

Development Variance Permit

DVP24-0087



This permit relates to land in the City of Kelowna municipally known as

1080-1090 Richter St

and legally known as

Lot 1 District Lot 139 ODYD Plan 7858

and permits the land to be used for the following development:

General Industrial

The present owner and any subsequent owner of the above described land must comply with any attached terms and conditions.

Date of Council Approval: September 9, 2024

Development Permit Area: N/A

Existing Zone: I2 – General Industrial

Future Land Use Designation: IND – Industrial

This Development Permit is valid for two (2) years from the date of approval, with no opportunity to extend.

This is NOT a Building Permit.

In addition to your Development Permit, a Building Permit may be required prior to any work commencing. For further information, contact the City of Kelowna, Development Services Branch.

NOTICE

This permit does not relieve the owner or the owner’s authorized agent from full compliance with the requirements of any federal, provincial or other municipal legislation, or the terms and conditions of any easement, covenant, building scheme or agreement affecting the building or land.

Owner: Bromaxx Property Group Ltd., Inc. No. BC1021305

Applicant: Reb Bird Brewing

Nola Kilmartin
Development Planning Department Manager
Planning & Development Services

Date of Issuance

1. SCOPE OF APPROVAL

This Development 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 Development 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 Development 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.

2. CONDITIONS OF APPROVAL

THAT Council authorizes the issuance of Development Variance Permit No. DVP24-0087 for Lot 1 District Lot 139 ODYD Plan 7858 located at 1080-1090 Richter St, Kelowna, BC, subject to the following:

- a) The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";

AND THAT variances to the following section of Zoning Bylaw No. 12375 be granted:

Table 8.3.4: Industrial Parking Regulations

To vary required parking from 7 stalls to 0 (zero) stalls proposed for a maximum of 30 individual single day events per calendar year.

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

3. PERFORMANCE SECURITY

None required.

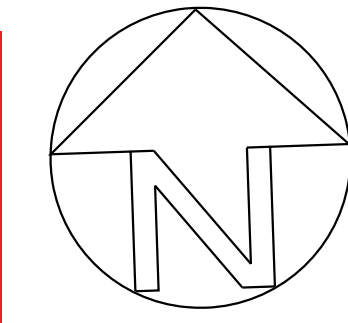
4. INDEMNIFICATION

Upon commencement of the works authorized by this Permit the Developer covenants and agrees 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 said Permit.

All costs, expenses, claims that may be incurred by the Municipality where the construction, 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.

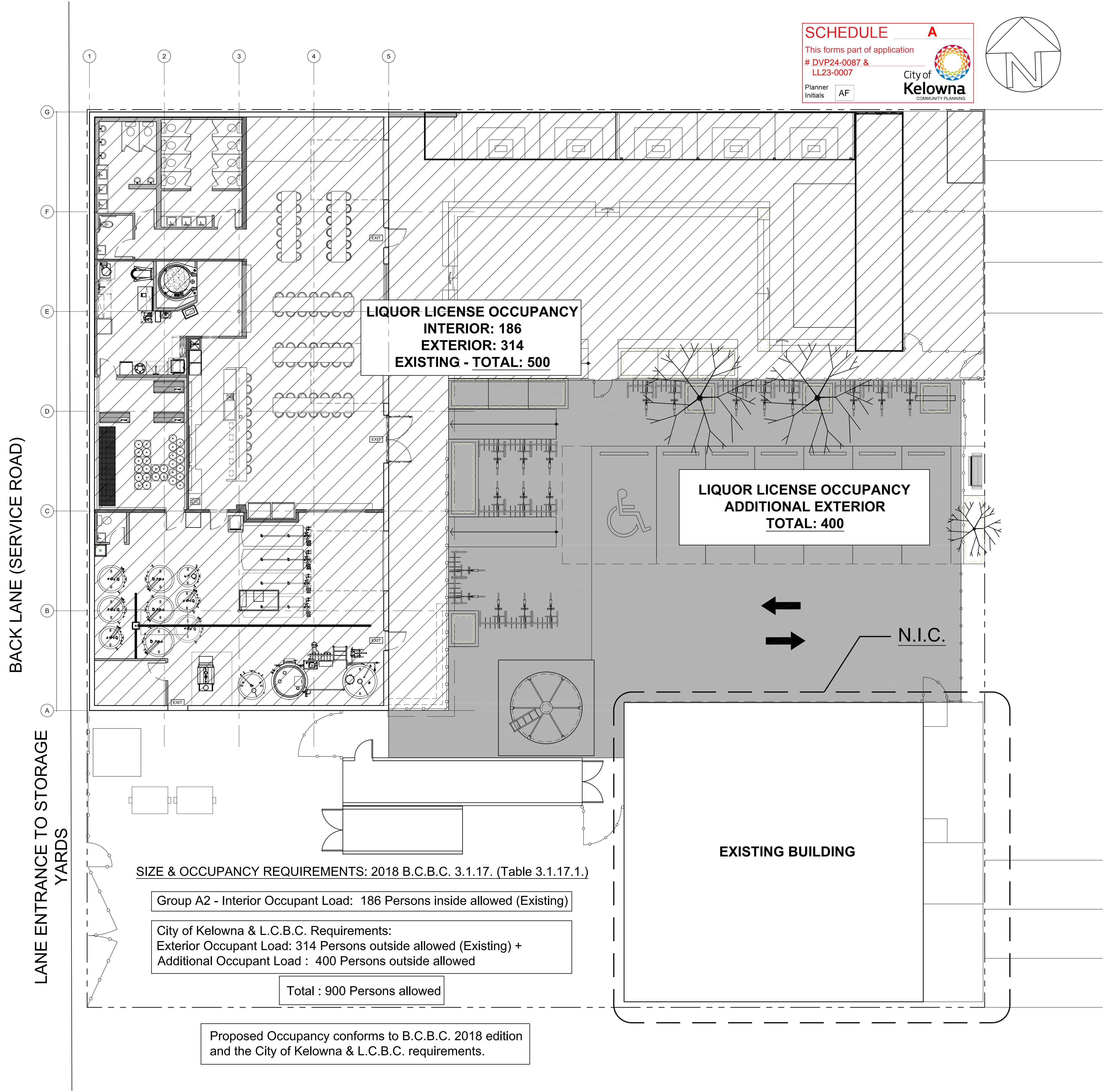
**The PERMIT HOLDER is the CURRENT LAND OWNER.
Security shall ONLY be returned to the signatory of the
Landscape Agreement or their designates.**



Notes:
 © Copyright Reserved. This drawing and design are, and at all times remain, the property of Patrick McCusker Architecture Inc. and can be reproduced only with written consent.
 All drawings shall be read in conjunction with specifications and consultant details.
 All work shall be carried out in accordance with Canadian standards, specifications, British Columbia Building Code (Current Edition) and local authority bylaws and regulations.
 Tabulated scales refer to Arch D size drawing sheet.
 This drawing must not be scaled.
 Contractors shall verify all dimensions prior to commencement of work.
 Any omissions or discrepancies shall be reported to the architect.



Liquor License Occupancy endorsement per City of Kelowna: Additional exterior total is 250 persons, for a total of 750 persons, not 900 persons. 900 persons is based on B.C.B.C. Occupancy area calculations.



SIZE & OCCUPANCY REQUIREMENTS: 2018 B.C.B.C. 3.1.17. (Table 3.1.17.1.)

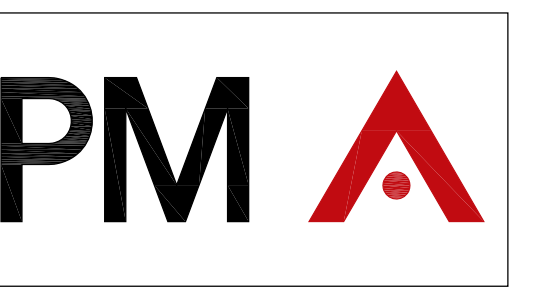
Group A2 - Interior Occupant Load: 186 Persons inside allowed (Existing)

City of Kelowna & L.C.B.C. Requirements:
 Exterior Occupant Load: 314 Persons outside allowed (Existing) +
 Additional Occupant Load : 400 Persons outside allowed

Total : 900 Persons allowed

Proposed Occupancy conforms to B.C.B.C. 2018 edition and the City of Kelowna & L.C.B.C. requirements.

No.	Date	Description
11	2202.11.30	Occupancy Update
10	2022.11.14	Occupancy Update
09	2022.04.20	Issued for BP Amendment
08	2022.04.06	Issued As-Built
07	2021.04.08	Updated IPC's
06	2021.04.08	Occupancy Update
05	2021.03.31	Occupancy Update
04	2021.03.05	Issued for Construction
03	2020.06.25	Issued for Building Permit
02	2020.06.25	Re-Issued for Development Permit
01	2019.12.11	Issued for Development Permit



PATRICK McCUSKER ARCHITECTURE INC.
 AAA MAIBC MRAIC
 3430 BENOULIN ROAD
 KELOWNA BC V1W 4M5
 Phone: 778-484-0223
 pat@pmcarch.com
 www.pmcarch.com

project title
RED BIRD BREWING
 BREWERY EXPANSION
 1080-1090 RICHTER STREET
 KELOWNA, B.C.

project no. 3394

drawing title
MAIN FLOOR PLAN
 OUTLINING LICENSED
 AREAS

designed	scale
	N.T.S.
drawn	
checked	
PMC	
drawing no.	

DP2.01



ATTACHMENT B	
This forms part of application	
# DVP24-0087 & LL23-0007	
Planner Initials	AF
 City of Kelowna COMMUNITY PLANNING	

Jan 16th, 2024

Community Planning

1435 Water Street
Kelowna, BC V1Y 1J4

Attention: City of Kelowna
Project: Red Bird Brewing-Liquor License Revision
Subject: Project Rationale for Special Event Area (SEA)

We regularly host outdoor events throughout the year in our parking lot area as indicated on the drawing provided. This area can be closed off with a sliding fence gate. Our location in the industrial brewery district of the Kelowna north end, lends itself well to events in this proposed area. The plan is to host events such as the following:

- Music concerts, markets, fundraising events, festivals, cultural events.

Our history of music and other events on site spans 6 years. We schedule events such that we **always** end the amplified, outdoor music portion by 11:00pm.

Currently we are only allowed to host 6 multi-day events per year. Due to the small number of events allowed we have to prioritize and focus on concerts as it is our major revenue driver. We would like to, however, host more events that are community and family focused such as markets, sporting events (youth skatebord competition for example), fundraisers (leaning on our local Falcons, Rockets and some NHL players in the area). We're actually chatting with a mobile petting zoo from the coast to come down and setup for a weekend to give families a truly one-of-a kind experience.

These events really do require the special event area to be not only financially feasible but also to make them a fantastic experience for our guests. A great example is the success we've seen from markets in the previous years when customers are able to carry their beer (or other beverage) with them into the parking lot area while shopping as opposed to not having the space licensed for the day. The sales achieved by the local vendors comparatively is night and day and essentially rules out the possibility to host these markets without the license as the vendors aren't interested in setting up without the potential for higher sales.

This revision to our licesed area will eliminate the need for one-off special event applications throughout the year. We are seeking approval for 30 individual days per calendar year to host licensed events in our parking lot.

Additionally we are asking for an hours change to our liquor license. We are currently licensed from noon until midnight, 7 days a week. We would like to change this to 9am to midnight, 7 days a week. These earlier hours will give us the opportunity to host more family-based events

Attention:
Subject:
Page 2 of 2



earlier in the day (such as yoga sessions on the weekends, or earlier start times for an easter egg hunt or other family oriented events).

Although we are licensed until midnight everyday, we **always** end the amplified music portion by 11pm. We typically end beverage service around 11:15pm and never later than 11:30pm

If you have questions or require further clarification regarding this submission, please contact Adam Semeniuk on cell at 778-821-0404 or by email at adam@redbirdbrewing.com

Prepared By: Adam Semeniuk - Operations Manager