

---

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

---

**DATE:** August 20, 2008  
**FILE NO.:** DVP08-0124

**TO:** City Manager

**FROM:** Planning & Development Services Department

**APPLICATION NO.** DVP08-0124      **APPLICANT:** NEW WEST INDUSTRIAL LTD.

**AT:** 630 BEAVER LAKE ROAD      **OWNER:** SILVERADO CRANE & EQUIPMENT LTD.

**PURPOSE:** TO OBTAIN A DEVELOPMENT VARIANCE PERMIT TO VARY THE WEST SIDE BUILDING SETBACK FROM 7.5M REQUIRED TO 0.6M PROPOSED

**EXISTING ZONE:** I3 – HEAVY INDUSTRIAL ZONE

**REPORT PREPARED BY:** PAUL McVEY

---

**1.0**    **RECOMMENDATION**

THAT Municipal Council authorize the issuance of Development Variance Permit No. DVP08-0124, for Lot 1, Sections 10 & 11, Twp 20, O.D.Y.D., Plan 4273, located on Beaver Lake Road, Kelowna, B.C.;

AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted:

**Section 15.3.5(d), Development Regulations** – western side yard be varied from minimum setback of 7.5 m required to 0.6 m setback proposed.

**2.0**    **SUMMARY**

The applicant is seeking a development variance permit to reduce the west side yard setback from 7.5m required to 0.6m proposed. The applicant has provided confirmation that the affected neighbours do not have any concerns with the proposed reduction in building setback for the west side yard.

**3.1**    **The Proposal**

The applicant is proposing to construct a new 1,333 m<sup>2</sup> industrial building on the subject property. The proposed building is designed to be located 0.6m from the west property line, in a zone that requires a minimum side yard setback of 7.5 m. The building has been positioned in the proposed location in order to facilitate truck turning movements within the remainder of the yard.

The applicant has approached the neighbouring property owners, and has provided written confirmation that the neighbours do not have any concerns with the proposed variance to the western side yard setback.

There will not be a Development Permit application for this proposed development as the subject property is not located in a mandatory industrial Development Permit area. The proposed development will require a building permit and the zoning bylaw requirements will be scrutinized at that time for compliance.

The application meets the requirements of the I3- Heavy Industrial zone as follows:

CRITERIA	PROPOSAL	I3 – Heavy Industrial
Site Area	8,115 m <sup>2</sup>	8,000 m <sup>2</sup>
Lot Width	40 m	40.0 m
Site Coverage	17 %	N/A
Total Floor Area	1,330 m <sup>2</sup>	
F.A.R.	0.17	Max 0.75
Height	7.5 m / 2 storey	18m except it is 26m for accessory buildings
Setbacks		
- Front	18.7 m	10.0 m
- Rear	48 m	7.5 m
- Side (west)	0.6 m ❶	7.5 m
- Side (east)	5.8m to extg bldg	7.5 m
Parking Spaces (#)	19 stall provided	13 stalls required
Loading Space	1 stall provided	1 per 1900m <sup>2</sup> GFA ( space)

❶ Vary west side yard setback from 7.5m required to 0.6m proposed

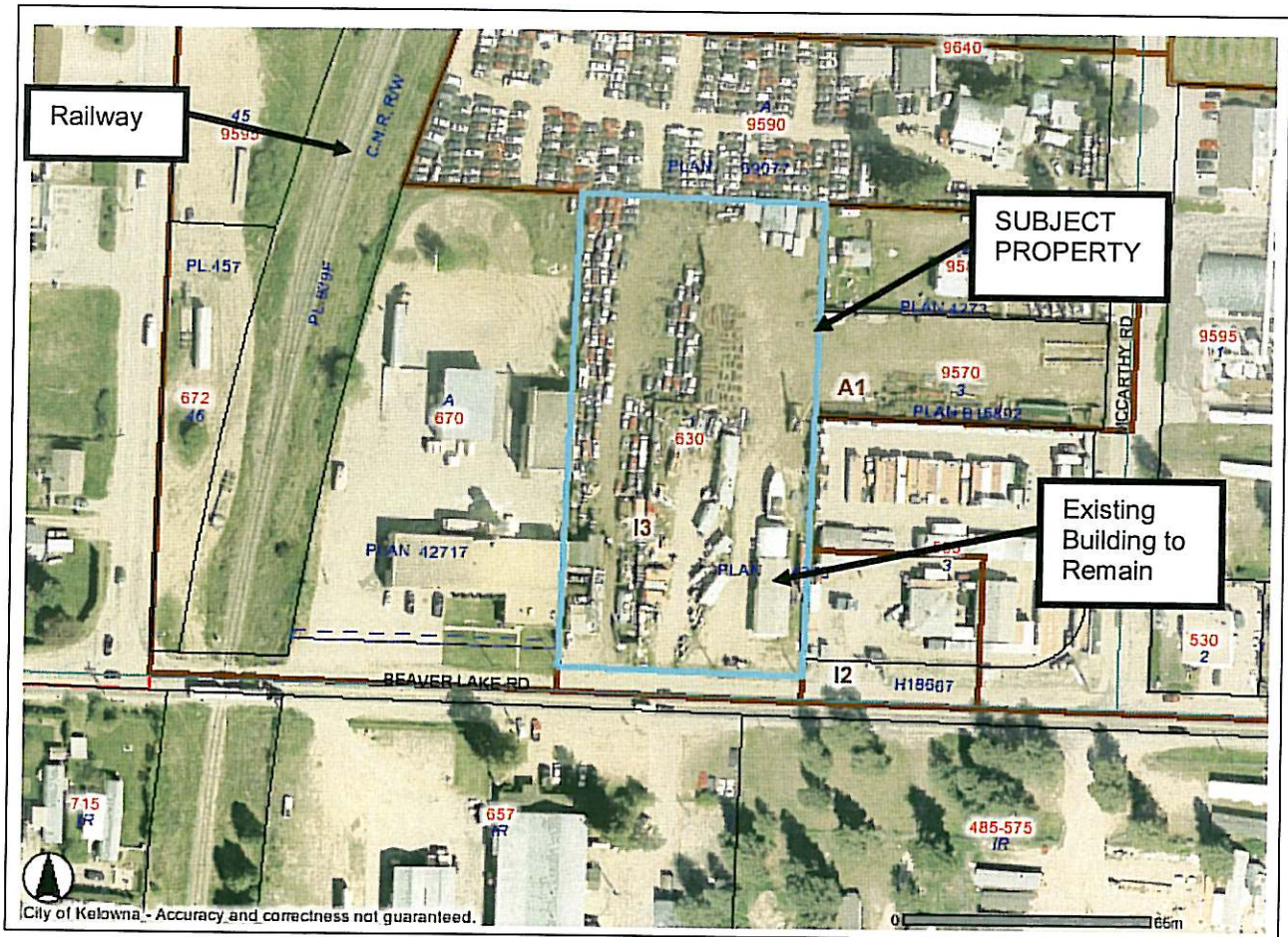
### 3.2 Site Context

The subject property is located on the north side of Beaver Lake Road, between Highway 97 to the west and McCarthy Road to the east. The property has been used as an auto wrecking yard.

Adjacent zoning and existing land uses are to the:

- North - I3 – Heavy Industrial / Auto Wrecker
- South - First Nations Reserve Lands / Industrial uses
- East - A1 – Agriculture 1 / Storage
  - I2 – General Industrial / Commercial Storage
  - I3 – Heavy Industrial / Commercial Storage
- West - I2 – General Industrial / Industrial development

### Subject Property Map



### 3.3 Existing Development Potential

The existing zoning is I3 – Heavy Industrial. The purpose of the I3 zone is to designate and preserve land for the orderly development of industrial uses which, due to appearance, noise, odour, emission of toxic wastes, or fire or explosive hazards may have detrimental effects on other zones.

### 3.4 Current Development Policy

#### 3.4.2 Kelowna Official Community Plan

The proposed zone is consistent with the “Industrial” Future Land Use designation of the City of Kelowna Official Community Plan.

#### 4.0 TECHNICAL COMMENTS

The application has been circulated to various technical agencies and City departments and their comments which have been submitted are attached to this report. There will be opportunity to address any outstanding issues as part of the pending building permit application.


#### 5.0 PLANNING AND DEVELOPMENT SERVICES COMMENTS

The proposed development is a reasonable form of development for the existing industrial neighbourhood. The applicant has provided support for the proposed variance from the affected neighbours.

There will not be review of a Development Permit as the subject property is not located in a mandatory industrial Development Permit area.

It is interesting to note that if the subject property had been zone I2 – General Industrial ( a zone that is appropriate for the neighbourhood), this variance would not be required as the I2 – General industrial zone does permit a 0.0 m side yard setback. It is only because the site is zoned I3 – Heavy Industrial that there is a 7.5 m side yard setback. The proposed use of the building for a metal fabrication shop is classified as a “General Industrial” use, and the “General Industrial” use is permitted in both the I2 and I3 zones.

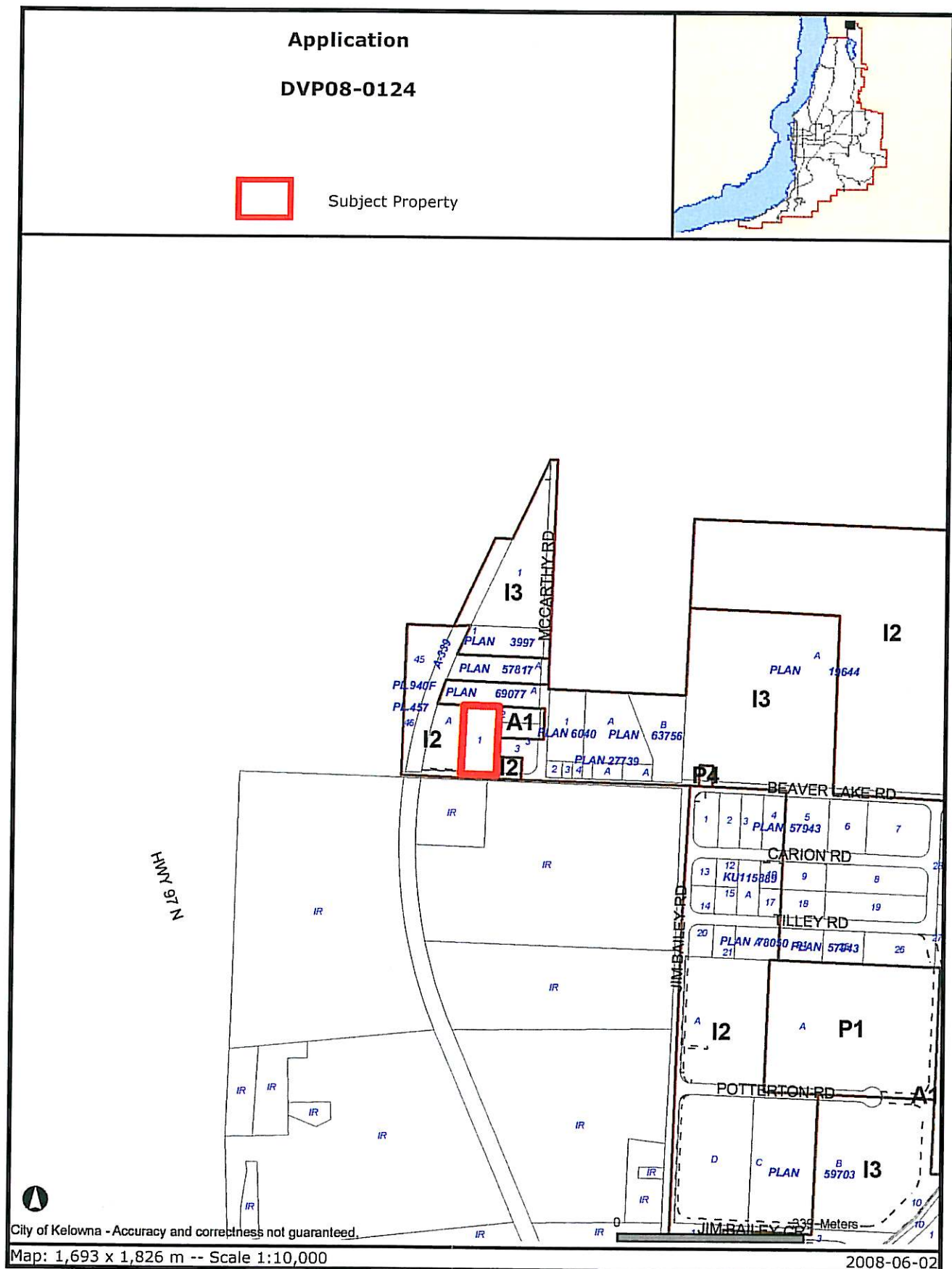
In conclusion, the Planning and Development Services Department supports this application and recommends for positive consideration by Council.

  
for Shelley Gambacort  
Planning and Development Services

PMcV/pmcv  
Attach.







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: DVP08-0124

Application

File: DVP08-0124

Type: DEVP VARIANCE PERMIT - NON APC

File Circulation

Seq	Out	In	By	Comment
				B.C. Assessment Authority (info only)
	2008-06-03	2008-06-03		
				Environment Manager
	2008-06-03	2008-06-05	CDAVIS	No objections
				Fire Department
	2008-06-03	2008-06-13	MNEID	DVP08-0124 - 630 BEAVER LAKE ROAD Not accepted. Require a full set of architectural plans to make comment. The plans should include a code analysis including occupancy class and fire flows. Engineered fire flows required to determine if present hydrant location, number of hydrants, and hydrant volume will be adequate. It appears, among other things, exiting may be a problem.
				Inspections Department
	2008-06-03	2008-06-11	RREADY	- Rated exit stair may be required, altering exterior appearance based on code analysis - Building Permit drawings to include code analysis for the building. ie (occupant load, accessibility checklist, fire separations, etc) - Ensure exiting complies with BCBC 2006 (travel distance with shop area and number of required exits. - Full set of architectural plans required for further comment
2				Inspections Department
	2008-06-03	2008-06-11	RREADY	- Rated exit stair may be required, altering exterior appearance based on code analysis - Building Permit drawings to include code analysis for the building. ie (occupant load, accessibility checklist, fire separations, etc) - Ensure exiting complies with BCBC 2006 (travel distance with shop area and number of required exits. - Full set of architectural plans required for further comment
				Ministry of Transportation
	2008-06-03	2008-06-27		Ministry of Transportation has no objections to the above noted Development Variance Permit.
				Parks Manager
	2008-06-03	2008-06-18	TBARTON	No comment
				Works & Utilities
	2008-06-03	2008-08-07		see documents tab 2008 07 09 see documents tab

*dealt with @ B.P.*

---

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

---

**Date:** July 8, 2008  
**File No.:** DVP08-0124  
**To:** Planning and Development Officer (PMcV)  
**From:** Development Engineering Manager (SM)  
**Subject:** 630 Beaver Lake Road-lot 1, Plan 4273,

---

The Works & utilities Department comments and requirements regarding this development variance permit application are as follows:

1. General.

- a) The requested side yard setback reduction along the east and the west sides of the subject property does not compromise Works and Utilities servicing requirements.

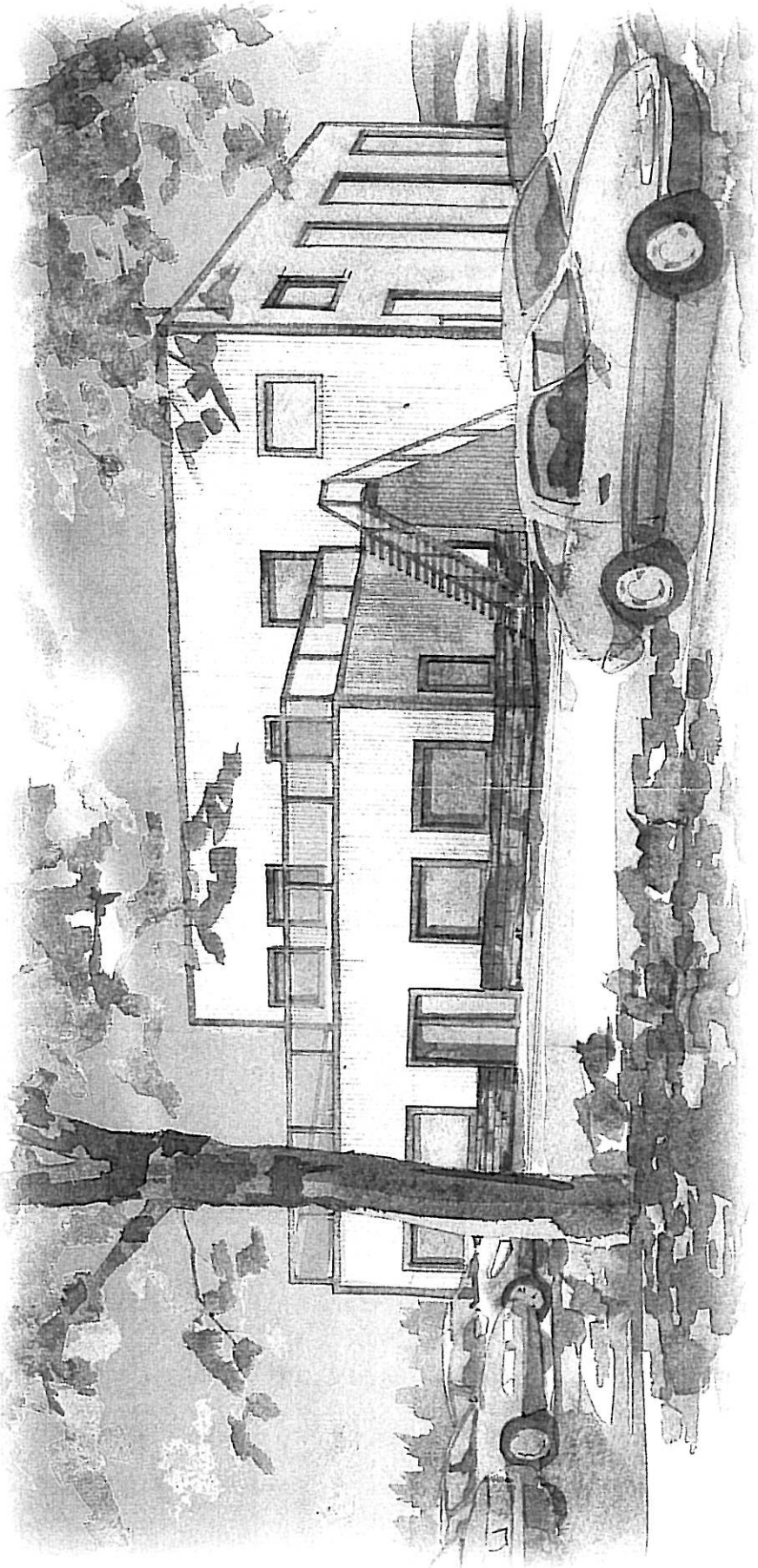
2. Building Permit comments.

When the owner applies for a building permit, the following requirements will be triggered:

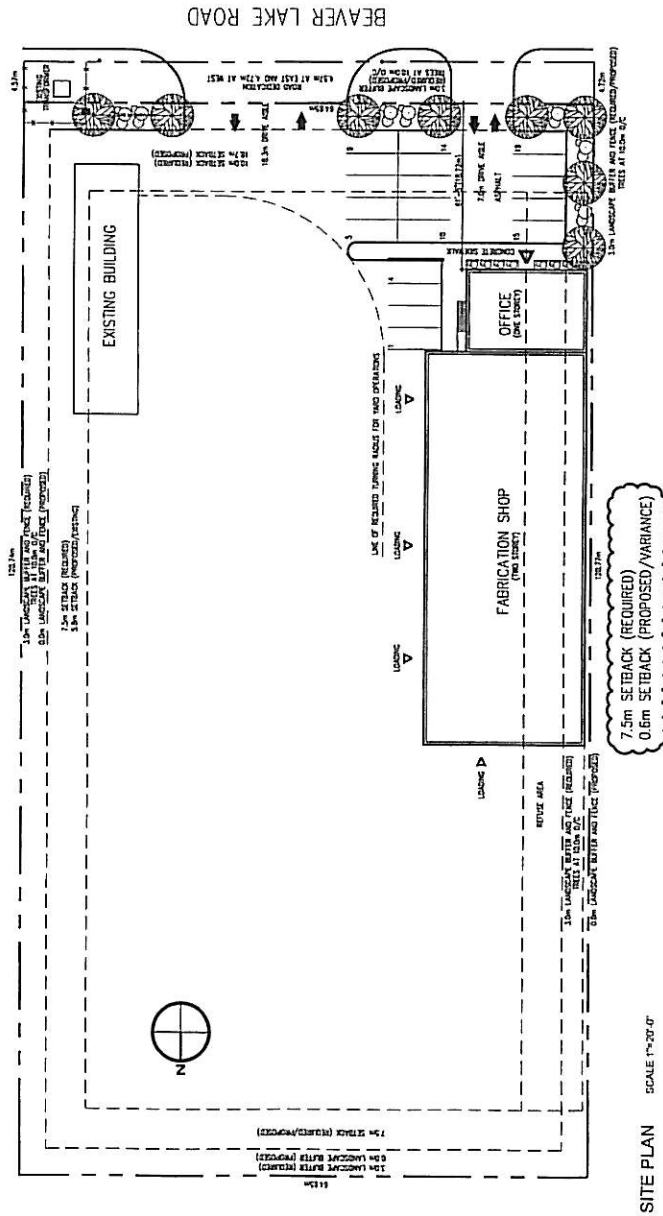
- a) Dedication of approximately 4.5m. along the frontage of Beaver Lake Road which appears to have been taken into account by the applicant as shown on the drawing submitted in support of the variance application.
- b) Road frontage upgrades, or financial equivalent, to a full standard; costs of which will be determined at the time of the building application review.
- c) Any other requirements as identified in the Development and Servicing Bylaw 7900.

---

Steve Muenz, P. Eng.  
Development Engineering Manager  
BB







SITE PLAN  
SCALE 1"=20'-0"

LEGAL DESCRIPTION			
Lot 1, Sec. 10 and 11, TWP 20, O.S.V.D., Plan 4273			
CIVIC ADDRESSES			
630 Beaver Lake Road, Kelowna, B.C.			
ZONING			
I3 - HEAVY INDUSTRIAL			
ITEM	PERMITTED	PROVIDED	
HEIGHT	18.0m	7.5m (2 Storey)	
LOT AREA (Gross)	8110m <sup>2</sup>	NA	
LOT AREA (Net) - Includes road dedication	8000m <sup>2</sup>	7810m <sup>2</sup>	
FLOOR AREA RATIO (F.A.R.)	0.75 (5655m <sup>2</sup> )	0.17 (1333m <sup>2</sup> )	
SITE COVERAGE	NA	0.15 (1141m <sup>2</sup> )	
NOTE: AREA CALCULATIONS INCLUDE EXISTING BUILDING			
SETBACKS			
FRONT YARD	10.0m	18.7m	
SIDE YARD	7.5m	5.8m (Existing)	
SIDE YARD	7.5m	0.5m (Variance)	
REAR YARD	7.5m	7.5m	
LANDSCAPE BUFFERS			
FRONT YARD	3.0m Landscape	3.0m	
SIDE YARD	3.0m Landscape	0.5m to 3.0m	
REAR YARD	3.0m Landscape/Fence	0.0m	
PARKING - INDUSTRIAL			
TYPE OF USE	STALLS REQUIRED	STALLS PROVIDED	
INDUSTRIAL (2.0 stalls/100m <sup>2</sup> ) - 1333m <sup>2</sup>	13	10	
LOADING - INDUSTRIAL			
TYPE OF USE	STALLS REQUIRED	STALLS PROVIDED	
INDUSTRIAL (1.0 stalls/1000m <sup>2</sup> ) - 1333m <sup>2</sup>	1	1	
BIKE PARKING - INDUSTRIAL			
TYPE OF USE	STALLS REQUIRED	STALLS PROVIDED	
INDUSTRIAL (0.3 stalls/100m <sup>2</sup> ) - 1333m <sup>2</sup>	4	4	

