

REPORT TO COUNCIL



Date: April 10, 2018

RIM No. 0940-50

To: City Manager

From: Community Planning Department (BBC)

Application: DVP17-0276 **Owner:** Campion Road Management et al

Address: 170 – 180 Campion Street **Applicant:** Scott Andrew Wetherill

Subject: Development Variance Permit Application

Existing OCP Designation: IND - Industrial

Existing Zone: I2 – General Industrial

1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit DVP17-0276 for Lot 2, Section 34, Township 26, ODYD, Plan EPP12919 located at 170 – 180 Campion Street, 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;

AND THAT variances to the following section of Zoning Bylaw No. 8000 be granted, as shown in Schedule "A":

Section 15.2.5(d): I2 – General Industrial Development Regulations

To vary the required minimum front yard setback for an industrial building from 7.5 m permitted to 3.0 m proposed.

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 consider a variance request to alter the required minimum front yard setback from 7.5 m required to 3.0 m proposed to facilitate the development of a new industrial building on the subject property.

3.0 Community Planning

Community Planning Staff is supportive of the requested variance to reduce the front yard setback from 7.5 m required to 3.0 m proposed on the subject property (Schedule A). The Official Community Plan (OCP) has a Future Land Use of IND - Industrial for the subject parcel and adjacent parcels along Champion Street. Consideration has been given to the façade on Champion Street to ensure appropriate signage, lighting, and scale on the subject property (Schedule B). The building design is complemented by a 3.0 m wide landscape area providing a buffer and transition between the proposed new building and Champion Street. (Schedule C). The landscape plan includes three deciduous trees along the frontage of the building.

A front yard setback variance is being requested in order for the applicant to provide a viable facility for its tenants. The proposed use is appropriate for this site location. The requested variance will not compromise any municipal infrastructure or services, and will not negatively impact the adjacent parcels.

To fulfill the requirements of Council Policy No. 367, the applicant submitted a Neighbour Consultation Summary Form on January 4, 2018, and a revised form submitted on January 15, 2018, outlining that neighbours within 50 m of the subject property were notified.

4.0 Proposal

4.1 Background

The current tenant of the subject property has outgrown the existing administrative space, and is proposing a new two-storey administrative building to be constructed at the front of the property (Attachment B). The current administrative building is located near the rear of the subject property, resulting in pedestrian and heavy equipment interaction safety issues. Additionally, currently waste bins and garbage trucks are parked along the front of the property, visible from Champion Street. Constructing the new administrative building at the front of the subject property would resolve the pedestrian-equipment conflict, as well create space along the rear of the new building for storing waste bins and garbage truck, away from property frontage.

4.2 Project Description

There are two existing industrial buildings on the subject property. The proposal is to add a third 188.7 m² building to be located 15.85 m east of an existing building along the southern property line (Attachment A). The use on the subject property is a waste management operation, which fits into the General Industrial use category.

The building design for the front façade facing Champion Street, as well as the northern (main entrance) and western façades are designed with large windows, well defined entrance to the unit, and a similar style and colour pallet to the other buildings currently located on the subject property (Schedule B). Parking stalls are provided at rear of the proposed new building, avoiding any potential traffic or safety conflicts. There are eight existing bicycle stalls on the property.

The subject property is not located within a mandatory development permit area, therefore if the variance is approved, the building would proceed straight to a Building Permit application.

4.3 Site Context

The subject property is located approximately 170 m south of Sexsmith Road and is accessed from Campion Street.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	I2 – General Industrial	General Industrial – Farm Equipment Sales & Servicing; Auto Repairs; Towing
East	I2 – General Industrial	Campion Street General Industrial – Warehouse & Storage; Construction
South	I2 – General Industrial	General Industrial – Marine Boats
West	A1 - Agriculture	Agriculture

Subject Property Map: 170 – 180 Campion Street



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	I ₂ ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Minimum Lot Area	4,000 m ²	7,260 m ²
Minimum Lot Width	40.0 m	47.11 m
Minimum Lot Depth	35.0 m	169.85 m
Site Coverage	60%	34.3%
Development Regulations		
Floor Area Ratio	1.5	0.3
Height	14.0 m	8.33 m
Front Yard	7.5 m	3.0 m ●
Side Yard (south)	0.0 m	1.52 m
Side Yard (north)	0.0 m	20.24 m
Rear Yard	6.0 m	154.31 m
Other Regulations		
Minimum Parking Requirements	4.6 stalls per floor (new building) / 31.5 stalls (site total)	5 stalls per floor (new building) / 33 stalls (site total)
Class II Bicycle Parking	7.4	8 existing
Loading Space	2 spaces	2 spaces
● Indicates a requested variance to the front yard setback from 7.5 m required to 3.0 m proposed		

5.0 **Current Development Policies**5.1 Kelowna Official Community Plan (OCP)**Development Process**

Industrial Land Use.¹ Focus Industrial development to areas suitable for Industrial use.

Industrial Land Use Intensification.² Encourage more intensive industrial use of currently under-utilized industrial sites during site redevelopment or by permitting lot subdivision where new lots can meet the minimum lot size requirements of the Zoning Bylaw.

6.0 **Technical Comments**6.1 Building & Permitting Department

- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permit(s).
- 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):
 - i. Any alternative solution must be accepted by the Chief Building Inspector prior to the release of the Building Permit
 - ii. Location, Heights, Colors of mechanical systems and the required screening are to be determined at time of DP

¹ City of Kelowna Official Community Plan, Objective 5.28 (Development Process Chapter)

² City of Kelowna Official Community Plan, Policy 5.29.1 (Development Process Chapter)

- iii. Any security system that limits access to exiting needs to be addressed in the code analysis by the architect.
- 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.
- 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.

6.2 Development Engineering Department

Refer to Attachment A.

6.3 Fire Department

- Construction fire safety plan is required to be submitted and reviewed prior to construction and updated as required.
- Fire Department access is to be met as per BCBC 3.2.5.

6.4 Irrigation District

- We haven't seen or verified any requirements that may be required with any new structure.
- We have no concerns with the DVP, other than to point out that there is a private hydrant and lead from Campion Street, that will have to be decommissioned or relocated with new development.

7.0 **Application Chronology**

Date of Application Received: December 7, 2017
Date Public Consultation Completed: January 4, 2018, revised form submitted on January 15, 2018.
Supplemental Drawings Received: February 21, 2018

Report prepared by: Barbara B. Crawford, Planner
Reviewed by: Terry Barton, Urban Planning Manager
Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Draft Development and Development Variance Permit
Attachment A - Development Engineering Services Memos
Attachment B – Applicant Rationale Letter
Schedule A – Site Plan
Schedule B – Conceptual Elevations and Floor Plan
Schedule C – Landscape Plan