

# Memo



**Date:** May 7/10  
**To:** City Manager  
**From:** Community Sustainability Division  
**File No:** Z10-0007      **Applicant:** Worman Resources Inc (S. Worman)  
**At:** 1830-1836 Underhill Street      **Owner:** Skoglund Enterprises Ltd.  
**Purpose:** TO REZONE A PORTION THE SUBJECT PROPERTY FROM THE C2 - NEIGHBOURHOOD COMMERCIAL ZONE TO THE C4 - URBAN CENTRE COMMERCIAL ZONE TO CONSOLIDATE THE ZONING OF THE PROPERTY  
**Existing Zones:** C2 - Neighbourhood Commercial  
C4 - Urban Centre Commercial  
**Proposed Zone:** C4 - Urban Centre Commercial  
**Existing Future Land Use:** Commercial  
Report Prepared by: Luke Turri

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## 1.0 RECOMMENDATION:

THAT Rezoning Application No. Z10-0007 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of part of Lot A, District Lot 127, ODYD, Plan KAP90650, located at 1830-1836 Underhill Street, Kelowna, B.C. from the C2 - Neighbourhood Commercial zone to the C4 - Urban Centre Commercial zone as shown on Map "A" attached to the report of the Land Use Management Department, dated May 7, 2010, be considered by Council;

AND THAT the zone amending bylaw be forwarded to a Public Hearing for further consideration.

## 2.0 SUMMARY:

This application seeks to consolidate the zoning of the subject property to the C4 - Urban Centre Commercial zone. Currently, a portion of the property is zoned C2 - Neighbourhood Commercial.

## 2.0 ADVISORY PLANNING COMMISSION:

This application was discussed at the Advisory Planning Commission meeting on March 16, 2010, and the following resolution was passed:

THAT the Advisory Planning Commission support Rezoning Application No. Z10-0007, for 1830 Underhill Street, to rezone the subject property from the C2 - Neighbourhood Commercial zone to the C4 - Urban Centre Commercial zone to consolidate the zoning with abutting property to the south.

## 3.0 BACKGROUND:

The property owner is redeveloping the existing Skogie's car wash and gas bar site at the southwest corner of Underhill Street and Highway 97. Two Development Permits have been

executed at a staff level for a car wash/gas bar/convenience store as well as an additional standalone building with supplementary wash bays. As part of this redevelopment, 1830 & 1836 Underhill Street were consolidated through a lot line cancellation completed in April 2010 directly with the Land Titles Office. This has created a split-zoned parcel.

This zone amendment would eliminate the split-zoning, which can create challenges with regulation and land use. Although this rezoning application is not a requirement of the aforementioned Development Permits, the applicant is seeking to create consistency within this new, consolidated development, providing clarity to any future site development and/or ownership.

The application compares to the requirements of the C4 zone as follows:

<b>Zoning Bylaw No. 8000</b>		
<b>CRITERIA</b>	<b>PROPOSAL</b>	<b>C4 ZONE REQUIREMENTS</b>
<b>Subdivision Regulations</b>		
Lot Area	4199 m <sup>2</sup>	1300m <sup>2</sup>
Lot Width	59.47 m	40 m
Lot Depth	75.50 m	30 m
<b>Development Regulations</b>		
F.A.R.	Commercial: 0.28 Residential: 0.0	Commercial: 1.0 Residential: 0.2
Site Coverage	24%	75%
Height	9.14m / 2 storey	4 storeys / 15 m
Front Yard (Underhill Street)	29.5m	0.0 m
Side Yard (n)	10.3m	0.0m
Side Yard (s)	6.0m	0.0m
Rear Yard	3.13m	0.0m

#### 4.2 Site Context

The subject property is located on north east corner of Harvey Avenue and Underhill Street.

Adjacent zones and uses are:

- North** - P4 - Utilities (Fire Hall)
- East** - C4 - Urban Centre Commercial - commercial development
- South** - A1 - Agriculture
- C2 - Neighbourhood Commercial
- West** - C6 -Regional Commercial - commercial development

### 4.3 Site Location Map

Subject property: 1830-1836 Underhill Street



## 5.0 DEVELOPMENT POTENTIAL/CURRENT POLICY:

### 5.1 Proposed Zone (C4 - Urban Centre Commercial)

The purpose of the C4 - Urban Centre Commercial zone is to provide a zone for the development of community commercial centres to serve more than one neighbourhood.

### 5.2 Official Community Plan

Location of New Commercial: Direct new commercial ventures to locate in areas designated for commercial purposes.<sup>1</sup>

Urban Centre Focus: Encourage new retail, service, office, hotel/motel, and entertainment facilities to location within the Urban Centres, in accordance with the provisions of Map 6.2 and the policies of Chapter 6.<sup>2</sup>

## 6.0 TECHNICAL COMMENTS:

### 6.1 Development Engineering Branch

See attached.

### 6.2 Ministry of Transportation

While the Ministry of Transportation has been circulated on the rezoning application, highway access and management provisions were met through two Development Permits authorized for the property in 2009 (DP09-0169 & DP09-0091).

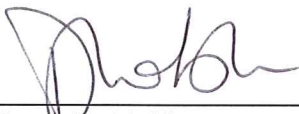
<sup>1</sup> OCP Policy 9.14, Page 9-3

<sup>2</sup> Policy 9.15, Page 9-3

**7.0 LAND USE MANAGEMENT DEPARTMENT:**

The Land Use Management Department is supportive of this application. This rezoning application is voluntary on behalf of the applicant, and will help provide clarity in the land use regulations for the property in the future. The C4 - Urban Centre Commercial zone is most appropriate within the Highway Urban Centre, and is consistent with the Official Community Plan future land use designation for the property. The application is also congruent with the surrounding zoning of the area, which is predominately C4 - Urban Centre Commercial, and C6 - Regional Commercial. The property owner has recently consolidated two lots to allow the site to be developed in a comprehensive manner, and this application eliminates the current split-zoning of the property.

Submitted by:



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Danielle Noble  
Manager, Urban Land Use

Approved for inclusion:



Shelley Gambacort  
Director, Land Use Management

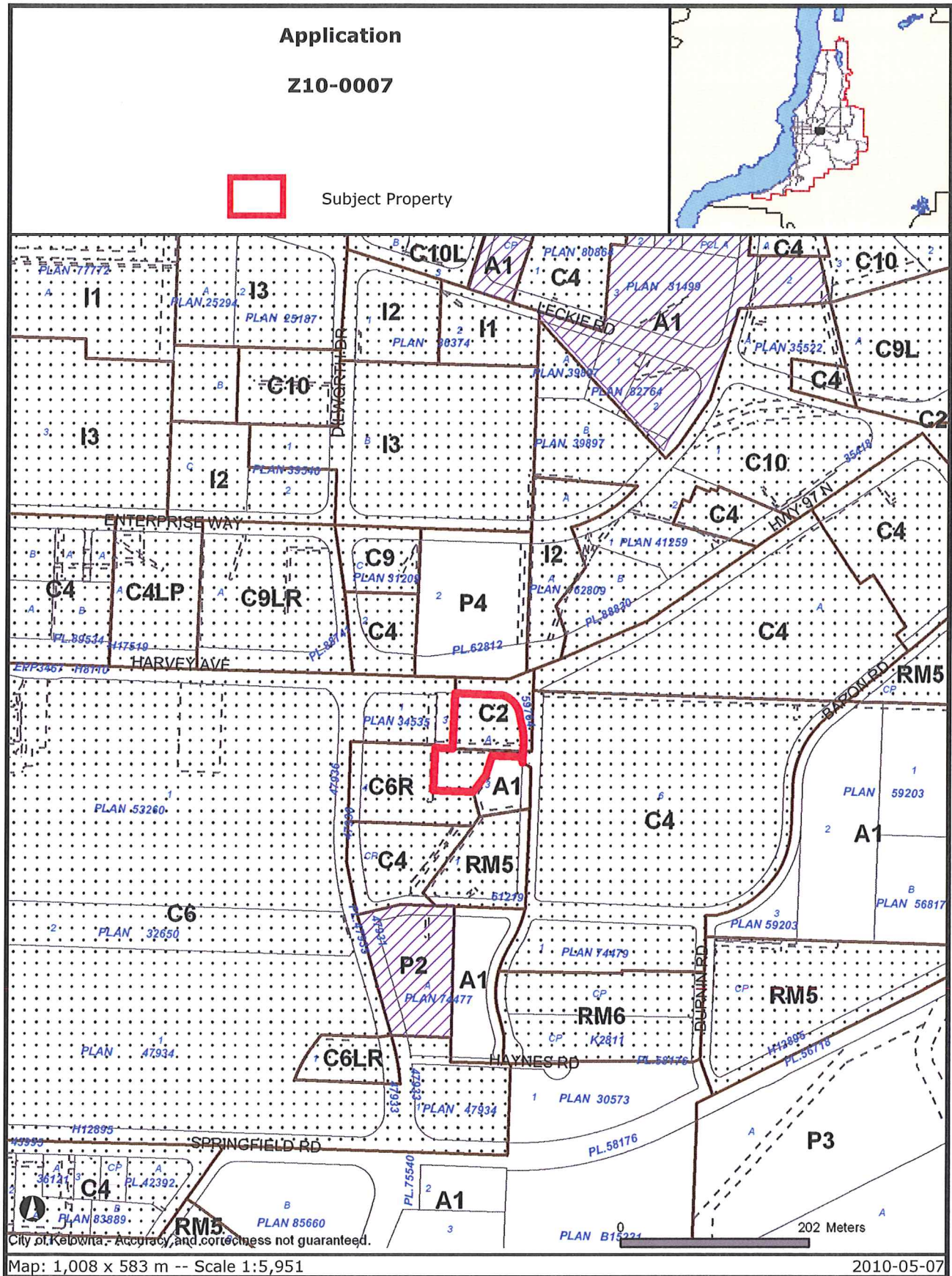
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**Attachments:**

Subject Property Map  
Map "A"  
Development Engineering Branch Comments

**Chronology**

Application Date: February 16, 2010  
APC Meeting Date: March 16, 2010  
Subdivision Plan registered: April 15, 2010



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.

MAP "A" - PROPOSED ZONING AMENDMENT  
1830-1836 Underhill Street - Skogie's Car Wash - Z10-0007



Portion of subject property to be rezoned from  
"C2 - Neighbourhood Commercial" to "C4 - Urban  
Centre Commercial"

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

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**Date:** March 03, 2010  
**File No.:** Z10-0007  
**To:** Planning & Development Services Department (LT)  
**From:** Development Engineer Manager (SM)  
**Subject:** 1830 Underhill Street. Skogland Enterprises Ltd  
Lot 1, plan 59534 Section 26 Township 21 ODYD

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Development servicing issues and requirements regarding this development permit application are as follows:

**This application is within the MOTI regulation area and may be subject to their requirements**

1. General.

- a) The frontage of the subject property has been upgraded to current standard in the past. This application does not trigger any further upgrades.
- b) Provide easements and right of ways as may be required

2. Sanitary Sewer System.

The subject property is serviced by the Municipal wastewater collection system and an inspection chamber has been installed at the property line

3. Water Servicing Requirements.

The subject property is serviced by the Municipal domestic water system.

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Steve Muenz, P. Eng.  
Development Engineering Manager

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