

# Memo



**Date:** November 6, 2009

**To:** City Manager

**From:** Community Sustainability Division

**File No:** DVP09-0141  
**At:** 130 Carion Road

**Applicant:** Vanagan Architects Inc.  
**Owner:** Vladikovic Holdings Ltd., Inc. No. BC0335506

**Purpose:** TO OBTAIN A DEVELOPMENT VARIANCE PERMIT TO VARY THE FRONT YARD SETBACK FROM 10.0M REQUIRED TO 7.62M PROPOSED AND TO VARY THE WESTERN SIDE YARD SETBACK FROM 7.5M REQUIRED TO 0.914M PROPOSED.

**Existing Zone:** I3 - Heavy Industrial

**Report Prepared by:** Alec Warrender

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## 1.0 RECOMMENDATION:

THAT Council authorize the issuance of Development Variance Permit No. DVP09-0141 for Lot 7, Section 2, Twp. 20, ODYD, Plan KAP57943, located at 130 Carion Road, Kelowna, B.C;

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

Section 15.3.5 (c) Development Regulations - Front Yard Setback  
Vary the required front yard setback from 10.0m required to 7.62m proposed.

Section 15.3.5 (d) Development Regulations - Side Yard Setback  
Vary the required western side yard setback from 7.5m required to 0.914m proposed.

## 2.0 SUMMARY:

This proposal seeks approval for a Development Variance Permit to vary two of the required setbacks. The applicant has requested to vary the front yard setback from 10.0m required to 7.62m proposed and to vary the required western side yard setback from 7.5m required to 0.914m proposed.

## 3.0 THE PROPOSAL:

The applicant has indicated that warehouses A, B and C will be a strata form of development and will be used for storage, warehousing, and light manufacturing. The warehouses will be light industrial in nature and are not designed for heavy industrial uses. The intent is that the use of the buildings will be similar to those found in the immediate area. In order to accommodate the proposed development two variances are required. The applicant has requested to vary the front yard setback from 10.0m required to 7.62m proposed and to vary the required western side yard setback from 7.5m required to 0.914m proposed.

The application meeting the requirements of Zoning Bylaw No. 8000 as follows:

Criteria	Proposal	I3 Zone Requirements
<b>Subdivision Regulations</b>		
Site Area (m <sup>2</sup> )	10,897 m <sup>2</sup>	8000 m <sup>2</sup>
Site Width (m)	97.22 m	40 m
<b>Development Regulations</b>		
F.A.R.	0.419	0.75
Height (m)	8.23 m	18.0 m
<b>Required Setbacks</b>		
Front (South)	7.62 m ❶	10 m
Rear (North)	7.62 m	7.5 m
Side (West)	0.914 m ❷	7.5 m
Side (East)	13.5 m	7.5 m

❶ Vary the required front yard setback from 10.0m required to 7.62m proposed.  
 ❷ Vary the required western side yard setback from 7.5m required to 0.914m proposed.

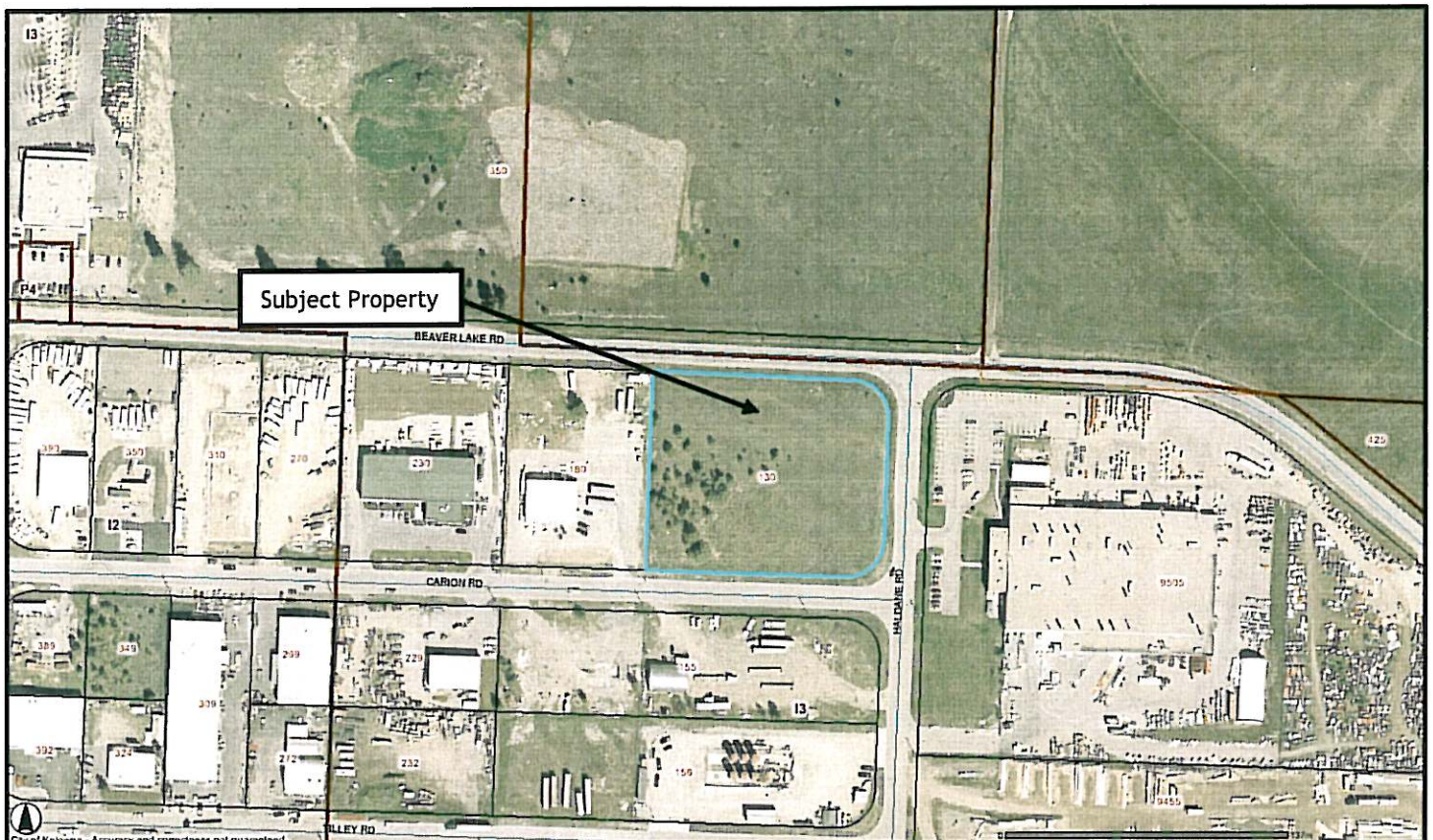
### 3.1 Site Context

The adjacent zones and uses are:

Direction	Zoning Designation	Land Use
North	I2 – General Industrial	Industrial
East	I3 - Heavy Industrial	Industrial
South	I3 - Heavy Industrial	Industrial
West	I3 - Heavy Industrial	Industrial

### 3.2 Site Location Map

130 Carion Road



#### 4.0 DEVELOPMENT POTENTIAL/CURRENT POLICY:

##### 4.1 Existing Zone - I3 - Heavy Industrial

The purpose 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**.

##### 4.2 Official Community Plan

###### 4.2.1 Objectives for Industrial Development

- All development should be an appropriate response to its physical context, or anticipated future context where an area is designated for increased density or land use transition in the OCP.
- All development should facilitate access by, and minimize conflicts among pedestrian, bicycle, and vehicular modes of transportation (access, mobility).
- All development should promote safety and security of persons and property within the urban environment (CPTED).
- All development should minimize impacts resulting from on-site activities and processes that could negatively affect adjacent land uses.

#### 5.0 TECHNICAL COMMENTS:

##### 5.1 Building & Permitting

No Concerns.

##### 5.2 Development Engineering Branch

See Attached.

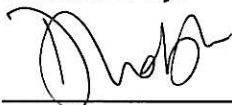
##### 5.3 Fire Department

Engineered fire flows are required to determine if existing hydrants/fire flows are adequate and if additional hydrants are necessary. This building can be divide into a number of units, a paved 6M Fire Department access is required to all the principal entrances.

#### 6.0 LAND USE MANAGEMENT DEPARTMENT:

The Land Use Management Department has no concerns with the proposed variances. Although the subject property is expected to have large setbacks due to its heavy industrial zoning, the proposed buildings are designed for light industrial uses which require different vehicle access and on-site maneuvering. The reduction in setbacks should not have any impacts on neighbouring properties from a functional perspective and no sightline issues are anticipated. As such, smaller setbacks are appropriate. In addition, the applicant has letters of support from the adjoining property owners.

Submitted by:

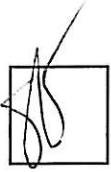


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Danielle Noble  
Manager, Urban Land Use



Approved for inclusion:



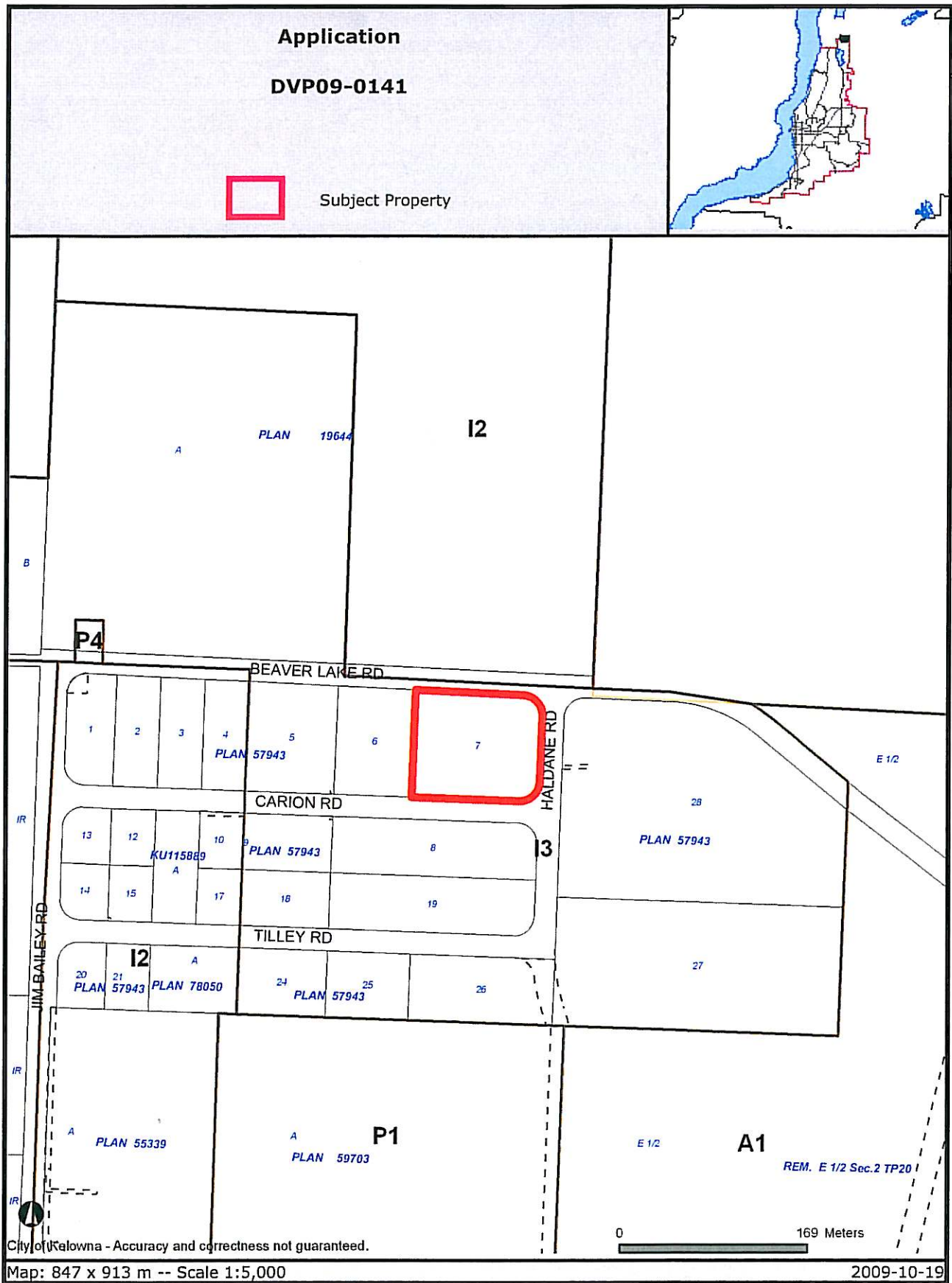
Shelley Gambacort  
Director, Land Use Management

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**Attachments:**

- Subject Property Map
- Applicant's Letter of Rationale
- Letters of Support
- Development Engineering Branch Comments

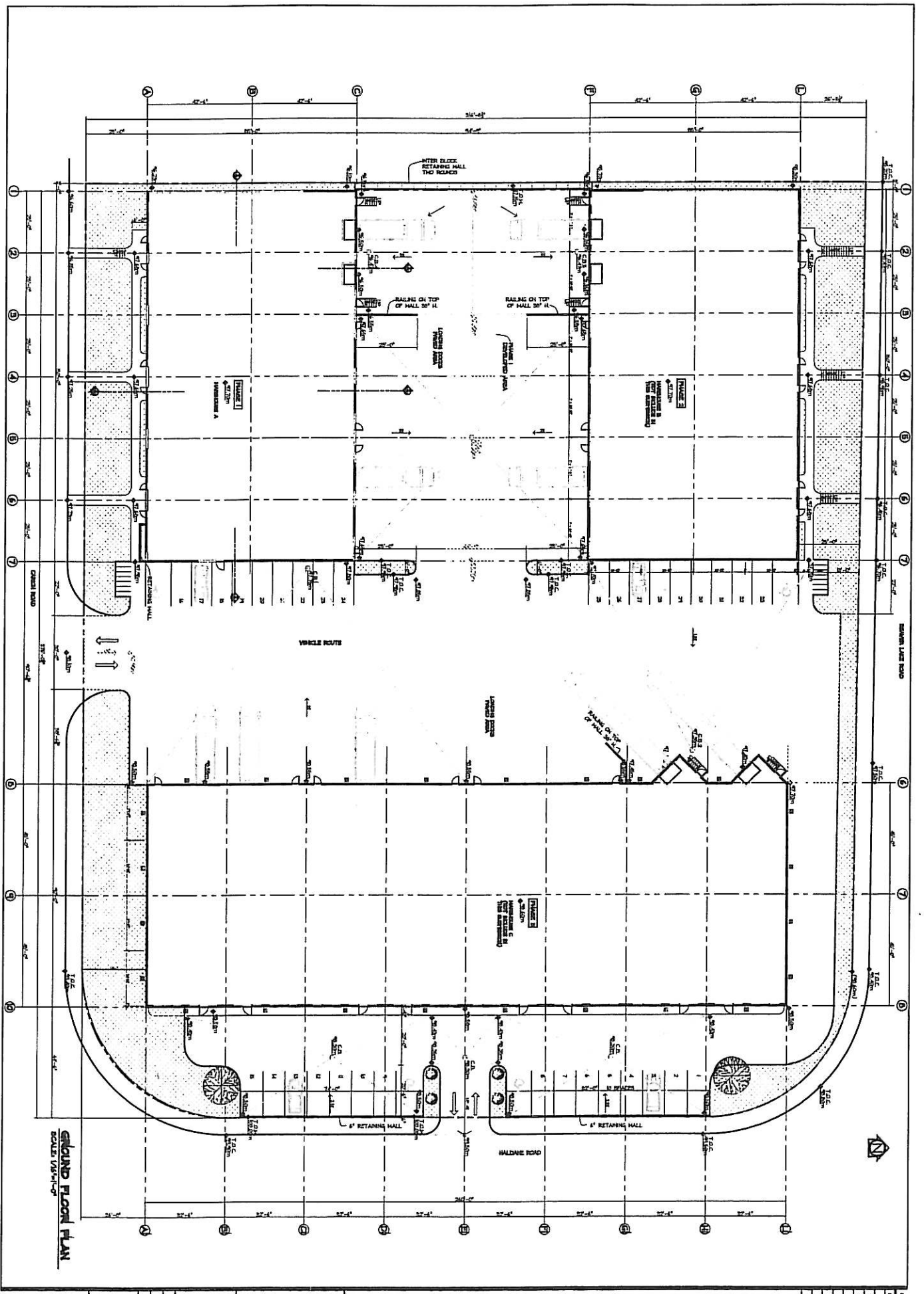




Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.







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**VANABAN ARCHITECTS**  
 1 N. C.

1111 VANABAN WAY  
 SUITE 100  
 FARMINGTON, CONNECTICUT 06030  
 TEL: 860-671-1111  
 FAX: 860-671-1112

**PROJECT**  
 WAREHOUSE  
 PHASE 1  
 BUILDING A  
 130 CROWN ROAD,  
 KELOWNA, B.C.

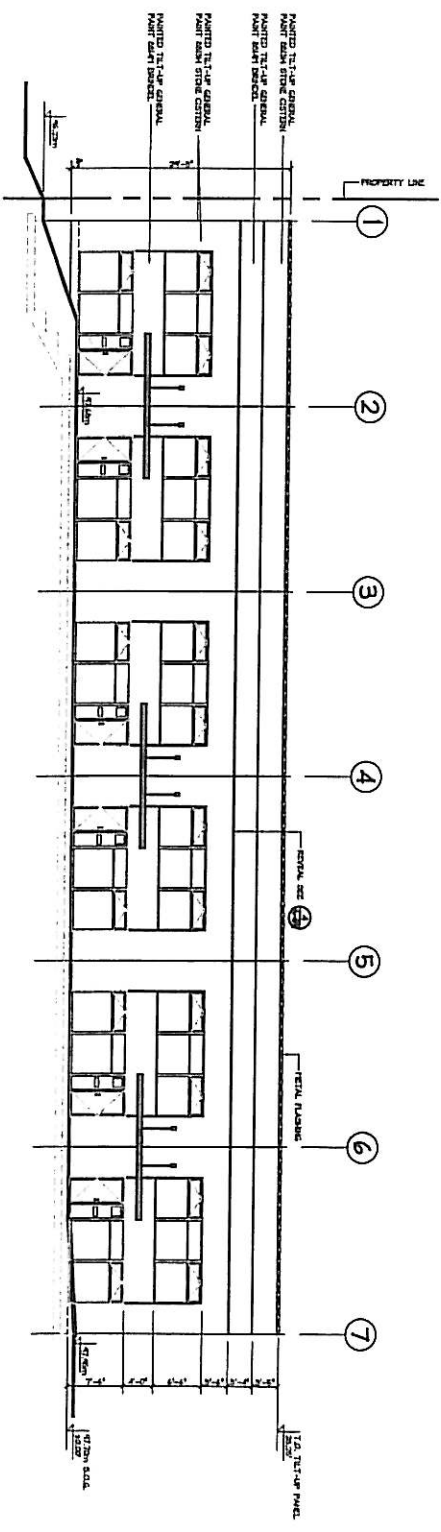
**CHANGED**  
 SITE GROUND  
 FLOOR

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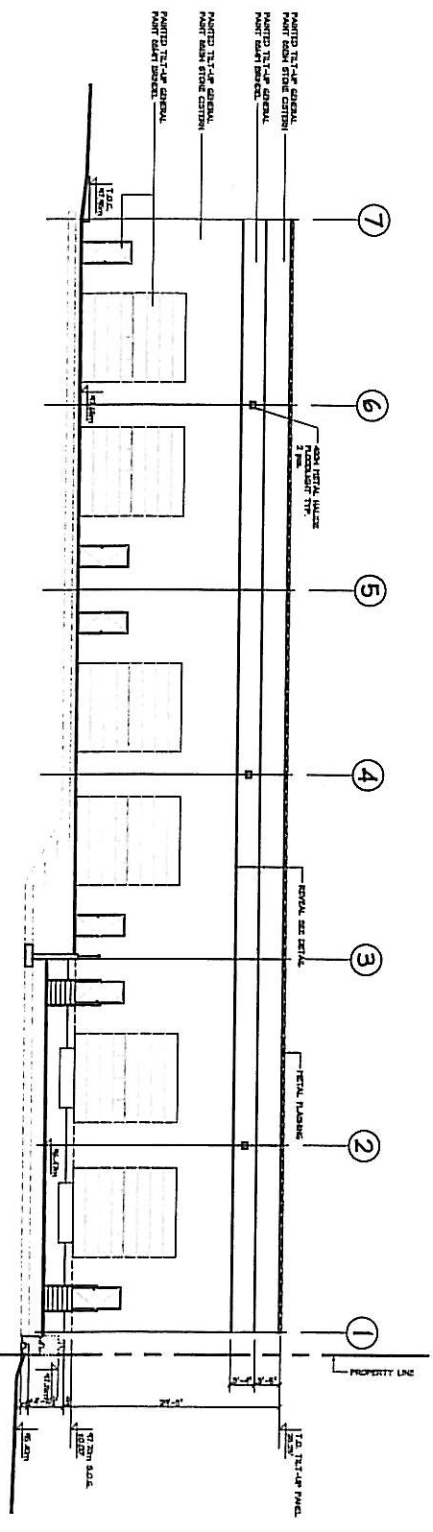
**A-03**



NO.	DATE	DESCRIPTION
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9		FOR CONSTRUCTION
10		FOR CONSTRUCTION



**SOUTH ELEVATION**  
SCALE 1/8"=1'-0"



**NORTH ELEVATION**  
SCALE 1/8"=1'-0"



**VAHABAN ARCHITECTS**  
I M C

1110 UNIVERSITY BLVD.  
SUITE 100  
ANN ARBOR MI 48106  
734.769.8800  
www.vahabanc.com

PROJECT

**WAREHOUSE PHASE I BUILDING A**  
130 CARRIAGE ROAD  
KEDONKA, IL

Drawings

**SOUTH AND NORTH ELEVATIONS**

SCALE	DATE	BY	CHKD

**A-06**



**V A N A G A N**  
**A R C H I T E C T S**  
**I N C.**

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September 23, 2009

**City of Kelowna**  
**Building & Permitting Branch**  
1435 Water Street  
Kelowna, BC V1Y 1J4

**Zoning Bylaw Variance Council,**

Dear Sir / Madam

**RE: Development Variance Rationale**  
**130 Carion Road, Kelowna, BC,**  
**Building Permit # 38844**

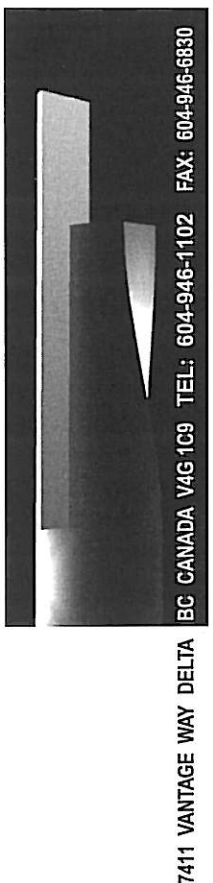
Please accept this letter as our application for a Development Variance permit to vary the required North and South front yard of 10.0m to 7.5m and to vary the required West side yard setback of 7.5m to 0.9m, for a new proposed warehouse development consisting of warehouse A with Building Permit application #38844 and warehouses B and C, as future phase II and phase III development.

Warehouses A, B and C will be strata type of development and will be used for storage and warehousing, light manufacturing, with office space towards street at the front. Warehouses are not designed for Heavy Industry Zoned I3 and will be for lighter industrial use with no loud machinery, no odorous emissions, no explosive hazards or toxic materials.

Usage of warehouses A, B and C will be generally same as all warehouse buildings in this development block bounded between Carion Road and Beaver Road with properties Zone I2.

As the I2 zones for all properties on the same block are setup this way as well as adjacent property on the west side, we would like to follow set back guidelines that are in place there.

The property immediately west of our proposed development, has a large paved parking surface adjacent to our property, and we feel that by having our side setback reduced to 0.9m will not obstruct any views, or disturb neighbor by type of usage.



By having Warehouse buildings A and B with front yards of 7.5m, we created sufficient space in between for trucks to maneuver at loading docks and in the same time we accomplished screening and control of noise. With front yards of 10.0m we would not be able to have viable warehouse space and we would need to reduce building area.

Our design and site coverage is substantially lower than permitted, but we opted for development that will be more attractive and environmentally friendly.

We appreciate your time to review this Development Variance application, and would be happy to assist you in any way we can.

Yours truly,

A handwritten signature in blue ink, appearing to read "Peter Vanagan".

Peter Vanagan, MAIBC  
Vanagan Architects Inc.



September 25, 2009

**CITY OF KELOWNA**  
DIRECTOR OF PLANNING & DEVELOPMENT SERVICES  
1435 Water Street  
Kelowna, B.C.

Attention: **Zoning Bylaw Variance Council**

Dear Sir / Madam,

**RE: Warehouse Development at 130 Carion Road, Kelowna, B.C.**

I am the owners of the property at 155 Carion Road, Kelowna, located South across from the above stated proposed new warehouse development at 130 Carion Road, Kelowna, B.C.

Proposed architectural design was submitted for my review by Vanagan Architects Inc.

After my review of the proposed design for three warehouses, I undersign do not oppose reduction of the front property yard to 7.5m on North and South side and do not oppose reduction of the West side yard to 0.90m

Property Address: 155 Cariona Road, Kelowna, B.C.

Property Owner: CHRISTOPH NEUFELD  
Print Name

  
Signature

Date: SEPT 25, 2009.

September 25, 2009

**CITY OF KELOWNA**  
DIRECTOR OF PLANNING & DEVELOPMENT SERVICES  
1435 Water Street  
Kelowna, B.C.

Attention: **Zoning Bylaw Variance Council**

Dear Sir / Madam,

**RE: Warehouse Development at 130 Carion Road, Kelowna, B.C.**

I am the owners of the property at 180 Carion Road, Kelowna, located next to the above stated proposed new warehouse development at 130 Carion Road, Kelowna, B.C.

Proposed architectural design was submitted for my review by Vanagan Architects Inc.

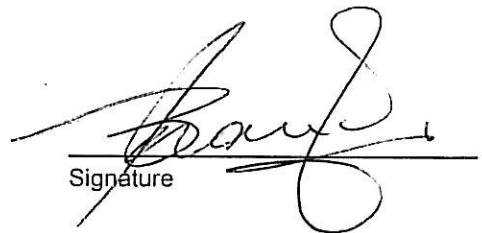
After my review of the proposed design for three warehouses, I undersign do not oppose reduction of the front property yard to 7.5m on North and South side and do not oppose reduction of the West side yard to 0.90m

Property Address: 180 Carion~~o~~ Road, Kelowna, B.C.

Property Owner:

Ram GOPAL

Print Name



Signature

Date:

28/SEP/09

Head Office   
7411 Vantage Way  
Delta, BC V4G 1C9  
Tel: 604-946-0090  
Fax: 604-946-6830

Kelowna Branch   
310 Carion Road  
Kelowna, BC V4V 2K5  
Tel: (250)766-9315  
Fax: (250)766-9317

September 28, 2009

NFSI will fence off area  
on the west side of our building  
located on 130 Carion Rd.

  
Daniel Jimeno

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

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**Date:** October 30, 2009  
**File No.:** DVP09-0141  
**To:** Planning and Development Officer (AW)  
**From:** Development Engineering Manager (SM)  
**Subject:** 130 Carion Road — lot 7, Plan 57943, Section 2, Township 23, ODYD

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Development Engineering comments and requirements regarding this development permit application are as follows:

1. General.

This development variance permit application to vary setbacks does not compromise any municipal services and it does not trigger any offsite upgrades.

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Steve Muenz, P. Eng.  
Development Engineering Manager

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