

# Memo



**Date:** October 14, 2009  
**To:** City Manager  
**From:** Community Sustainability Division

**APPLICATION NO.** Z09-0018

**OWNER:** R 547 Enterprises Ltd.,  
Inc. No. BC0822036

**AT:** 1292 Findlay Road

**APPLICANT:** R 547 Enterprises Ltd.  
(Steve Krausher)

**PURPOSE:** TO REZONE THE SUBJECT PROPERTY FROM THE RU1- LARGE LOT HOUSING ZONE TO THE I1- BUSINESS INDUSTRIAL ZONE.

**EXISTING ZONE:** RU1 - Large Lot Housing

**PROPOSED ZONE:** I1 - Business Industrial

**FUTURE LAND USE DESIGNATION:** Industrial

**REPORT PREPARED BY:** Birte Decloux

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## 1.0 RECOMMENDATION

THAT Rezoning Application No. Z09-0018 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1, Section 34, Township 26, O.D.Y.D., Plan 11084, located on Findlay Road, Kelowna, B.C. from the RU1 - Large Lot Housing zone 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 Development Engineering Department and Black Mountain Irrigation District, being completed to their satisfaction;

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

## 2.0 SUMMARY

The applicant is seeking to rezone the subject property from the RU1 - Large Lot Housing zone to the I1- Business Industrial zone to expand and retrofit an existing single family dwelling to industrial offices and a facility for a concrete forming and finishing company. Pending favourable consideration of the land use, a Development Variance Permit and a Development Permit will be considered by Council prior to final adoption.

## 3.0 ADVISORY PLANNING COMMISSION

The above noted application was reviewed by the Advisory Planning Commission at the meeting of August 4, 2009 and the following recommendation was passed:

THAT the Advisory Planning Commission support Rezoning Application No. Z09-0018, for 1292 Findlay Road, Lot 1, Plan 11084, Sec 34, Twp 26, ODYD; to rezone the subject property from RU1 Large Lot housing zone to I1 - Business Industrial.

#### 4.0 BACKGROUND

The future land use designation for this site and surrounding properties (to the south, north and west) is Industrial. It was anticipated that these properties would be consolidated to achieve the required size for a viable industrial zoned site. Unfortunately, this land assembly has not been achieved and individual properties that remain endeavour to pursue Industrial uses of a smaller-scale.

The applicant purchased the property in the spring of 2008 and re-located their concrete forming and finishing business there. Formerly, it was located at the S & K Ready-mix site on Lloyd Road since 1992 (~17 years).

A single family home was originally located on the site, however, changes were begun to retrofit the building without the appropriate permits. A building permit was issued and construction proceeded which did not comply to the approved plans. The Building and Permitting Department stopped all work and the applicant applied to rezone and remove a portion of the new construction. This application seeks to legalize the business on this site. A new building permit will be required as the scope of the structure has changed.

##### 4.1 The Proposal

The proposal seeks to retrofit the existing home for industrial use. The existing building will be converted into 4 offices and a reception area on the main floor, a lunch room and facilities for the employees on the basement floor, and a shop space in what was previously a garage. An addition is proposed for the rear south side of the property that will contain the main work area, and loading spaces. The addition is directly adjacent to the existing building creating a continuous wall on the south side of the property. This view is more appealing to the neighbouring property than an open space that would eventually be utilized to store forms. This side yard setback does not meet the zoning bylaw regulations thus a variance is being sought.

The business occasionally creates steel and wood forms at this location, which are then transferred to a work site where the concrete is poured and stamped. The yard will be used for parking vehicle/mechanical equipment. The proposed hours of operation are weekdays from 7:00am until 5:00pm.

Access to the site is proposed via a new driveway on the northeast portion of the site. The current driveway facing the garage on the house will be removed. The entrance to the building which includes a ramp will be relocated to the north side of the structure off the parking area.

The proposed application meets the requirements of the I1 - Business Industrial Zone as follows, with the exceptions as noted:

Zoning Bylaw No. 8000		
CRITERIA	PROPOSAL	I1 ZONE REQUIREMENTS
Subdivision Regulations		
Lot Area (existing)	1403 m <sup>2</sup> *	4000 m <sup>2</sup>
Lot Width (existing)	42.06 m	40 m
Lot Depth (existing)	33.1 m *	35 m
Development Regulations		
Front Yard	7.63 m	6.0 m
Side Yard (north)	23.82 m	6.0 m
Side Yard (south)	1.82 m ❶	6.0 m (abutting residential)
Rear Yard	0.41 m	0.0 m (abutting Industrial)
FAR /GFA	0.345 / 484.47 m <sup>2</sup>	1.2
Maximum Height of Building	9.89 m	16 m / 3 storeys
Parking requirements	11 spaces 1 loading space	General Industrial Use 2.0 per 100m <sup>2</sup> GFA = 10 stalls Total required: 10 Loading Space: 1
Landscape buffering	Vegetation in Front yard provided Chain link fencing provided for rear and side yards. ❷ & ❸	Level 2 & 3 buffering required Minimum 3.0 m buffer with vegetative or opaque barrier required in side and rear yards

Variances sought for:

- ❶ to vary the required south side yard abutting a residential area
- ❷ & ❸ to vary the required south and north yard landscape buffers

\* While the lot does not meet the subdivision regulations, Council has the prerogative to rezone a parcel that does not meet the size for subdivision.

## 4.2 Site Context

The subject property is located on the west side of Findlay Road, in Rutland. Findlay road will be incorporated into the Hollywood Road extension in the future creating a north / south route to access Highway 97.

More specifically, the adjacent land uses are as follows:

- North - RU1 - Large Lot Housing
- South - RU1 - Large Lot Housing
- East - RU2 - Medium Lot Housing
- West - I2 - General Industrial

## 4.3 Subject Property: 1292 Findlay Road



## 4.4 Current Development Policy

### 4.4.1 Kelowna 2020 - Official Community Plan

**Section 10.13 - Location of New Industrial.** Direct future industrial development to those areas designated for industrial purposes (see Map 19.1). The map notes a focus on future industrial development in the Highway 97 corridor, the North End and the Beaver Lake Road area;

**Section 10.20 - Land Use Intensification.** Encourage more intensive industrial use of currently under-utilized industrial sites;

**Section 10.23 - Mayfair Road/Court.** Support the re-development of industrial lands immediately west of Mayfair Road/Court to uses more compatible with adjacent residential uses (e.g. industrial business uses).

## 5.0 TECHNICAL COMMENTS

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

### 5.1 Development Engineering

See attached.

### 5.2 Building and Permitting

Building permit required for change of occupancy use of existing residence to industrial building. Upgraded drawings required with code analysis in addition to existing BP#37135.

### 5.3 Fire Department

We need written conformation the water district can supply the required 225 l/s for Industrial fire flows and required hydrant spacing as per City of Kelowna By-law 7900. *In a letter dated May 10, 2009 from the Black Mountain Irrigation District indicates that adequate fire protection is available.*

Engineered fire flows are required to determine if existing hydrants/fire flows are adequate and if additional hydrants/fire flows are required.

We require proper drawings and detailed building code analysis (detail equivalencies, if any) for proposed buildings. *Analysis to be supplied as documentation at the Building Permit stage.*

### 5.4 Ministry of Transportation

The Ministry has no objection to the proposed rezoning of the above lot from RU-1 to I-1. Also, we recognize Findlay Road is a major road and should be protected accordingly.

## 6.0 LAND USE MANAGEMENT DEPARTMENT COMMENTS

The subject property is designated as Industrial in the OCP and as such this proposed industrial use would be consistent with this designation.

The purpose of the I1 zone is to provide for the development of planned industrial business parks containing clean industrial and office uses with limited outdoor storage. The I1 zone is ideal for the proposed type of business operating from this site. The primary use of the property will be for storage of the equipment needed for a concrete form and stamping firm.

Variances are being sought to reduce the amount of landscape buffering required adjacent to residential development. Currently, the neighbouring properties are zoned residential necessitating a higher level of buffering than if they were zoned industrial. The variances are reasonable, as these residential properties have the same future land use designation and are anticipated to rezone to industrial uses. In the future, when neighbouring properties rezone to the Industrial zoning, the landscape buffer requirements will no longer be applicable as the adjacent uses will be the same.

Council will have the opportunity to consider the form and character of this proposed industrial building and the requested variances pending favourable endorsement of the land use.



Danielle Noble  
Manager, Urban Land Use



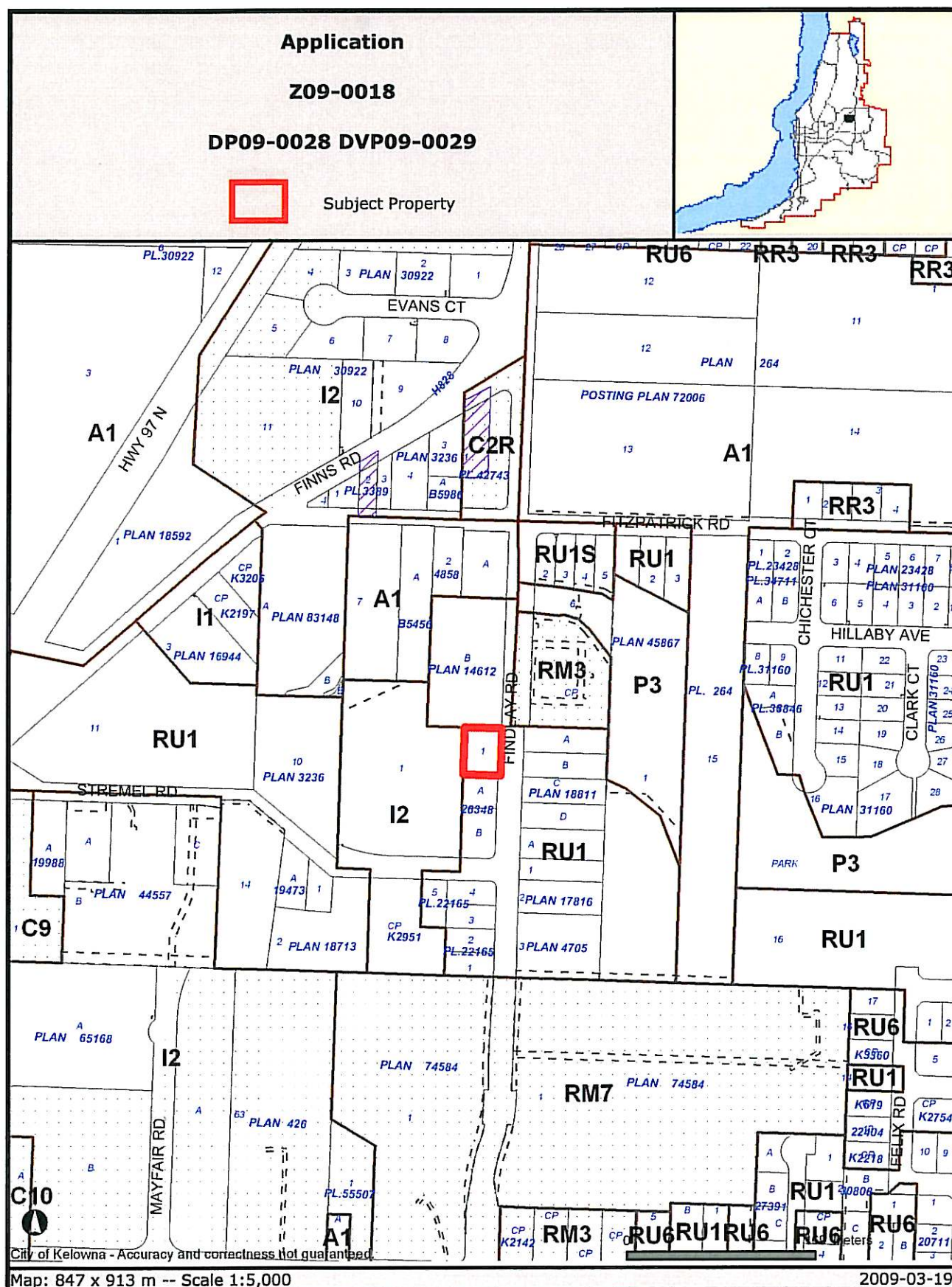
Approved for inclusion:

Shelley Gambacort  
Director, Land Use Management

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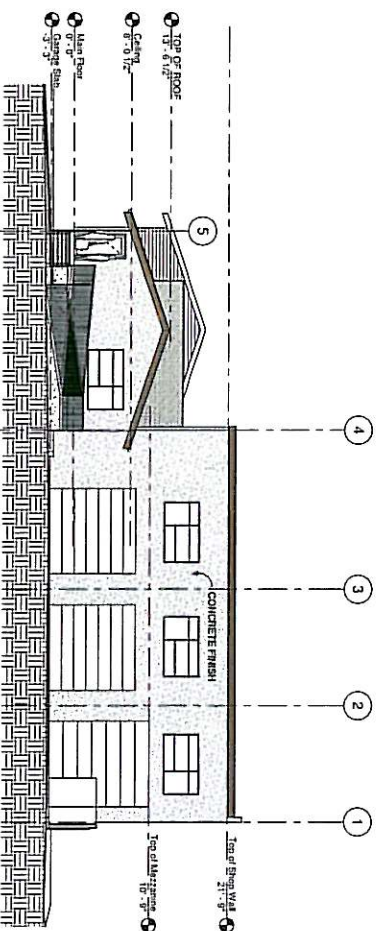
**Attachments:**

Location of subject property  
Site plan  
Elevations  
Current photos  
Future Land Use Map



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.

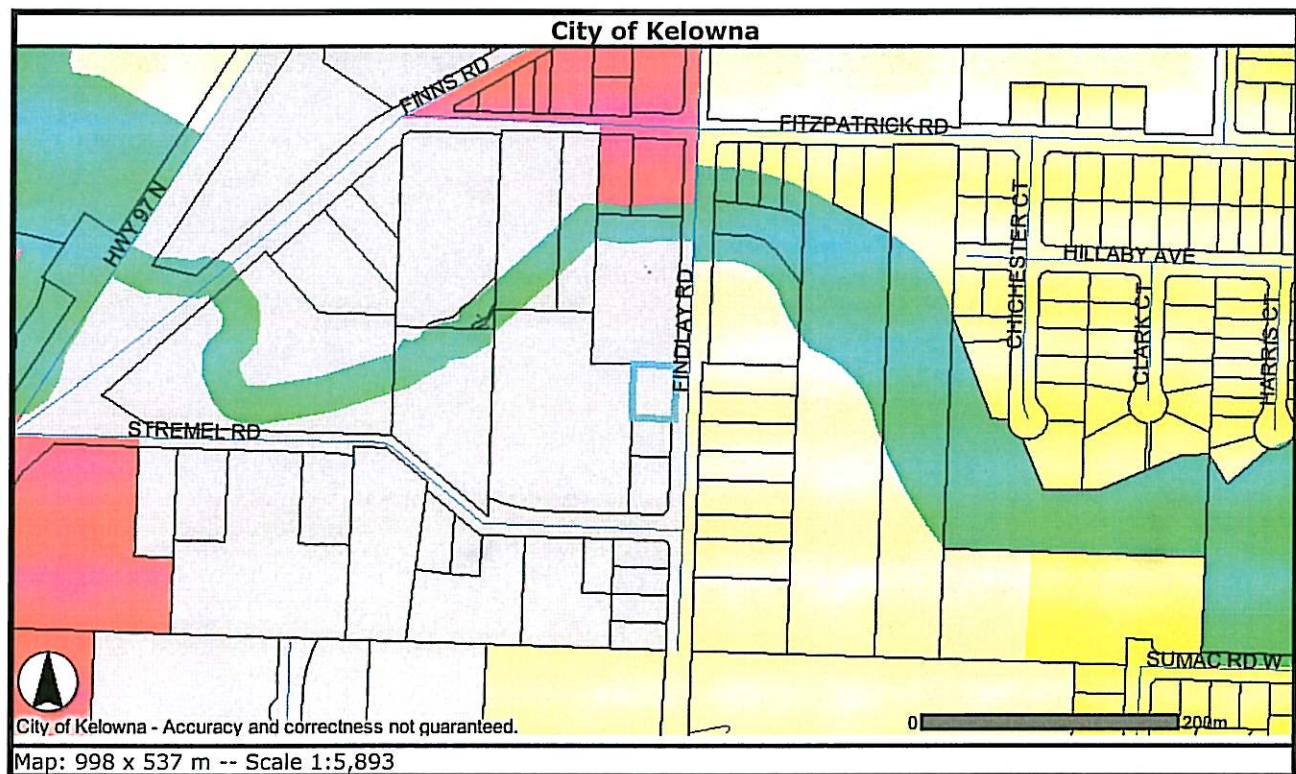


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# REVISED PLANS

Oct. 09





*This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.*



June 12, 2009

1292 Findlay Road



canwest  
design  
group

Kelowna B.C. V1Y 5V5  
250-742-7427  
canwestdesign.ca  
242 1889 6P8980FIELD

Consultant  
Address  
Phone  
Fax  
E-mail  
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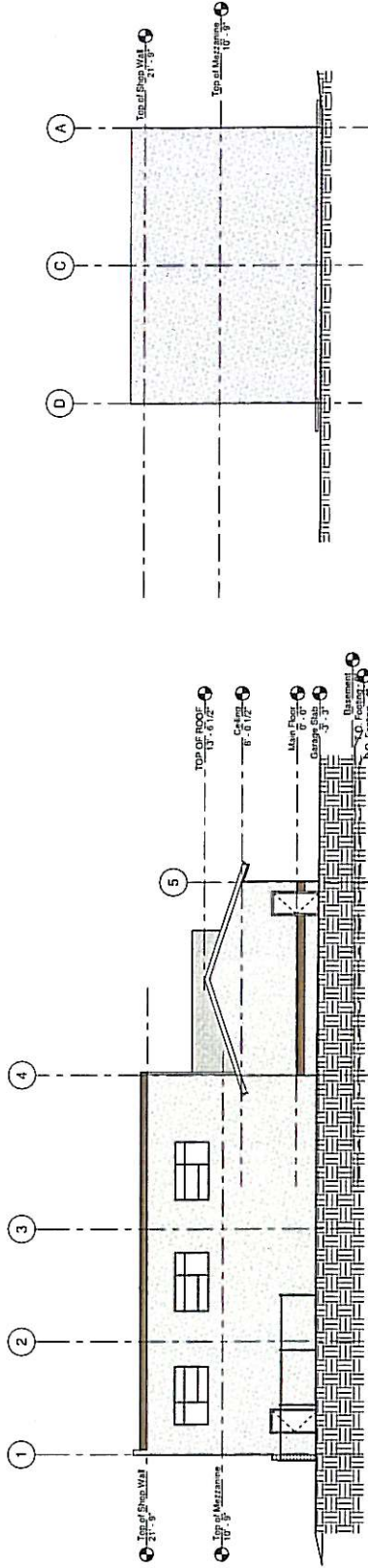
REVISED DP 10/07/09

S&K FORMING  
DP APPLICATION  
ELEVATIONS

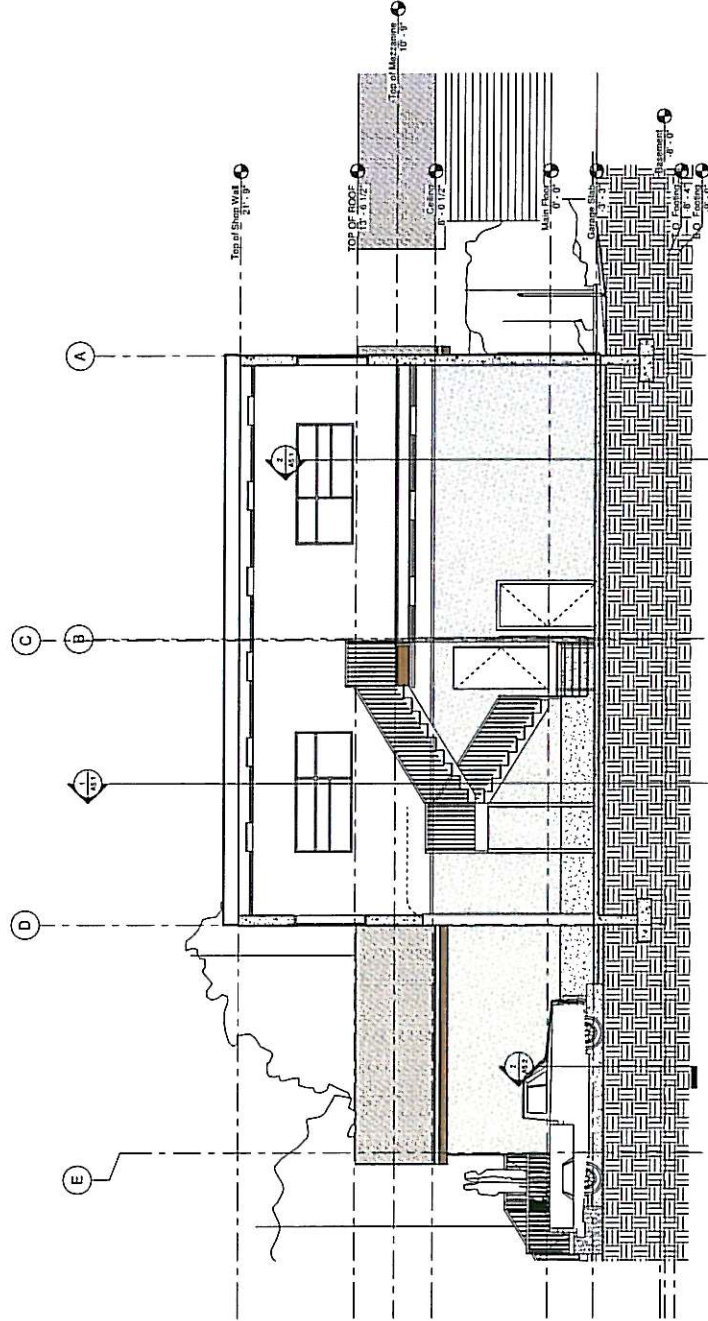
Project Number  
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Date  
10/05/09  
Drawn by  
JMS  
Checked by  
JMS

A4.2

As indicated



① SOUTH ELEVATION  
1/8" = 1'-0"



② WEST ELEVATION  
1/8" = 1'-0"

REVISED PLANS  
Oct. 09

Kelowna B.C. V1Y 5V5  
(250) 763 7427  
cwg@canwestdesign.ca  
242 1889 SPRINGFIELD

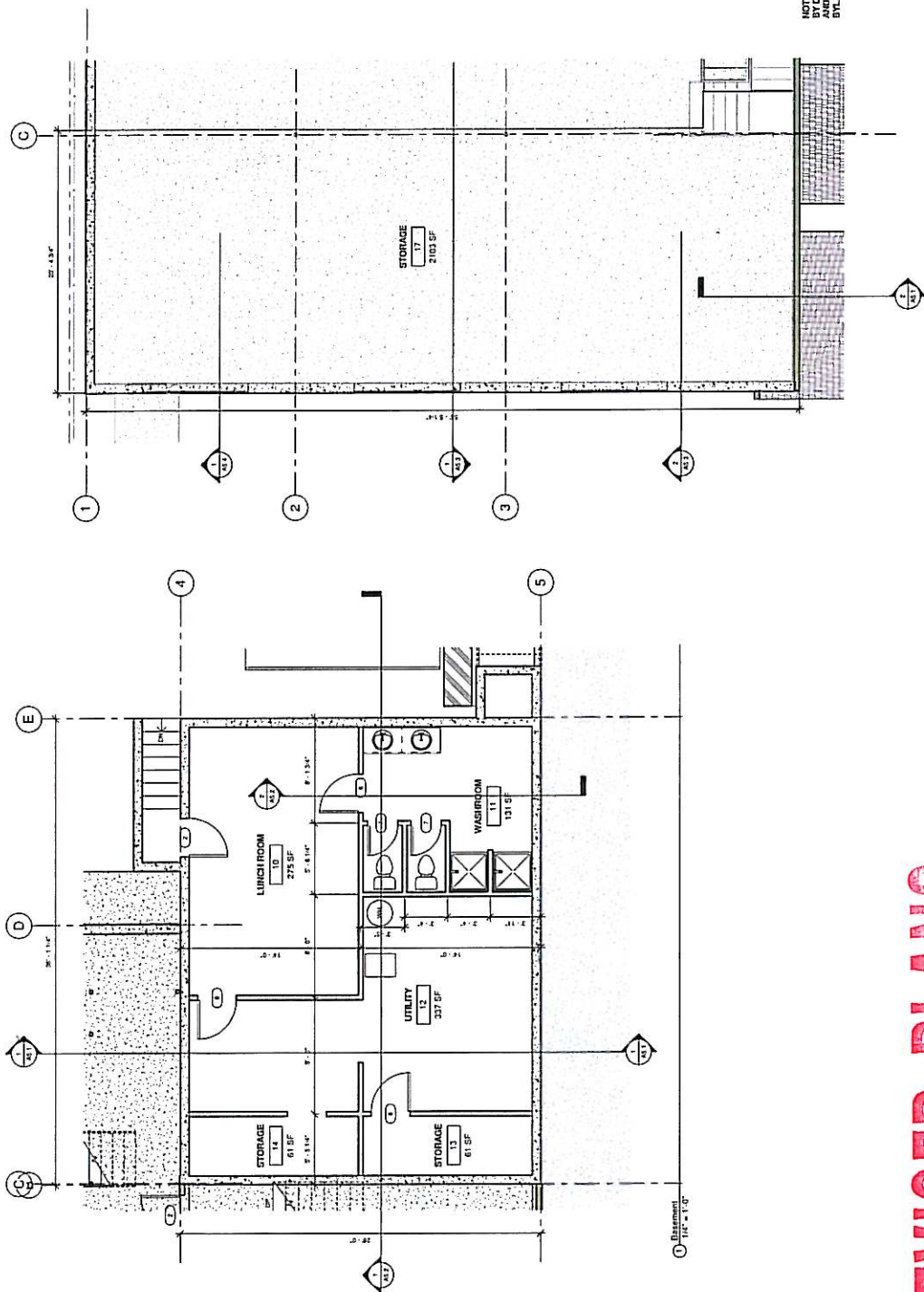
REVISÉ DP 10/07/09

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**S&K FORMING**  
**DP APPLICATION**  
**BASEMENT AND 2nd**  
**FLOOR PLAN**

SWR	
checked by	JMS
drawn by	JMS
date	10.05.09
record number	09995

A2.1

 $1/4" = 1'-0"$ 

NOTE:  
BY DEFINITION OF THE DC BUILDING CODE  
AND WHAT IS PERMITTED IN THE ZONING  
BYLAW; THIS LEVEL IS A SECOND STOREY.

② Top of Second Floor  
1/4" = 1'-0"

# REVISED PLANS



canwest  
design  
group

Kelowna B.C. V1Y 5V5  
2500 7th Ave  
2500 7th Ave  
2500 7th Ave

Consultant  
Address  
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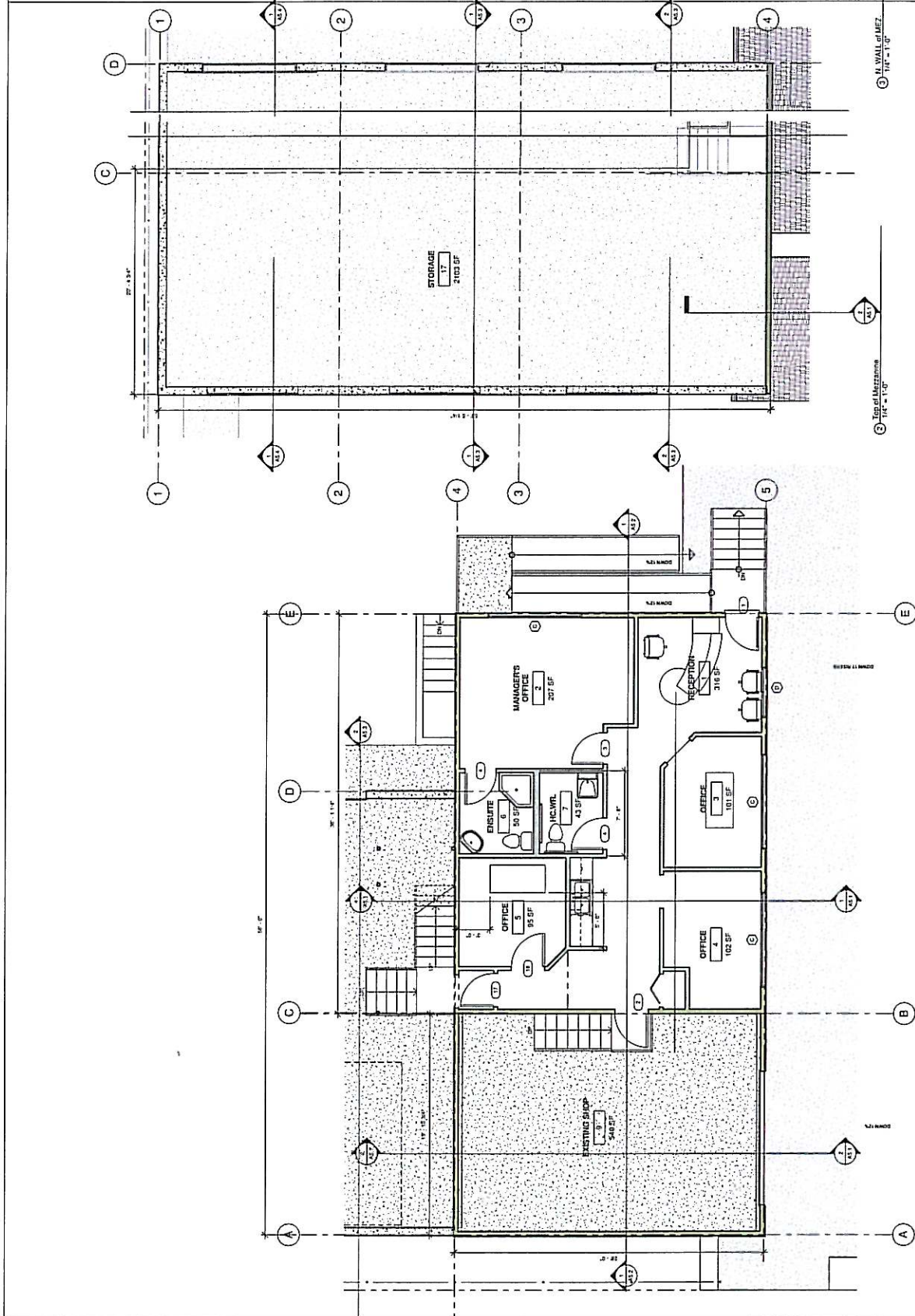
REVISED DP 10/07/09

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S&K FORMING  
DP APPLICATION  
MAIN FLOOR

Project Number	09995
Date	10/05/09
Drawn by	JMS
Checked by	JMS
Scale	1/4" = 1'-0"

A2.3



REVISED PLANS

Oct. 09

Main Floor  
1/4" = 1'-0"