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# CITY OF KELOWNA

## MEMORANDUM

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**Date:** October 31, 2008

**To:** City Manager

**From:** Land Use Management Department

**APPLICATION NO.:** DVP08-0216

**OWNER:** Springfield Plaza Inc.

**AT:** 1585 Springfield Road

**APPLICANT:** Chances Gaming Entertainment

**PURPOSE:** TO VARY THE REQUIRED SIDE YARD SETBACK FROM THE 15.0M REQUIRED TO 1.5M, AND TO VARY THE REQUIRED REAR YARD SETBACK FROM 21.0M TO 1.0M PROPOSED TO FACILITATE THE PLACEMENT OF AN ELECTRICAL GENERATOR ON THE SUBJECT PROPERTY

**EXISTING ZONE:** CD16 – BINGO AND GAMING

**REPORT PREPARED BY:** LUKE TURRI

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### **1.0 RECOMMENDATION**

THAT Council authorize the issuance of Development Variance Permit No. DVP08-0216, Lot A, District Lot 129, ODYD, Plan KAP70110, located at 1585 Springfield Road

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

**Section 17 - Schedule 'B' - CD16 (Bingo and Gaming) - Section 1.4(e):**

To vary the side yard setback from 15.0m required to 1.5m proposed.

**Section 17 - Schedule 'B' - CD16 (Bingo and Gaming) - Section 1.4(f):**

To vary the rear yard setback from 21.0m required to 1.0m proposed.

### **2.0 SUMMARY**

The applicant is seeking to vary the required rear and side yard setbacks for the CD16 zone from to allow for the placement of an emergency backup electrical generator on site.

### **3.0 BACKGROUND**

Chances Gaming Entertainment operates as a public gaming facility, which includes bingo and slot machines. In order to meet the requirements of the British Columbia Lottery Corporation for the operation of a greater number of slot machines at Chances Gaming Entertainment, the owner is required to have an emergency generator on site. In this way, power can be maintained during an outage to ensure the reliability of the slot games.

The proposed generator is a 250kw diesel powered emergency backup generator. It would be a maximum of 9'5" tall, 10' long, and 5' wide. The generator would run automatically during a power outage, as well as briefly monthly testing periods. The applicant has committed to conducting these periodic tests during daytime hours only.

The applicant has proposed to place the generator at the northeast corner of the property, adjacent to the existing FortisBC transformer box. This corner abuts the parking lot for Rona Home & Garden (which acts as an overflow lot for Chances in the evenings), as well as the agricultural land to the south.

A variance is required to place the generator as proposed, as the Zoning Bylaw states that all development in this zone must meet the required setbacks.

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

Zoning Bylaw No. 8000		
CRITERIA	PROPOSAL	CD16 ZONE REQUIREMENTS
Development Regulations		
Height	2.9 m	12.0 m
Front Yard	>24.0 m	24.0 m
Side Yard (north)	>15.0 m	15.0 m
Side Yard (south)	1.5 m*	15.0 m
Rear Yard	1.0 m*	21.0 m

\* Requires variance

#### 4.0 SITE CONTEXT

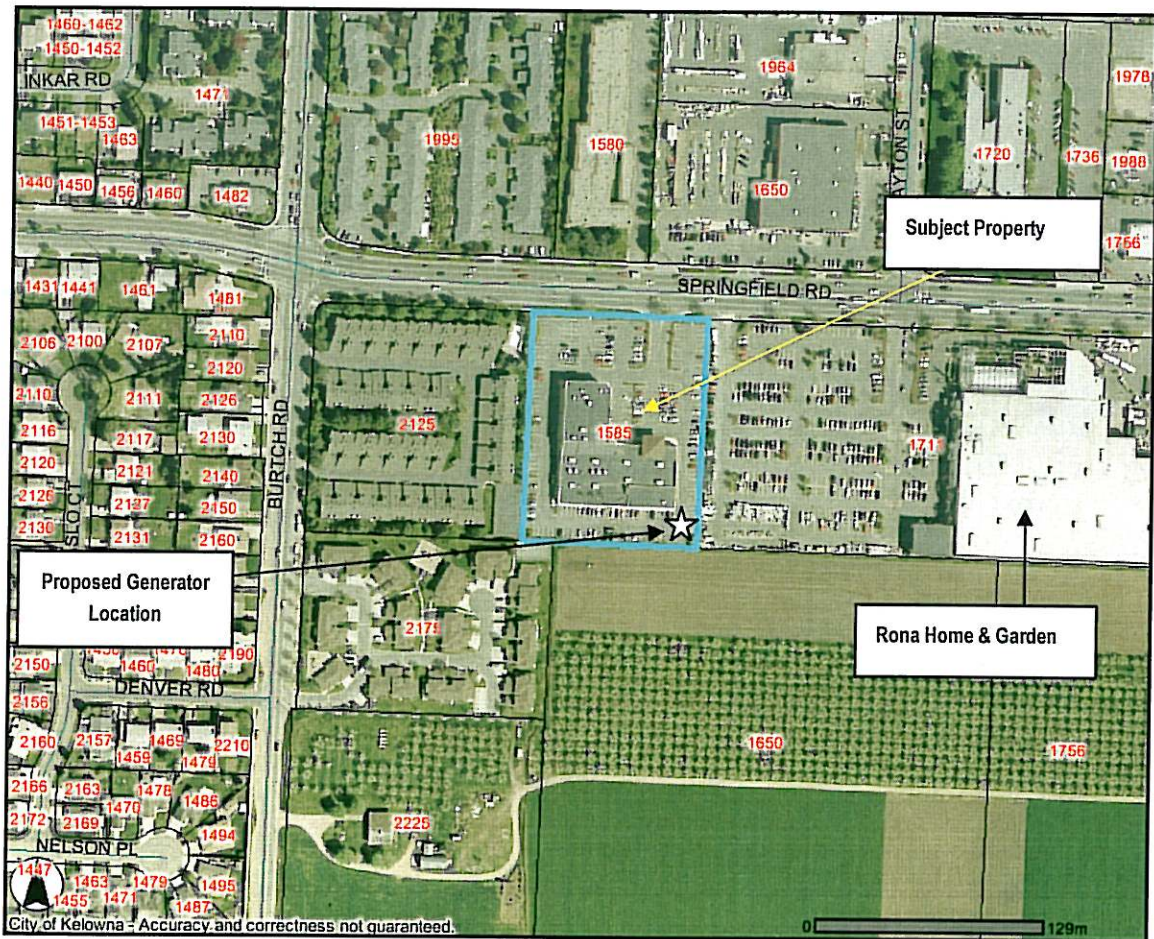
##### 4.1 Site Location & Adjacent Land-uses

The subject property is located on Springfield Road near Burtch Road. The surrounding area has been developed as primarily residential to the west, and service commercial to the east.

Specifically, adjacent zoning and land-uses are:

North	C10 – Service Commercial (Home Hardware) RM3 – Low Density Multiple Housing
East	C10 – Service Commercial (Rona)
South	A1 – Agricultural 1
West	RM3 – Low Density Multiple Housing

#### 4.2 Site Location Map: 1585 Springfield Road



### 5.0 TECHNICAL COMMENTS

#### 5.1. Fire Department

The generator is to be installed as per 3.2.7.5 (1) of the BCBC 2006 and the referenced CAN/CSA-C282-00, "Emergency Electrical Power Supply for Buildings".

The generator is to be inspected, tested and maintained as per the BCFC 2006 Section 6.5 and the referenced CAN/CSA-C282-00, "Emergency Electrical Power Supply for Buildings". This information is to be written into the Fire Safety Plan for the building then the Fire Safety Plan needs to be sent to the Fire Department for review.

#### 5.2. Inspections Department

Provide 2hr fire separation at rear property line of emergency generator.

## **6.0 LAND USE MANAGEMENT DEPARTMENT**

Considering the proposed equipment is a requirement from the BC Lottery Corporation, the Land Use Management Department supports the variance, as the proposed location of the generator has been placed as far away from the adjacent residential development as possible. In addition, an existing FortisBC transformer box in the corner of the property makes it a suitable location for additional mechanical equipment. A Development Permit is also required for this proposal, which will speak to the form and character of the generator placement. This would include screening and landscaping to help mitigate visual impact concerns.

  
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Danielle Noble  
Land Use Management Supervisor

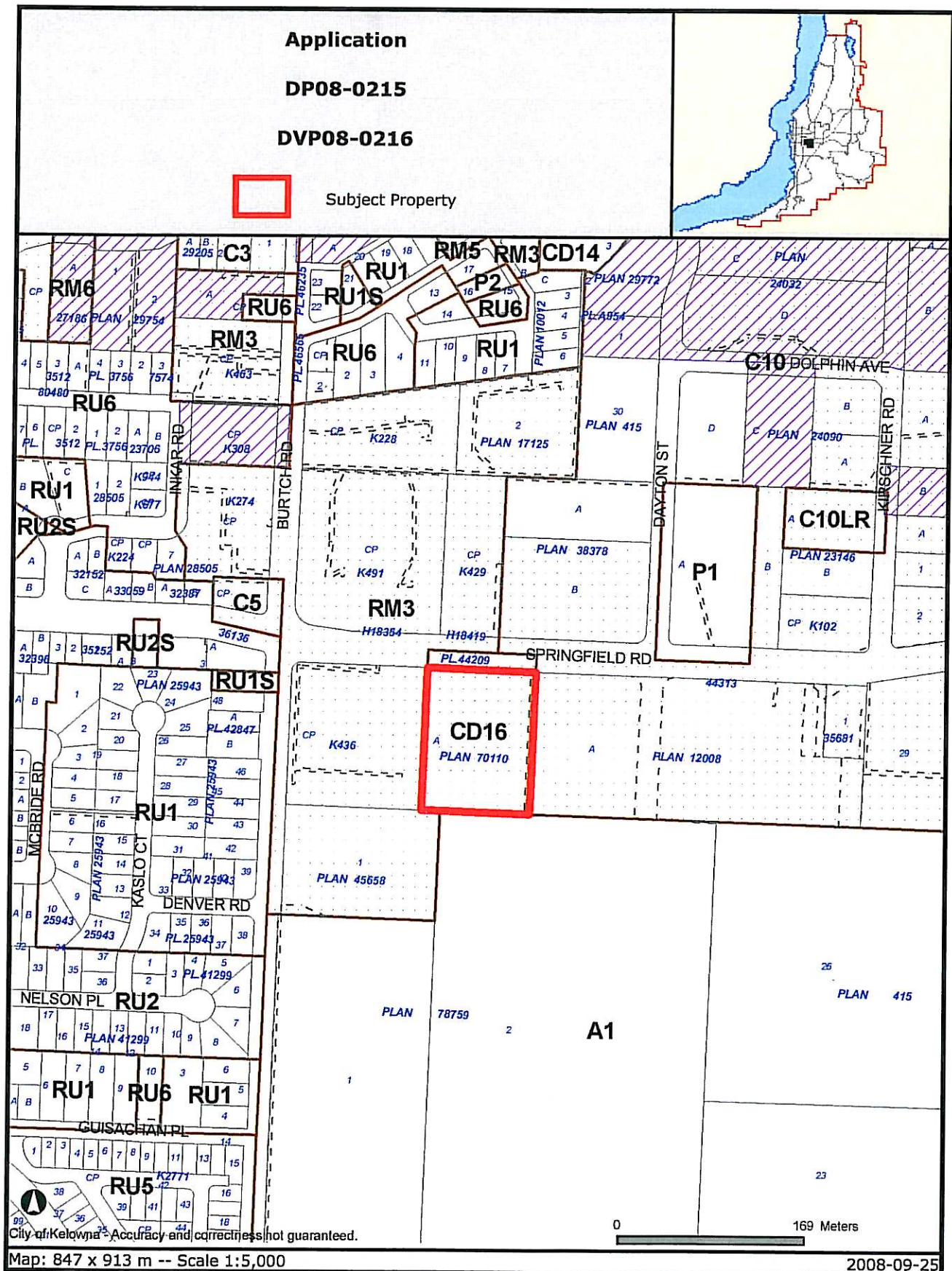
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## **ATTACHMENTS**

- A** Subject Property Map
- B** Site Plans (2 pages)
- C** Elevations
- D** "Statement of Proposal" – Letter from Chances Gaming Entertainment (S. Walt) to the City of Kelowna, dated September 15, 2008





Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.  
The City of Kelowna does not guarantee its accuracy. All information should be verified.

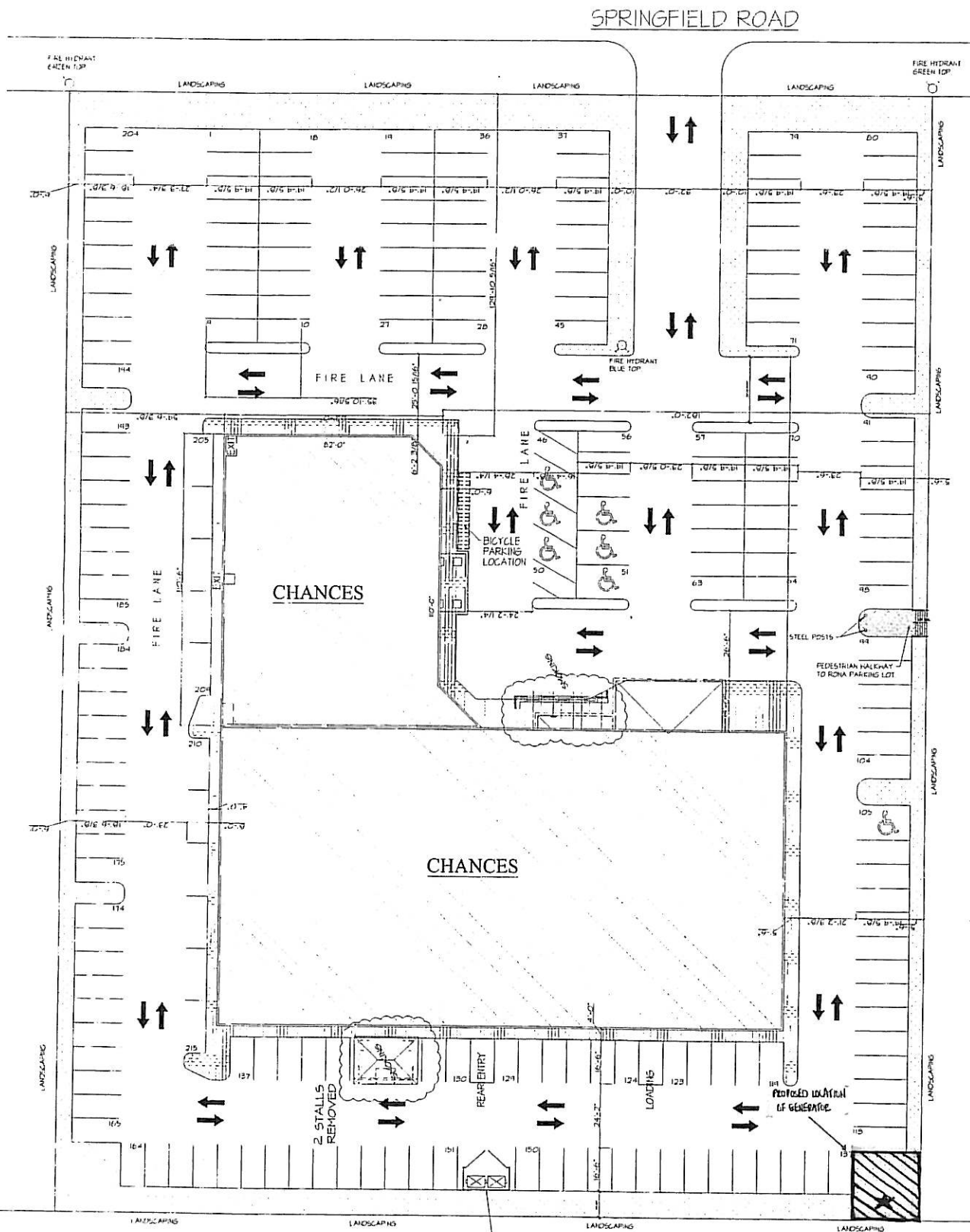
CHANCES  
565 SPRINGFIELD ROAD  
KELOWNA, BC

CHANCES  
SITE PLAN  
REVISED

RED CRAYON DESIGN  
Interior Design & Consulting  
redcrayondesign@shaw.ca  
2293 Lillooet Crescent  
Kelowna BC V1V 1T1  
Ph. 250.868.0577 Fax 250.868.0583

A	
DATE	10-1-14
SCALE	1/8" = 1'-0"
BY	CHANCES
CHECKED BY	CHANCES
APPROVED BY	CHANCES

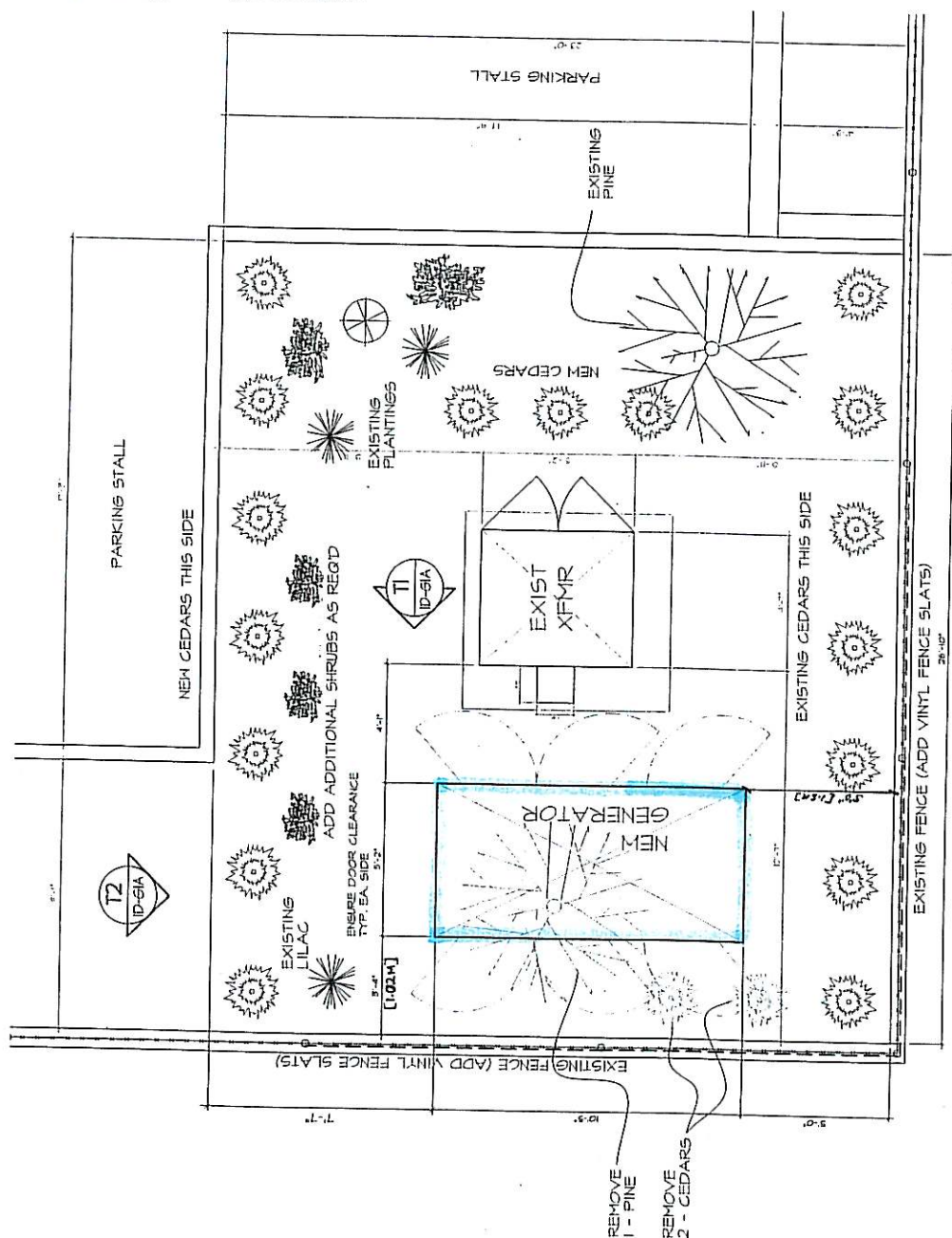
ID-SITE



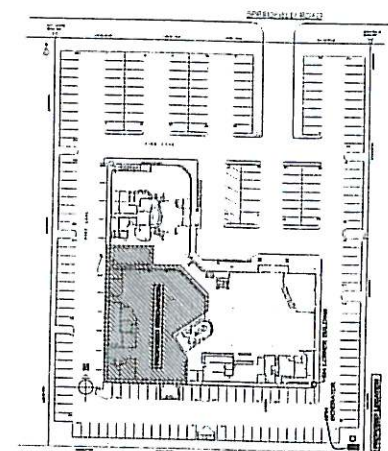
SITE PLAN

EXISTING PARKING LAYOUT  
TOTAL: 216 STALLS



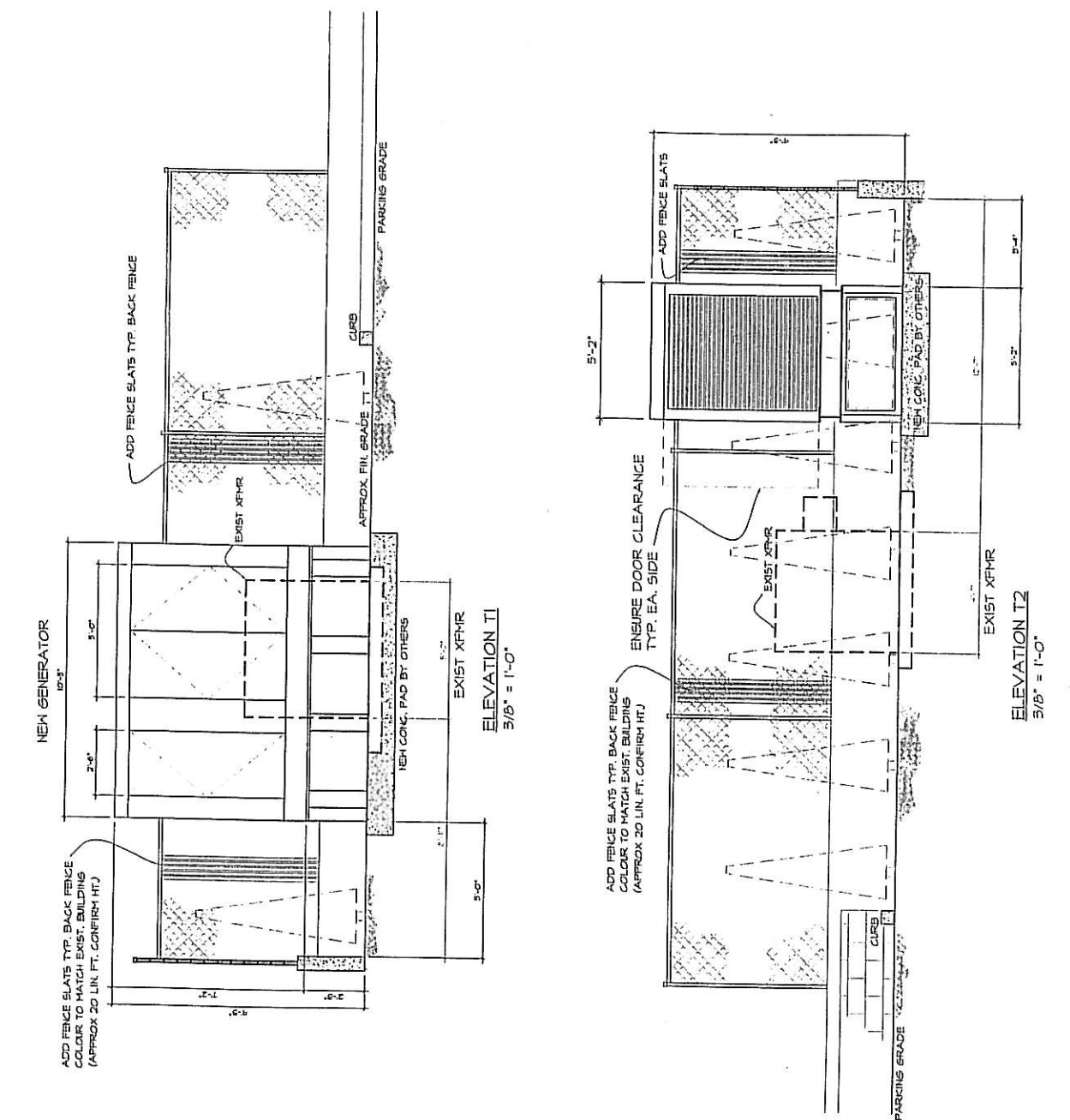


PROPOSED GENERATOR LOCATION  
SCALE: 1/4" = 1'-0"



## KEY PLAN

[illegible]







CHANCES GAMING ENTERTAINMENT  
1585 Springfield Road, Kelowna, British Columbia, V1Y 5V5  
Phone 250- 860-9577, Fax 250-860-1764

City of Kelowna  
1435 Water Street  
Kelowna, BC  
V1Y 1J4

September 15, 2008

To Whom It May Concern:

Chances Kelowna would like to request permission to install a 250kw diesel powered emergency backup electrical generator on the property at Chances Gaming Entertainment at 1585 Springfield Road.

The generator would be located in the north east corner of the property. This corner borders the Rona property and the Day orchard property. The area we wish to place the generator is near the existing Fortis BC electrical transformer. Please see the detailed site drawing for exact location.

The generator is approximately 5' wide, 10' long and 9'5" high. It would have to take up the space of one parking stall and once completed it would sit on a landscaped area and would be screened by planted material such as cedar trees.

The generator is required to be able to meet the requirement of the British Columbia Lottery Corporation for the operation of the slot machines at Chances. The ability to maintain power during an electrical power outage is essential in maintaining the integrity of the games we operate at Chances. The new generator will allow us to keep virtually all lighting and services operating.

I do not believe there will be any impact to Rona as it is backing on to their fenced in brick and block storage yard and will be completely out of view from the Rona parking lot. The Chances property is also 2' lower than Rona. The Generator will be located next to the Day orchard and will be blocked from view by an existing pine tree and fence. The Burtch Estates town homes are at the opposite end of the Chances property approximately 300' away. A 6' concrete fence and cedar trees along Burtch Estates currently exist. The rear north east corner of Burtch Estates has a tennis court adding more distance before a residence is reached. No homes will be able to see the generator location.

The generator will operate automatically during emergency power outages and will be operated only during day time hours for a short time during monthly testing.

As we are outside the allowable building area I am requesting a development permit to proceed with locating the generator as described above.

I will be pleased to provide any additional information you may require and am available to answer any questions you may have. Should I not be available please speak with John McAfee at Chances.

Sincerely,

Stanley Walt  
owner