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**CITY OF KELOWNA**  
**MEMORANDUM**

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**Date:** May 13, 2003

**File No.:** Z01-1063 (3360-20)

**To:** City Manager

**From:** Planning & Corporate Services Department

**Purpose:** To extend the deadline for adoption of Official Community Plan Amending Bylaw No. 8832 and Zone Amending Bylaw No. 8833 (Tom Smithwick/Porter Ramsay for Russo) in accordance with the Development Application Procedures Bylaw.

**Owner:** Luigi Giovanni Russo

**Applicant:** Porter Ramsay                      **Contact Person:** Tom Smithwick

**At:** 982 & 1040 Old Vernon Road

**Existing Zone:** A1 – Agriculture 1    **Proposed Zones:** I2 – General Industrial

**Report Prepared by:** Shelley Gambacort

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**SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS**

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1.0    RECOMMENDATION

THAT in accordance with the Development Application Procedures Bylaw No. 8140 the deadline for adoption of Official Community Plan Amending Bylaw No. 8832 and Zone Amending Bylaw No. 8833 (Tom Smithwick/Porter Ramsay for Russo) Old Vernon Road be extended to October 30, 2003.

2.0    SUMMARY

Official Community Plan Amending Bylaw No. 8832 and Zone Amending Bylaw No. 8833 (Tom Smithwick/Porter Ramsay for Russo) received second and third readings at a Regular meeting of Council held on April 30, 2003, with final adoption of the zone amending bylaw being withheld pending the provision of an executed Servicing Agreement and the provision of the necessary funds and/or bonding and the consideration of a Development Variance Permit on the subject property.

To date the Works and Utilities Department have yet to receive the required design drawings and detailed cost estimates for the off-site requirements in order to prepare the Servicing Agreement and a Development Variance Permit has yet to be submitted addressing the following waivers:

Zoning Bylaw Waivers

- i) All requirements of Section 7 – Landscaping and Screening. The landscaping proposed is a compromise and will be more rural in nature in-keeping with what already exists along the frontage of the subject properties. Essentially only those areas currently void of landscaping along the Old Vernon Road frontage will be planted.
- ii) The waiver of the Section 7 requirements will also include the waiver of the requirement that all outdoor storage areas shall have a dust-free surface (Sec. 7.2.4).
- iii) Section 8.3 - Development Standards. This includes waiving the requirement that every off-street parking and loading area, and every access road to have a durable, dust-free hard surface of concrete, asphalt or similar material, constructed such that surface drainage is directed to an approved drainage system or is contained on-site.

Subdivision, Development & Servicing Bylaw Waivers

- i) Dedication and construction of the north half of Old Vernon Road to a full urban standard.
- ii) Provision of a water system capable of supplying domestic and fire flow demands for the proposed I2 – General Industrial zoning. It should be noted that Black Mountain Irrigation District has advised that the fire flow in this area does not meet the industrial requirement. BMID has also advised that once the lands is zoned industrial it would [in the future] allow for other industrial uses rather than the current sawmill use of 50 years and fire flows could not be met without even further extensive upgrading in the area.
- iii) The Fire Department has advised that they would require, in addition to the above noted industrial fire flows to the site, the following:
  - (a) Provision of hard surfaced, on-site fire access roads, 6 m in width.
  - (b) Provision of fire hydrants.
  - (c) In accordance with the BC Fire Code, the outdoor storage area shall be surrounded by a firmly anchored fence that is:
    - Substantially constructed to discourage climbing and unauthorized entry,
    - Not less than 1.8 m high, and
    - Provided with gates that shall be locked when the storage area is not staffed.
- iv) Provision of a comprehensive site drainage management plan, designed to comply with the City's drainage design and policy manual.

The Planning & Corporate Services Department is prepared to recommend support for this six month extension. However, prior to consideration of any further extensions the applicant should demonstrate what steps have been taken to resolve the outstanding issues.

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Andrew Bruce  
Manager Development Services

AB/SG/sg

**FACT SHEET**

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| <b>1. APPLICATION NO.:</b>                                 | OCP01-019/Z01-1063/DVP01-10,091   |
| <b>2. APPLICATION TYPE:</b>                                | OCP Amendment/ Rezoning/<br>Development Variance  |
| <b>3. OWNER:</b>   | Luigi Giovanni Russo  |
| . ADDRESS  | 982 Old Vernon Road   |
| . CITY/ POSTAL CODE  | Kelowna, BC V1X 6T8   |
| <b>4. APPLICANT/CONTACT PERSON:</b>                        | Porter Ramsay/Tom Smithwick   |
| . ADDRESS  | 200 – 1465 Ellis Street   |
| . CITY/ POSTAL CODE:                                       | Kelowna, BC V1Y 2A3   |
| . TELEPHONE/FAX NO.:                                       | 763-7646/762-9960   |
| <b>5. APPLICATION PROGRESS:</b>                            |   |
| Date of Application:                                       | December 4, 2001/ December 18,<br>2001 (OCP)  |
| Servicing Agreement Forwarded to<br>Applicant:             |   |
| Servicing Agreement Concluded:<br>Staff Report to Council: | March 15, 2002  |
| <b>6. LEGAL DESCRIPTION:</b>                               | Lot 2 & Lot 3, Sec. 1, Twp. 23, ODYD,<br>Plan 546   |
| <b>7. SITE LOCATION:</b>                                   | North side of Old Vernon Road, 100<br>m east of Morrison Road   |
| <b>8. CIVIC ADDRESS:</b>                                   | 982 & 1040 Old Vernon Road  |
| <b>9. AREA OF SUBJECT PROPERTY:</b>                        | Lot 2 = 4.045 ha & Lot 3 = 4.045 ha<br>Total Area = 8.09 ha   |
| <b>10. AREA OF PROPOSED REZONING:</b>                      | 8.09 ha   |
| <b>11. EXISTING ZONE CATEGORY:</b>                         | A1 – Agriculture 1  |
| <b>12. PROPOSED ZONE:</b>                                  | I2 – General Industrial   |
| <b>13. PURPOSE OF THE APPLICATION:</b>                     | To amend the OCP Future Land Use<br>from Rural/Agriculture to Industrial; to<br>Rezone from A1 – Agriculture 1 to I2<br>– General Industrial and to waive any<br>landscaping or paving requirements<br>as a result of the rezoning. |
| <b>15. DEVELOPMENT PERMIT MAP 13.2<br/>IMPLICATIONS</b>    | Not Applicable  |

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**Attachments**

*(Not attached to the electronic copy of the report)*

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Location Map