



## 2.0 SUMMARY

The applicant is proposing to rezone the subject property from the existing A1 – Agriculture 1 zone to the proposed I1 – Business Industrial zone in order to facilitate future industrial development of the property. The subject property is designated for industrial development in the Official Community Plan.

### 2.1 Advisory Planning Commission

The above noted application (Z05-0041) was reviewed by the Advisory Planning Commission at the meeting of July 5, 2005 and the following recommendation was passed:

THAT the Advisory Planning Commission ***not*** support Rezoning Application No. Z05-0041, for 2630 Hollywood Road N, Lot 1, Plan 74952, Sec. 2, Twp. 23, ODYD, by Georg-Michael Holzey Ltd (John Hertay), to rezone from the A1-Agriculture 1 zone to the I2-General Industrial zone in order to allow for future industrial development.

**NOTE:** The applicant has now amended this application to rezone the subject property to the I1 – Business Industrial zone in order to better conform with the Area Sector Plan future land use for the property.

## 3.0 BACKGROUND

The subject property was part of the University South Area Structure Plan application, dated December 1996. The plan identified the subject property as suitable for a “Industrial Business” land use.

### 3.1 The Proposal

The original application proposed to rezone the subject property from the A1 – Agriculture 1 zone to the I2 – General Industrial in order to facilitate future industrial development.

However, the application was amended to rezone the property to the I1 – Business Industrial zone after neighbourhood input at the Advisory Planning Commission meeting, and to address concerns raised by the APC. There had been concerns raised at the APC meeting regarding potential impacts of industrial uses permitted in the I2 – General Industrial zone upon residents located along the east side of the nearby modular home park located to the west of the subject property.

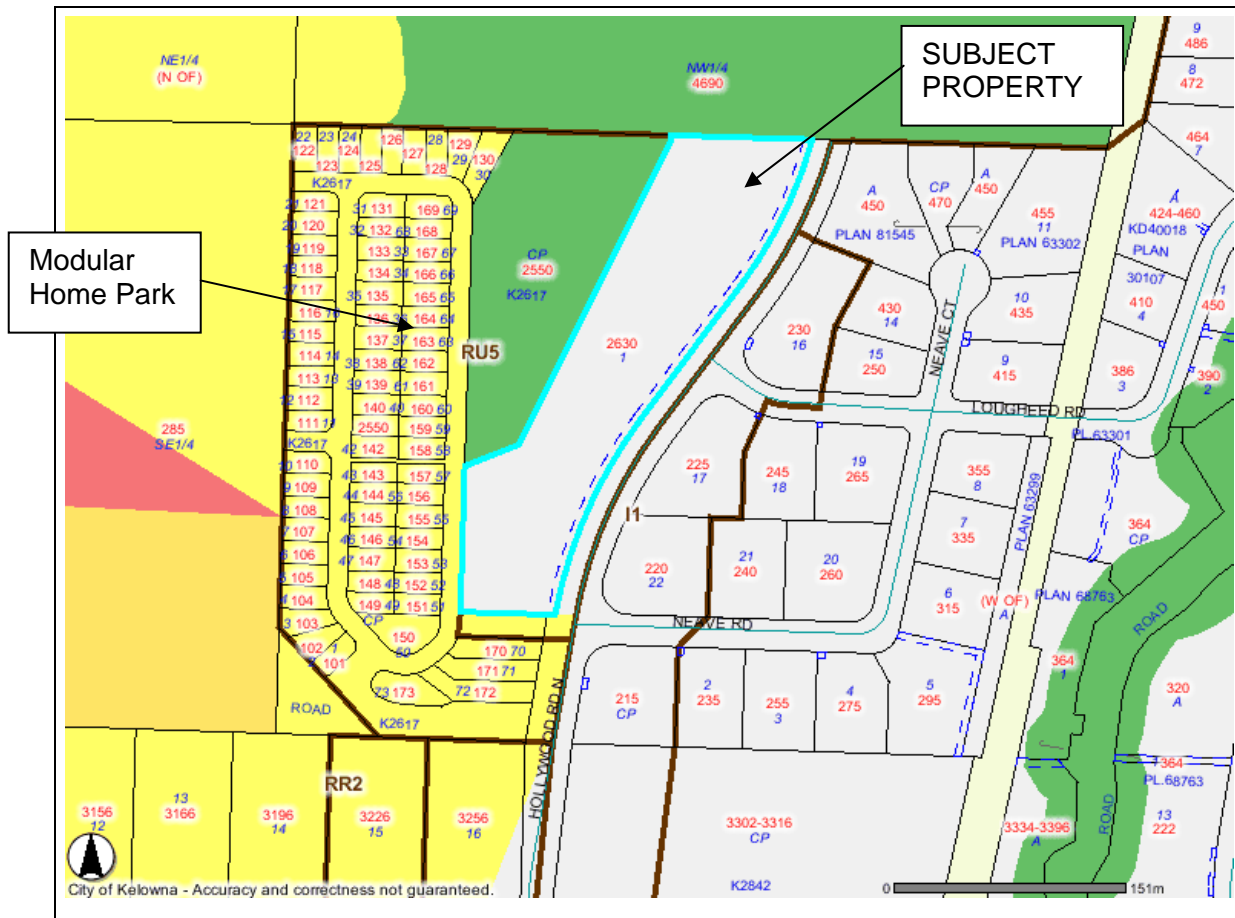
The applicant is now proposing to rezone the subject property from the A1 – Agriculture 1 zone to the I1 – Business Industrial zone in order to facilitate future industrial development of the lands. It will be necessary to obtain a Development Permit for any buildings proposed for the property as it fronts onto Hollywood Road N.

The following are the development regulations for the I1 – Business Industrial zone.

| CRITERIA                    | I1 ZONE REQUIREMENTS                                       |
|-----------------------------|--|
| Site Area (m <sup>2</sup> ) | 4000   |
| Site Width (m)              | 40   |
| Site Depth (m)              | 35   |
| F.A.R.                      | 1.2  |
| Max. Building Height (m)    | 16 m or 3 storeys  |
| Setbacks (m)                |  |
| - Front                     | 6.0  |
| - Rear                      | 0.0 m abutting comm. or ind.<br>6.0 m abutting other zones |
| - North/South Side          | 0.0 m abutting comm. or ind.<br>6.0 m abutting other zones |

### 3.2 Site Context

#### SUBJECT PROPERTY MAP



The property is located on the west side of the Hollywood Road N., across from Neave and Loughed Road. The site is sloped down towards Hollywood Road.

Adjacent zones and uses are, to the:

- North - A1 – Agriculture 1; *rural undeveloped*
- East - Hollywood Road N., I1 – Business Industrial & I2 – General Industrial; *Industrial subdivision*
- South - RU5 – Bareland Strata Housing; *College Heights Modular Home Park*
- West - RU5 – Bareland Strata Housing; *College Heights Modular Home Park*

### 3.3 Proposed Development Potential

The proposed zone of I1 – Business Industrial permits; animal clinics – major, broadcasting studios, business support services, care centres – major, commercial storage, contractor services – limited, custom indoor manufacturing, emergency and protective services, food primary establishment, general industrial uses, liquor primary establishment – minor, offices, participant recreation services – indoor, private clubs, utility services - minor impact as principal permitted uses, and residential security/operator unit as permitted secondary uses. However, this zone does not permit outdoor storage except for commercial vehicle and equipment in good repair.

### 3.4 Current Development Policy

#### 3.4.1 Kelowna Official Community Plan

The OCP Future Land Use designation of the subject property is Industrial and the proposed zoning is in compliance with this future land use designation. OCP policies and objectives relating to industrial development that should be considered are:

**Compatibility:**

- Encourage only those new industrial developments that are compatible with surrounding land uses (e.g. visual qualities, noise, odour, transportation);

**Objectives for Industrial Development:**

- All development should be an appropriate response to its physical context, or anticipated future context where an area is designated for increased density or land use transition in the OCP.
- All development should facilitate access by, and minimize conflicts among pedestrian, bicycle, and vehicular modes of transportation (access, mobility).
- All development should promote safety and security of persons and property within the urban environment (CPTED).
- All development should minimize impacts resulting from on-site activities and processes that could negatively affect adjacent land uses.

### 3.4.2 City of Kelowna Strategic Plan (2004)

The Strategic Plan objectives relating to development are:

- Manage human impacts on our natural environment, including Okanagan Lake and the surrounding hillsides.
- Sensitively integrate new development with heritage resources and existing urban, agricultural and rural areas.

## 4.0 TECHNICAL COMMENTS

The application has been circulated to various technical agencies and City departments and the following relevant comments have been submitted:

### 4.1 Community Development and Real Estate

Contact the Land Agent for preparation of the road reserve agreement. Depending on the type of land transaction being contemplated, the processing time can vary from 3 weeks to 3 months. The Land Department requires a full size copy, together with an 8 ½ " x 11" copy, of any survey plans.

### 4.2 Environmental Manager

A Hazardous Condition Development Permit is required for development of this property to address risk from wildfire and hazards associated with steep slopes.

### 4.3 Fire Department

Fire department access and hydrants as per the BC Building Code and City of Kelowna Subdivision Bylaw.

### 4.4 FortisBC

No Response

### 4.5 Inspection Services Department

Drainage issues to be resolved prior to this rezoning approval.

### 4.6 Parks Manager

1. Residents/owners will be responsible to weed, water and mow the boulevards adjacent to their properties. They will also be responsible for maintaining the boulevard in a reasonably tidy condition, free and clear of garbage, litter or debris.
2. All plant material (trees, shrubs, ground covers and sod) used in the boulevard to be reviewed and approved by Parks Staff.
3. Boulevard tree maintenance will be the responsibility of Parks Division.

4.7 Public Health Inspector

Provided community sewer & water are available.

4.8 Shaw Cable

No Response

4.9 Telus

Will provide underground facilities to development. Developer to supply and install conduit as per policy.

4.10 Works and Utilities Department

The Works & utilities Department comments and requirements regarding this application to rezone the subject property from A1 to I2 are as follows:

1. Subdivision.

- a) Dedicate the extension of Lougheed Road to beyond the proposed driveways as shown on drawings G-01 and C-01 prepared by CTQ Consulting Ltd
- b) Register a road reserve beyond the Lougheed Road extension as shown on drawings G-01 and C-01 prepared by CTQ Consultants Ltd. Please contact the Land Agent to have this documentation prepared. The document must be accompanied by a plan prepared by a B.C. Land Surveyor. The subdivision plan must be endorsed to the effect that there is an agreement to be registered under Section 526 of the Local Government Act. This agreement must be registered as a priority charge.
- c) Provide easements as may be required.

2. Geotechnical Study.

A comprehensive Geotechnical Study is required, which is to be prepared by a Professional Engineer competent in the field of geotechnical engineering, the study is to address the following:

- Overall site suitability for the proposed development.
- Slope analysis (i.e. 0-10 %, 10-20 %, 20-30% and over 30 %).
- Presence of ground water and/or springs.
- Presence of fill areas.
- Presence of swelling clays.
- Presence of sulfates.
- Potential site erosion.
- Provide specific requirements for footings and foundation construction.
- Provide specific construction design sections for roads and utilities over and above the City's current construction standards

3. Domestic water and fire protection.

- a) This development is located within the service area of the Glenmore-Ellison Improvement District (GEID). The developer is required to make satisfactory arrangements with the GEID. All charges for service connection and upgrading costs are to be paid directly to the GEID.
- b) Water meters are mandatory for the proposed developments and must be installed, inside a heated building on the water service inlet as required by the City Plumbing Regulation and Water Regulation Bylaws.
- c) The water system must be capable of supplying domestic and fire flow demands in accordance with the Subdivision & Servicing Bylaw. The applicant must provide water computations for this development to confirm the available water supply.

4. Sanitary Sewer.

- a) The subject property must be serviced by the municipal sanitary sewer prior to final subdivision approval.
- b) The developer will be responsible to pay the Sewer Specified Area Administration Fee in the amount of \$250.00 and extend the wastewater collection system along the Lougheed Road extension.

5. Drainage.

A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual will be a requirement of the building permit application.

6. Power and Telecommunication Services.

The services to this development are to be installed underground. It is the developer's responsibility to make a servicing application to the respective utility companies. The utility companies are then required to obtain the city's approval before commencing their works.

7. Road improvements.

- a) Hollywood Road North must be upgraded to a full urban standard (modified arterial with a 13.1m. carriageway) including curb and gutter, piped storm drainage system, fillet pavement, street lights, and adjustment and/or re-location of existing utility appurtenances if required to accommodate this construction. The applicant has submitted security for the construction of Hollywood along the modular home park property and the east side of Hollywood Road North beyond Lougheed Road. The estimated cost for the remaining work not secured under previous applications is estimated at **\$100,000.00** and is inclusive of a bonding escalation.
- b) The Lougheed Road extension must be constructed to a full urban standard (SS-R5) including curb, gutter and sidewalk on both sides, asphalt pavement, piped storm drainage system, extension of utilities, street lights, underground power and telecommunication, etc. The estimated cost of the Lougheed Road extension is **\$102,000.00**

8. Street lights.

Street lights must be installed on all fronting roads as per bylaw requirements. Design drawings to include level of illumination plan

9. Engineering.

Design, construction, supervision and inspection of all off-site civil works and site servicing must be performed by a consulting civil Engineer and all such work is subject to the approval of the city Engineer.

10. Bonding and Levies Summary.

a) Performance Bonding

|                           |                            |
|---------------------------|----------------------------|
| Hollywood Road upgrading  | \$100,000.00               |
| Lougheed Road extension   | <u>\$102,000.00</u>        |
| TOTAL Performance bonding | <u><b>\$202,000.00</b></u> |

b) Levies

|  |                 |
|--|-----------------|
| Sanitary sewer specified area administration fee | <b>\$250.00</b> |
|--|-----------------|

5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT COMMENTS

The University South Area Structure Plan's Future Land Use Concept Plan designated the subject property for Industrial Business use. The purpose of this designation was to screen the I2 - General industrial uses to the east from the residential uses to the west.

The original application proposed to rezone the subject property to the I2 – General Industrial zone. However, the application was amended to rezone the property to the I1 – Business Industrial zone after neighbourhood input at the Advisory Planning Commission meeting, and to address concerns raised by the APC. The I1 – Business Industrial zone differs from the I2 – General Industrial zone previously proposed in that the I1 zone does not permit outdoor storage except for equipment and vehicles in good repair, and does not allow for gas bars or other vehicle oriented uses that are permitted in the I2 – General Industrial zone. This change to the application to propose the I1 – Business Industrial zone will provide for a land use that better meets the future land use for the site that was envisioned in the University South Area Structure Plan's Future Land Use Concept Plan.

The site plan has been amended to include a road connection through the property to serve the lands to the north which was identified by the Transportation Division.

As the property fronts onto Hollywood Road, which is designated as a Development Permit road, it will be necessary for Council to consider a Development Permit application prior to final adoption of a zone amending bylaw, should Council support this application.



In light of the above, the Planning and Development Services Department supports this application and recommends for positive consideration by Council.

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Shelley Gambacort  
Acting Manager of Development Services

Approved for inclusion

Mary Pynenburg, MRAIC MCIP  
Director of Planning & Development Services

PMc/pmc  
Attach.

Attachments

(Not attached to the electronic copy of the report)

Subject Property Map

1 page of preliminary plan of subdivision