
CITY OF KELOWNA
MEMORANDUM

Date: April 19, 2004
File No.: (3360-20) **Z03-0022**

To: Advisory Planning Commission

From: Planning & Corporate Services Department

Subject:

APPLICATION NO. Z03-0022 OWNER: R 354 ENTERPRISES LTD.

AT: 2355/2455 ACLAND ROAD APPLICANT: R 354 ENTERPRISES LTD.

PURPOSE: TO REZONE THE SUBJECT PROPERTY FROM THE EXISTING
P1 – MAJOR INSTITUTIONAL & P2 – EDUCATION / MINOR
INSTITUTIONAL ZONES TO THE I1 – BUSINESS INDUSTRIAL
ZONE TO PERMIT THE DEVELOPMENT OF A NEW
WAREHOUSE AND OFFICE BUILDING

EXISTING ZONE: P1 – MAJOR INSTITUTIONAL
P2 – EDUCATION AND MINOR INSTITUTIONAL

PROPOSED ZONE: I1 – BUSINESS INDUSTRIAL

REPORT PREPARED BY: PAUL McVEY

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

THAT Rezoning Application No. Z03-0022 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1, Sec. 2, Twp. 23, O.D.Y.D., Plan 11263, located on Acland Road, Kelowna, B.C. from the P1 – Major Institutional and P2 – Education and Minor Institutional zones to the I1 – Business Industrial zone be considered by Council;

AND THAT the zone amending bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Works & Utilities Department being completed to their satisfaction;

AND THAT final adoption of the zone amending bylaw be withheld until the owner has executed a Servicing Agreement acceptable to the City of Kelowna.

2.0 SUMMARY

The applicant wishes rezone the subject property in order that the property may be used as a major warehouse and office facility for the Interior Health Authority. As the existing zone of the property is P1 – Major Institutional and P2 – Education and Minor

Institutional, zones which do not permit the warehouse and office uses, it has become necessary to rezone the subject property to the I1 – Business Industrial zone.

2.1 Advisory Planning Commission

The above noted application (Z03-0022) was reviewed by the Advisory Planning Commission at the meeting of April 13, 2004 and the following recommendation was passed:

THAT the Advisory Planning Commission supports Rezoning Application No. Z03-0022, for 2355-2455 Acland Road, Lot 1, Plan 11263, Sec. 2, Twp. 23, ODYD, by Callahan Construction Company Ltd. (Bob Callahan), to rezone from the P1-Public and Institutional zone and the P2-Education & Minor Institutional zone, to the I1-Industrial 1 zone to allow for office and warehouse use.

3.0 BACKGROUND

3.1 The Proposal

The subject property is the location of the former Ellison Elementary School. In 1998, the current land owners purchased the school property. In 1999, the portion of the site which is occupied by the school building was rezoned to the P2 – Education and Minor Institutional zone in order that the school building could be used as a school by the Central Okanagan Academy.

The new building construction that has occurred on the subject property was in response to a proposal call from the Interior Health Authority to provide a consolidated warehouse facility to serve the needs of the area health facilities. The intent of the IHA has been to consolidate a number of separate storage functions into one location, and locate the associated office activities into the same building.

At the time that the building permit was issued in October 2002, the applicant advised that the proposed uses of the site development were consistent with the permitted uses of the P1 – Major Institutional zone. However, it has become apparent that the proposed uses of the building are not consistent with the P1 – zone, and that it is necessary to rezone the portion of the subject property to the I1 – Business Industrial zone. Although the existing use is not consistent with the present zoning, the existing tenants enjoy certain privilege as agents of the Provincial Government.

The site plan submitted in support of this application indicates 2 driveways to provide access from Acland Road. The indicated site development is designed to occupy the portion of the site located between the south end of the existing school parking lot and the northern boundary of the residential properties located south of the subject property. The perimeter of the site adjacent to the new building has been landscaped, as well as the west side of the building and several areas of the parking lot. The entire property is under application for rezoning to the I1 – Business Industrial zone. However, the portion of the subject property fronting Old Vernon Road is not designed for construction at this time.

The building is 120' (36.5m) wide by 399'-6" (121.7m) long, which creates a 47,940SF (4,463 m²) building. The northern 107'-6" (32m) of the building is constructed as a 2 storey 25,800SF (2,402m²) office area, while the remaining portion of the building is used as warehouse space. The main pedestrian entrance is located in the centre of the north end of the building, which provides access to the office area. The warehouse area

is served by a loading dock constructed along the east side of the building, near the south end of the structure.

The exterior of the building is constructed of tilt up concrete panels, that have been cast with horizontal and vertical reveals to provide a level visual interest to the exterior of the building. The roof line of the office portion of the building has been capped off with a cornice feature. The exterior of the building has been painted in a base colour of light tan, with medium and dark tan coloured accents. The cornice detail of the office portion of the building is a medium brown colour.

The proposal as compared to the I1 – Business Industrial zone requirements is as follows:

CRITERIA	PROPOSAL	I1 ZONE REQUIREMENTS
Site Area (m ²)	34,182 m ² (entire site)	1 ha 4000 m ² where sewer is available
Site Width (m)	160 m (525')	40.0 m
Site Coverage (%) IHA BLDG Old School	29.7% 4.6%	N/A
Total Floor Area (m ²) IHA BLDG Old School	5662 m ² (60,820SF) 1589 m ² (17,104SF)	Max 41,018 m ² @ FAR = 1.2
F.A.R.	0.212	Max. FAR = 1.2
Storeys (#)	2 storeys(30.5')9.26 m	3 storeys (16m)
Setbacks (m)		
- Front (Acland Road)	25.3 m (83.1')	6.0 m
- Rear	38.5 m (126.5')	The minimum rear yard is 0.0 m where adjacent to commercial or industrial zones, except that it is 6.0 m abutting other zones.
- North Side	26.6 m (87.5')	The minimum side yard is 0.0 m where adjacent to commercial or industrial zones, except that it is 6.0 m abutting other zones. The minimum side yard is 4.5 m from a flanking street.
- South Side	11.27 m (37')	The minimum side yard is 0.0 m where adjacent to commercial or industrial zones, except that it is 6.0 m abutting other zones. The minimum side yard is 4.5 m from a flanking street.
Parking Stalls (#)	197 provided	182 stall required
Loading Stalls (#)	4 stalls provided	1 per 1900m ² = 3 stalls required

Notes.

PARKING CALCULATIONS;

IHA building – 5664 m² @ 2.5 stalls per 100 m² = 142 stalls

Old School building – 1589 m² @ 2.5 stalls per 100 m² = 40 stalls

Total parking stalls required **182 stalls required**

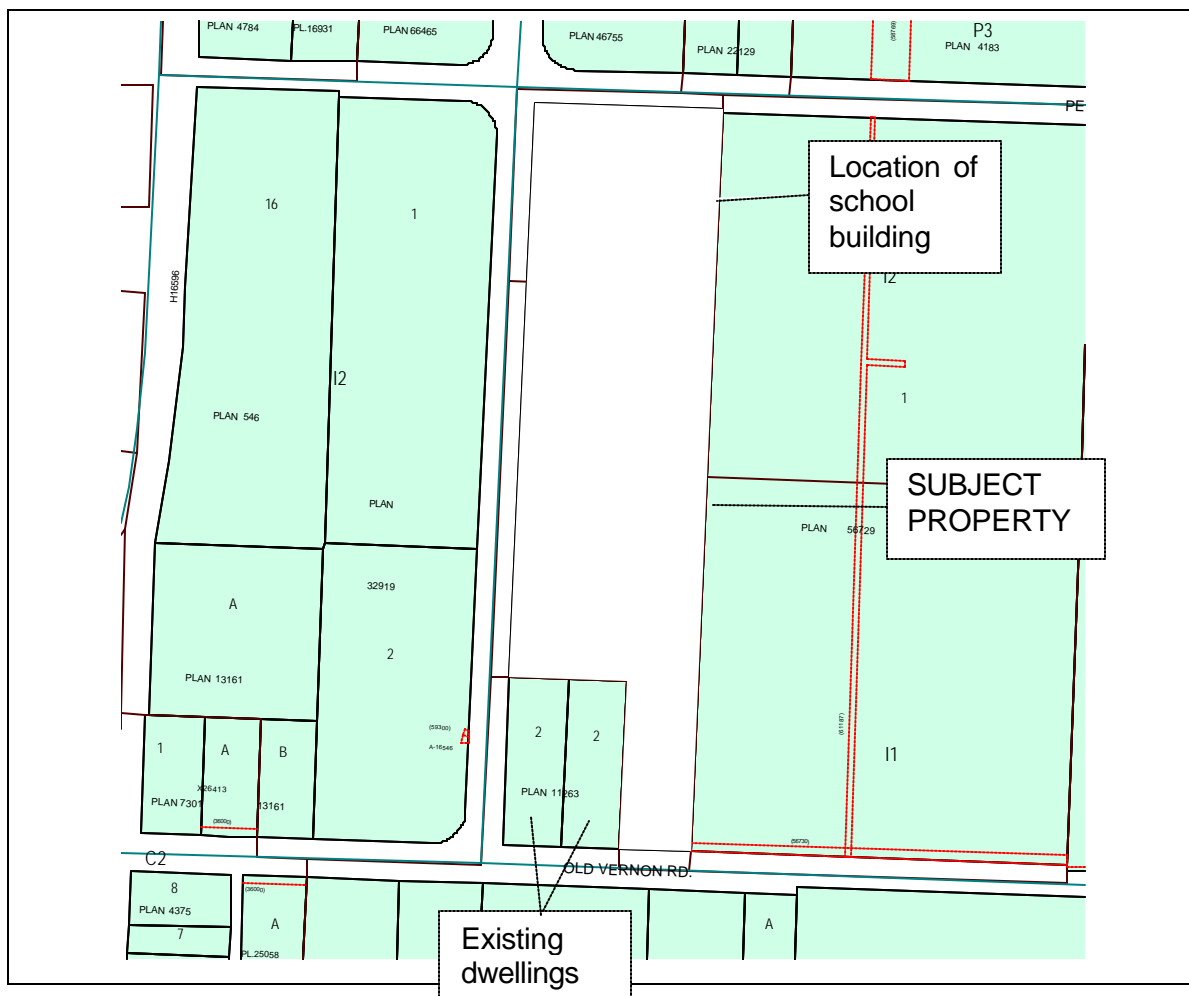
197 Stalls provided - (8.2% over)

3.2 Site Context

Adjacent zones and uses are, to the:

- North - I2 – General Industrial/Penno road - Industrial building development
RR3 – Rural Residential 3 – Single Dwelling units
- East - I1 – Business Industrial / Industrial building development
I2 – General Industrial / Industrial building development
- South - A1 – Agricultural 1/Old Vernon Road – Single Dwelling units
- West - I2 – General Industrial / Acland Road - Industrial building development

SUBJECT PROPERTY MAP



3.3 Proposed Development Potential

The proposed I1 – Business Industrial Zone permits; broadcasting studios, business support services, care centres – major, commercial storage, contractor services –limited, custom indoor manufacturing, emergency and protective services, food primary establishment, general industrial uses, liquor primary establishment – minor, offices, participant recreation services - indoor, private clubs, utility services - minor impact, as

principal permitted uses, and residential security/operator unit as a permitted secondary use.

3.4 Current Development Policy

3.4.1 Kelowna Official Community Plan

The recently amended Official Community Plan designates the future land use of the subject property as “Industrial”.

3.4.2 City of Kelowna Strategic Plan (1992)

The City of Kelowna Strategic Plan contains the following statements; Objective 1.22: To reserve land for various forms of industrial uses, Strategy 1.10: The City will, in its Official Community Plan, reserve and designate lands along Highway No. 97, the north end of the Central City and industrial area in the Winfield area for heavier industrial uses.

4.0 TECHNICAL COMMENTS

The application has been circulated to various technical agencies and City departments and the following relevant comments have been submitted:

4.1 Aquila Networks Canada

Underground servicing is completed.

4.2 B.C. Gas (Terasen Utility Services)

No comment.

4.3 Fire Department

No Objection.

4.4 Inspection Services Department

No Concerns.

4.5 Irrigation District (B.M.I.D.)

We have no concerns with this application. All fees and charges have been paid.

4.6 Ministry of Transportation

The Ministry has no objection to this proposal in principal.

- Old Vernon Road is identified in both the City's OCP as a Major Road and as an element of the Ministry's Major Street Network Plan.
- Acland Road - future Rutland Road extension - although not identified in the City's 20 year plan - is identified as an element of the Ministry's Major Street Network Plan.

Both roads should be protected to allow for future 4 laning.

4.7 Parks Manager

Boulevard Landscaping

1. All entry feature signs for the proposed development to be located on private property and not on city Blvd. This includes any landscape treatment.

Landscape Plan Requirements:

2. The following applies for all boulevard (BLVD) landscape on city ROW and is standard information required on a landscape plan:
 - A. Planting plan to include a plant materials list:
 - i) Latin name
 - ii) common name
 - iii) size at planting
 - iv) plant symbol key
 - v) indicate existing trees
 - vi) indicate existing trees to be removed
 - B. Minimum plant material specifications for blvds. as follows:
 - i) Deciduous Tree - calliper @300mm above rootball (min. 60mm)
 - ii) Coniferous Tree - height (min. 2.5m)
 - iii) Seed/Sod Mix according to location and proposed activity use.
 - C. Scale of plan and north arrow clearly indicated on plan.
 - D. Planting plan to include all u/g utility locations in BLVD.
3. All plant material (trees, shrubs, ground covers and seed/sod) used in BLVD to be reviewed by City Parks Division. Shrubs are not normally permitted for planting in the boulevard. All materials located in BLVD to meet city standard for size and method of installation.
4. BLVD maintenance (irrigation, shrubs, ground cover, sod, and seeded areas) is the responsibility of owner/occupant.
5. BLVD tree maintenance is the responsibility of Parks Division. However, the adjacent owner is responsible for watering and replacement of trees during the establishment period, for at least two years after planting.
6. All trees in grass Blvd to use root shield barriers beside concrete infrastructure.

4.8 Public Health Inspector

Community sewer & water must be utilized.

4.9 Shaw Cable

Owner/developer to supply and install an underground conduit system as per Shaw Cable drawings & specifications.

4.10 Telus

Developer will be required to provide underground conduit to Telus Specifications as designed by Telus.

4.11 Works and Utilities Department

The Works & utilities Department comments and requirements regarding this application to rezone from P-1 and P-2 zones to I-1 zone are as follows:

1. Subdivision

- a) Dedicate approximately 1.5m. along the frontage of Penno Road to provide a 20.0m. road right of way.
- b) Dedicate a 6.0m. corner cut-off at the corner of Acland Road and Penno Road
- c) Provide easements as may be required.

2. Domestic water and fire protection.

- a) This development is within the service area of the Black Mountain Irrigation District (BMID). The developer is required to make satisfactory arrangements with the BMID for a service connection.
- b) The applicant is to provide the City of Kelowna the assurance that the supply of domestic water and fire protection is achievable in accordance with the City standards.

3. Sanitary Sewer.

The subject property is currently serviced by a municipal sanitary collection system.

4. Road improvements.

a) Acland Road

Acland Road frontage must be upgraded to a full urban standard complete with curb & gutter, sidewalk, fillet paving, storm drainage, removal and/or relocation of utilities as required. The cost of these works is estimated at \$ 28,500.00 and is inclusive of a bonding escalation.

b) Penno Road

Penno Road frontage must be upgraded to a full urban standard complete with curb & gutter, fillet paving, storm drainage, removal and/or relocation of utilities as required. The cost of these works is estimated at \$ 21,800.00 and is inclusive of a bonding escalation.

c) Old Vernon Road.

Old Vernon Road must be upgraded to a full urban standard complete with curb & gutter, separate sidewalk, fillet paving, storm drainage, removal and/or relocation of utilities as required. The cost of these works is estimated at \$ 12,400.00 and is inclusive of a bonding escalation.

5. Drainage.

A comprehensive detailed site drainage management plan and design to comply with the City's drainage and policy manual is a requirement of this application. The drainage area located upstream of the subject property and its potential effect on the proposed development must be addressed.

6. Power and Telecommunication services.

The services to and within this development are to be installed underground. It is the developer's responsibility to make an application to the respective utilities companies. The utility companies are then required to obtain the City's approval before commencing their works.

7. Street Lights

Street lights must be installed on all roads in accordance as per Bylaws requirements. Design drawings to include level of illumination plan.

10. Engineering.

Design, construction, supervision and inspection of all off-site civil works and servicing must be performed by a Civil Engineer and all such work is subject to the approval of the City Engineer.

10. Bonding and Levies Summary.

a) Performance Bonding

Acland Road frontage upgrading	\$ 28,500.00
Penno Road frontage upgrading	\$ 21,800.00
Old Vernon Road frontage upgrading	\$ 12,400.00
Total performance bonding	<u>\$62,700.00</u>

b) Levies N/A

5.0 PLANNING and CORPORATE SERVICES DEPARTMENT COMMENTS

The Planning and Corporate Services Department does not have concerns with this application to rezone the subject property to the I1 – Business Industrial zone. The surrounding properties, except for some remaining residential properties, are zoned and developed for industrial uses, and the future land use designation of the area surrounding the subject property is "Industrial".

The subject property was the site of the Ellison Elementary school (built in 1969), which was sold off by the School District after the school was closed and declared surplus in the late 1990's. In 1999, there had been an application to rezone the area of the property occupied by the school building, in order that the school building could be used as a private school facility for the Central Okanagan Academy. At this time, the old school building is not being used, and is sitting vacant.

The form and character of the new building recently constructed on the subject property is consistent with other industrial development in the neighbourhood.

It is anticipated that the remainder of the site will be developed with industrial uses in the future when the neighbouring residential properties become available for development.

In light of the above, the Planning and Corporate Services Department supports this application, and recommends for positive consideration by Council.

Andrew Bruce
Manager of Development Services

Approved for inclusion

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

PMc/pmc
Attach.

FACT SHEET

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|---------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. APPLICATION NO.: | Z03-0022 |
| 2. APPLICATION TYPE: | Rezoning |
| 3. OWNER: | R 354 Enterprises Ltd |
| . ADDRESS | #218 – 1626 Richter St. |
| . CITY | Kelowna, BC |
| . POSTAL CODE | V1Y 2M3 |
| 4. APPLICANT/CONTACT PERSON: | R 354 Enterprises Ltd. |
| . ADDRESS | Mr. Bob Callahan |
| . CITY | #218 – 1626 Richter St.. |
| . POSTAL CODE | Kelowna, BC |
| . TELEPHONE/FAX NO.: | V1Y 2M3
860-6789/860-8303 |
| 5. APPLICATION PROGRESS: | |
| Date of Application: | April 30, 2003 |
| Date Application Complete: | April 30, 2003 |
| Servicing Agreement Forwarded to Applicant: | February 12, 2004 |
| Servicing Agreement Concluded: | N/A |
| Staff Report to APC: | April 19, 2004 |
| 6. LEGAL DESCRIPTION: | Lot 1, Sec. 2, Twp. 23, O.D.Y.D.,
Plan 11263 |
| 7. SITE LOCATION: | East Side of Acland Road, between
Old Vernon Road and Penno Road |
| 8. CIVIC ADDRESS: | 2355/2455 Acland Road |
| 9. AREA OF SUBJECT PROPERTY: | 34,182 m ² |
| 10. AREA OF PROPOSED REZONING: | 34,182 m ² |
| 11. EXISTING ZONE CATEGORY: | P1 – Major Institutional
P2 – Education and Minor Institutional |
| 12. PROPOSED ZONE: | I1 – Business Industrial |
| 13. PURPOSE OF THE APPLICATION: | To rezone the subject property from
P1 – Major Institutional P2 –
Education / Minor Institutional zones
to the I1 – Business Industrial Zone to
permit the development of a new
warehouse and office use building. |

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| 14. | MIN. OF TRANS./HIGHWAYS FILES NO.:
NOTE: IF LANDS ARE WITHIN 800 m OF A
CONTROLLED ACCESS HIGHWAY | Pending |
| 15. | DEVELOPMENT PERMIT MAP 13.2
IMPLICATIONS | N/A |

Attachments

Subject Property Map

Site Plan (1 pages)

4 pages of building plans and diagrams