

CITY OF KELOWNA

BYLAW NO. 10434

Text Amendment No. TA10-0008 – Industrial Zones – I6 – Low Impact Transitional Industrial Zone - City of Kelowna

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that City of Kelowna Zoning Bylaw No. 8000 be amended as follows:

1. THAT the **Table of Contents, Section 15: Industrial Zones** be amended by deleting in its entirety **Section 15: Industrial Zones** and replacing with the following:

“Section 15: Industrial Zones

15.1	I1	Business Industrial	I1-1
15.2	I2	General Industrial	I2-1
15.3	I3	Heavy Industrial	I3-1
15.4	I4	Central Industrial	I4-1
15.5	I5	Extraction	I5-1
15.6	I6	Low-Impact Transitional Industrial	I6-1”

2. AND THAT **Section 1 – General Administration, 1.3 Zoning Map**, sub-section 1.3.1 be amended by deleting in its entirety **Section 15 – Industrial Zones** and replacing with the following:

Section 15 – Industrial Zones	
I1	Business Industrial
I2	General Industrial
I3	Heavy Industrial
I4	Central Industrial
I5	Extraction
I6	Low-Impact Transitional Industrial

3. AND THAT **Section 2 – Interpretation** be amended by adding in the following new definitions for **GENERAL INDUSTRIAL USE, LIMITED** and **VEHICLE AND EQUIPMENT SERVICES, LIMITED** in their appropriate location as follows:

“**GENERAL INDUSTRIAL USE, LIMITED** means **development** used principally for one or more of the following, occurring within an enclosed structure and without nuisance to adjacent property: processing of raw materials; the manufacturing or assembling of semi-finished or finished goods, products or equipment, but not food products directly to the public; the storage, cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial, **business** or **household use**; the distribution and sale of materials, bulk goods and equipment to institutions, industrial or

commercial **businesses** for their direct **use** or to **general retail stores** or other **use** classes for resale to individual customers, but not to exceed 2 truck trips per day; or the training of personnel in general industrial operations. Any indoor display, office, technical, administrative support, or retail sale operations shall be accessory to the **limited general industrial uses** listed above. The floor area devoted to such accessory activities shall not exceed 25% of the **gross floor area** of the **building(s)** devoted to the **general industrial use, limited**. This **use** does not include autobody repair and paint shops.” and

“**VEHICLE AND EQUIPMENT SERVICES, LIMITED** means **development used** for the service or repair of heavy vehicles, machinery or mechanical equipment typically **used** in **building**, roadway, manufacturing, assembling and processing operations and agricultural production. This does not include **truck and mobile home sales/rentals**. This use is to take place within a building or fully screened, fenced and landscaped from view.”

4. AND THAT **Section 7 – Landscaping and Screening, Table 7.1 – Minimum Landscape Buffer Treatment Levels Schedule** be amended by deleting **Industrial Zones** in its entirety and replacing it with the following:

Industrial Zones				
11, 12, 13, 14, 16	2	3	3	Yes
15	3	3	3	No

5. AND FURTHER THAT **Section 15 – Industrial Zones** be amended by adding a new **Section 16 – Low Impact Transitional Industrial Zone** as per Schedule “A” attached to and forming part of this bylaw.
6. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 18th day of October, 2010.

Considered at a Public Hearing on the 16th day of November, 2010.

Read a second and third time by the Municipal Council this 16th day of November, 2010.

Approved under the Transportation Act this 28th day of February, 2011.

Linda Lockhead

(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of City of Kelowna on the

_____ Mayor

_____ City Clerk

Schedule "A"

15.6 I6 – Low-Impact Transitional Industrial**I6I6 – Low-Impact Transitional Industrial (Liquor Primary)****15.6.1 Purpose**

The purpose is to provide a **zone** for a range of low-impact transitional industrial land uses which are appropriate as a transition between established industrial land uses and residential, rural, and agricultural land uses. This **zone** is only available for land that is designated in the City of Kelowna Official Community Plan for Industrial – Limited.

15.6.2 Principal Uses

The **principal uses** in this **zone** are:

- a) **animal clinics, major**
- b) **animal clinics, minor**
- c) **automotive and equipment repair shops**
- d) **commercial storage**
- e) **contractor services, general**
- f) **contractor services, limited**
- g) **custom indoor manufacturing**
- h) **emergency and protective services**
- i) **equipment rentals**
- j) **food primary establishment**
- k) **general industrial use, limited**
- l) **household repair services**
- m) **liquor primary establishment, minor**
- n) **participant recreation services, indoor**
- o) **private clubs**
- p) **recycling depots**
- q) **single dwelling housing**
- r) **utility services, minor impact**
- s) **vehicle and equipment services, limited**

15.6.3 Secondary Uses

The **secondary uses** in this **zone** are:

- a) **residential security/operator unit**
- b) **home based businesses, major**
- c) **home based businesses, minor**

15.6.4 Subdivision Regulations

- a) The minimum **lot width** is 40.0 m.
- b) The minimum **lot depth** is 50.0 m.
- c) The minimum **lot area** is 1.0 ha unless a connection to the community sanitary sewer system, in accordance with the requirements of the City of Kelowna's Subdivision, Development & Servicing Bylaw has been installed. If a connection to a community sanitary sewer system is available the minimum **lot area** is 3500 m².

15.6.5 Development Regulations

- a) The maximum **floor area ratio** is 1.0.
- b) The maximum **site coverage** is 60% including **buildings**, driveways and parking areas.
- c) The maximum **height** is as follows:
 - Lesser of 2 ½ **storeys** or 9.5 m for residential **buildings** and **structures**.
 - Lesser of 3 **storeys** or 14.0 m for industrial **buildings** and **structures**.
- d) The minimum **front yards** are as follows:
 - 4.5 m for all **buildings** and **structures**.
 - 9.0 m from a garage or **carport** having vehicular entry from the front.
 - 6.0 m for portions of industrial **buildings** and **structures** greater than two **storeys** or 9.5 m in **height**.
- e) The minimum **side yards** are as follows:
 - 3.0 m for residential **buildings** and **structures**.
 - 0.0 m for industrial **buildings** and **structures**, except when adjacent to a residential land use it is 3.0 m for a one **storey** industrial **building** or **structure** (not to exceed 4.5 m in **height**) and 7.5 m for industrial **buildings** and **structures** greater than one **storey** in **height**.
 - In all cases, not less than 4.5 m from a **flanking street**.
- f) The minimum **rear yards** are as follows:
 - 7.5 m for residential **buildings** and **structures**.
 - 0.0 m for industrial **buildings** and **structures**, except when adjacent to a residential land use it is 30.0 m

15.6.6 Other Regulations

- a) No **uses** are permitted which carry out their operations such that there would be a nuisance arising from noise, odour, earthborne vibrations, heat, high brightness light sources, glare, dust created or apparent outside an enclosed **building**, or other emissions. **Autobody repair and paint shops** are not permitted in this **zone**.
- b) Only one **single detached dwelling** and one **residential security/operator unit** are permitted.
- c) **Drive-in food services** are not a permitted form of **development**.
- d) Machinery and equipment shall be screened from view from any **street** or adjoining property with **landscaping** and/or **fencing**.
- e) In addition to the regulations listed herein, other regulations may apply. These include the general **development** regulations of Section 6 (accessory **development**, **yards**, projections into **yards**, accessory **development**, lighting, stream protection, etc.), the **landscaping** and fencing provisions of Section 7, the

parking and loading regulations of Section 8, and the specific use regulations of Section 9.

15.6.7 Building massing and design

- a) **Buildings** shall be oriented to prominently address the **street** and shall include **street**-facing, human-scale elements including windows and identifiable pedestrian entrance doors. Glazing on the principal façade should amount to not less than 30% of the total façade.
- b) Façade design should incorporate elements and style from commercial and/or residential **buildings**, as opposed to purely industrial/utilitarian design.
- c) Front façade design should promote no more than a two **storey** presence. Higher portions of the building should be set back and finished with different colour(s) and/or material(s) that the first two **storeys**.
- d) Where new industrial **development** is occurring adjacent to residential uses, window openings shall be placed to reduce the opportunity for overlook and should be offset in plan from residential windows.
- e) Unfinished concrete block shall not be used as an exterior building material for principal facades or when the façade faces a residential land use.
- f) Rooftop screening of mechanical and electrical equipment shall be provided using materials consistent with the treatment of principal facades.
- g) When loading doors occur on **street** facing facades they shall be set back from the main building plane and articulated in a manner that compliments the **building** façade.
- h) Signage shall be limited to discrete sign band areas on the building and/or low level free standing signage areas incorporated into the **front yard landscaping**. Large areas of signage shall not dominate the front façade of the building.

15.6.8 Light, noise, dust, odour and emissions

- a) Energy efficient light sources (e.g. LED) and energy sources (e.g. solar) are encouraged.
- b) All lighting shall be oriented such that it faces into the **site**, is downward directional, and is constructed at the lowest elevation practical for the intended application so as to minimize light trespass onto neighbouring properties.

- c) All activities resulting in dust, odour, noise or other emissions must take place inside a **structure** designed to contain said emission. **Building** ventilation must adequately remove/filter the emission (e.g. dust or odour) and not simply expel it from the building.
- d) Tall, broadcast or flood light sources are not permitted.
- e) Outdoor paging or sound broadcast systems are not permitted.

15.6.9 Landscaping, buffering and parking

- a) Parking within the **front yard** shall be limited to customer and visitor parking only; all other parking should be provided elsewhere on site.
- b) Permeable or alternate paving surface treatments are encouraged for light duty parking areas (e.g. customer or visitor parking). Swales and bio-filtering are encouraged to be incorporated into **landscaping** adjacent to parking areas in order to aid storm water infiltration.
- c) **Landscape** materials shall be drought tolerant and appropriate for the Okanagan climate. Rain water capture and re-use for irrigation is encouraged.
- d) **Fencing** (in addition to **landscaping**) shall be installed on all property boundaries adjacent to residential use. All installed **fencing** shall be opaque except for decorative fencing in a front yard.
- e) Where new industrial **development** is occurring adjacent to residential land uses, the interface shall be site planned, designed, and **landscaped** to promote privacy for the residential land use.

15.6.10 Outdoor storage and display

- a) **Outdoor storage ancillary** to a permitted **use** is not permitted in the **front yard**, or within the minimum **side and rear yard** setbacks (but may be accommodated in the **side and rear yards** when located beyond the minimum setback).
- b) All **outdoor storage** shall be screened from view of any **street** or adjoining property utilizing opaque **fencing** and **landscaping** materials which are consistent with the overall **site development**.
- c) **Outdoor storage** shall be consolidated into a single area per **lot**.

- d) **Outdoor storage ancillary** to a permitted **use** shall not exceed in area the **building** area used by the **business** on the property to perform its operations.
- e) There shall be no **outdoor storage** of toxic, noxious, explosive, odorous or radioactive materials.
- f) Materials in **outdoor storage** shall be associated with the principal **use** located on the site, and there shall be no **outdoor storage** of unrelated materials.
- g) Illumination of **outdoor storage** areas shall be such that light falling onto abutting properties is minimized.
- h) Outdoor display or sales, or **non-accessory parking**, shall not encroach into **landscaped** areas.
- i) Equipment or vehicles in an outdoor display or sales, or **non-accessory parking**, shall not be in a state of disrepair.
- j) Lighting of outdoor display areas shall not include broadcast light fixtures but rather directional lighting specific to the display items.