
CITY OF KELOWNA
MEMORANDUM

DATE: August 6, 2008
FILE NO.: Z08-0008

TO: City Manager

FROM: Planning & Development Services Department

APPLICATION NO. Z08-0008 **OWNER:** ANN ALLAN HOLDINGS
INC. & CEBERRY
HOLDINGS INC.

AT: 300 PENNO ROAD **APPLICANT:** ANN ALLAN HOLDINGS
INC.

PURPOSE: TO REZONE THE SUBJECT PROPERTY FROM THE EXISTING
RR 3 – RURAL RESIDENTIAL 3 ZONE TO THE PROPOSED I2 –
GENERAL INDUSTRIAL ZONE TO ALLOW GENERAL
INDUSTRIAL USES ON THE SUBJECT PROPERTY

EXISTING ZONE: RR 3 – RURAL RESIDENTIAL 3

PROPOSED ZONE: I2 – GENERAL INDUSTRIAL ZONE

REPORT PREPARED BY: PAUL McVEY

1.0 RECOMMENDATION

THAT Rezoning Application No. Z08-0008 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, DL 123, O.D.Y.D., Plan 22129, located on Penno Road, Kelowna, B.C. from the existing RR3 – Rural Residential 3 zone to the proposed I2 – General 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;

2.0 SUMMARY

The applicant is seeking to rezone the subject property from the existing RR3 – Rural Residential zone to the proposed I2 – General Industrial zone in order to allow General Industrial uses on the property.

2.1 Advisory Planning Commission

The above noted application (Z08-0008) 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. Z08-0008, for 300 Penno Road, Lot A, Plan 22129, Sec. 2, Twp. 23, ODYD by AnnAllan Holdings Inc., to rezone from the RR3-Rural Residential 3 zone to the I2-General Industrial zone to permit industrial uses and a lot consolidation.

3.0 BACKGROUND

3.1 The Proposal

The subject property was purchased by the current owner in 1997. The single family dwelling that was located on the subject property was demolished in November 2002.

The applicant is proposing to rezone the subject property to the I2 – General Industrial zone in order that the property can be used for General Industrial uses, as permitted in I2 – General Industrial zone. There are no plans to build on the property at this time. It is anticipated that the property will be used for secure parking and storage in conjunction with the existing industrial uses located at 2525 Acland Road..

The proposal as compared to the I2 zone requirements is as follows:

CRITERIA	PROPOSAL	I2 ZONE REQUIREMENTS
Site Area (m ²)	1,673 m ²	4,000 m ²
Site Width (m)	28.9 m ±	40 m
Site Depth (m)	57 m ±	35 m

NOTE;

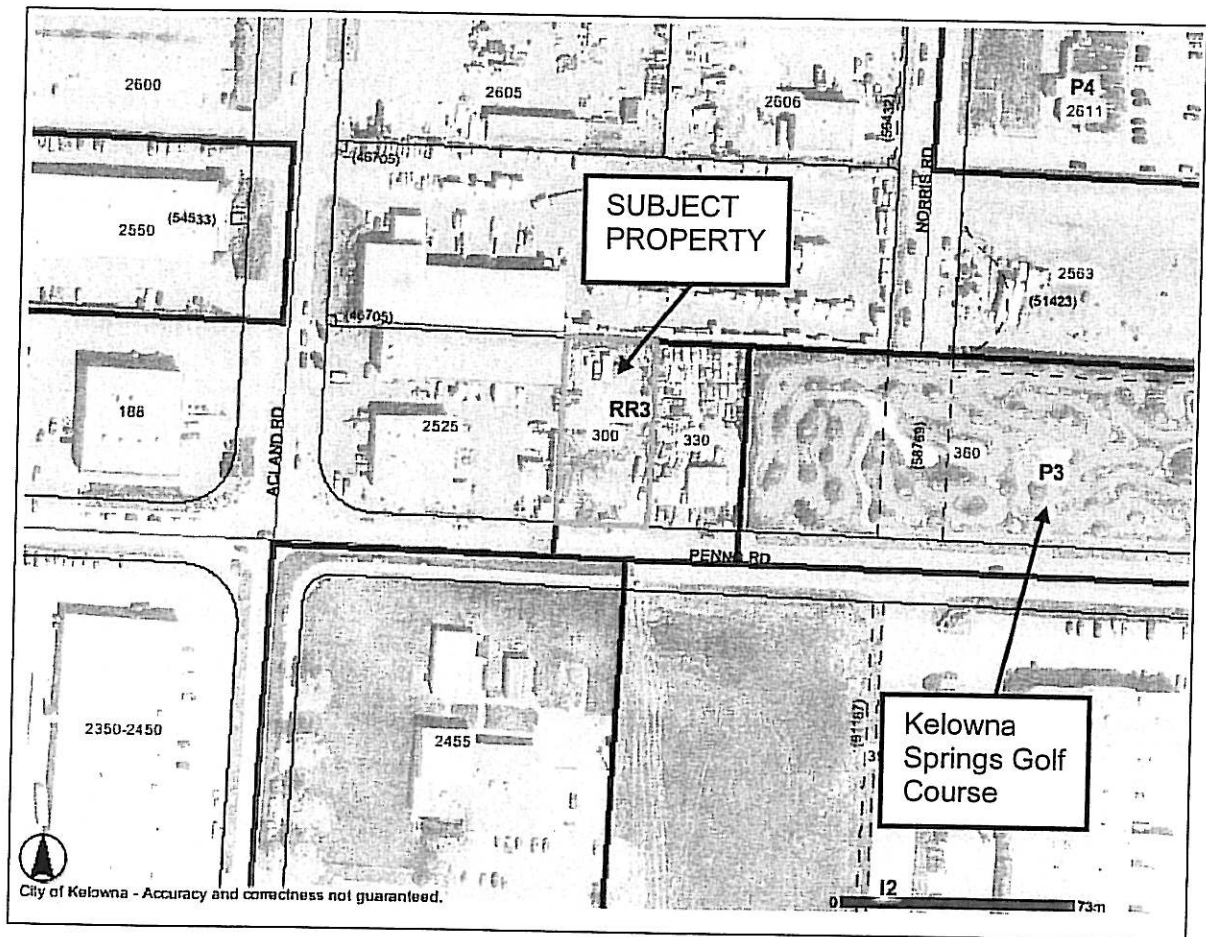
As the existing lot is smaller than the minimum lot size of the I2 – General Industrial zone, it will be necessary to consolidate the subject property with 2525 Acland Rd.

3.2 Site Context

Adjacent zones and uses are, to the:

- North - I2 – General Industrial / General industrial uses
- East - RR3 – Rural Residential 3 / existing SFD
- South - I2 – General Industrial / Penno Road, General industrial uses
I1 – Business Industrial / Former school site
- West - I2 – General Industrial / General industrial uses

SUBJECT PROPERTY MAP



3.3 Proposed Development Potential

The proposed I2 – General Industrial zone permits; auctioneering establishments, automotive and equipment repair shops, automotive and minor recreation vehicle sales/rentals, bulk fuel depots, commercial storage, contractor services – general, contractor services – limited, convenience vehicle rentals, custom indoor manufacturing, emergency and protective services, equipment rentals, fleet services, food primary establishment, gas bars, general industrial uses, household repair services, liquor primary establishment – minor, outdoor storage, participant recreation services – indoor, private clubs, rapid drive-through vehicle services, recycling depots, recycled materials drop-off centres, service stations – minor, service stations – major, truck and mobile home sales/rentals, utility services - minor impact, vehicle and equipment services – industrial, and warehouse sales as principal permitted uses, and residential security/operator unit, and care centres - major as permitted secondary uses.

3.4 Current Development Policy

3.4.1 Kelowna Official Community Plan

The proposed I2 – General Industrial zone is consistent with the current future land use designation of “Industrial” in the OCP.

3.4.2 City of Kelowna Strategic Plan (2004)

The City of Kelowna Strategic Plan (2004) identifies as Goal #2 – “To Foster a Strong, Stable, and Expanding Economy”. This goal has led to the following objectives to support that goal;

1. Aid in the growth and progress of Kelowna as a desirable place to do business.
2. Aid in the growth and progress of Kelowna as a desirable place to visit, shop and tour.
3. Increase the diversity of employment opportunities.

4.0 TECHNICAL COMMENTS

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

5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT COMMENTS

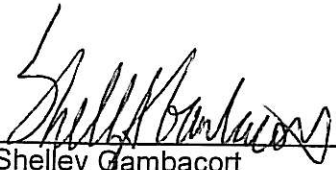
Planning Staff do not have concerns with the proposed rezoning application. The proposed zone under application is consistent with the future land use designation of the Official Community Plan. There is concern the lot to the east will have limited redevelopment potential. However, the applicant has advised that they have approached the neighbour to the east of the subject property with a proposal to either buy that property, or sell the subject property to the neighbour. At this time, the applicant has not been able to conclude a satisfactory real estate deal, and now wishes to proceed with the application to rezone only their property.

There is the issue of existing lot size for the subject property, which does not comply with the minimum lot size provisions of the I2 zone. It is anticipated that the subject property will be consolidated with the lot located to the west of the subject property, as there is common ownership involved.

The applicant has provided a rationale letter with their application to request their proposed rezoning. This letter advises that they anticipate building on the subject property in the future, but at this time, to only use the site as additional outdoor storage.

Any proposed development will have to comply with the requirements of Zoning Bylaw 8000, including landscaping.

The Planning and Development Services Department supports this application, and recommends for positive consideration by Council.

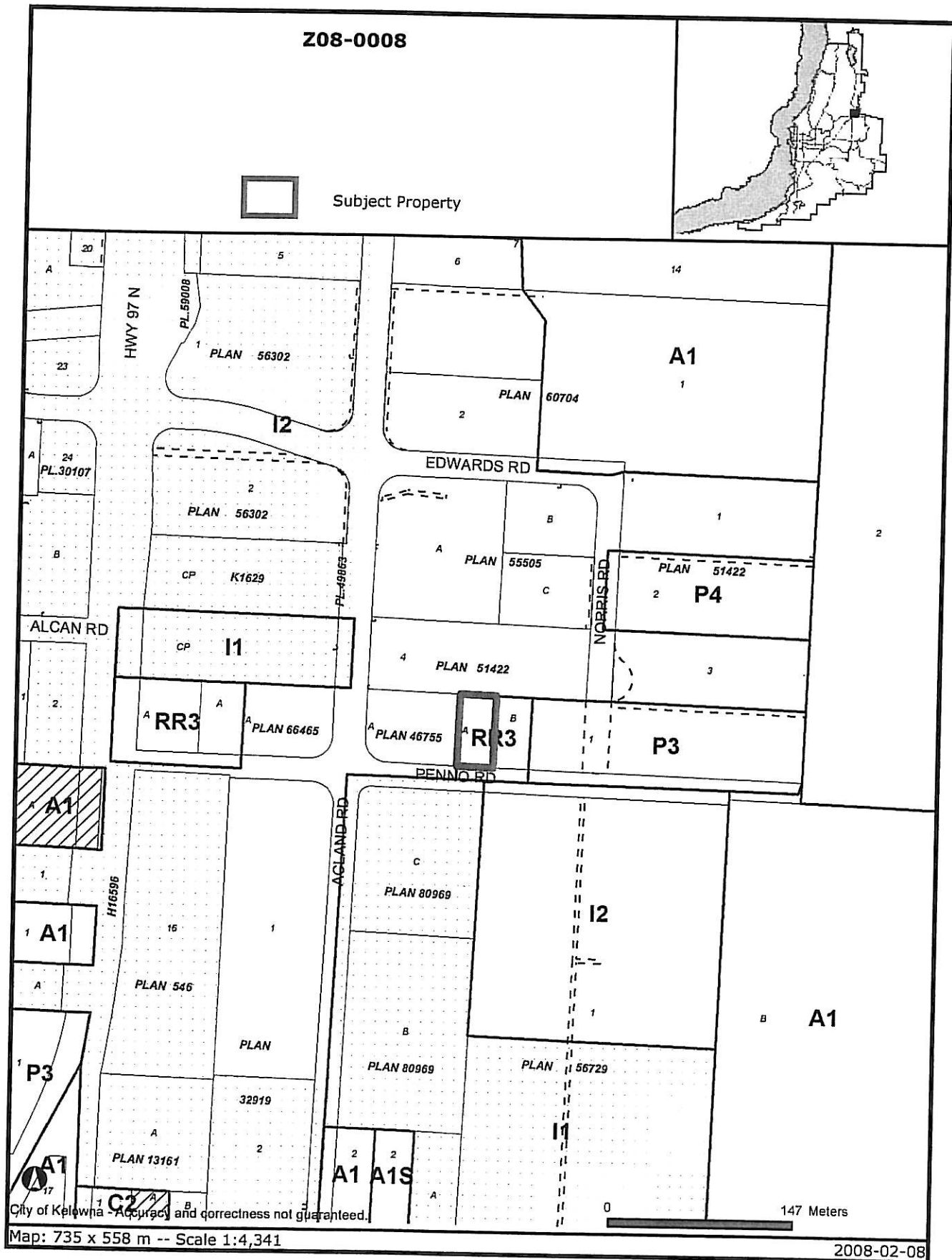


Shelley Gambacort
Planning and Development Services

PMc/pmc
Attach.

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

Subject Property Map
1 page site development plan
Works and Utilities Comments
Comments from Tracking System



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.

File: Z08-0008

Application

File: Z08-0008

Type: REZONING

File Circulation

Seq	Out	In	By	Comment
				B.C. Assessment Authority (info only)
2008-02-11	2008-02-11			
				Community Development & Real Estate Mgr
2008-02-11	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 1/2 x 11 copy, of any survey plans.
				Fire Department
2008-02-11	2008-03-13		MNEID	No comment
				FortisBC
2008-02-11	2008-04-14			No response
				Inspections Department
2008-02-11	2008-02-16		RREADY	No comment
				Irrigation District - BMID
2008-02-11	2008-02-15			No opposition or concerns; will provide comments at building permit stage.
				Mgr Policy, Research & Strategic Plannin
2008-02-11	2008-02-15			No comments.
				Ministry of Transportation
2008-02-11	2008-02-22			Ministry of Transportation has no concerns with the proposed rezoning from RR3 to I-2.
				Park/Leisure Services Dir. (info only)
2008-02-11	2008-02-11			
				Parks Manager
2008-02-11	2008-02-14		TBARTON	No comment
				Public Health Inspector
2008-02-11	2008-02-18			No comment.
				RCMP
2008-02-11	2008-03-03			No comment
				School District No. 23
2008-02-11	2008-03-03			No response.
				Shaw Cable
2008-02-11	2008-02-18			No requirements unless owner constructs a building on this site.
				Telus
2008-02-11	2008-03-12			TELUS will provide underground facilities to this development. Developer will be required to supply and install conduit as per TELUS policy.
				Terasen Utility Services
2008-02-11	2008-02-26			No comment.
				Works & Utilities
2008-02-11	2008-05-21			see documents tab

CITY OF KELOWNA
MEMORANDUM

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

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 SummaryBonding

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 4th reading of the zone amending bylaw.

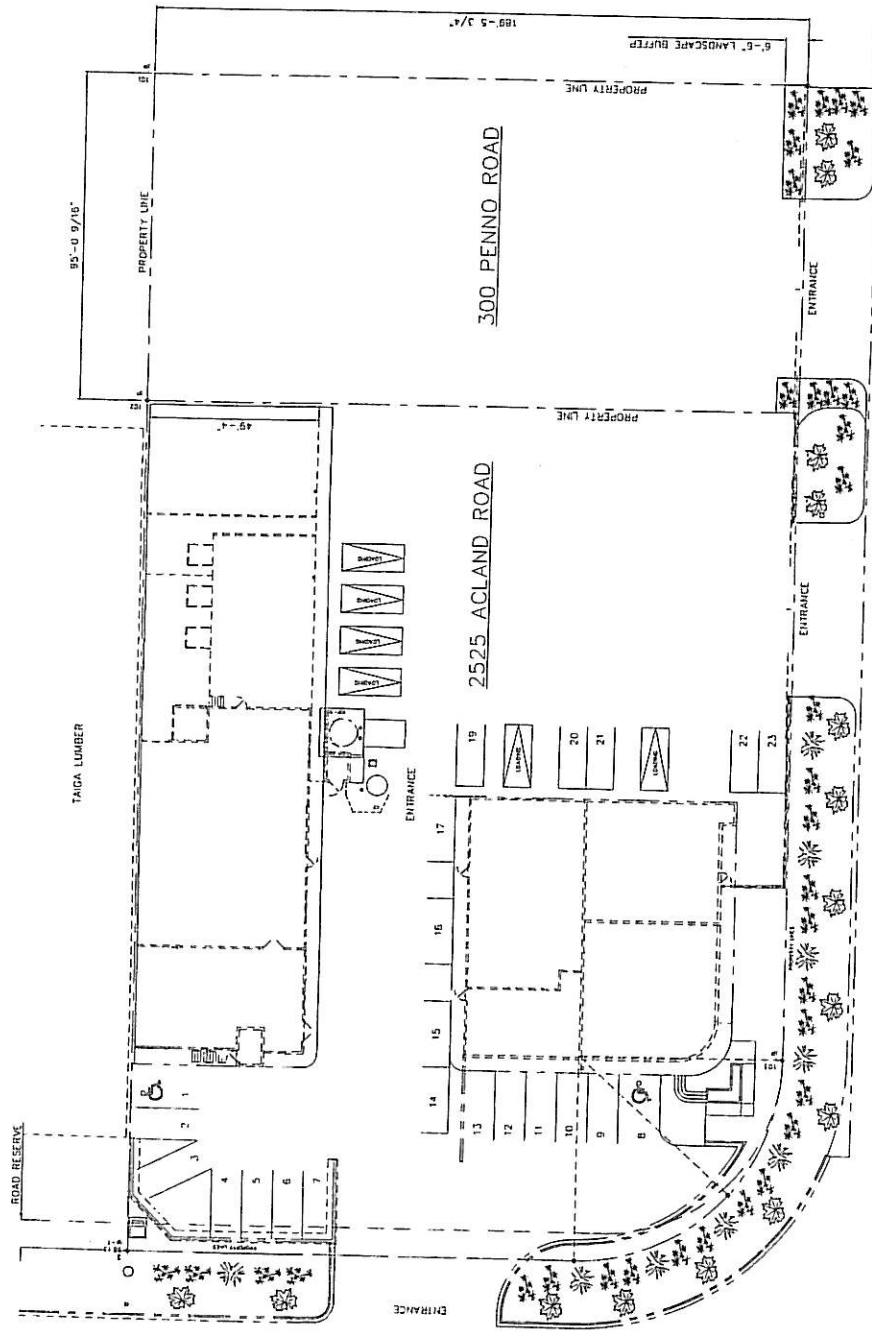
11. Administration Charge

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.

Steve Muenz, P. Eng.
Development Engineering Manager
DC



LEGAL DESCRIPTION
LOT A, PLAN KAP46755,
D.L. 123, O.D. Y.D.
2525 ACLAND ROAD

LEGAL DESCRIPTION
LOT A, PLAN 22129,
D.L. 123, O.D. Y.D.
300 PENNO ROAD

PROPOSED AMALGAMATION OF:
LOT A, PLAN KAP46755,
D.L. 123, O.D. Y.D.
LOT A, PLAN 22129,
D.L. 123, O.D. Y.D.

Acland Design Ltd.
104-1111 Acland Road
Kamloops, BC V2H 7H1
P: (250) 862-4110
F: (250) 862-4111
a@aclanddesign.com

DESIGN BY: [Signature]
DATE: [Date]

1/16" = 1'-0"

BHOLDINGS

2000-BH03

ACLAND DESIGN LTD.
104-1111 Acland Road
Kamloops, BC V2H 7H1
P: (250) 862-4110
F: (250) 862-4111
a@aclanddesign.com

DESIGN BY: [Signature]
DATE: [Date]

1/16" = 1'-0"

BHOLDINGS

2000-BH03

DESIGN BY ALL COPIES
SHOULD BE MADE FROM THIS SET