

# REPORT TO COUNCIL



**Date:** August 24<sup>th</sup>, 2012  
**To:** City Manager  
**From:** Land Use Management, Community Sustainability (AW)  
**Application:** Z12-0046                      **Owner:** 564913 B.C. Ltd., Inc. No. 564913  
**Address:** 1350 St. Paul Street              **Applicant:** 564913 B.C. Ltd.  
**Subject:** Rezoning Application  
**Existing OCP Designation:** Commercial  
**Existing Zone:** I2 - General Industrial  
**Proposed Zone:** C7 - Central Business Commercial

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## 1.0 Recommendation

THAT Rezoning Application No. Z12-0046 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1, D.L. 139, ODYD, Plan KAP68461 located at 1350 St. Paul Street, Kelowna, B.C. from I2 - General Industrial to C7 - Central Business Commercial 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 in conjunction with Council's consideration of a Development Permit on the subject property;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Development Engineering Branch being completed to their satisfaction.

## 2.0 Purpose

This application seeks to rezone the subject property from I2 - General Industrial to C7 - Central Business Commercial in order to allow the continued use of the subject property as a surface parking lot.

## 3.0 Land Use Management

The subject property is designated Commercial in the OCP and as such the existing non-accessory surface parking lot is in compliance with the future land use designation. In order to accommodate the proposed use the applicant is seeking to rezone the subject property from I2 -

A handwritten signature in black ink, appearing to be the initials "JW".

General Industrial to C7 - Central Business Commercial. As the subject property falls within the Downtown Urban Centre C7 is the appropriate zone. Although this is not the highest and most efficient use of this urban centre location, the property has been used as a surface parking lot for a number of years and this application will formalize the use.

Staff are supportive of converting the remaining industrially zoned property along the St. Paul corridor to match the City's vision as established through the 2030 OCP. Additionally, as part of this application process the applicant will be providing the required 3m landscape boulevard along St. Paul Street and a more appropriate surface treatment for the parking lot. A Development Permit will be required to ensure that the landscaping, surface treatment and parking lot layout requirements have been addressed.

#### 4.0 Proposal

The purpose of this application is to rezone the subject property from I2 - General Industrial to C7 - Central Business Commercial in order to accommodate the non accessory surface parking lot. The applicant has used the subject property as non-accessory parking for a number of years, which is not a permitted use in the I2 - General Industrial zone. The rezoning application has been submitted as a result of Bylaw enforcement for using the site contrary to zoning regulations. As part of the Direct Development Permit process the property owner will be addressing the site landscaping, surface treatment and layout considerations. Staff will be able to confirm the number of stalls that can be accommodated onsite when a detailed site plan is submitted.

#### 4.1 SUBJECT PROPERTY MAP:



The adjacent land uses are as follows:

<i>Direction</i>	<i>Zoning Designation</i>	<i>Land Use</i>
North	I2 - General Industrial	Commercial
West	C7 - Central Business Commercial	Mixed Use
South	C7 - Central Business Commercial	Commercial
East	C7 - Central Business Commercial	Commercial

## 5.0 Current Development

### 5.1 Kelowna Official Community Plan (OCP)

### 5.2 Development Process (Chapter 5)

- Streetscaping (Objective 5.8). Urban Centre roads should be considered as part of public space and streetscaped with full amenities (i.e. sidewalks, trees and other planting, furniture, bike facilities, boulevards, etc.)

### 5.3 Economic Development (Chapter 8)

#### *Portray a Positive Image of Kelowna*

Downtown. Recognize that a unique, attractive, thriving and livable downtown is strategically important to Kelowna's overall prosperity and success. Towards this end, the City will plan and manage the Downtown as a single and special entity and will take a proactive, comprehensive, integrated and collaborative approach towards providing services and infrastructure, delivering programs, and developing a supportive regulatory and financial environment.

### 5.4 Urban Design Guidelines (Chapter 14)

#### *Vehicular and Access Parking (Objective 6)*

- Streetscaping (Objective 5.8). Urban Centre roads should be considered as part of public space and streetscaped with full amenities (i.e. sidewalks, trees and other planting, furniture, bike facilities, boulevards, etc.)
- Locate surface parking to the interior of the block and not at corner or street locations. Where surface parking lots share a site with a building, locate parking at the rear;
- Incorporate soft and hard landscaping or other visual elements into the design of parking areas (i.e., integrate planting islands at entrances/exits, and to separate double rows of cars). Parking lots should have shade trees planted at 1 tree per 4 parking stalls;
- Design surface parking and public driveways as pedestrian areas, and incorporate pedestrian connections between surface parking lots on adjoining properties;
- Distinguish driving, parking, pedestrian, and cycling areas through changes in colour / pattern / materials of the paving.

## 6.0 Technical Comments

### 6.1 Building & Permitting Department

No comment

6.2 Development Engineering Department  
See Attached

6.3 Fire Department  
No concerns

6.4 Fortis BC  
FortisBC (electric) reviewed the attached referral and based on the information received have no concerns with the proposal subject to any changes to this application which would require further review and comment by Fortis.

**7.0 Application Chronology**

Date of Application Received: May 29<sup>th</sup>, 2012

**Report prepared by:**



Alec Warrender, Land Use Planner

**Reviewed by:**



Danielle Noble, Manager of Urban Land Use

**Approved for Inclusion:**

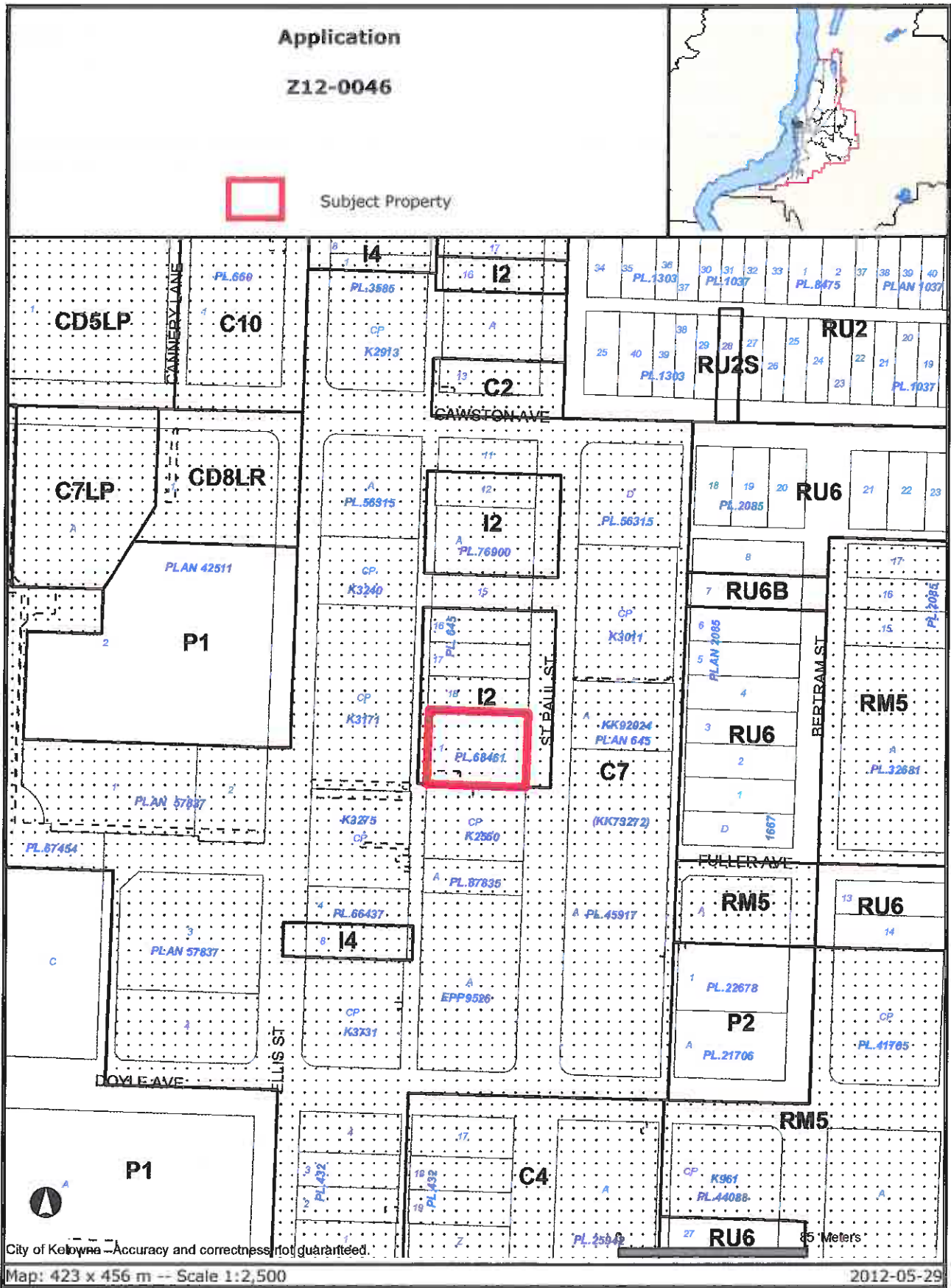


Shelley Gambacort, Director of Land Use Management

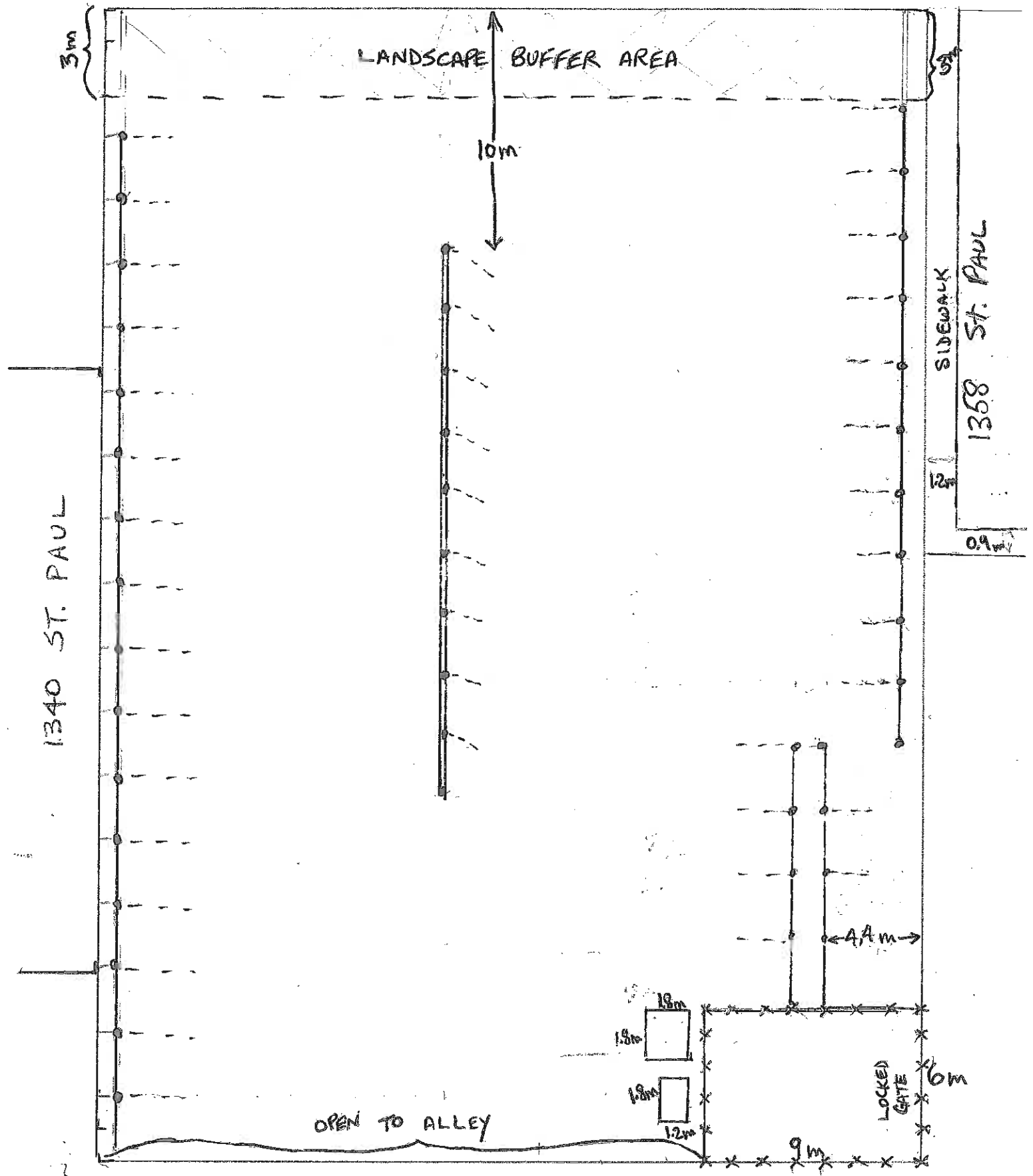
**Attachments:**

Site Plan

Development Engineering Requirements



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.



SCALE ~ 1:250

B56 ST. PAUL STREET

SIDEWALK

PARKING LOT

B42 ST. PAUL STREET



SIDEWALK

ST. PAUL STREET

VIEW LOOKING NORTH ALONG ST. PAUL STREET



**DRAINING NOTES:**  
 WE RECOMMEND THE FOLLOWING  
 ALL PLANTING BEDS TO BE SERVED TO APPROX. 1 FT  
 IN HEIGHT PER 8 FT DEEP  
 NO PLANTS TO BE PLANTED WITHIN 1/2 OF THE  
 EDGE OF THE PLANTING BED.  
 ALL PLANTING BEDS TO BE TILCHED WITH  
 VALTRES GOLD ORGANIC POLY  
 PLANT THE BED IN THE AUTUMN AND LEAVE  
 WATER ALL PLANTS FOR THE REMAINDER  
 OF THE DRAINING SYSTEM

PLANT LEGEND	QUANTITY
Totoa Bismillah ADAMS WEDDLE	6
Artemisa Louvicio VALERE FINIS SILVER SAGE	8
Jibana tikemba Aurore GOLD COAST LAMPER	6
Jibana tikemba Aurore SKYROCKET LAMPER	8
Jibana Saha Tikemba CALICUT CARPET LAMPER	8
Rosa arandica 'Cecilia' FLEISCHER SLAVIC	6



**KHS**  
 Ken's Horticultural Services

OFFICE ADDRESS: TEL: 250 766 9733  
 #1-823 Highway 97 North  
 Lakeland Hill, Merfeld FAX: 250 766 4827

MAILING ADDRESS: TOLL FREE: 877 767 81  
 145 Dorcas Road  
 Merfeld, BC V1V 1X2 www.khsnurseries.com

CLIENT: E&D BC LTD.  
 PROPERTY ADDRESS:  
 B56 ST. PAUL STREET  
 KILONNA, BC  
 V1T 2E6

DRAWING TITLE: PROPOSED LANDSCAPING PLAN  
 CLIENT REFERENCE: H978  
 DRAWING No: 1 of 1 REVISION:  
 DRAWN BY: Jozana Krebs CHECKED BY: Ken Skala  
 SCALE: 1:100 DATE: 28 April 2002

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

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**Date:** August 14, 2012  
**File No.:** Z12-0046  
**To:** Land Use Management Department (AW)  
**From:** Development Engineering Manager (SM) (Revised Comments)  
**Subject:** 1350 St Paul Street                                  Lot 1 Plan 68461                                  Parking Lot

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Development Engineering Services have the following comments and requirements associated with this application to rezone to C7.

1. General

- (a) The subject property is located on St Paul Street between Doyle Avenue and Cawston Avenue. The subject property has a no-build restrictive covenant (Filed under 2450-20 - RC05-04) that is secured in favour of the City as part of the subdivision process ( File S99-109). Therefore the requirement for the applicant to prepare and submit a impact assessment which addresses the transportation requirements which will result from this property being fully developed can be deferred to the development permit stage. The owner is advised that the requirements for off-site improvements that will be identified in the impact assessment will be at the developer's costs. The developer will be required to provide securities for the off-site improvement and enter into a servicing agreement with the City.
- (b) The applicant has indicated that there are no immediate plans to develop and that the present parking lot use will remain, current application will trigger the following requirements.

2. Domestic Water and Fire Protection

- (a) The subject property is currently serviced with a small diameter water service. Servicing requirements will be determined by the developer's consulting engineer at the development permit stage. Service upgrades will be at the developer's cost.
- (b) The existing service may be utilized for boulevard landscaping and shall be integrated with the on-site irrigation systems.

3. Sanitary Sewer

- (a) Our records indicate that the subject property is connected with a 150mm diameter sewer service. Servicing requirements will be determined by the developer's consulting engineer at the development permit stage. Service upgrades will be at the developer's cost.



4. Storm Drainage

- (a) Provide a storm water management plan which meets the requirements of the City Storm Water Management Policy and Design Manual. The storm water management plan must include provision of a Lot Grading Plan.
- (b) The development will be required to contain and dispose of site generated storm water on the site by installing a ground recharge system consisting of drywells and perforated pipe bedded in drain rock.

5. Road Improvements

- (a) The St. Paul Street frontage is urbanized. It will be necessary to provide boulevard landscaping between the back of sidewalk and the property line. The applicant will be required to include the details for this required improvement on the Landscape Design Drawing

6. Site related Issues

- (a) Site access shall be provided from the lane.
- (b) It will be necessary to provide a parking lot layout that meets the current bylaw requirements.



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Steve Muenz, P. Eng.  
Development Engineering Manager  
JF