
CITY OF KELOWNA
MEMORANDUM

Date: June 24, 2004
File No.: DP04-0023

To: City Manager

From: Planning and Corporate Services Department

Subject:

APPLICATION NO. DP04-0023

OWNER: Springfield Plaza Inc.

AT: 1585 Springfield Road

APPLICANT: Springfield Plaza Inc.

PURPOSE: THE APPLICANT IS SEEKING A DEVELOPMENT PERMIT FOR A BUILDING ADDITION (1858M²) TO THE EXISTING BINGO KELOWNA FACILITY

EXISTING ZONE: C10-SERVICE COMMERCIAL

PROPOSED ZONE: CD16 – COMPREHENSIVE DEVELOPMENT (BINGO AND GAMING)

REPORT PREPARED BY: RYAN SMITH

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT Final Adoption of Text Amending Bylaw No. 9238 be considered by Council;

AND THAT Final Adoption of Zone Amending Bylaw No. 9239 be considered by Council;

AND THAT Council adopt a resolution supporting the expanded gaming uses on the Bingo Kelowna site as described in a letter from the BC Lottery Corporation dated June 18, 2004;

AND THAT Council authorize the issuance of Development Permit No. DP04-0023 for Lot A, District Lot 129, ODYD Plan KAP70110, located on Springfield Road, Kelowna, B.C. subject to the following:

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

AND FURTHER THAT the applicant be required to complete the above-noted conditions within 180 days of Council approval of the development permit application in order for the permit to be issued.

2.0 SUMMARY

The applicant is seeking to rezone the subject property from the C10-Service Commercial Zone to the CD16 – Bingo and Gaming in order to accommodate a liquor primary license and expanded gaming related operations at the Bingo Kelowna facility. A development permit is being sought for a related building addition (1858m²) to the existing bingo Kelowna facility. The proposed CD16 – Comprehensive Development (Bingo and Gaming) zone was created through a related text amendment application.

3.0 ADVISORY PLANNING COMMISSION

At the regular meeting of March 16, 2004 it was resolved:

THAT the Advisory Planning Commission supports Rezoning Application No. Z04-0011, 1585 Springfield Road, Lot A, Plan 70110, Sec. 20, Twp. 26, ODYD, by Springfield Properties Inc (John McAfee), to rezone from the C10-Service Commercial zone to the C10LP-Service Commercial Liquor Primary Zone, in order to accommodate a liquor primary, licensed establishment on the subject property;

*AND THAT the Advisory Planning Commission **not** support Text Amendment Application No. TA04-0001, 1585 Springfield Road, Lot A, Plan 70110, Sec. 20, Twp. 26, ODYD, by Springfield Properties Inc (John McAfee), to amend Zoning Bylaw 8000 to allow gaming facilities as a permitted use in the C10-Service Commercial zone. The APC recommends the proposed uses be incorporated into a Comprehensive Development zone specific to the property.*

AND THAT the Advisory Planning Commission supports Development Application No. DP04-0023, 1585 Springfield Road, Lot A, Plan 70110, Sec. 20, Twp. 26, ODYD, by Springfield Properties Inc (John McAfee), to obtain a Development Permit to allow for a two storey addition (1632 m²) to the existing commercial building on the subject property.

4.0 BACKGROUND

This property was the subject of an Official Community Plan Amendment, Rezoning, Development Permit and Text Amendment in 2001. Council's approval of these applications led to the development of the Bingo Kelowna facility which currently occupies this site. At the time the original development permit was approved, the applicant left a pad on the site for future expansion potential. This application represents the planned expansion.

4.1 The Proposal

The applicant is seeking to add a two-storey 1858m² addition to the existing Bingo Kelowna facility. The proposed addition would extend from the front of the existing building towards Springfield Road and would encompass an existing pad left vacant for future development. This addition would potentially house a coffee shop, extended bingo facilities, bingo related office space and newly added gaming facilities. Bingo facilities were previously restricted to bingo only operations; however, the British Columbia Lottery Corporation (BCLC) has recently opted to seek limited gaming facilities (slot

machines) in conjunction with bingo operations. For this reason Council had previously directed staff to create a Comprehensive Development zone that would accommodate bingo, gaming and liquor primary uses on the Bingo Kelowna site.

During the public hearing for the zoning/text amendment portions of this application Council discussed the gaming element of the proposal. Council elected to separate the gaming and zoning issues prior to closing the public hearing and advancing the zone and text amending bylaws to third reading. At this time Council asked staff to contact the British Columbia Lottery Corporation to clarify the proposed changes to gaming at the Bingo Kelowna location. In a letter dated June 18, 2004 (attached), the BCLC describes the extent of the gaming related additions to the Bingo Kelowna facility. This letter may be considered as describing the initial extent of the gaming license at Bingo Kelowna. Staff has recommended that Council pass a resolution supporting the gaming use on the Bingo Kelowna site as described in the correspondence from BCLC. Once Council has defined the extent of gaming, any further change will require a public process and a resolution from Council (similar process to commenting on Liquor License applications).

The liquor primary zoning designation sought by the applicant would allow the Bingo Kelowna facility to hold a Liquor Primary license. Although the precise person capacity has yet to be determined, the applicant has indicated that a person capacity of between 150-200 persons will be sought. The applicant has indicated that this capacity will be spread over several different areas within the facility. Further information will be provided with the liquor primary license application.

It must also be noted that the applicant has had further discussions with representatives from Burtch Estates (abutting the subject property to the west). Staff will elaborate on the result of these discussions at the Council meeting.

The application meets the requirements of the CD16 – Bingo and Gaming zone as follows:

CRITERIA	PROPOSAL	C10 ZONE REQUIREMENTS
Lot Area (m ²)	12739m ²	1000m ²
Lot Width (m)	98.6m	40m
Lot Depth (m)	129m	30m
Storeys (#)	2	3 storeys
Existing Building Area	2229.6m ²	n/a
Proposed Building Addition	1858m ²	n/a
Total Floor Area	4087.6m ²	n/a
Site Coverage (total)	24.2%	40%
Floor Area Ratio Existing	0.244	0.4
Floor Area Ratio Proposed	0.32	0.4
Building Setbacks		
Front Yard	24.4m	2.0m
Side Yard (e)	15.8m	0.0m
Side Yard (w)	16.2m	4.5m
Rear Yard	21.6m	0.0m
Parking Spaces	237	Bingo Hall: 196 (1 Per 5 seats) Parking for Proposed Addition: 21 Minimum Required: 217
Loading Space	2	2
Bicycle Parking Spaces	26	26

4.2 Site Context

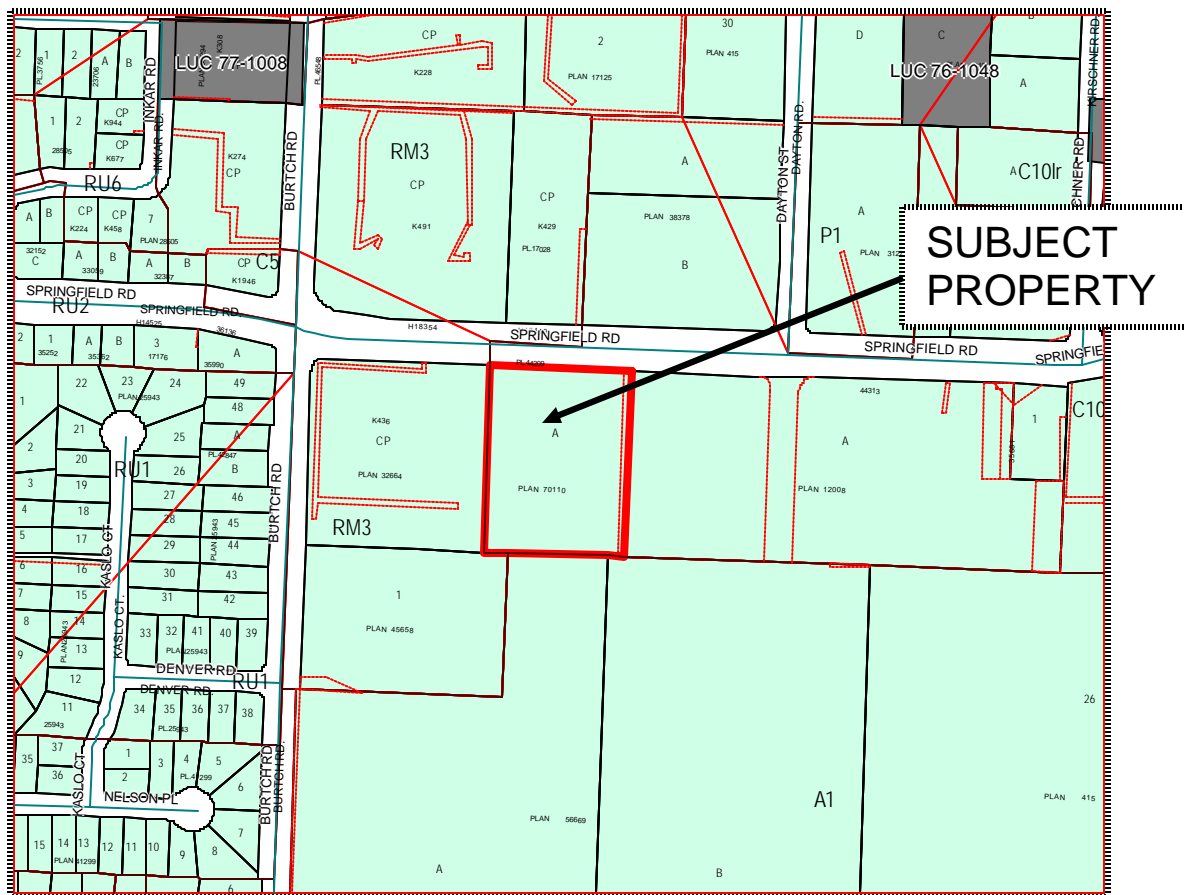
The subject property is located the south side of Springfield Road between Burtch Road and Dayton Road (west of Rona).

Adjacent zones and uses are:

- North - RM3 – Low Density Multiple Family – Town House Type Development
- East - C10 – Service Commercial - Rona
- South - A1 – Agriculture 1 – Undeveloped Agricultural Land
- West - RM3 – Low Density Multiple Family Development

4.3 Site Location Map

Subject Properties: 1585 Springfield Road



4.4 Existing Development Potential

The subject property is currently C10 – Service Commercial. The purpose is to designate and preserve land for the accommodation of a mix of commercial uses, including vehicular oriented areas, not provided for in other zones.

4.5 Current Development Policy

4.5.1 Kelowna Official Community Plan

The Official Community Plan future land use designation for this property is Commercial. The OCP was amended during the original zoning amendment process to allow for commercial development on the site.

4.5.2 Mayor's Entertainment District Task Force Report

The MEDTF report recommends a minimum separation of 100 metres between liquor primary licenses establishments with capacities of between 150 persons and 350 persons.

5.0 TECHNICAL COMMENTS

5.1 Works and Utilities

5.1.1 General

The proposed application to rezone from C10 to C10LP - Liquor Primary, does not compromise Works and Utilities servicing requirement.

All frontage improvement requirements, servicing and site related issues were outlined in our previous reports under files Z01-1012, DP01-10009 and have been addressed.

5.1.2 Domestic Water and Fire Protection

The developer's consulting mechanical engineer will determine the domestic and fire flow requirements of this proposed building addition and establish if the existing service is adequate. Service Changes shall be at the applicant's cost.

Domestic water for the proposed building addition must be an extension of the existing metered water within the main building.

5.1.3 Sanitary Sewer

The existing development is serviced with a 150mm-diameter sanitary sewer service which should be adequate for the proposed building addition.

Sanitary sewer service issues for the site will be reviewed when a mechanical engineering design is submitted. Service changes shall be at the developer's cost.

5.1.4 Storm Drainage

Changes to the lot grading and on-site drainage containment and disposal systems will require a revised Storm Management and Lot Grading Plan from the developer's consulting civil engineer.

5.1.5 Development Permit and Site Related Issues

Access and Maneuverability

The existing right-out only sign, at the access driveway to Springfield Road shall be replaced with one that conforms with The Uniform Traffic Control Sign Standards.

Adequate off-street parking must be provided and changes to the existing parking modules must meet zone size requirements for parking stall and drive isles widths.

5.2 Inspection Services

No comment.

5.3 Fire Department

Will this building still meet the requirements for an unsprinklered structure once the addition is installed?

*Note: The applicant will be required to address this comment prior to the issuance of a building permit.

5.4 RCMP

The RCMP does not support a liquor primary license at this location.

5.5 Public Health Inspector

No comment.

5.6 Ministry of Water Land and Air Protection

No comment.

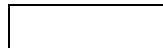
6.0 PLANNING AND CORPORATE SERVICES DEPARTMENT

The Planning and Corporate Services Department has no concerns with this development permit application. This expansion was contemplated at the time of the original development permit and this proposal is consistent with the form and character of the existing building and meets all relevant bylaws. The applicant has made arrangements with neighbor (Rona) to accommodate overflow parking during peak periods and the Advisory Planning Commission supported the development permit application. The proposed addition is generally consistent with commercial development permit guidelines contained in the Official Community Plan.

Staff would like to note that approval of the development permit does not constitute approval of the liquor license. Staff will forward a liquor license application to Council for consideration at such time as further details relating to this issue are provided from the Liquor Control and Licensing Branch. There will be an opportunity for public input at this time.

Andrew Bruce
Manager of Development Services

Approved for inclusion



R.L. (Ron) Mattiussi, ACP, MCIP
Director of Planning and Corporate Services

PMc/pmc
Attach.

FACT SHEET

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| 1. | APPLICATION NO.: | DP04-0023 |
| 2. | APPLICATION TYPE: | Development Permit |
| 3. | OWNER: | Springfield Properties Inc. |
| | . ADDRESS | 1585 Springfield Road |
| | . CITY | Kelowna, BC |
| | . POSTAL CODE | V1Y 5V5 |
| 4. | APPLICANT/CONTACT PERSON: | Springfield Properties Inc. |
| | . ADDRESS | 1585 Springfield Road |
| | . CITY | Kelowna, BC |
| | . POSTAL CODE | V1Y 5V5 |
| | . TELEPHONE/FAX NO.: | 762-2880 |
| 5. | APPLICATION PROGRESS: | |
| | Date of Application: | February 19, 2004 |
| | Date Application Complete: | February 19, 2004 |
| | Servicing Agreement Forwarded to Applicant: | N/A |
| | Servicing Agreement Concluded: | N/A |
| | Staff Report to APC: | March 16, 2004 |
| | Staff Report to Council: | N/A |
| 6. | LEGAL DESCRIPTION: | Lot A, District Lot 129, ODYD Plan KAP70110 |
| 7. | SITE LOCATION: | The subject property is located the south side of Springfield Road between Burtch Road and Dayton Road (west of Rona). |
| 8. | CIVIC ADDRESS: | 1585 Springfield Road |
| 9. | AREA OF SUBJECT PROPERTY: | 12739m ² |
| 10. | AREA OF PROPOSED REZONING: | 12739m ² |
| 11. | EXISTING ZONE CATEGORY: | C10 –Service Commercial |
| 12. | PROPOSED ZONE: | CD16 – Comprehensive Development Permit (Bingo and Gaming) |
| 13. | PURPOSE OF THE APPLICATION: | THE APPLICANT IS SEEKING A DEVELOPMENT PERMIT FOR A BUILDING ADDITION (1858M ²) TO THE EXISTING BINGO KELOWNA FACILITY |
| 14. | MIN. OF TRANS./HIGHWAYS FILES NO.:
NOTE: IF LANDS ARE WITHIN 800 m OF A CONTROLLED ACCESS HIGHWAY | |
| 15. | DEVELOPMENT PERMIT MAP 13.2 IMPLICATIONS | N/A |

ATTACHMENTS

(not attached to the electronic version of the report)

- Location of subject property
- Site plan
- Elevations
- Proposed Floor Plans