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

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**DATE:** May 13, 2008  
**FILE NO.:** Z08-0009

**TO:** City Manager

**FROM:** Planning & Development Services Department

APPLICATION NO. Z08-0009

OWNER: AJL HOLDINGS LTD.

AT: 1368 St. PAUL ST.

APPLICANT: PROTECH CONSULTANTS LTD.

**PURPOSE:** TO REZONE THE SUBJECT PROPERTY FROM I2 – GENERAL INDUSTRIAL ZONE TO C7 – CENTRAL BUSINESS COMMERCIAL ZONE TO ALLOW OFFICE USES IN THE EXISTING BUILDING.

**EXISTING ZONE:** I2 – GENERAL INDUSTRIAL ZONE

**PROPOSED ZONE:** C7 – CENTRAL BUSINESS COMMERCIAL

**REPORT PREPARED BY:** PAUL McVEY

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**1.0 RECOMMENDATION**

THAT Rezoning Application No. Z08-0009 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 11, DL 139, O.D.Y.D., Plan 432, located on St. Paul Street, Kelowna, B.C. from the existing I2 – General Industrial zone to the proposed C7 – Central Business Commercial 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;

**2.0 SUMMARY**

The applicant is seeking to rezone the subject property from the existing I2 – General Industrial zone to the proposed C7 – Central Business Commercial zone to allow office uses in the existing building located on the property.

**2.1 Advisory Planning Commission**

The above noted application (Z08-0009) was reviewed by the Advisory Planning Commission at the meeting of March 11, 2008 and the following recommendation was passed:



THAT the Advisory Planning Commission support Rezoning Application No. Z08-0009, for 1368 St. Paul Street, Lot 11, Plan 432, Secs. 24 & 25, Twp. 25, O.D.Y.D by Protech Consultants Ltd. (T. Maddock), to rezone from the I2-General Industrial zone to the C7-Central Business Commercial zone to permit commercial uses in the existing building.

### 3.1 The Proposal

The subject property was developed with a 466 m<sup>2</sup> industrial building in 1979. That building was constructed with 110m<sup>2</sup> of office space on the lower floor and 163 m<sup>2</sup> of office space on the upper floor. The remaining 193m<sup>2</sup> of floor area is warehouse space located in the rear of the building. There is a paved parking area for eight vehicles located at the rear of the building adjacent to the lane.

The applicant is proposing to rezone the property to the C7 – Central Business Commercial zone in order that the building can be converted to office uses, as permitted in the C7 zone. There are no changes proposed to the exterior of the existing building or the existing site development.

The proposal as compared to the C7 zone requirements is as follows:

CRITERIA	PROPOSAL	C7 ZONE REQUIREMENTS
Site Area (m <sup>2</sup> )	706 m <sup>2</sup>	200 m <sup>2</sup>
Site Width (m)	15.2 m	6.0 m min.
Site Depth (m)	45.9 m	30.0 m min.
Site Coverage (%) Buildings	43.5%	
Total Floor Area (m <sup>2</sup> )	466 m <sup>2</sup>	
F.A.R.	0.66	FAR = 9.0 max
Building Height m. (Storeys)	9.8m (2 storeys)	44.0 m
Setbacks (m) At Grade		
- Front (St. Paul St.)	3.0m	0.0 m
- Rear (lane)	25.8m	0.0 m
- North Side	0.0m	0.0 m
- South Side	0.0m	0.0 m
Setbacks (m) 15 m above grade	N/A	
Parking Stalls (#)	8 provided	6 stalls required
Bicycle Parking (#)		4 stall required
Loading Stalls (#)		1 stall required

Parking Required;

C7 parking; 1.3 stalls/100 m<sup>2</sup>

C7 loading; 1.0 / 1900 m<sup>2</sup>

Bicycle parking      Class I  
                                    Class II

$4.66 \times 1.3 = 6$  parking stalls required

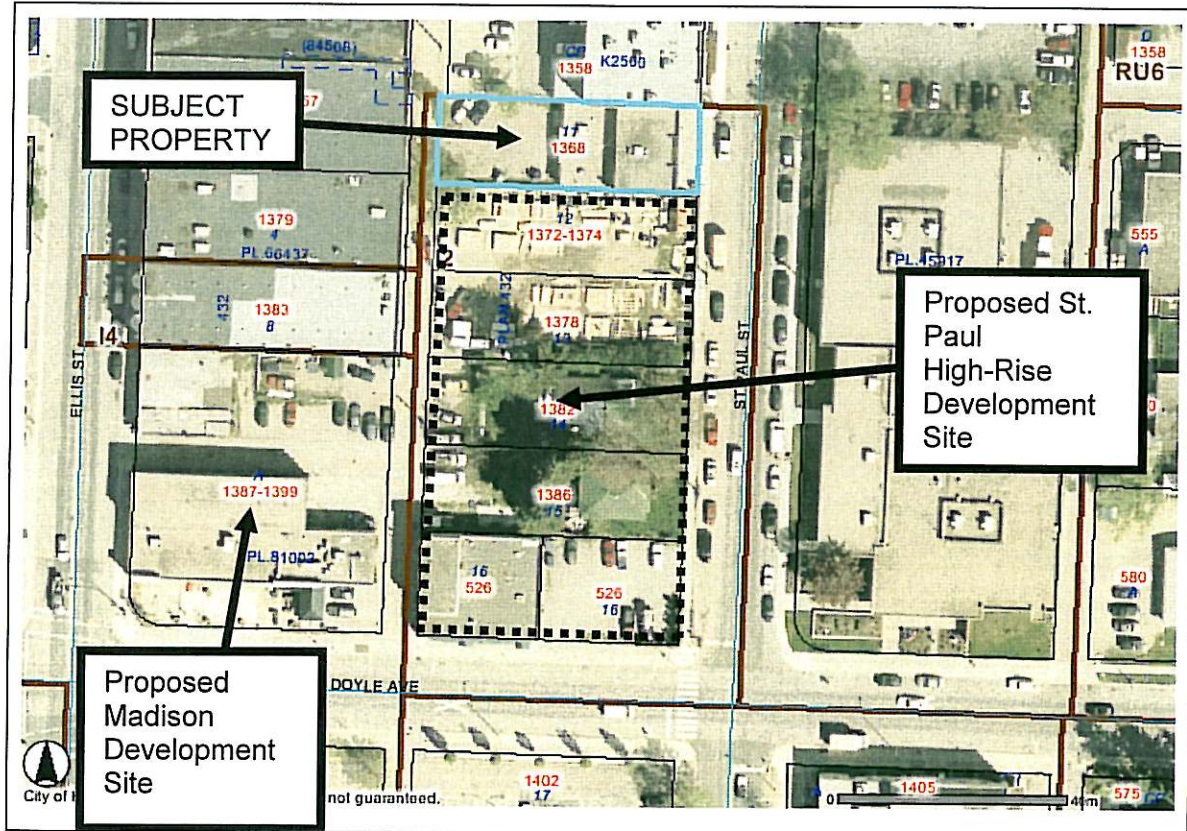
1 loading stall required

$0.2 / 100\text{m}^2 = 1$  stall required

$0.6 / 100 \text{ m}^2 = 3$  stalls required

### 3.2 Site Context

#### SUBJECT PROPERTY MAP



The subject property is currently developed with a 2 storey high industrial building, constructed on the property in 1979. The properties to the south are under application to rezone to the C7 zone (St. Paul High-Rise development). The property to the north was developed with a 3 storey office building which was constructed in 2002. The site is generally flat and level.

Adjacent zones and uses are, to the:

- North - C7 – Central Business Commercial / existing C7 commercial uses
- East - C7 – Central Business Commercial / existing C7 commercial uses
- South - I2 – General Industrial (pending application to C7 zone Z07-0056)
- West - C7 – Central Business Commercial / existing C7 commercial uses

### 3.3 Proposed Development Potential

The proposed C7 – Central Business Commercial zone is to designate and preserve land for the orderly development of the financial, retail and entertainment, governmental and cultural core of the City which shall provide for high density residential uses, and commercial uses.

3.4 Current Development Policy

3.4.1 Kelowna Official Community Plan

the proposed C7 – Central Business Commercial zone is consistent with the current future land use designation of "Commercial" in the OCP.

3.4.2 City of Kelowna Strategic Plan (2004)

The City of Kelowna Strategic Plan encourages the development of a more compact urban form by increasing densities through infill and redevelopment within existing urban areas and to provide for increased densities within future urban areas.

4.0 TECHNICAL COMMENTS

The application has been circulated to various technical agencies and City departments and the following relevant comments which have been submitted are attached to this report.

5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT COMMENTS

Planning Staff do not have concerns with the proposed development application. The proposed zone under application is consistent with the future land use designation of the Official Community Plan. The properties surrounding the subject property are either zoned C7, or under application to be rezoned to the C7 zone.

The existing building located on the subject property is less than 15m high, and complies with the siting requirements of the C7 zone. As well, there are no applications for any variances as part of this application.

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

  
\_\_\_\_\_  
Shelley Gambacort  
Current Planning Supervisor

PMc/pmc  
Attach.

Attachments

(Not attached to the electronic copy of the report)

Subject Property Map

2 pages of exterior photos

1 page site plans & building elevations diagrams

Memo – Works and Utilities Dept. servicing requirements

Print-Out – Tracking System Detail Report



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## CITY OF KELOWNA

# MEMORANDUM

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**Date:** February 20, 2008  
**File No.:** Z08-0009  
**To:** Planning & Development Services Department (PMcV)  
**From:** Development Engineering Manager (SM)  
**Subject:** 1362 St Paul Street     Lots 11 Plan 432 Sec 24&25 Twp 25

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The Works & Utilities Department have the following comments and requirements associated with this application to rezone from I-2 to C-7. The road and utility upgrading requirements outlined in this report will be a requirement of this development.

The Development Engineering Technologist for this project is John Filipenko. AScT

1.     Domestic Water and Fire Protection

- (a)     The existing lot is serviced with small 13mm diameter copper water services. The developer's consulting mechanical engineer will determine the domestic and fire protection requirements of this proposed development and establish hydrant requirements and service needs.
- (b)     Only one service will be permitted for this development. The applicant, at his cost, will arrange for the removal of all existing services and the installation of a new larger metered water service.
- (c)     The estimated cost of this construction for bonding purposes is \$6,500.00. If it is determined that upgrades to the existing water distribution system must be made to achieve the required fire flows, additional bonding will be required.
- (d)     A water meter is mandatory for this development and must be installed inside the building on the water service inlet as required by the City Plumbing Regulation and Water Regulation bylaws. The developer or building contractor must purchase the meter from the City at the time of application for a building permit from the Inspection Services Department, and prepare the meter setter at his cost. Boulevard landscaping, complete with underground irrigation system, must be integrated with the on-site irrigation system.

2.     Sanitary Sewer

The developer's consulting mechanical engineer will determine the development requirements of this proposed development and establish the service needs. Our records indicate the existing lot is connected with a 100mm diameter sewer service which turns into a 150mm PVC service at the edge of asphalt. If an upgrade is required the applicant, at his cost, will arrange for the installation of a new larger service, as well as the capping of the existing unused services at the mains. Only one service will be permitted for this development. The installation of a inspection chamber will be required. The estimated cost for construction for

bonding purposes is **\$1,500.00**. Should a new service be required, then additional bonding will be required.

3. Storm Drainage

It will be necessary for the applicant to provide a lot grading plan and onsite drainage facilities.

4. Road Improvements

(a) St. Paul Street fronting this development must be upgraded to a full urban standard (match existing 1358 frontage) including a new monolithic sidewalk, curb and gutter, storm drainage system, pavement widening, landscaped boulevard, and re-location or adjustment of existing utility appurtenances if required to accommodate the upgrading construction. The decommissioning of existing services and installation of new services will also require road cuts. The extent of pavement restoration will be at the discretion of the City development engineer. The estimated cost of the road improvements for bonding purposes is **\$12,300.00**

(b) The rear lane fronting this property will require fillet paving upgrades for the required widening. The estimated cost of this construction for bonding purposes is **\$1,300.00**

5. Road Dedication and Subdivision Requirements

Dedicate 1.31m widening of the rear lane to provide one-half of the required widening to provide an ultimate 7.6m wide commercial standard lane.

Grant statutory rights-of-way if required for utility services.

6. Electric Power and Telecommunication Services

The development site is within the Urban Town Center. Electrical and telecommunication services to this site as well as the local distribution wiring must be installed in an underground duct system. The existing building and the proposed new building must be connected by an underground service. It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services which would be at the applicant's cost.

7. Street Lighting

Street lighting has been installed on St Paul Street fronting the proposed development. Re-location or adjustments to the existing street lighting system may be required to accommodate the road upgrading construction.

8. Engineering

Road and utility construction design, construction supervision, and quality control supervision of all off-site and site services including on-site ground recharge drainage collection and disposal systems, must be performed by an approved consulting civil engineer. Designs must be submitted to the City Engineering Department for review and marked "issued for construction" by the City Engineer before construction may begin.

9. Survey Monuments and Iron Pins

If any legal survey monuments or property iron pins are removed or disturbed during construction, the developer will be invoiced a flat sum of \$1,200.00 per incident to cover the cost of replacement and legal registration. Security bonding will not be released until restitution is made.

10. Bonding and Levy Summary

Bonding

St. Paul St. upgrading	\$ 12,300.00
Lane upgrading	\$ 1,300.00
Service upgrades	\$ 8,000.00

Total Bonding **\$21,600.00**

**NOTE:** The bonding amounts shown above are comprised of estimated construction costs escalated by 140% to include engineering design and contingency protection and are provided for information purposes only. The owner should engage a consulting civil engineer to provide detailed designs and obtain actual tendered construction costs if he wishes to do so. Bonding for required off-site construction must be provided and may be in the form of cash or an irrevocable letter of credit, in an approved format. The owner must also enter into a servicing agreement in a form provided by the City prior to 4<sup>th</sup> reading of the zone amending bylaw.

11. Administration Charge

An administration charge will be assessed for processing of this application, review and approval of engineering designs and construction inspection. The administration charge is calculated as 3% of the total off-site construction costs, not including design. 6% GST will be added.

12. Development Permit and Site Related Issues

- (a) The development will be required to contain and dispose of site generated storm water on the site by installing a ground recharge system consisting of drywells and perforated pipe bedded in drain rock.
- (b) Site access and egress designs as well as the parking lot configuration must be submitted for approval by the City Works & Utilities Department before issuance of the development permit. This is required to guarantee that the requirements and the limitations of access and egress required by the City have been addressed to the City's satisfaction.

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Steve Muenz, P. Eng.  
Development Engineering Manager  
DC



File: Z08-0009

Application

File: Z08-0009

Type: REZONING

Customer ID: 1007994

Applicant: Protech Consultants Ltd

Address: 200 1461 St Paul St

Kelowna BC

V1Y 2E4

Postal Code:

Phone: 860-1771

Fax: 860-1994

Cell:

Email:

Contact: Antonia (Toni) Maddock

Phone: 860-1771

Fax:

Cell:

Email:

Received By: ROSE HUGHES

Legal: No

Development Officer: PAUL MCVEY

Status: Open

Planner: SHELLEY GAMBACORT

Engineering Contact: DEREK CORNING

Owners

Owner Name	Address	Postal Code	Phone	Fax
DK Ventures	1368 St Paul St Kelowna BC	V1Y2E1	868 2313	(250) 868-2659

Properties

Kid	Type	Plan	Lot	Block	Unit	Number	Street Name	Dir	St	LTO
303406		432	11			1368	St Paul St		A	R

SubdivisionFile LinksTechnical

OCP Designation:

OCP Amend Req'd:

Sector Plan:

Sector Designation:

Neighbourhood Plan:

Neighbourhood Designation:

Heritage Register:

DP Area:

Bylaw:

File: Z08-0009

Existing Use: Industrial

Conform:

Proposed Use: To rezone the property to the C7 - Central Business Commercial zone to allow conversion of existing building to commercial uses

To rezone from the I2-General Industrial zone to the C7-Central Business Commercial zone to permit industrial uses in existing building.

Proposed Lots: Units:  
 Final Lots: Units: General Comment:  
 Remainder Lots: ESA Remainder Comment:  
 Floor Space: m2  
 Lot Size: ha m2  
 Front x Depth: m X m Irregular:

**Development Areas****Zoning**

Existing Zone: I2 # Lots: Proposed Zone: C7 # Lots:

**Fees**

Invoice	Status	Date	Parameter	Fee	Charge
104868	Paid	2008-02-12	All Designations		1,617.00
104868	Paid	2008-02-12	Advisory Planning Commission		525.00 G
104868	Paid	2008-02-12	GST Reg. No. R12193 7551 RT		26.25
					2,168.25
104917	Inactive	2008-02-22	2 signs Development Sign (small)		36.00 G
104917	Inactive	2008-02-22	GST Reg. No. R12193 7551 RT		1.80
					37.80
104919	Paid	2008-02-22	1 signs Development Sign (small)		18.00 G
104919	Paid	2008-02-22	GST Reg. No. R12193 7551 RT		0.90
					18.90

**File Progress**

Step	Date	Comment
Application Accepted	2008-02-12	
Application Circulated	2008-02-12	
E-Application Received	2008-02-13	
E-Report Sent to Planning	2008-02-20	Total Bodning is \$21,600.00
All Agency Comments Received		
E-TIS Report Received		
E-Geotech Report Received		
E-Predesign Report Received		
E-Predesign/TIS/Geotech Accptd		
Additional Info Required		
Additional Info Received		
Advisory Planning Commission	2008-03-11	THAT the Advisory Planning Commission supports Rezoning Application No. Z08-0009, for 1368 St. Paul Street, Lot 11, Plan 432, Secs. 24 & 25, Twp. 25, ODYD, by Protech Consultants Ltd. (T. Maddock), to rezone from the I2-General Industrial zone to the C7-Central Business Commercial zone to permit commercial uses in existing building. _
Report Forwarded to Council		
Council Consideration		
First Reading		

File: Z08-0009

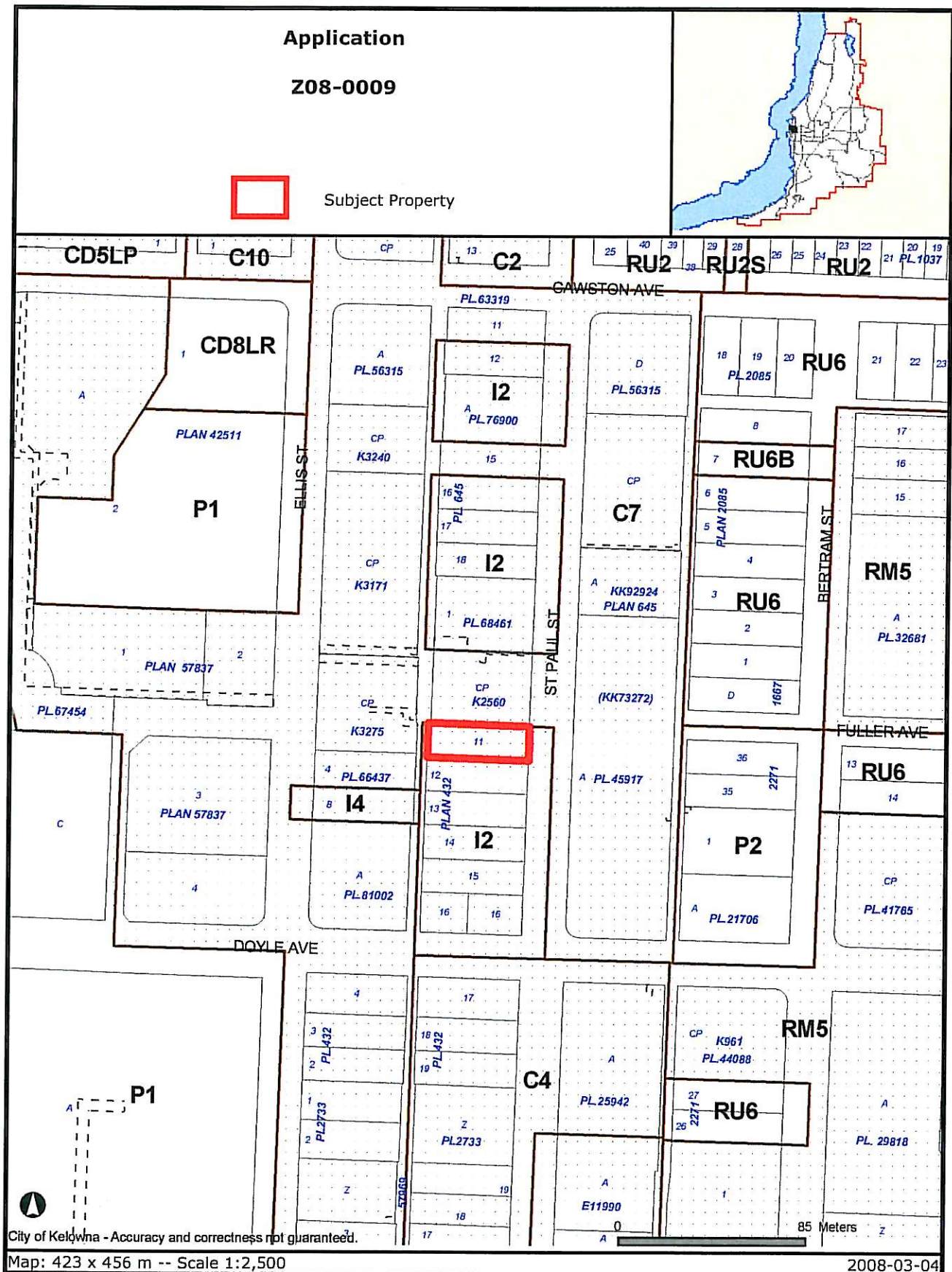
Step	Date	Comment
Public Hearing		
Second Reading		
Third Reading		
Extension Application Rec'd		
Extension Rpt to Council		
Extension Council Consid		
E-SA to Planning w/Memo		
SA Forwarded to Owner		
SA Executed/Bond Received		
SA Sent to Clerks		
SA Executed by City		
MOTH Approval		
BP-Subdiv Application Accepted		
Final Reading		
File Closed		

**File Circulation**

Seq	Out	In	By	Comment
				B.C. Assessment Authority (info only) 2008-02-12 2008-02-12
				Community Development & Real Estate Mgr 2008-02-12 2008-02-27
			SALEXAND	CD&RE Comments for Inclusion in Council Report: Please contact the Land Agent for road dedications over 20 metres in width, land dedications and land transfers to or from the City of Kelowna, road closures and road reserves. Depending on the type of land transaction being contemplated, the processing time can vary from 3 weeks to 3 months. The Land Department requires a full size copy, together with an 8 ? x 11 copy, of any survey plans.
				Fire Department 2008-02-12 2008-03-25
			MNEID	No concerns
				FortisBC 2008-02-12 2008-04-14
				No response
				Inspections Department 2008-02-12 2008-02-18
			RREADY	No concerns
				Mgr Policy, Research & Strategic Plannin 2008-02-12 2008-03-17
				No comment.
				Ministry of Transportation 2008-02-12 2008-02-27
				Ministry of Transportation has no objections or concerns with the above noted rezoning application from I-2 to C-7.
				Regards,
				Rob Bitte District Development Technician Phone: 250-712-3662 Fax: 250-712-3669 Cell: 250-470-7279
				Park/Leisure Services Dir. (info only) 2008-02-12 2008-02-12
				Parks Manager 2008-02-12 2008-02-21
			TBARTON	In exchange for realigning the existing sidewalk, we recommend the planting of large street trees in the new boulevard area. For appropriate trees species and spacing, please see the City of Kelowna's Urban Tree Planting Guide on the City website <a href="http://www.kelowna.ca">www.kelowna.ca</a> > Residents > Parks > Urban Forestry > Kelowna Tree Guide.
				Public Health Inspector 2008-02-12
				RCMP 2008-02-12 2008-03-03
				No comment
				School District No. 23 2008-02-12 2008-03-03
				No response.
				Shaw Cable 2008-02-12 2008-02-25
				Owner/developer to install an underground conduit system
				Telus 2008-02-12 2008-02-21
				TELUS will provide underground facilities to this development. Developer will be required to supply and install conduit as per TELUS policy.

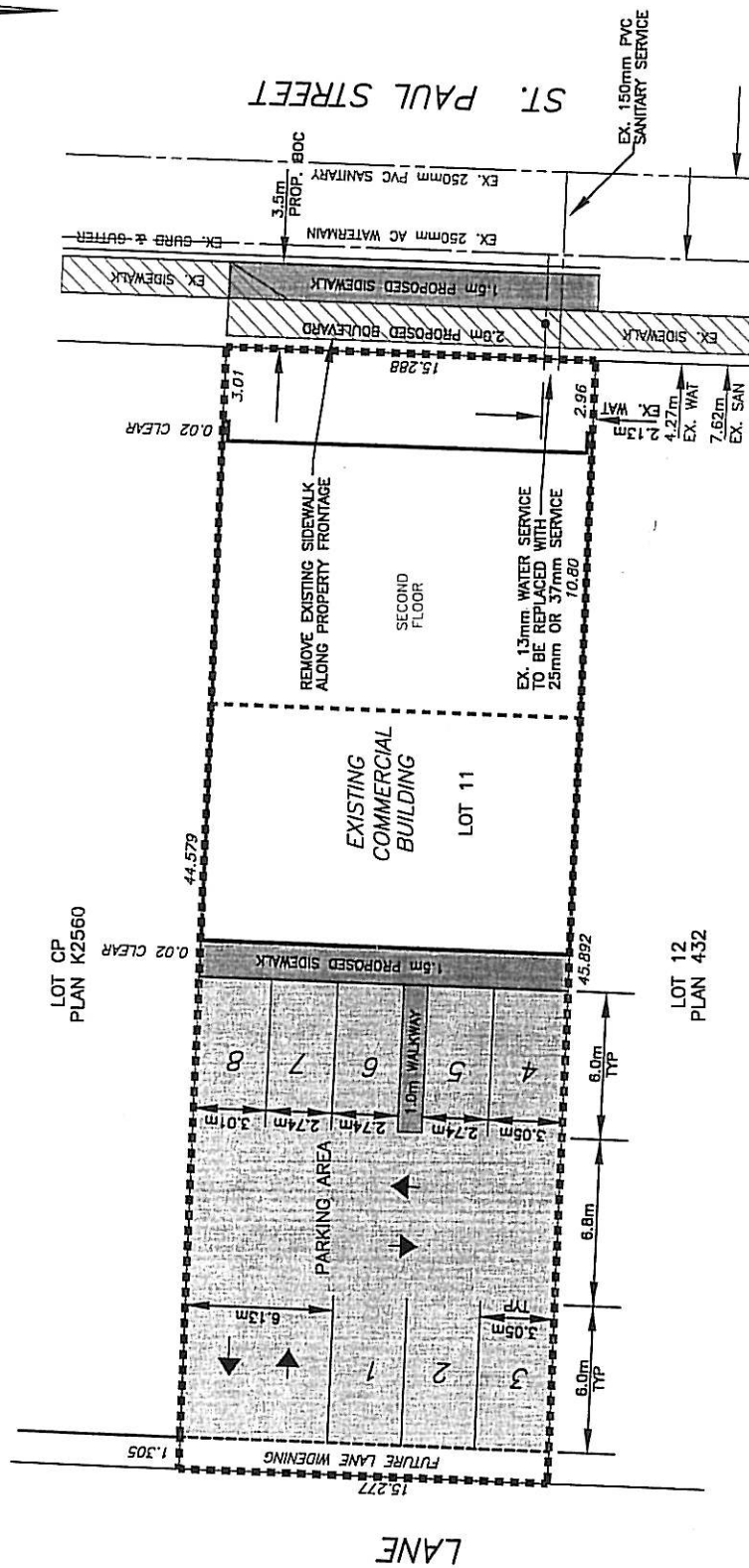
Seq	Out	In	By	Comment
	Terasen Utility Services			No comment.
	2008-02-12	2008-02-26		
	Works & Utilities			see documents tab
	2008-02-12	2008-02-27		

Remarks



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.





LEGAL DESCRIPTION

LOT 11, PLAN 432, DL 139, ODYD  
LOT AREA 701 m2

[illegible]





