

REPORT TO COUNCIL



Date: May 11, 2012
To: City Manager
From: Land Use Management, Community Sustainability (AW)
Application: TUP10-0001 **Owner:** City of Kelowna
Address: 3326 Lakeshore Road **Applicant:** City of Kelowna (Terry Barton)
Subject: Temporary Use Permit Extension
Existing OCP Designation: Mixed Use / Major Parks & Open Space
Existing Zone: C1 - Local Commercial

1.0 Recommendation

THAT OCP Bylaw Text Amendment No. OCP10-0002 to amend Kelowna 2030 - Official Community Plan Bylaw No. 10500 by deleting the Temporary Use Permit Area Table 4.3 in Chapter 4 - Future Land Use and replacing it with a new Table as per Schedule "A" attached to the report of Land Use Management Department, dated May 11, 2012, be considered by Council;

AND THAT Council waives the Public Hearing requirement for Text Amendment No. OCP10-0002;

AND FURTHER THAT upon adoption of Bylaw No. 10717, Council authorize a three year extension to June 7th, 2015, of the issued Temporary Use Permit No. TUP10-0001 to allow "Non-Accessory Parking" on Lot 27, District Lot 14, ODYD, Plan 2708, located at 3326 Lakeshore Road, Kelowna, B.C, which was subject to the following conditions:

- a) That the area required for the parking lot be landscaped and treated in accordance with Schedule 'A';
- b) That a hard, dust free surface be maintained for this parking area.

2.0 Purpose

The applicant applied for and was granted a Temporary Use Permit in 2010, which authorized a temporary use of the subject property for "non-accessory parking". That Temporary Use Permit is set to lapse on June 7th, 2012. The applicant wishes to extend the Temporary Use Permit an additional three years to allow the use to continue to June 7th, 2015.

3.0 Land Use Management

It is recommended that the proposed extension be supported to continue the non-accessory parking serving Boyce-Gyro Beach Park. This will afford the Parks Department a maximum of three additional years to comprehensively plan the Gyro park expansion and pursue shared parking opportunities for this area.

4.0 Proposal / Background

The main parking lot for Boyce-Gyro Park was located across Lakeshore Road at the corner of Richter Street. There was a need to replace the parking lot in an alternative location and the City purchased the Tidy Town Trailer Park to the north of Boyce-Gyro Park in 2005 as part of a future park expansion. Ultimately, the goal is to have a larger comprehensive parking strategy for this area that would serve both commercial and parks/recreational needs. When the TUP was approved by 2010, Council gave Staff direction to maximize the number of parking stalls in this temporary location to help alleviate some of the parking problems that exist during the summer months, which resulted in 96 surface stalls. This extension allows the temporary gravel parking lot to remain and facilitate additional time for a comprehensive parking strategy to be executed.

4.1 Site Context

The surrounding area has been developed with a variety of uses, with commercial hotel uses to the north and east. The adjacent land uses are as follows:

<i>Direction</i>	<i>Zoning Designation</i>	<i>Land Use</i>
North	C1 - Local Commercial	Mobile Homes
West	RM3 - Low Density Multiple Housing	Residential
South	P3 - Parks & Open Space	Gyro Park
East	C9 - Tourist Commercial	Hotel / Motel

Subject Property Map



5.0 Current Development Policies

5.1 Temporary Commercial and Industrial Use Permits

In accordance with the *Local Government Act* (Sections 879 and 921), an Official Community Plan may designate areas where Council may consider allowing temporary commercial and industrial uses, and may specify general conditions regarding the issuance of temporary use permits in those areas.

The temporary use designation is intended to apply to operations that are temporary in nature and the designation does not in itself permit commercial or industrial uses on the designated sites. Within these areas, Council may, by resolution, issue a Temporary Commercial or Industrial Use Permit and specify the conditions under which the temporary use be carried on. Upon the expiration of a Temporary Use Permit, the permitted uses revert to those outlined in the City of Kelowna Zoning Bylaw 8000.

6.0 Technical Comments

6.1 Building & Permitting - No Comment

6.2 Fire Department - No Concerns

6.3 Development Engineering Branch

The TUP application does not compromise our servicing requirements.

7.0 Application Chronology

Date of Application Received: May 1st, 2012

Report prepared by:



Alec Warrender

Reviewed by:



Danielle Noble, Manager of Urban Land Use

Approved for Inclusion:



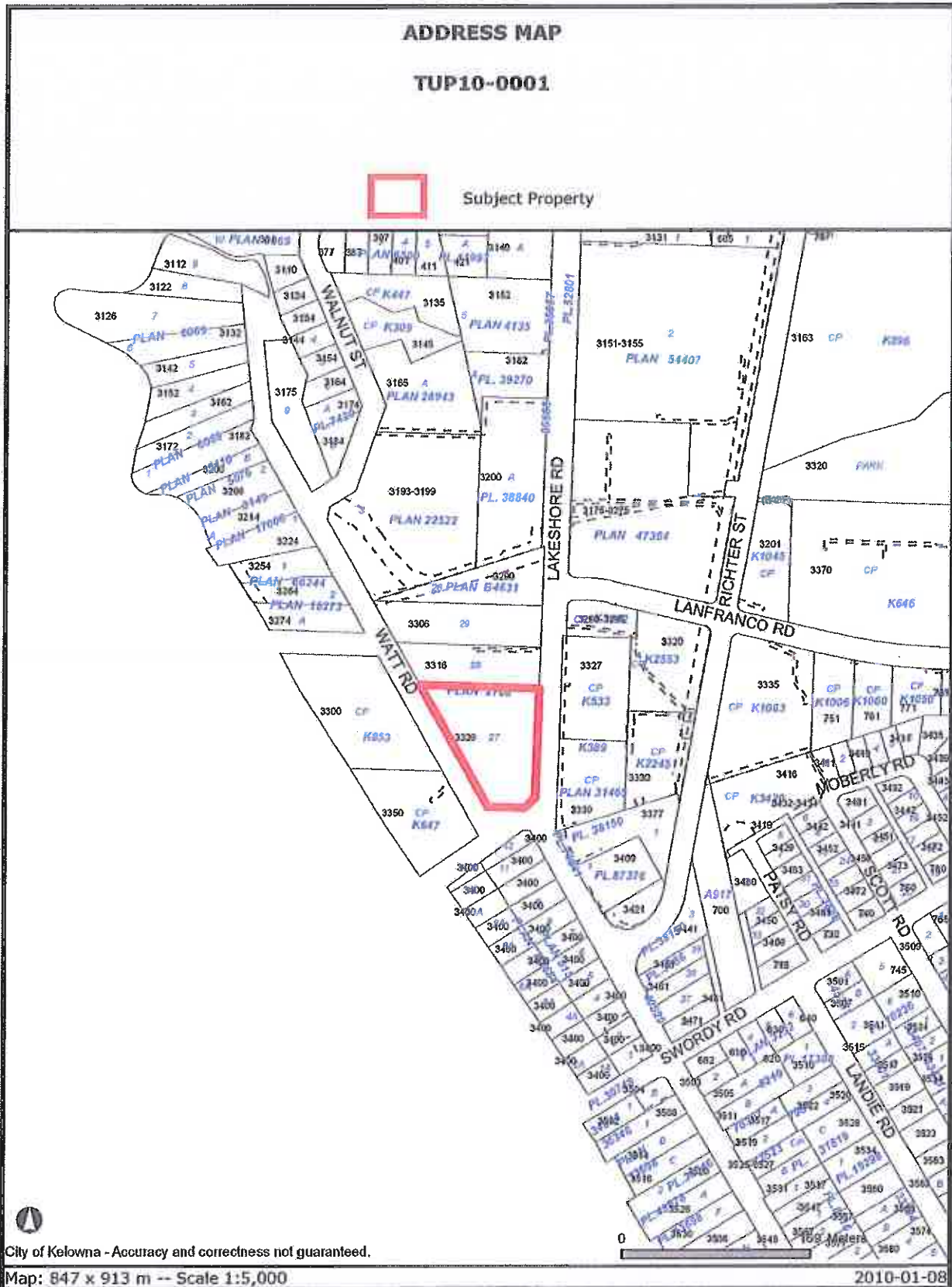
Shelley Gambacort, Director of Land Use Management

Attachments:

Site Plan & Photos

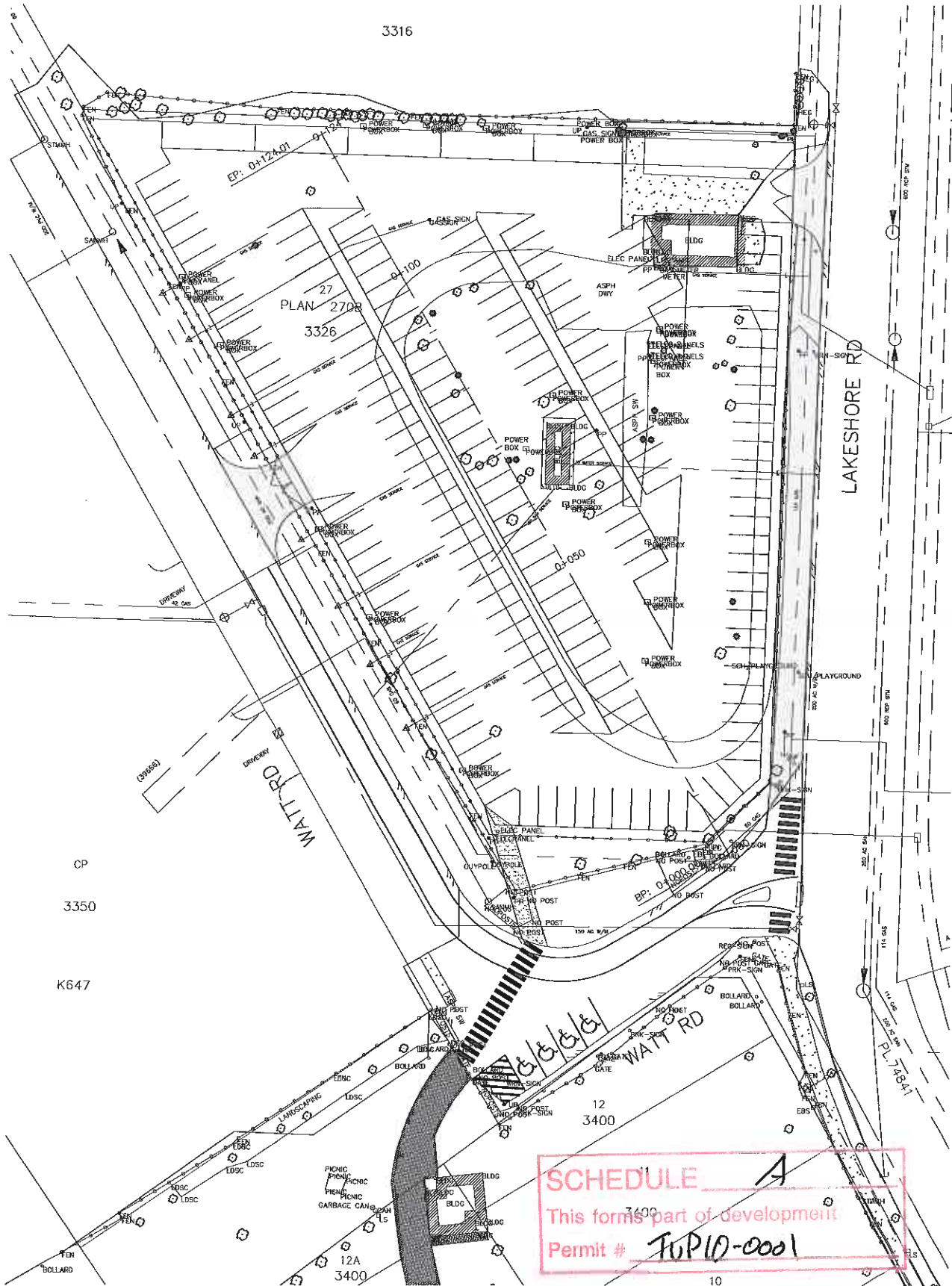
SCHEDULE "A"

TEMPORARY USE TYPE	EFFECTIVE DATES	DESIGNATED PERMIT AREA
Non-Accessory Parking use for a portion of the Church parking area.	Three years from date of issuance = November 15, 2014	<p>Legal Address: Lot 1, District Lots 14 & 135, O.D.Y.D., Plan 34984 except Plans 35454 & KAP67299</p> <p>Street: 3131 Lakeshore Road</p>
Automotive and minor recreation vehicle sales/rental.	Three years from date of issuance = February 21, 2015	<p>Legal Address: Lot A, Section 35, Township 26, O.D.Y.D., Plan 6372, and Lot B, Section 35, Township 26, O.D.Y.D., Plan 6372</p> <p>Street: 3865 – 3867 Hwy 97 2170 Rutland Road</p>
Non-Accessory Parking use for Temporary Gyro Beach parking area	From final date of adoption until June 7 th , 2015	<p>Legal Address: Lot 27, District Lot 14, ODYD, Plan 2708</p> <p>Street: 3326 Lakeshore Road</p>



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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CP
 3350
 K647

SCHEDULE A
 This forms part of development
 Permit # **TOP10-0001**

