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

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**Date:** December 2, 2005

**To:** City Manager

**From:** Planning and Corporate Services Department

**Subject:**

**APPLICATION NO. Z04-0087/**  
DP05-0016/DVP05-0017  
**AT:** 921, 923 Richter St.

**OWNER:** JJW Holdings Ltd.  
Jake Warkentin  
**APPLICANT:** New Town Planning Services  
Inc.

**PURPOSE:** TO REZONE THE SUBJECT PROPERTIES FROM THE RU6-TWO DWELLING HOUSING ZONE TO THE I4 – GENERAL INDUSTRIAL ZONE TO ACCOMDATE THE EXPANSION OF KELOWNA STEEL FABRICTORS

**EXISTING ZONE:** RU6 – TWO DWELLING HOUSING

**PROPOSED ZONE:** I4 – CENTRAL INDUSTRIAL

**REPORT PREPARED BY:** RYAN SMITH

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

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**1.0 RECOMMENDATION**

THAT 2<sup>nd</sup> and 3<sup>rd</sup> readings of Zone Amending Bylaw No. 9410 be considered by Council;

AND THAT final adoption of the zone amending bylaw be considered in conjunction with Council's consideration of a Development Permit on the subject property;

AND THAT final adoption of the zone amending bylaw be considered in conjunction with Council's consideration of a Development Variance Permit on the subject property.

**2.0 SUMMARY**

The Rezoning Authorization Bylaw no. 9410 received initial consideration and first reading on April 18, 2005 by Kelowna City Council. The Public Hearing for the application was also held on Tuesday May 3, 2005. At this time, Council closed the public hearing but withheld second and third readings pending the applicant's completion of a land deal with the City of Kelowna to enlarge to site.

The applicant has since purchased a portion of excess road right of way at the corner of Crowley Avenue and Richter Street from the City of Kelowna and redesigned the site plan in order to decrease the potential impacts on the adjacent residential neighborhood.

### 3.0 PLANNING AND CORPORATE SERVICES DEPARTMENT

On the advice of staff, the applicant has originally acquired the opportunity to purchase the four lots to the north of the subject property to complete the industrial development of the block of Richter between Bay Avenue and Crowley Avenue. After extensive feedback from the neighborhood in the Advisory Planning Commission forum, the applicant approached staff with the idea of only rezoning 921 and 923 Richter Street and leaving 917 and 907 Richter Street as a residential properties in order to lessen the encroachment into the residential neighborhood. Although staff would have preferred a more comprehensive development of the block, the overwhelming concerns of the local neighborhood with regard to the expansion of industrial development into a residential area and the potential conflicts must be noted.

The application is consistent with the Official Community Plan and Strategic Plan (2005) and the applicants have submitted a development permit application with detailed plans of the proposed expansion. Although generally consistent with existing policy the building addition as shown on the concept plan would require a development variance permit for a reduced front yard setback. Staff would be willing to support such a variance as long as the form and character of the new construction was consistent with industrial development guidelines in the Official Community Plan and no other variances were required. Staff is concerned about the disorderly state of outdoor storage associated with Kelowna Steel's operation. Staff will be making the applicant aware that a development permit will not be issued until staff is satisfied that these storage arrangements are improved to meet Zoning Bylaw requirements. The revised plan submitted by the applicant appears to provide for screened storage on the south side of the property and a landscape buffer along the northern property line. These modifications to the site appear to provide a greater degree of separation between the steel storage area and the abutting residential development. In addition, staff has asked that the applicant apply a truck turning template to the site plan to ensure that site is indeed practical for larger size vehicles. Staff will offer additional comments on this at the development permit stage.

Having noted the above, the Planning and Corporate Services Department is willing to support this rezoning application.

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Andrew Bruce  
Manager of Development Services

Approved for inclusion ☐

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

RM/AB/rs

Attach.

**ATTACHMENTS**

**(not attached to the electronic version of the report)**

- Location of subject property
- Site plan
- Building Elevations
- Landscape Plan
- Pictures