

# REPORT TO COUNCIL



**Date:** Feb 19<sup>th</sup> 2018

**RIM No.** 1250-30

**To:** City Manager

**From:** Community Planning Department (AC)

**Application:** DP17-0158

**Owner:** CK16 Property Group Ltd.  
BC1098771

**Address:** 3050 Sexsmith Rd

**Applicant:** Plan B Contractors Inc – Reid  
Longstaffe

**Subject:** Rezoning Application

OCP Designation: IND-L – Industrial Limited

Zone: I6 – Low Impact Transitional Industrial

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## 1.0 Recommendation

THAT Final Adoption of Zoning Amending Bylaw No. 11465 be considered by Council;

THAT Council authorizes the issuance of Development Permit No. DP17-0158 for Lot 30, Section 3, Township 23, ODYD, Plan 18861, located at 3050 Sexsmith Rd, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A,"
2. The exterior design and finish of the building to be constructed on the land, be in accordance with Schedule "B";
3. Landscaping to be provided on the land be in accordance with Schedule "C";
4. The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect;

AND THAT the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Community Planning Department dated July 11, 2017 be completed prior to Building Permit issuance.

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit application in order for the permits to be issued;

AND FURTHER THAT this Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

## 2.0 Purpose

To review the form and character Development Permit for a two-phased, four building industrial development.

## 3.0 Community Planning

The Industrial – Limited Future Land Use (IND-L) designation was established in 2011 after public consultation associated with the 2030 OCP review. The IND-L designation and I6 zone allow for a range of low-impact industrial land uses that are intended to act as a transition between the more intensive general industrial areas to the south and east and the rural residential areas to the north and west. The permitted uses, development regulations, screening requirements, parking restrictions, outdoor storage restrictions, and other regulations in the I6 zone are designed to mitigate the industrial uses on nearby residential, rural and agricultural uses in this area. This Development Permit meets all the minimum requirements within the I6 zone and the Development Permit guidelines for industrial development outlined in the OCP. Therefore, Staff are recommending support for the Development Permit.

### 3.1 Public Notification

Council Policy No. 367 Public Notification Policy, does not require any notifications for Development Permits.

## 4.0 Proposal

### 4.1 Project Description

The applicant is proposing to build a multi-phased industrial development. The ultimate plan is to have 4 industrial buildings totalling 28,380 ft<sup>2</sup> of industrial area (7,095 ft<sup>2</sup> per building). The western buildings will be the first building to be built in phase 1. In phase 2, the eastern buildings will be constructed. However, this Development Permit will authorize the construction of all four buildings and both phases. There are variances associated with the proposal.

### 4.2 Site Context

The subject parcel is located within the Arab/Appaloosa area. The subject property is designated as Industrial – Transitional (IND-T) in the OCP and the lot is within the Permanent Growth Boundary. Specifically, the adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	A1 - Agriculture	Agriculture/industrial/residential
East	A1 – Agriculture & I6 – Low Impact Transitional Industrial	Agriculture/industrial/residential
South	I2 – General Industrial	Industrial
West	A1 - Agriculture	Agriculture/industrial/residential

**Subject Property Map: 3050 Sexsmith Rd****4.3 Zoning Analysis Table**

The zoning analysis table shows the requirements of the proposed zone compared to the proposal:

Zoning Analysis Table		
CRITERIA	Proposed	I6
Development Regulations		
Buildings		
Max FAR	n/a	No Limit
Max Site Coverage	17.7% - phase 1 35.4% - Total (phase 1&2)	50%
Max Height	9.5m	2 ½ stories & 9.5 m
Min Front Yard Setback	4.5m	4.5 m 6.0 m for garages / carports
Min Side Yard Setback (east)	43.18m (Phase 1)	<ul style="list-style-type: none"> <li>- 3.0 m for residential bldgs.</li> <li>- 4.5 m for industrial bldgs.</li> <li>- 7.5 m for industrial bldgs. when adjacent to a non-industrial future land use.</li> </ul>
Min Side Yard Setback (west)	4.5m (phase 2) 4.5m	
Rear Yard	7.51m	<ul style="list-style-type: none"> <li>- 7.5 m for all bldgs.</li> <li>- 30.0 m when adjacent to a non-industrial future land use.</li> </ul>

Other Regulations		
Outdoor Storage		
	Proposed	I6
Location	n/a	Not permitted in the setback areas and shall be consolidated into a single area per lot
Minimum Landscape buffer		
	Proposed	I6
Front	3.0 m	3.0m
Rear	opaque barrier	3.0m or opaque barrier
Side (east)	opaque barrier	3.0m or opaque barrier
Side (west)	opaque barrier	3.0m or opaque barrier
Parking		
	Proposed	I6
Parking	30 stalls (phase 1) 60 stalls Total (phase 1&2)	26.4 stalls (phase 1) 52.8 stalls Total (phase 1&2)
Loading	1 stall (phase 1) 2 stalls Total (phase 1&2)	1 stall (phase 1) 2 stalls Total (phase 1&2)
Number of Class 2 Bicycle Spaces	4 (phase 1) 8 Total (phase 1&2)	4 (phase 1) 8 Total (phase 1&2)
Outdoor Display		
	Proposed	I6
Location	n/a	Outdoor display / sales (& non-accessory parking) shall not encroach into the landscape areas

## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Development Process

**Compact Urban Form.**<sup>1</sup> Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

**Sensitive Infill.**<sup>2</sup> Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighbourhood with respect to building design, height, and siting.

#### Industrial Land Use Policies

**Objective 5.28.**<sup>3</sup> Focus industrial development to areas suitable for industrial use.

**Industrial Supply Protection.**<sup>4</sup> Protect existing industrial lands from conversion to other land uses by not supporting the rezoning of industrial land to preclude industrial activities unless there are environmental reasons for encouraging a change of use.

<sup>1</sup> City of Kelowna Official Community Plan, Policy 5.3.2 (Development Process Chapter).

<sup>2</sup> City of Kelowna Official Community Plan, Policy 5.22.6, Chapter 5 (Development Process Chapter).

<sup>3</sup> City of Kelowna Official Community Plan, Objective 5.28, Chapter 10 (Development Process Chapter).

<sup>4</sup> City of Kelowna Official Community Plan, Policy 5.28.1, Chapter 5 (Development Process Chapter).

**Secondary Housing in Light Industrial Areas.**<sup>5</sup> Consider the limited expansion of housing as a secondary use within industrial buildings in light or transitional industrial areas.

**Public and private open space.**<sup>6</sup> Design industrial developments to include outdoor break areas, green space, bicycle racks, skylights and windows in work areas, and linkages to recreational opportunities (e.g. linear parks).

#### **Transitional Industrial Design Guidelines.**<sup>7</sup>

In areas designated for Industrial – Limited use, these guidelines must be considered as well as all other guidelines in this section.

Policy #	Description
18.1	Industrial development adjacent to residential land uses must be planned, landscaped and screened to maintain the privacy of residential uses.
18.2	Where new industrial development is occurring adjacent to residential uses, window openings shall be placed to reduce the opportunity for overlook and be off set from residential windows.
18.3	Unfinished concrete block shall not be used as an exterior building material for principal facades or where the façade faces a residential land use.
18.4	Where loading doors face the street, they shall be set back from the main building plane.
18.5	The primary entrance of the main building on site should face the roadway.
18.6	Where security concerns limit windows and other openings, building design should employ other design techniques to avoid creating long blank walls.
18.7	Rooftop screening of mechanical and electrical equipment must be provided using materials consistent with the treatment of principal facades.
18.8	All lighting shall be oriented facing the site, pointed in a downward direction and constructed at the lowest practical elevation to minimize light trespass over surrounding properties.
18.9	Tall, broadcast or flood lights are not permitted.
18.10	Where possible, parking and outdoor storage should be located behind buildings or other structures. Where parking and storage is not behind buildings, it must be screened with landscaping or fencing.
18.11	Unpaved parking and storage surfaces should be made dust free through design or treatment.

## **6.0 Technical Comments**

### **6.1 Development Engineering Department**

See attached memorandum dated July 11<sup>th</sup> 2017.

### **6.2 Building & Permitting Department**

1. Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permit(s).
2. Demolition Permit required for any existing structures

<sup>5</sup> City of Kelowna Official Community Plan, Policy 2, Objective 5.29, Chapter 5 (Development Process Chapter).

<sup>6</sup> City of Kelowna Official Community Plan, Policy 7.5, Chapter 14 (Urban Design Development Permit Areas).

<sup>7</sup> City of Kelowna Official Community Plan, Chapter 14 (Urban Design Development Permit Areas).

3. Placement permits are required for any sales or construction trailers that will be on site. The location(s) of these are to be shown at time of development permit application.
4. Fire resistance ratings are required for storage, janitor and/or garbage enclosure room(s) / area(s). The drawings submitted for building permit is to clearly identify how this rating will be achieved and where these area(s) are located.
5. A Hoarding permit is required and protection of the public from the staging area and the new building area during construction. Location of the staging area and location of any cranes should be established at time of DP.
6. A Building Code analysis is required for the structure at time of building permit applications, but the following items may affect the form and character of the building(s):
  - a. Any alternative solution must be accepted by the Chief Building Inspector prior to the release of the Building Permit
  - b. Location, Heights, Colors of mechanical systems and the required screening are to be determined at time of DP
  - c. Any security system that limits access to exiting needs to be addressed in the code analysis by the architect.
  - d. If there is to be a caretaker unit located on this lot it should be defined as part of the DP.
7. A Geotechnical report is required to address the sub soil conditions and site drainage at time of building permit application. Minimum building elevations are required to be established prior to the release of the Development Permit. If a soil removal or deposit permit is required, this must be provided at time of Development Permit application.
8. We strongly recommend that the developer have his professional consultants review and prepare solutions for potential impact of this development on adjacent properties. Any damage to adjacent properties is a civil action which does not involve the city directly. The items of potential damage claims by adjacent properties are items like settlement of foundations (preload), damage to the structure during construction, undermining & underpinning of existing foundation, additional snow drift on neighbour roofs, excessive noise from mechanical units, vibration damage during foundation preparation work, water infiltration systems, etc.
9. Size and location of all signage to be clearly defined as part of the development permit. This should include the signage required for the building addressing to be defined on the drawings per the bylaws on the permit application drawings.
10. An exit analysis is required as part of the code analysis at time of building permit application. The exit analysis is to address travel distances within the units and all corridors, number of required exits per area, door swing direction, handrails on each side of exit stairs, width of exits, spatial calculation for any windows in exit stairs, etc.
11. Washroom requirements for base building are to be addressed in the building permit application. This will be addressed at time of building permit application
12. Full Plan check for Building Code related issues will be done at time of Building Permit applications. Please indicate how the requirements of Radon mitigation and NAFS are being applied to this complex at time of permit application.

### 6.3 Fire Department

1. Construction fire safety plan is required to be submitted and reviewed prior to construction and updated as required. Template at Kelowna.ca
2. Should a hydrant be required on this property it shall be operational prior to the start of construction and shall be deemed a private hydrant - 225 L/Sec is required for Industrial
3. This building shall be addressed off of the street it is accessed from with unit numbers

4. A fire safety plan as per section 2.8 BCFC is required at occupancy. The fire safety plan and floor plans are to be submitted for approval in AutoCAD Drawing format on a CD
5. Fire Department access is to be met as per BCBC 3.2.5. including the main entrance to be within 3-15 metres from the closest access route. Is Road B to be the required turn around as the access road exceeds 90
6. Approved Fire Department steel lock box acceptable to the fire dept. is required by the fire dept. entrance and shall be flush mounted
7. All requirements of the City of Kelowna Fire and Life Safety Bylaw 10760 shall be met for communications and high buildings
8. Fire alarm system is to be monitored by an agency meeting the CAN/ULC S561 Standard.
9. Contact Fire Prevention Branch for fire extinguisher requirements and placement.
10. Fire department connection is to be within 45M of a fire hydrant - unobstructed.
11. Ensure FD connection is clearly marked and visible from the street
12. sprinkler zone valves shall be accessible as per fire prevention bylaw (10760) - no higher than 7 feet.
13. dumpster/refuse container must be 3 meters from structures or overhangs or in a rated room in a parkade
14. Upon completion, an owners certificate and copy of NFPA 25 shall be provided for the sprinkler system.

## **7.0 Application Chronology**

Date of Application Received:	July 7 <sup>th</sup> 2017
Date Public Consultation Completed:	July 8 <sup>th</sup> 2017
Date First Reading:	August 28 <sup>th</sup> 2017
Date Public Hearing:	September 19 <sup>th</sup> 2017

<b>Report prepared by:</b>	Adam Cseke, Planner Specialist
<b>Reviewed by:</b>	Terry Barton, Urban Planning Manager
<b>Approved for Inclusion:</b>	Ryan Smith, Community Planning Department Manager

### **Attachments:**

Attachment 'A' Development Engineering Memo dated July 11<sup>th</sup> 2017  
Development Permit (DP17-0158)