
CITY OF KELOWNA

MEMORANDUM

Date: June 11, 2001
File No.: DP99-10,053

To: City Manager

From: Planning and Development Services Department

Subject: DEVELOPMENT PERMIT NO. DP99-10,053

OWNER: Douglas and Alfred Appel

APPLICANT: Planning Solutions consulting Inc., Tony Markoff

AT: 3205 Highway 33

PURPOSE: To attain a Development Permit to approve the form and character proposed for a truck repair shop, administration office and truck storage yard.

PROPOSED ZONE: I2 – General Industrial

REPORT PREPARED BY: Josephine Duquette

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT Final Adoption of Zone Amending Bylaw No. 8483 be considered by the Municipal Council;

THAT Municipal Council authorize the issuance of Development Permit No. DP99-10,053; for Lot A, Sec. 17, Twp. 27, ODYD, Plan 20065, located on Highway 33 East; 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";
3. Landscaping to be provided on the land be in general accordance with Schedule "C";
4. The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a professional landscaper;

AND 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 requesting permission to construct a truck repair shop, administration office and truck storage yard. The subject property is located within the Agricultural Land Reserve and was the subject of an Agricultural Land Reserve Appeal application. The Agricultural Land Commission (now Land Reserve Commission) passed by resolution #836/98 to refuse an application to exclude the subject parcel but to allow the use of a trucking and aggregates business as proposed to the Commission.

The applicant has also applied for a Rezoning, Official Community Plan amendment and Development Variance Permit application on the subject property to accommodate the applied for use. The rezoning application is to amend the current zone of A1 – Agriculture 1 zone to the proposed zone of I2 – General Industrial zone. The Official Community Plan amendment will change the existing future land use of the site from Rural / Agricultural designation to the Industrial designation. The Rezoning and Official Community Plan amendment applications have received third reading on November 30, 1999 and was granted extensions on December 4, 2000 and June 11, 2001. The Development Variance Permit is to vary the requirement for a connection to a community water system in conjunction with a rezoning to the I2 – General Industrial zone as per the Subdivision, Development & Servicing Bylaw No. 7900. The application is scheduled to be heard by Council on June 19, 2001.

Final approval of the Rezoning and Official Community Plan amendment applications is conditional upon approval of the Development Permit, and Ministry of Transportation & Highways approval.

2.1 Advisory Planning Commission

The above noted applications were reviewed by the Advisory Planning commission at the meeting of July 6, 1999 and the following recommendations were passed:

THAT the Advisory Planning Commission support Official Community Plan Amendment No. OCP99-007 and rezoning Application No. Z99-1011 (Porter Ramsay – 3205 Highway 33 East).

AND THAT the Advisory Planning Commission support Development Permit Application No. DP99-10,053 (Porter Ramsey – 3205 Highway 33 East) subject to the Applicant providing a cross-section to demonstrate the bowl effect on the site.

3.0 BACKGROUND

3.1 The Proposal

The subject property is located on the south side of Highway 33 East adjacent to the eastern municipal boundary for the City of Kelowna.

The application is to develop a truck repair shop, administrative offices and truck storage yard. The proposed truck repair shop would comprise of three service bay areas, washroom and lunchroom facilities, and an office area. The building is to be constructed

from split face concrete block with aluminum windows on the northeast façade. The three remaining facades have created the effect of false windows through the construction of plywood with battens. The roof is a hip style with fiberglass shingles. The area of the building is a total of 297 m² (3,200 ft²).

The proposed administration building would comprise a boardroom, a private office, a washroom facility and a reception area. The northeast façade is to be constructed from split face concrete block with plywood with battens to create the effect of false windows. The remaining three sides are constructed of plywood and battens with aluminum windows on the northwest and southeast façades. The roof is a hip style with fiberglass shingles. The area of the building is a total of 93 m² (1000 ft²).

The area of the truck storage yard would total approximately 1.55 ha (3.85 ac). As part of the overall development, the applicant is proposing to construct a landscape berm to screen the industrial buildings and storage yard area from Highway 33 East and the surrounding agricultural lands. Access to the property would continue to be from Highway 33 east.

The proposed use meets the proposed I2 – General Industrial zone subdivision and development regulations as noted below.

CRITERIA	PROPOSAL	I2 ZONE REQUIREMENTS
Site Area (m ²)	20,000	4,000
Site Width (m)	220	35
Site Coverage (%)	2	60
Total Floor Area (m ²)	390	12,000
Storeys (m)	8.8 (repair shop) 5.2 (admin. office)	14.0
Setbacks (m)		
- Front	16.8 (repair shop) 22.9 (admin. office)	7.5
- Rear	32 (repair shop) 90 (admin. office)	0
- Northwest Side	52 (repair shop) 110 (admin. office)	4.5
- Southeast Side	105 (repair shop) 58 (admin. office)	4.5
Parking Stalls (#)	16	8 (2 per 100 m ² GFA)

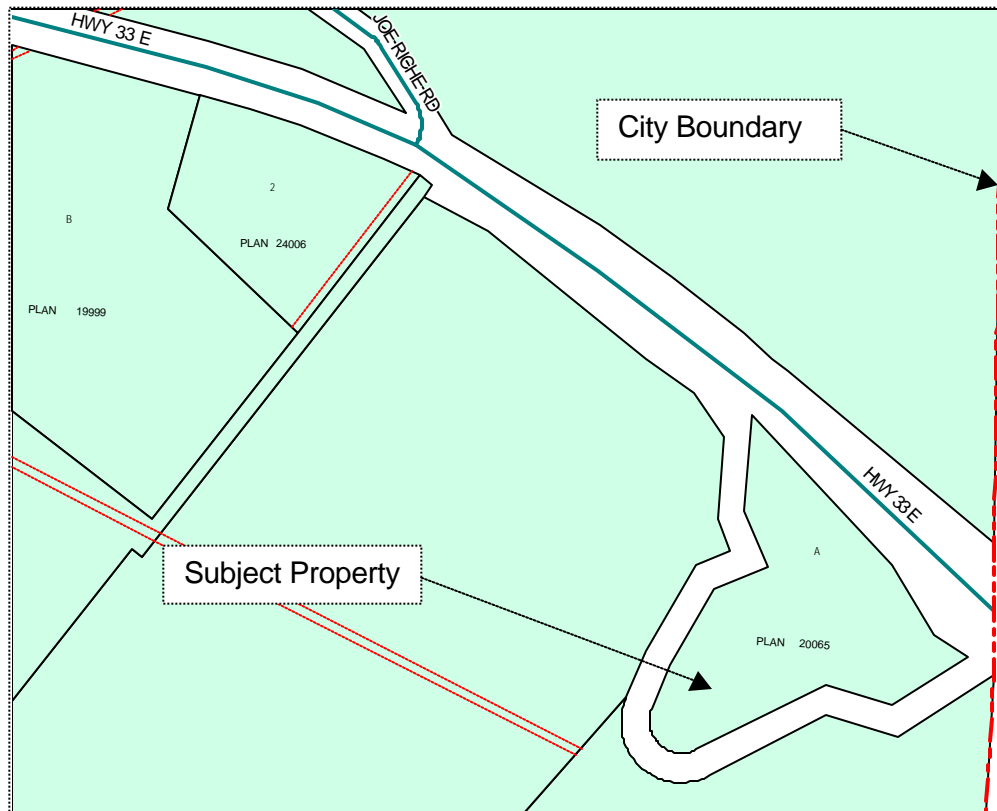
3.2 Site Context

The subject property is located on Highway 33 east in the Black Mountain Sector area of the City.

The adjacent zones and uses are as follows:

- North - A1 – Agriculture 1; Rural Agricultural
- East - A1 – Agriculture 1; Rural Agricultural and Park & Open Space and Large Holding in the Joe Rich Rural Land Use Bylaw
- South - A1 – Agriculture 1; Rural Agricultural
- West - A1 – Agriculture 1; Rural Agricultural

The subject property is located on the map below.



3.3 Current Development Policy

3.3.1 City of Kelowna Strategic Plan (1992)

One of the objectives of the City of Kelowna Strategic Plan is to reduce conflicts between urban and agricultural uses in the City.

3.3.2 Kelowna Official Community Plan

Industrial Policy No. 6.14.5 states that the City of Kelowna will ensure the compatibility of new industrial development with surrounding land uses (e.g. visual qualities, noise, odour, transportation) in the consideration of any development proposals for industrial purposes.

An amendment to the Official Community Plan for the future land use designation of the subject property is required.

3.3.3 Black Mountain Sector Plan

The Black Mountain Sector Plan designates the future land use of the subject property as Rural Agriculture.

3.3.4 City of Kelowna Agriculture Plan

The City of Kelowna Agriculture Plan identifies the subject property as being within a Rural Agricultural Area.

4.0 PLANNING COMMENTS

The Planning & Development Services Department acknowledges concerns regarding the proposed use on the subject property such as:

- the impact the proposed industrial use will have on the surrounding agricultural lands, and
- the precedent the use may set on the demand for similar type uses in this and other areas of the City.

The impact on the adjacent properties can be mitigated by the placement of a landscaped buffer around the property. Also, the property is in a depression, due to previous gravel extraction, which separates it from the surrounding agricultural lands.

Also, this should not be considered as a precedent setting land use because of the following:

- the property is still retained in the Agricultural Land Reserve and is subject to the provisions and regulations of the Land Reserve Act;
- the Land Reserve Commission approval limits the development potential of the property;
- it is not anticipated that there will be additional development pressure in the immediate vicinity; and
- the subject property is unique in that it has highway access in an isolated setting.

The Planning & Development Services Department recognizes the limited agricultural potential, even after reclamation, due to the elevation, slope and northern exposure of the subject property.

Andrew Bruce
Current Planning Manager

Approved for inclusion

R.L. (Ron) Mattiussi, ACP, MCIP
Director of Planning & Development Services

AB/JD/jd
Attachment

FACT SHEET

- | | |
|---|---|
| 1. APPLICATION NO.: | DP99-10,053 |
| 2. APPLICATION TYPE: | Development Permit |
| 3. OWNER: | Douglas and Alfred Appel |
| . ADDRESS | RR 5 Garner Road |
| . CITY/POSTAL CODE | Kelowna, BC / V1X 4K4 |
| 4. APPLICANT/CONTACT PERSON: | Planning Solutions Consulting Inc. / |
| . ADDRESS | Tony Markoff |
| . CITY/POSTAL CODE | 744 Barnaby Road |
| . TELEPHONE/FAX NO.: | Kelowna, BC / V1W 4N9 |
| | 764 – 7377 / 764 - 7822 |
| 5. APPLICATION PROGRESS: | |
| Date of Application: | June 14, 1999 |
| Date Application Complete: | June 15, 1999 |
| Staff Report to Council: | June 19, 2001 |
| 6. LEGAL DESCRIPTION: | Lot A, Sec. 17, Twp. 27, ODYD, Plan 20065 |
| 7. SITE LOCATION: | South side of Highway 33 East |
| 8. CIVIC ADDRESS: | 3205 highway 33 east |
| 9. AREA OF SUBJECT PROPERTY: | 2.0 ha (4.94 ac) |
| 10. TYPE OF DEVELOPMENT PERMIT AREA: | General Industrial |
| 11. EXISTING ZONE CATEGORY: | A1 – Agriculture 1 |
| 12. PURPOSE OF THE APPLICATION: | I2 – General Industrial |
| 13. DEVELOPMENT PERMIT MAP 13.2 IMPLICATIONS | Not Applicable |

Attachments that are missing from the Electronic Version

Subject Property Map
Site Development Plan
Shop Building Elevations
Shop Building Floor Plan
Administrative Building Elevations and Floor Plan