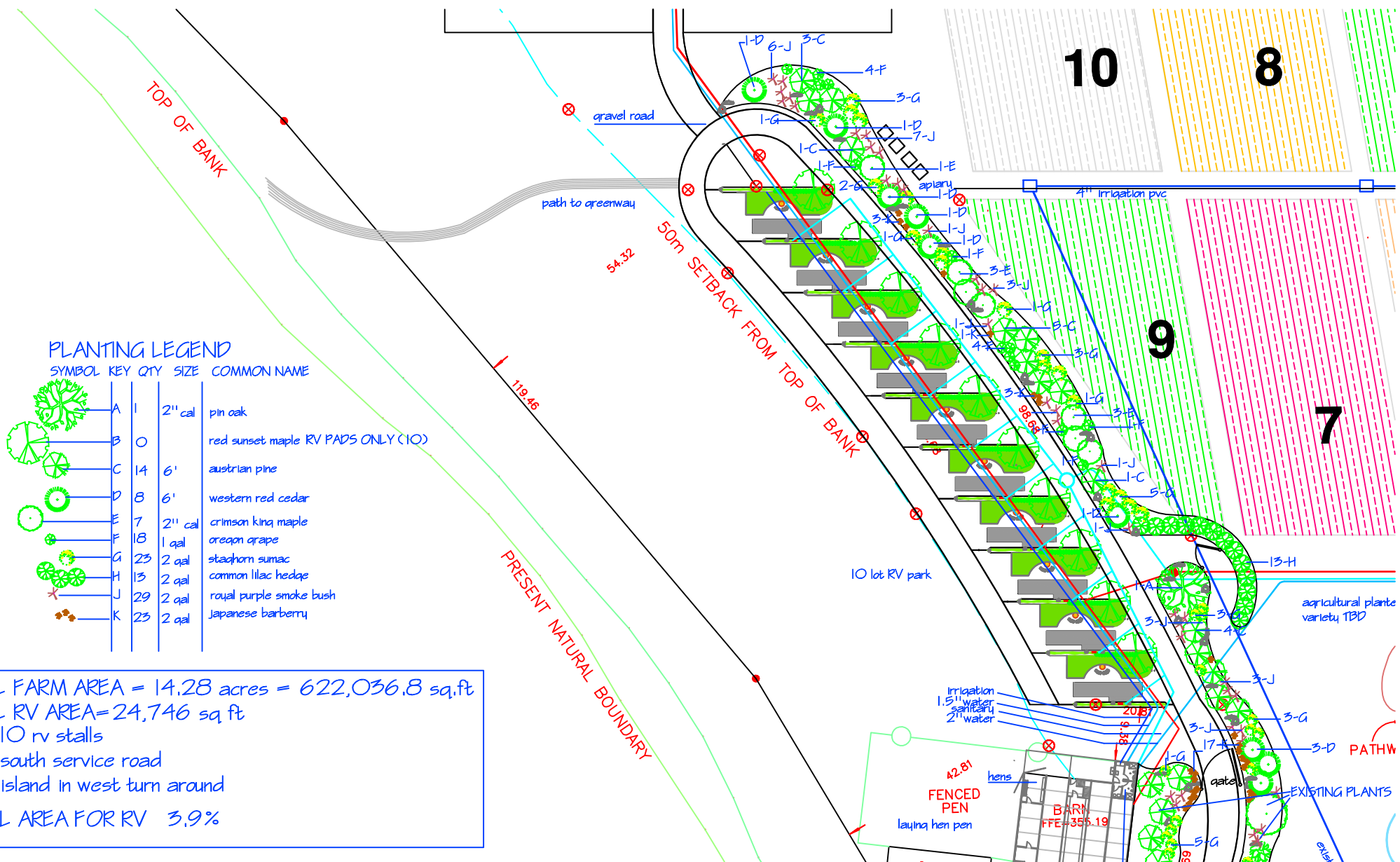
PROJECT TITLE:  
Mission Creek Urban Farm  
and RV Park

SHEET TITLE:  
Poultry Barn

PROJECT NO. SHEET NO.



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 15<sup>th</sup> and every two weeks following for a total of 12 weeks. Plots seven and eight\* will be planted with legal hemp June 15<sup>th</sup>. Plot 9\* will not be planted in 2016 because room must be left for construction. Plot 10\* will be planted with ground cherries May 15<sup>th</sup>. 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 24<sup>th</sup>. 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.

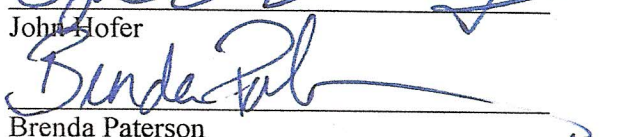
This agreement subject to City of Kelowna Council approval as per application to rezone 2075 KLO rd. property from A1 to A1t including 10 RV sites

Agreed this 20<sup>th</sup> 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

2,500

- T from existing 4" main
- 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**

