

REPORT TO COUNCIL



Date: January 18, 2021

To: Council

From: City Manager

Department: Development Planning Department

Application: TA20-0025 **Owner:** Springfield Plaza Inc., Inc.No. BC0479374

Address: 1585 Springfield Road **Applicant:** LIME Architecture Inc.

Subject: Zoning Bylaw Text Amendment Application

Existing OCP Designation: COMM – Commercial

Existing Zone: CD16 – Bingo and Gaming

1.0 Recommendation

THAT Bylaw No. 12017 be forwarded for rescindment consideration and the bylaw file be closed;

AND THAT Zoning Bylaw Text Amendment Application No. TA20-0025 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in Schedule 'A' attached to the Report from the Development Planning Department dated January 18, 2021 for Lot A District Lot 129 ODYD Plan KAP70110 located at 1585 Springfield Road be considered by Council;

AND THAT the Zoning Bylaw Text Amending Bylaw be forwarded to a Public Hearing for further consideration;

AND FURTHER THAT final adoption of the Text Amendment Bylaw be considered subsequent to the approval of the Ministry of Transportation and Infrastructure.

2.0 Purpose

To amend the Zoning Bylaw by changing the Development Regulations in the CD16 – Bingo and Gaming zone for two proposed minor building additions and replacing the CD16 – Bingo and Gaming Site Plan to reflect these changes.

3.0 Development Planning

The CD16 – Bingo and Gaming Zone is a Comprehensive Development Zone which applies only to the subject property, which contains Chances Casino. Staff support the proposed text amendments to accommodate the two small additions to the existing building.

The proposed text amendment identifies only minor changes to the footprint of the existing building. These changes are not expected to result in any negative impacts to the building's aesthetic, the site's functionality, or adjacent parcels.

4.0 Proposal

4.1 Background

On April 6th, 2020, Council forwarded a Text Amendment (BL12017) to Public Hearing for the subject property. Following the First Reading, the applicant decided to make changes to the proposal due to the Covid19 pandemic. These changes were to increase the staffing areas to allow for more staff space. Since these changes were done after First Reading, the original bylaw must be rescinded, and a new application was created. The proposal is similar to the first application; however, minor adjustments have been made.

The previous application came forward because of Council's recent approvals to allow for live gaming in the casino. Chances has experienced a steady increase in their visitor numbers over the year and has further development plans beyond the small additions currently proposed. These future development plans will require additional development applications and are anticipated to significantly change the CD16 – Bingo and Gaming zone, as well as substantially change the existing building form and scale. However, the applicants are not ready to make these applications at this time as they are still working through their preferred design and development plans.

4.2 Project Description

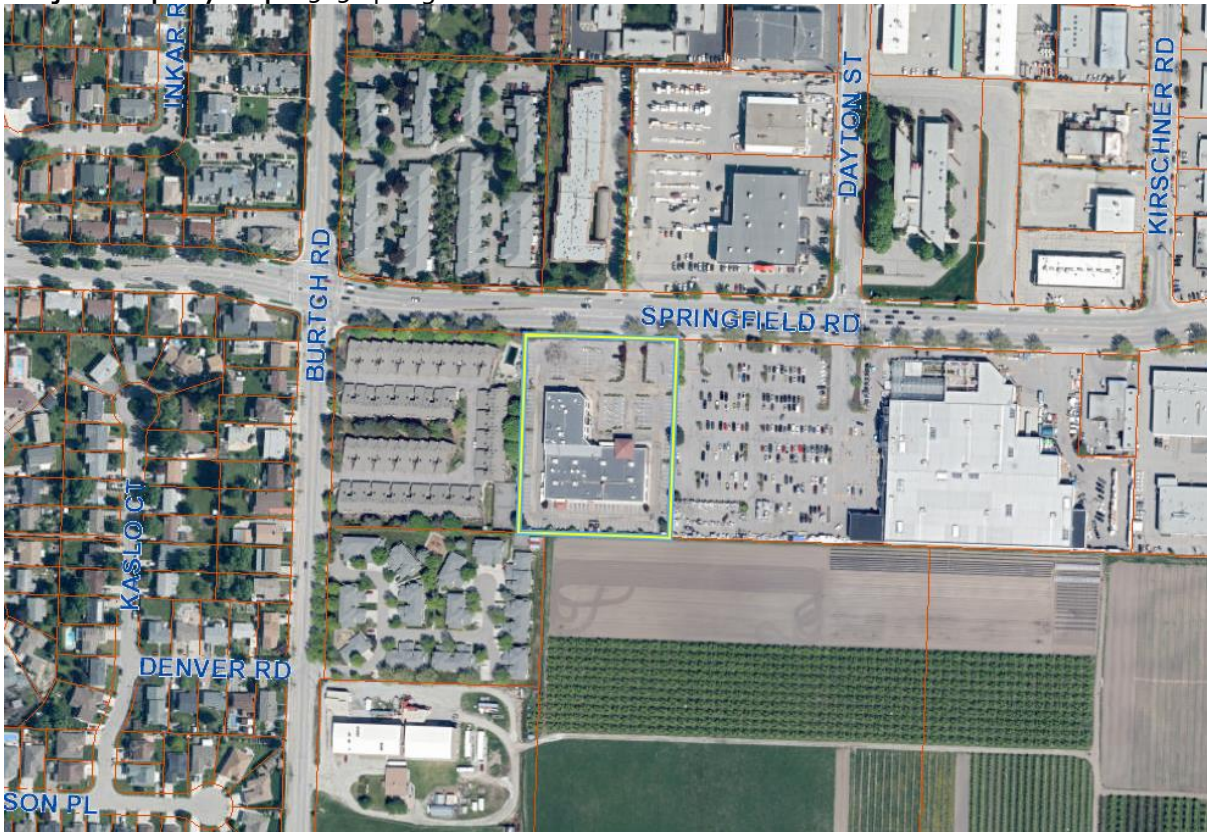
To respond to growing local demand, Chances is proposing additions to the existing building to provide support space including additional electrical room space and office spaces to be used by the casino repair technicians. These additions, as shown on the site plan in Attachment B, will increase the building footprint along the west façade (131.8 m²) which reduces the side yard from 15.0 m to 14.39 m and along the south façade (243 m²) which reduces the rear yard from 21.0m to 15.86m. The proposed additions also increase the site coverage from 25% to 27.3% and the drive aisle width for a double lane drive aisle from 7.0m to 6.1m.

4.3 Site Context

Chances Casino is located south of Springfield Road, east of Burtch Road. The subject property has adjacent uses of Residential to the east, Commercial to the west, and Agricultural (ALR) lands to the south. Chances Casino has a formal easement agreement with the adjacent property to the east, which is currently occupied by Rona, to access the underutilized surface parking area with stair access between the two sites.

The property is adjacent to ALR lands to the south which requires a Level 5 landscape buffer with a minimum width of 3.0m. The ALC's Guide to Edge Planning encourages a 15.0 m setback from the agricultural area boundary and an 8.0 m wide vegetative buffer within the setback. The proposed development meets the City's required 3.0 m buffer width and the ALC's encouraged 15.0 m building setback and would therefore be exempt from a Farm Protection Development Permit.

Subject Property Map: 1585 Springfield Road



4.4 Zoning Analysis Table

The CD16 – Bingo and Gaming Zone is a Comprehensive Development Zone which applies only to the subject property, which contains Chances Casino. As a Comprehensive Development Zone is in place, a Text Amendment to the Zone is required instead of what would be considered a variance application in other contexts.

The changes to the development regulations, as shown below in the Zoning Analysis Table, are complemented by the Zoning Bylaw CD16 – Bingo and Gaming Zone Site Plan (Schedule A) that is included in the zone and would restrict any future development from any proposal beyond what is currently being considered by Council.

Zoning Analysis Table		
CRITERIA	CD16 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Min. Rear Yard Setback	21.0m	15.86m
Min. Side Yard Setback	15.0m	14.39m
Max. Site Coverage	25%	27.3%
Min. Drive Aisle Width	7.0m	6.1m

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

6.0 Chapter 8: Economic Development

Objective 8.1 Focus on economic drivers that generate new and sustainable wealth.

Policy .1 Sustainable Prosperity. Assign priority to supporting the retention, enhancement and expansion of existing businesses and post-secondary institutions and the attraction of new business and investment identified as bringing sustainable prosperity to Kelowna

7.0 Application Chronology

Date of Revised Application Received: December 18, 2020

Date Public Consultation Completed: September 14, 2020

Report prepared by: Tyler Caswell, Planner I

Reviewed by: Jocelyn Black, Urban Planning Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments:

Schedule A: Proposed Text Amendment

Attachment A: Development Site Plan and Floor Plans

Attachment B: Proposed Elevation Drawings