

City of Kelowna Regular Council Meeting AGENDA



Monday, March 25, 2013

8:30 am

Knox Mountain Meeting Room (#4A)

City Hall, 1435 Water Street

Pages

1. Call to Order
2. Issues Arising from Correspondence & Community Concerns
 - 2.1 Mayor Gray, re: Issues Arising from Correspondence 30 m
3. Reports
 - 3.1 Supplementary Report - Industrial - Limited Future Land Use Designation 45 m 3 - 34

The purpose of this report is to respond to Council direction provided at the December 3, 2012, Council meeting, requesting that staff "...report back with options for amending the I6 - Low-Impact Transitional Industrial Zone, to ensure consistency of intent and purpose with the Kelowna 2030 - Official Community Plan (OCP)". This report supplements a previous staff report on the Industrial - Limited Future Land Use Designation, dated November 19, 2012 and tabled at Council on December 3, 2012. At the December 3, 2012 meeting, Council expressed concern that the required servicing costs for infrastructure upgrades to the Arab/Appaloosa road area pose a significant economic challenge for prospective applicants, and that it would be difficult for the future use (per the I6 Zone) to justify the costs. Further, Council enquired whether it would be a viable option to

maintain non-sewered lots in this area. This report reviews land use alternatives for the Arab/Appaloosa road area, as well as alternatives for servicing the area, for Council's consideration and direction. Specifically, staff is seeking Council direction to pursue Land Use Alternative 1, which would retain the existing Industrial - Limited land use designation and potential for I6 zoning, with some minor amendments. Staff is also seeking direction to initiate the process to advance the Arab/ Appaloosa road area (i.e., Sanitary Sewer Connection Area #35) to a Specified Sanitary Sewer Service Area. Lastly, staff is seeking Council direction to accept no further Rezoning applications for the Arab/Appaloosa road area, beyond those applications presently in-stream, pending final resolution of the land uses for the area.

4. Resolution Closing the Meeting to the Public

THAT this meeting be closed to the public to Section 90(1) (b) and (c) and 90(2) (e) and (j) of the Community Charter for Council to deal with matters relating to the following:

- Municipal Award;
- Labour Relations;
- Acquisition, Disposition or Expropriation of Land or Improvements; and
- Third Party Information.

5. Adjourn to Closed Session

Report to Council



Date: March 19, 2013
Rim No. 1210-50-00
To: City Manager
From: Danielle Noble, Manager, Urban Land Use
Subject: Supplementary Report - Industrial - Limited Future Land Use Designation
Report Prepared by: Abigail Riley

1.0 Recommendation:

THAT Council receives, for information, the Supplemental Report from the Manager of Urban Land Use dated March 19, 2013, with respect to the Industrial - Limited future land use designation contained in the Kelowna 2030 - Official Community Plan;

AND THAT Council directs staff to pursue Land Use Alternative 1, as identified in the Report from the Manager of Urban Land Use dated March 19, 2013;

AND THAT Council directs staff to initiate the process to advance Sanitary Sewer Connection Area #35 to a Specified Sanitary Sewer Service Area;

AND FURTHER THAT Council direct staff NOT to accept further Rezoning applications for the Arab/ Appaloosa road area, pending final resolution of land uses for the area.

2.0 Purpose:

The purpose of this report is to respond to Council direction provided at the December 3, 2012, Council meeting, requesting that staff "...report back with options for amending the I6 - Low-Impact Transitional Industrial Zone, to ensure consistency of intent and purpose with the Kelowna 2030 - Official Community Plan (OCP)". This report supplements a previous staff report on the Industrial - Limited Future Land Use Designation, dated November 19, 2012 and tabled at Council on December 3, 2012.

At the December 3, 2012 meeting, Council expressed concern that the required servicing costs for infrastructure upgrades to the Arab/Appaloosa road area pose a significant economic challenge for prospective applicants, and that it would be difficult for the future use (per the I6 Zone) to justify the costs. Further, Council enquired whether it would be a viable option to maintain non-sewered lots in this area.

This report reviews land use alternatives for the Arab/Appaloosa road area, as well as

alternatives for servicing the area, for Council's consideration and direction. Specifically, staff is seeking Council direction to pursue Land Use Alternative 1, which would retain the existing Industrial - Limited land use designation and potential for I6 zoning, with some minor amendments. Staff is also seeking direction to initiate the process to advance the Arab/Appaloosa road area (i.e., Sanitary Sewer Connection Area #35) to a Specified Sanitary Sewer Service Area. Lastly, staff is seeking Council direction to accept no further Rezoning applications for the Arab/Appaloosa road area, beyond those applications presently in-stream, pending final resolution of the land uses for the area.

3.0 Background:

3.1 Arab/Appaloosa Road Area - Zoning and Policy Context

The Arab/Appaloosa road area is located west of Highway 97, and is bound by Sexsmith Road and I2 - General Industrial zoned lands to the south, the Sol Terra Ranch residential development to the north, the future alignment of Hollywood Road North and I2 zoned lands to the east, and rural A1 - Agriculture 1 zoned/Agricultural Land Reserve (ALR) lands to the west. (See Appendix A for a map of the Arab/Appaloosa road area).

At present, the Arab/Appaloosa road area is primarily zoned A1. Prior to the Kelowna 2030 Official Community Plan (OCP), the future land use designation for the area was Single/Two Unit Residential. After an extensive OCP public consultation program and in response to resident and developer feedback, the new Industrial - Limited future land use designation was created and endorsed for the Arab/Appaloosa road area in May 2011, upon Council endorsement of the Kelowna 2030 OCP. The Industrial - Limited designation supports rezoning of the area to the I6 - Low-Impact Transitional Industrial Zone.

It is of significance to note that, rather than apply the OCP's existing Industrial land use designation, the Industrial - Limited designation was created to address the unique circumstances of the Arab/Appaloosa road area. The reason for this is that the Industrial designation could potentially enable rezoning to a wider range of impactful and incompatible industrial uses under the I1 - Business Industrial, I2 - General Industrial, or I3 - Heavy Industrial zones.

3.2 Comparison of I6 and I2 Industrial Zoning (See Appendix B for the I6 and I2 Zone regulations)

The I6 Zone was added to Zoning Bylaw 8000 in March 2011, consistent with Council's adoption of the Industrial - Limited land use designation for the Arab/Appaloosa road area. The Zone is intended to implement the intent of the Industrial - Limited land use designation, which is to provide for a range of low-impact industrial uses that are appropriate as a transition between the established I2 general industrial land uses located to the east and south of the Arab/Appaloosa road area, and the residential, rural, and agricultural uses to the west and north.

The I6 Zone is generally based on the I2 Zone, and as such permits many of same uses as the I2 Zone; however, certain uses were consciously omitted in order to minimize potential impact to the existing and future neighbourhood, and improve residential compatibility. Certain uses were excluded on the basis that they generate significant levels of traffic

(notably large commercial vehicles), and/or involve inherent noise, odour, vibration, and/or light impacts that cannot be satisfactorily mitigated. (See Table 1 below).

A further distinction, in recognition of residents of the Arab/Appaloosa road area who during the Kelowna 2030 OCP process expressed a desire to continue to live in the area, is that the I6 Zone permits single detached housing and home based businesses.

Table 1 - Permitted Uses in the I6 and I2 Zones

Permitted Uses in Both I6 and I2 Zones	Permitted Uses in I2 Zone Only	Permitted Uses in I6 Zone Only
<ul style="list-style-type: none"> • animal clinic, minor & major • automotive & equipment repair shops • commercial storage • contractor services, general & limited • custom indoor manufacturing • emergency & protective services • equipment rentals • general industrial use (limited in I6)* • household repair services • liquor primary establishments, minor • participant recreational services, indoor • private clubs • recycling depots • utility services, minor impact • vehicle & equipment services (limited in I6)** 	<ul style="list-style-type: none"> • automotive & minor recreation vehicle sales/rentals • breweries & distilleries, minor & major • bulk fuel depots • convenience vehicle rentals • fleet services • gas bars • outdoor storage • rapid drive-through vehicle services • recycled materials drop-off centres • service stations, minor & major • truck & mobile home sales/rentals • warehouse sales 	<ul style="list-style-type: none"> • single family housing • home based business, minor & major

* General industrial use - limited for I6, in that storage/shipping terminals and autobody and repair shops have been excluded.

** Vehicle & equipment services - limited for I6, in that sales and rentals are not permitted, and service and repair of pipeline, oil field and mining equipment is not permitted.

Consistent with the OCP aim of achieving compatibility with on-site and nearby residential uses, the I6 Zone also incorporates explicit limitations on nuisance impacts. For instance, all activities resulting in dust, odour, noise, or other emissions must take place inside a structure designed to contain said emissions; all lighting must be oriented so as to minimize light trespass on adjoining properties; and no paging/sound systems are permitted. The I6 Zone also prohibits non-accessory parking and outdoor storage, and restricts the extent of ancillary outdoor storage that may be permitted on a site. For example, no ancillary outdoor storage is permitted in the front yard or minimum setback areas; it must be consolidated into a single area, not exceeding the building area on the site; and it must be screened from view of any street or adjoining property.

A further distinction between the I6 and I2 Zones is that the I6 incorporates development regulations that provide an enhanced interface with residential adjacencies, in regards to building heights and setbacks, compatible building design, and improved landscaping and privacy measures. For instance the I6 Zone requires a minimum rear yard of 30 m where adjacent to residential use, whereas the I2 Zone only requires a minimum of 6 m where abutting a residential or agricultural zone.

4.0 Land Use Alternatives and Assessment

In consideration of Council's concerns, staff have identified and assessed three potential land use alternatives for the Arab/Appaloosa road area for Council direction, as follows below.

Two of the proposed Alternatives (No. 2 & 3) consider the expansion of industrial uses to the I2 - General Industrial Zone for all or part of the Arab/Appaloosa road area. However, for the reasons outlined in the following analysis, staff recommend Alternative 1, which would retain the existing Industrial - Limited designation and potential for I6 zoning, with some minor amendments.

1. Area to remain designated as Industrial - Limited / Potential for I6 - Low-Impact Transitional Industrial Zoning (refer to Overview Map #1 in Appendix C)

This alternative would retain the existing Industrial - Limited land use designation and potential for I6 zoning, consistent with the Kelowna 2030 - OCP and recent, extensive OCP public consultation process. Retention of the existing designation across the entire area would ensure equity of zoning potential for all area landowners. The I6 Zone provides a more compatible interface and gradual transition to adjoining and surrounding residential and agricultural uses, notably the Sol Terra Ranch residential development to the north. Additionally, the I6 Zone permits single family housing and home based businesses, and would enable landowners to continue to reside in the area, and operate businesses from home if desired.

The I6 Zone permits a similar range of industrial uses to the I2 Zone, with the exception of those uses that would be fundamentally incompatible with neighbouring residential uses, due to inherent traffic, noise, odour, vibration, and/or light impacts. (See above comparison of the I6 and I2 Zones). Many of the non-permitted land uses presently occurring in the Arab/Appaloosa road area (e.g., outdoor commercial vehicle and RV storage) would not comply with the I6 Zone regulations and would need to be resolved through enforcement measures.

Should Council concur that Alternative 1 is the most appropriate land use option, staff would recommend certain zoning amendments to ensure the I6 Zone is consistent with the intent and purpose of the Kelowna 2030 OCP and the Industrial - Limited land use designation. It is anticipated that these amendments would include: clarifying the I6 Zone purpose statement; amending and/or deleting certain permitted uses in the I6 Zone; reviewing minimum setback requirements of the I6 Zone; and refining certain development requirements for landscaping, buffering, parking, and outdoor storage in the I6 Zone.

2. Change OCP designation to Industrial for the lands between Sexsmith and Appaloosa Roads / Potential for I2 - General Industrial Zoning (refer to Overview Map #2 in Appendix C)

This alternative would involve an OCP amendment to change the land use designation to Industrial and allow potential for I2 zoning for the lands between Sexsmith and Appaloosa Roads. While this alternative potentially enables a greater range of industrial uses, the additional uses permitted would essentially include those that are inherently impactful for adjoining and surrounding residential properties. (See above comparison of the I6 and I2 Zones). As a note of interest, residents of the Arab/Appaloosa road area have historically had concerns about the industrial odours and other impacts generated by the existing I2 zoned lands south of Sexsmith Road, which due to geography and prevailing winds tend to drift northward.

Under this alternative, the Industrial - Limited designation and potential for I6 zoning would remain in place for the area north of Appaloosa Road and bordering the Sol Terra Ranch residential development, thereby providing a transition of land use intensity, albeit in a significantly reduced form from the present. In the absence of an economic analysis, Land Use Management staff question, and cannot verify definitively, whether the additional permitted uses of the I2 Zone would enable landowners to support better the required upgrades for the area.

The Industrial designation does not anticipate residential development, nor does the I2 Zone permit single family housing, and as such, this alternative would see the area transform into a more conventional industrial area than had been envisaged during the development of the Kelowna 2030 OCP. In the interim, the I2 zoning regulations would result in a more abrupt transition for those landowners who wish to maintain their rural residential properties. Additionally, the potential introduction of the Industrial designation to a discrete portion of the Arab/Appaloosa road area could result in perceived land value inequity by area landowners.

Under this alternative, those landowners operating with unpermitted uses south of Appaloosa Road may be able to address outstanding enforcement by pursuing rezoning to the I2 Zone, should they be able to afford the increased land costs imported by the new zoning.

Should Council determine that Alternative 2 is the more appropriate land use option, staff would recommend a further OCP amendment that would limit the potential for industrial zoning to the I2 Zone only, and preclude I1 - Business Industrial and I3 - Heavy Industrial zoning from the Arab/Appaloosa road area. It would also recommend that staff undertake neighbourhood consultation in tandem with the Specified Sanitary Sewer Service Area process, since the proposed amendments would represent a relatively significant departure from the public consultation and policy conclusions of the Kelowna 2030 OCP. Further, relative to the area north of Appaloosa Road where potential for I6 zoning remains, staff would recommend certain zoning amendments to ensure the I6 Zone is consistent with the intent and purpose of the Kelowna 2030 OCP and the Industrial - Limited land use designation, as set out previously in Alternative 1 above.

3. Change OCP designation for entire Arab/Appaloosa road area to Industrial / Potential for I2 - General Industrial Zoning (refer to Overview Map #3 in Appendix C)

This alternative is similar to Alternative 2 above, except that the *entire* Arab/Appaloosa road area would be changed to a land use designation of Industrial and allow potential for I2 zoning. As such, the same considerations and recommendations for Alternative 2 would apply, with the added point that this option would not allow for a gradual transition from

industrial to residential north of Appaloosa Road at the area's northern boundary (with the Sol Terra Ranch residential development).

As an illustration of the relatively less responsive I2 interface with residential, the minimum required rear yard setback for the I2 Zone where abutting zones other than industrial or commercial is 6 m, whereas the I6 Zone would require a minimum 30 m rear yard setback from adjacent residential uses. Additionally, I6 Zone regulations require that the interface between new industrial development and residential land use be site planned, designed, and landscaped to promote privacy, where no such I2 regulations presently exist.

5.0 Servicing Alternatives and Assessment

As the Arab/Appaloosa road area is presently zoned primarily A1, there are significant servicing infrastructure upgrades that would be necessitated by rezoning and redevelopment of the area for industrial uses. Among other things, these would include connection to sanitary sewer and water systems and road/frontage upgrades. The extent of servicing upgrades required for industrial use would apply to the area whether developed under the I6 Zone, the I2 Zone, or any combination thereof.

The Development Engineering Memorandum, dated March 1, 2013, (attached as Appendix D) outlines servicing alternatives for the Arab/Appaloosa road area. This includes the recommended option of advancing the Arab/Appaloosa road area as a Specified Sanitary Sewer Area.

Background Information Related to the Possibility of Remaining on Septic Systems

Staff have not recommended the possibility of allowing the area to develop in the absence of connecting to the sanitary sewer system, as the Subdivision and Development Bylaw triggers the upgrade to the sanitary sewer and water systems based on increased intensity of use.

Further, and perhaps of greater importance, based on Provincial Policy, were the City to approve the subdivision of lots less than 1.0 ha (2.5 acres) without sanitary sewer, it would be at risk of losing future Provincial funding of sanitary sewer projects for anywhere in the City, not just the Arab/Appaloosa road area. For this reason, OCP Policy 5.38.1 sets out a minimum lot size of 1.0 ha for any lot created and serviced by an approved septic disposal system.

It is estimated that, while the construction costs associated with the development of septic serviced industrial lots may initially be less, the eventual replacement costs of these systems needed over time would likely be equitable to the costs for a municipally operated sanitary sewer system, especially if the area is supported to advance to a Specified Sanitary Sewer Area and costs could be extended over a 20 year period.

There are also potential environmental impacts that should also be weighed in considering the use of septic fields since, depending on the amount of water usage, there could be risk of effluents affecting Mill Creek or downstream properties.

6.0 Timing and Next Steps

Should Council concur with the recommendation of advancing the Arab/Appaloosa road area as a Specified Sanitary Sewer Area, staff anticipate that the timing for this process would be

approximately 6 to 7 months, and involve generating a detailed design, project costing (specifically in relation to water upgrade costs), and petitioning area landowners.

Notwithstanding the Land Use Alternative that Council directs as most appropriate, staff is confident that the related zoning and/or OCP amendment work could run parallel to the Specified Sanitary Sewer Area process and completed in the same 6 to 7 month window.

Should Council wish to pursue Land Use Alternative 2 or 3, and because the related OCP amendments would represent a relatively significant departure from the public consultation and policy conclusions of the Kelowna 2030 OCP, neighbourhood consultation with the landowners and residents of the Arab/Appaloosa road area would need to be undertaken by staff.

7.0 Existing Policy

Kelowna 2030 Official Community Plan (OCP)

Future Land Use (Chapter 4) - Land Use Designation Definitions

Industrial. Light and heavy industrial uses as well as Industrial/Business activities and airport related industrial uses. Industrial/business service refers to uses that provide services and support to industrial and business customers. This designation may also include CD Comprehensive zoning that provides for industrial uses.

Industrial - Limited. General industrial uses, limited by compatibility with on-site and nearby residential uses. Uses consistent with new I6 zone (I6 - Low Impact Transitional Industrial).

The Development Process (Chapter 5) - Industrial Land Use Policies

- Policy 5.28.3 - Location of Heavy Industry. Direct heavy industries to areas that would not negatively affect existing neighbourhoods or businesses and the natural environment.
- Policy 5.30.1 - Discourage I1 Zoning. Discourage properties from being rezoned to I1 Business Industrial. Instead, applicants should be encouraged to pursue a new industrial zone which would be based on the I1 Zone, but would preclude “offices” as a permitted use.

The Development Process (Chapter 5) - Subdivision Applications

- Policy 5.38.1 - Minimum Lot Size for Septic Systems. Require that any lot created and serviced by an approved septic disposal system shall be a minimum of 1.0 ha (2.5ac) in size, except where such lot is created with the approval of the appropriate Provincial ministry or agency as a home-site severance or a lot in lieu of a home-site severance.

7.0 Financial/Budgetary Considerations:

To be determined.

Submitted by:

D. Noble, Manager, Land Use Management

Approved for inclusion: (DG)

cc: D. Gilchrist, A/General Manager, Community Sustainability
G. Stephen, Long Range Planning
S. Muenz, Development Engineering
A. Reeder, Utilities Planning
D. Maja, Bylaw Services

Attachments:

Appendix A: Map of Arab/Appaloosa Road Area
Appendix B: I6 and I2 Zoning Regulations
Appendix C: Land Use Alternatives - Overview Maps #1, #2 & #3
Appendix D: Development Engineering Memorandum of March 1, 2013

APPENDIX A: Map of Arab/Appaloosa Road Area (outlined in red)



15.6 I6 – Low-Impact Transitional Industrial

I6Ip – 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.

15.2 I2 – General Industrial**15.2.1 Purpose**

The purpose is to provide for general industrial uses.

15.2.2 Principal Uses

The principal uses in this zone are:

- (a) animal clinics, major
- (b) auctioneering establishments
- (c) automotive and equipment repair shops
- (d) automotive and minor recreation vehicle sales/rentals
- (e) breweries and distilleries, major
- (f) breweries and distilleries, minor
- (g) bulk fuel depots
- (h) commercial storage
- (i) contractor services, general
- (j) contractor services, limited
- (k) convenience vehicle rentals
- (l) custom indoor manufacturing
- (m) emergency and protective services
- (n) equipment rentals
- (o) fleet services
- (p) food primary establishment
- (q) gas bars
- (r) general industrial uses
- (s) household repair services
- (t) liquor primary establishment, minor
- (u) outdoor storage
- (v) participant recreation services, indoor
- (w) private clubs
- (x) rapid drive-through vehicle services
- (y) recycling depots
- (z) recycled materials drop-off centres
- (aa) service stations, minor
- (bb) service stations, major
- (cc) truck and mobile home sales/rentals
- (dd) utility services, minor impact
- (ee) vehicle and equipment services, industrial
- (ff) warehouse sales

15.2.3 Secondary Uses

The secondary uses in this zone are:

- (a) agriculture, urban
- (b) residential security/operator unit
- (c) care centres, major

15.2.4 Subdivision Regulations

- (a) The minimum lot width is 40.0 m.
- (b) The minimum lot depth is 35.0 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 in accordance with the requirements of the City of Kelowna's Subdivision, Development & Servicing Bylaw has been installed, the minimum lot area is 4000 m².

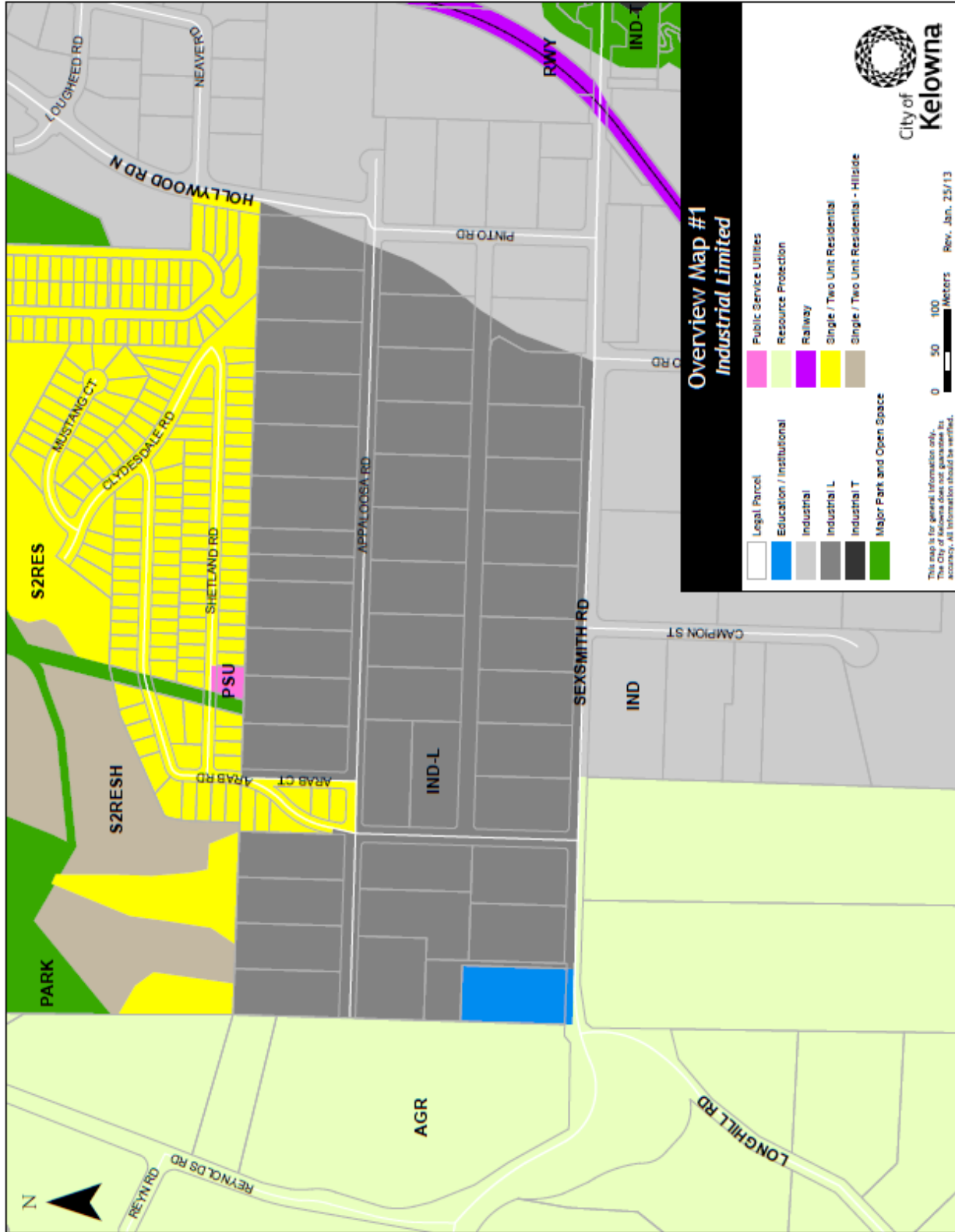
15.2.5 Development Regulations

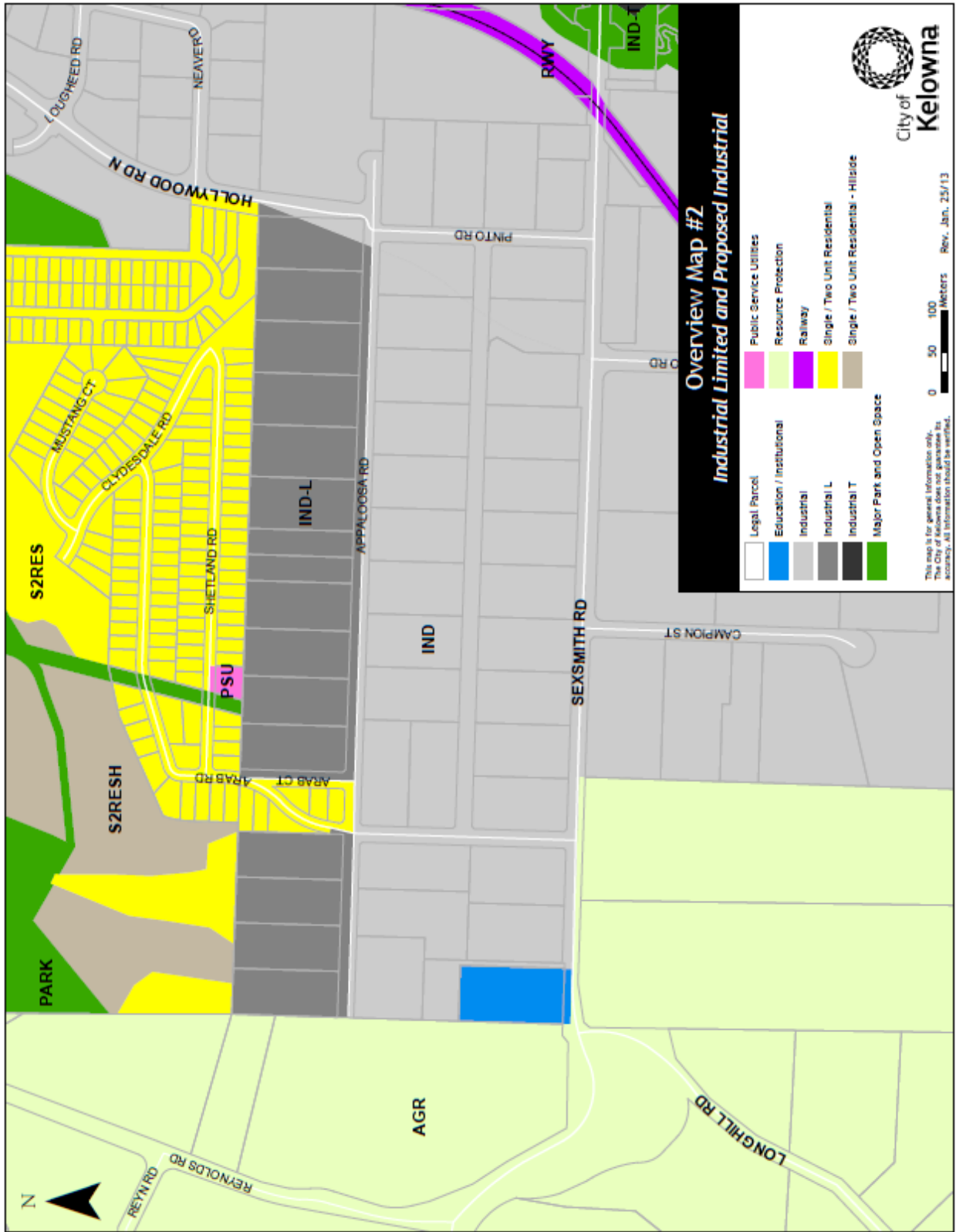
- (a) The maximum floor area ratio is 1.5.
- (b) The maximum site coverage is 60%.
- (c) The maximum height is 14.0 m.
- (d) The minimum front yard is 7.5 m.
- (e) The minimum side yard is 4.5 m, except it is not required abutting a lot in the C or I zones, and it is 6.0 m on a flanking street.
- (f) The minimum rear yard is 0.0 m where adjacent to commercial or industrial zones, except that it is 6.0m abutting other zones.

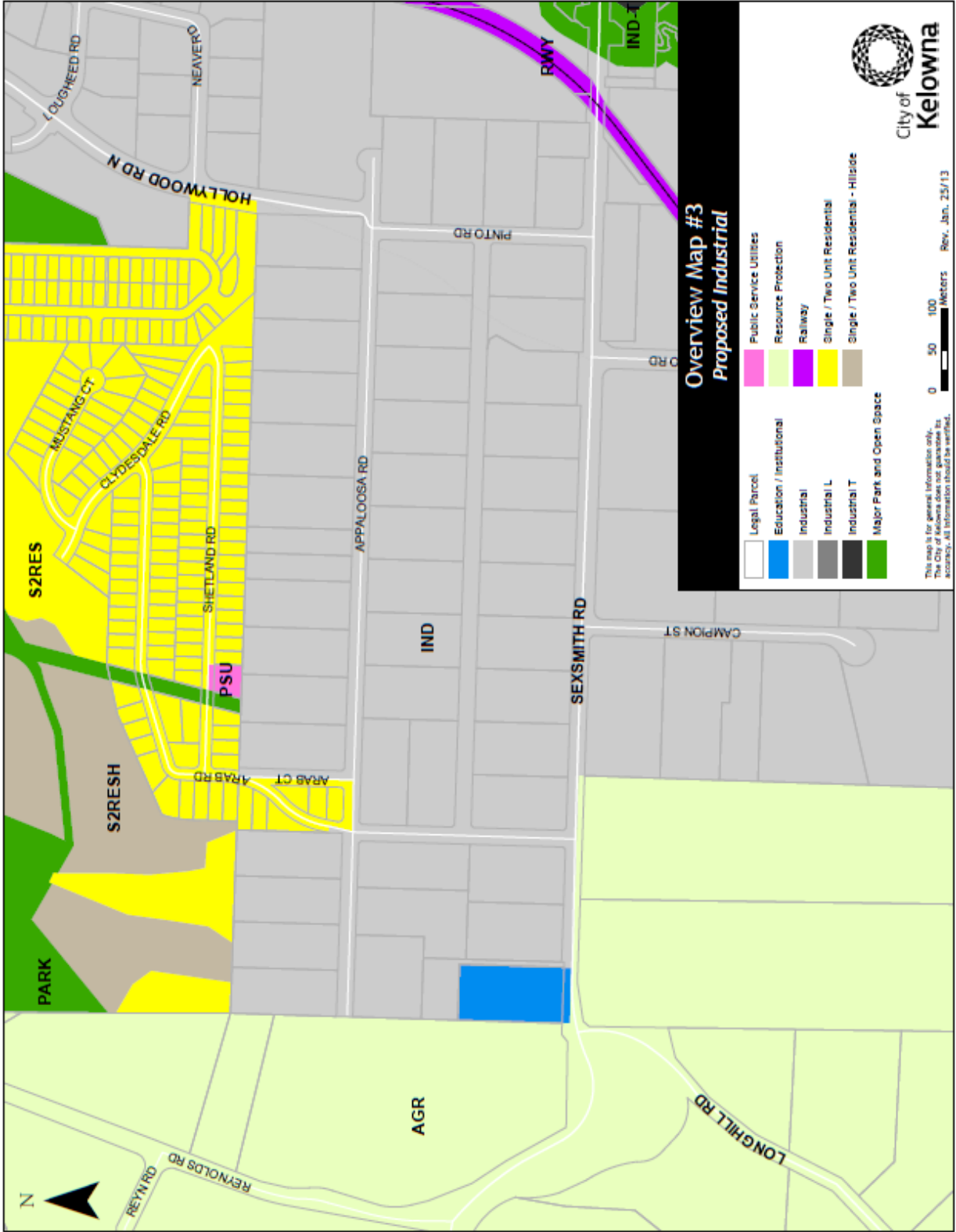
15.2.6 Other Regulations

- (a) No use shall produce dust, or other emissions that exceed standards set by provincial legislation, without written authorization from the appropriate provincial agency.
- (b) No use shall produce odour, glare, or noise that creates a nuisance.
- (c) There shall be no outdoor storage of toxic, noxious, explosive, odorous, or radio-active materials.
- (d) Only one residential security/operator unit is permitted on a site.
- (e) In addition to the regulations listed above, 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.
- (f) Drive-in food services are not a permitted form of development in this zone.

APPENDIX C - Land Use Alternatives - Overview Maps







CITY OF KELOWNA
MEMORANDUM

Date: March 01, 2013
File No.: I6 Zone
To: Land Use Management Department (AR)
From: Development Engineering Manager
Subject: I6 Zone – SR#225617 – Servicing Alternatives

This is further to Council's request that staff review options so as to facilitate either General Industrial, General Industrial/Transitional Industrial or Transitional Industrial in the area bounded by Sexsmith Road, Pinto Road, Appaloosa Road, Arab Road and Palamino Road.

Option 1: Pursue Development Under Today's System

The I6 and Transitional Industrial requires developments to be serviced by the Municipal sanitary sewer system. A proposed development not adjacent to the existing system would be required to finance and construct piping to the existing system. The initial financial burden would be at the developers cost with a future repayment formula. The furthest property would have to install a main extension at approximately \$360,000. This is an obvious concern. In addition this construction may lead to piecemeal construction throughout the neighbourhood.

Staff has had limited discussions with the Glenmore-Ellison Improvement District (GEID). The current fire flow rates are less than 140 litres/second which is well below the industrial minimum fire flow rate of 225 litres/second. Without doing a preliminary design and estimate, GEID is comfortable using project cost similar to that projected for the Sanitary Sewer Connection Area costs. Similarly, staff recommends that water upgrades be undertaken at the same time as the sanitary sewer construction.

It is recommended that frontage upgrades be undertaken at the same time as the sanitary sewer construction. The cost for road upgrades which includes sidewalks, storm piping, is estimated to be \$37,500/frontage.

With this scenario and the assumption that the road surfaces would not be constructed to the ultimate cross-section but restored, the upfront construction costs to this property would be approximately \$800,000. Security requirements would be approximately \$1,120,000.00

Option 2: Specified Sewer Area

This particular area is designated as Sanitary Sewer Connection Area #35. The estimated project cost which was updated on December 21, 2012 is \$1,333,398.

The total area of the affected lots is 90.92 Acres. Based on this the cost equates to \$14,665.62/Acre. Lots vary in size from 0.26 Acres to 2.24 Acres.

Staff recommends that Council consider advancing this area to a Sanitary Service Area. This recommendation would allow the entire area to develop as a whole unit.

Prior to advancing Connection Area #35 to a Specified Sewer Area, a petition is required so as to determine the level of support of the affected area. It is required that both 50% of the properties and 50% of the property values support this endeavour.

It is recommended that frontage upgrades be undertaken at the same time as the sanitary sewer construction. The cost for road upgrades which includes sidewalks, storm piping, is estimated to be \$37,500/frontage.

Staff has had limited discussions with the Glenmore-Ellison Improvement District (GEID). The current fire flow rates are less than 140 litres/second which is well below the industrial minimum fire flow rate of 225 litres/second. Without doing a preliminary design and estimate, GEID is comfortable using project cost similar to that projected for the Sanitary Sewer Connection Area costs. Similarly, staff recommends that water upgrades be undertaken at the same time as the sanitary sewer construction.

Looking at the total servicing package which would include sanitary sewer, water mains and road frontage upgrades, the least amount that would be payable would be approximately \$45,000 for a 0.24 Acre lot with one frontage. The highest amount payable would be approximately \$129,000 for a 1.84 Acre lot with double road frontage.

Properties would have two options as to financing - one-time upfront payment or payment over 20 years.

Option 3 - No Sewer

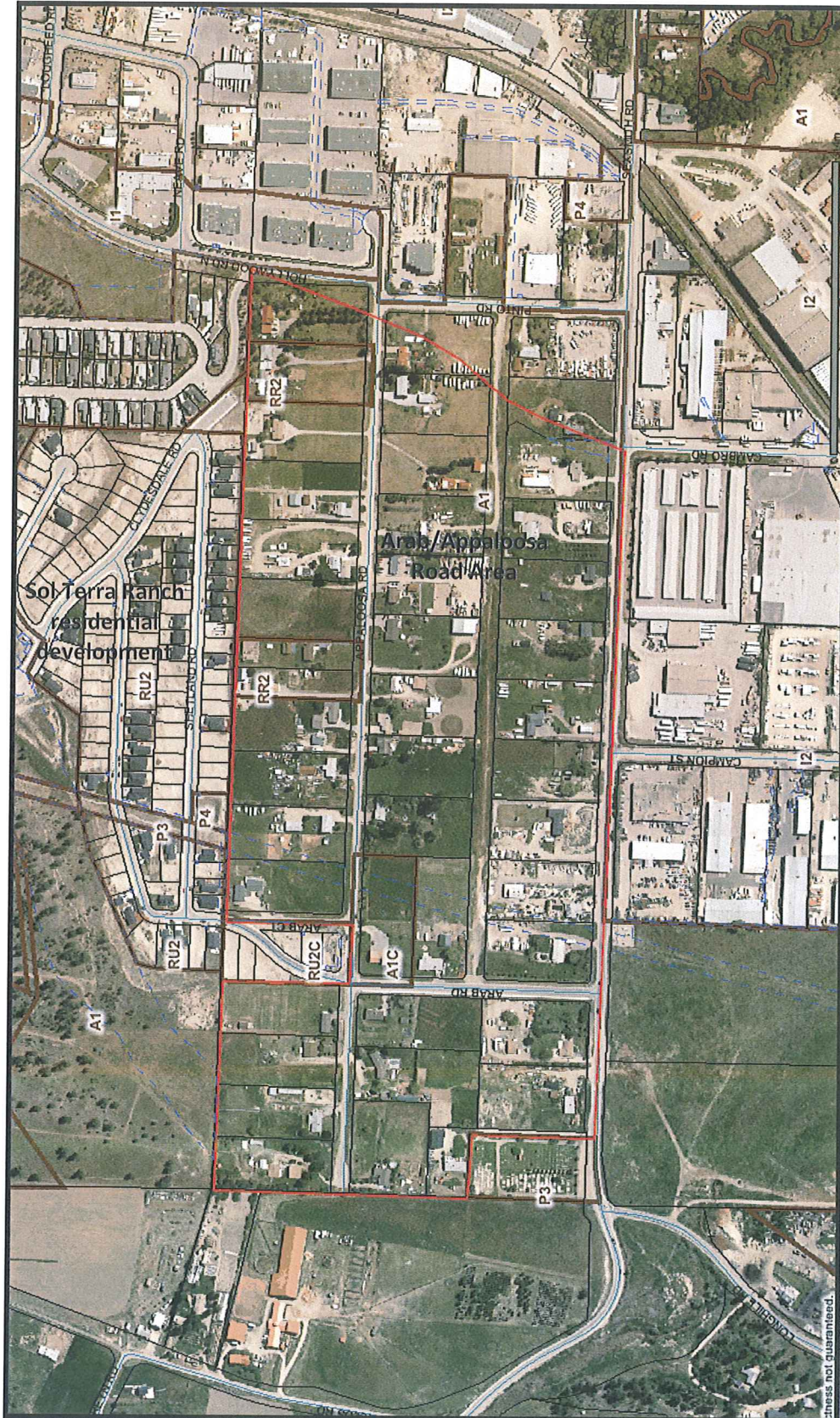
This is workable provided that there is no additional development on any of the subject properties.

Additional development on any of the subject properties would trigger upgrades to the both the water and sanitary sewer network. The water upgrades are triggered for fire protection and the sanitary sewer upgrade is triggered due to provincial regulations pertaining to lots less than 2 hectares

Steve Muenz, P. Eng.

Development Engineering Manager

APPENDIX A: Map of Arab/Appaloosa Road Area (outlined in red)



15.6 I6 – Low-Impact Transitional Industrial

I6Ip – 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) than 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.

15.2 I2 – General Industrial**15.2.1 Purpose**

The purpose is to provide for general industrial uses.

15.2.2 Principal Uses

The principal uses in this zone are:

- (a) animal clinics, major
- (b) auctioneering establishments
- (c) automotive and equipment repair shops
- (d) automotive and minor recreation vehicle sales/rentals
- (e) breweries and distilleries, major
- (f) breweries and distilleries, minor
- (g) bulk fuel depots
- (h) commercial storage
- (i) contractor services, general
- (j) contractor services, limited
- (k) convenience vehicle rentals
- (l) custom indoor manufacturing
- (m) emergency and protective services
- (n) equipment rentals
- (o) fleet services
- (p) food primary establishment
- (q) gas bars
- (r) general industrial uses
- (s) household repair services
- (t) liquor primary establishment, minor
- (u) outdoor storage
- (v) participant recreation services, indoor
- (w) private clubs
- (x) rapid drive-through vehicle services
- (y) recycling depots
- (z) recycled materials drop-off centres
- (aa) service stations, minor
- (bb) service stations, major
- (cc) truck and mobile home sales/rentals
- (dd) utility services, minor impact
- (ee) vehicle and equipment services, industrial
- (ff) warehouse sales

15.2.3 Secondary Uses

The secondary uses in this zone are:

- (a) agriculture, urban
- (b) residential security/operator unit
- (c) care centres, major

15.2.4 Subdivision Regulations

- (a) The minimum lot width is 40.0 m.
- (b) The minimum lot depth is 35.0 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 in accordance with the requirements of the City of Kelowna's Subdivision, Development & Servicing Bylaw has been installed, the minimum lot area is 4000 m².

15.2.5 Development Regulations

- (a) The maximum floor area ratio is 1.5.
- (b) The maximum site coverage is 60%.
- (c) The maximum height is 14.0 m.
- (d) The minimum front yard is 7.5 m.
- (e) The minimum side yard is 4.5 m, except it is not required abutting a lot in the C or I zones, and it is 6.0 m on a flanking street.
- (f) The minimum rear yard is 0.0 m where adjacent to commercial or industrial zones, except that it is 6.0m abutting other zones.

15.2.6 Other Regulations

- (a) No use shall produce dust, or other emissions that exceed standards set by provincial legislation, without written authorization from the appropriate provincial agency.
- (b) No use shall produce odour, glare, or noise that creates a nuisance.
- (c) There shall be no outdoor storage of toxic, noxious, explosive, odorous, or radio-active materials.
- (d) Only one residential security/operator unit is permitted on a site.
- (e) In addition to the regulations listed above, 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.
- (f) Drive-in food services are not a permitted form of development in this zone.

APPENDIX C - Land Use Alternatives - Overview Maps







CITY OF KELOWNA
MEMORANDUM

Date: March 01, 2013
File No.: I6 Zone
To: Land Use Management Department (AR)
From: Development Engineering Manager
Subject: I6 Zone – SR#225617 – Servicing Alternatives

This is further to Council's request that staff review options so as to facilitate either General Industrial, General Industrial/Transitional Industrial or Transitional Industrial in the area bounded by Sexsmith Road, Pinto Road, Appaloosa Road, Arab Road and Palamino Road.

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The I6 and Transitional Industrial requires developments to be serviced by the Municipal sanitary sewer system. A proposed development not adjacent to the existing system would be required to finance and construct piping to the existing system. The initial financial burden would be at the developers cost with a future repayment formula. The furthest property would have to install a main extension at approximately \$360,000. This is an obvious concern. In addition this construction may lead to piecemeal construction throughout the neighbourhood.

Staff has had limited discussions with the Glenmore-Ellison Improvement District (GEID). The current fire flow rates are less than 140 litres/second which is well below the industrial minimum fire flow rate of 225 litres/second. Without doing a preliminary design and estimate, GEID is comfortable using project cost similar to that projected for the Sanitary Sewer Connection Area costs. Similarly, staff recommends that water upgrades be undertaken at the same time as the sanitary sewer construction.

It is recommended that frontage upgrades be undertaken at the same time as the sanitary sewer construction. The cost for road upgrades which includes sidewalks, storm piping, is estimated to be \$37,500/frontage.

With this scenario and the assumption that the road surfaces would not be constructed to the ultimate cross-section but restored, the upfront construction costs to this property would be approximately \$800,000. Security requirements would be approximately \$1,120,000.00

Option 2: Specified Sewer Area

This particular area is designated as Sanitary Sewer Connection Area #35. The estimated project cost which was updated on December 21, 2012 is \$1,333,398.

The total area of the affected lots is 90.92 Acres. Based on this the cost equates to \$14,665.62/Acre. Lots vary in size from 0.26 Acres to 2.24 Acres.

Staff recommends that Council consider advancing this area to a Sanitary Service Area. This recommendation would allow the entire area to develop as a whole unit.

Prior to advancing Connection Area #35 to a Specified Sewer Area, a petition is required so as to determine the level of support of the affected area. It is required that both 50% of the properties and 50% of the property values support this endeavour.

It is recommended that frontage upgrades be undertaken at the same time as the sanitary sewer construction. The cost for road upgrades which includes sidewalks, storm piping, is estimated to be \$37,500/frontage.

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Looking at the total servicing package which would include sanitary sewer, water mains and road frontage upgrades, the least amount that would be payable would be approximately \$45,000 for a 0.24 Acre lot with one frontage. The highest amount payable would be approximately \$129,000 for a 1.84 Acre lot with double road frontage.

Properties would have two options as to financing - one-time upfront payment or payment over 20 years.

Option 3 - No Sewer

This is workable provided that there is no additional development on any of the subject properties.

Additional development on any of the subject properties would trigger upgrades to the both the water and sanitary sewer network. The water upgrades are triggered for fire protection and the sanitary sewer upgrade is triggered due to provincial regulations pertaining to lots less than 2 hectares

Steve Muenz, P. Eng.

Development Engineering Manager