

# REPORT TO COUNCIL



**Date:** January 25, 2015

**RIM No.** 1250-04

**To:** City Manager

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

**Application:** Z15-0002

**Owner:** Simple Pursuits Inc

**Address:** 1889 Spall Road

**Applicant:** Shane Worman / Simple Pursuits

**Subject:** Rezoning Application, OCP Amendment

**Existing OCP Designation:** SC - Service Commercial

**Proposed OCP Designation:** MXR - Mixed Use Residential

**Existing Zone:** C10 - Service Commercial

**Proposed Zone:** C4 - Urban Center Commercial

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## 1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP15-0001 to amend Map 4.1 in the Kelowna 2030 - Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of Lot A, District Lot 129, ODYD, Plan 20633, located at 1889 Spall Road, Kelowna, BC from the SC - Service Commercial designation to the MXR - Mixed Use Residential designation, be considered by Council;

AND THAT the Official Community Plan Map Amending Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT Council considers the Public Information Session public process to be appropriate consultation for the *Purpose* of Section 879 of the *Local Government Act*, as outlined in the Report from the Community Planning Department dated December 14<sup>th</sup>, 2015.

THAT Rezoning Application No. Z15-0002 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, District Lot 129, ODYD, Plan 20633, located at 1889 Spall Road, Kelowna, BC from the C10 - Service Commercial zone to the C4 - Urban Center Commercial zone be considered by Council;

AND FURTHER THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

## **2.0 Purpose**

To rezone the subject property and amend the Official Community Plan designation to alter potential tenant mix for an existing commercial building.

## **3.0 Community Planning**

This project is not supported by OCP policies. The OCP generally supports protecting Service Commercially zoned land outside of the Urban Centers, and does not support the expansion of the C4 - Urban Center Commercial zone outside of the Urban Centers.

However, after reviewing the application within the neighbourhood context, the current structure and the expected long term use of the structure, staff are recommending that the rezoning and Official Community Plan Amendments be given initial consideration. The structure has already been constructed and has a remaining operational life expectancy of more than 30 years. Rezoning the property is unlikely to precipitate new development, but rather allow the building owner to have more flexibility within the existing space, and make better use of an already developed parcel.

The property is part of a small salient of land between the Capri-Landmark and Midtown Urban Centers. The Capri Landmark Urban Center is directly across the road from the parcel.

Because of the unique context, an existing building with no mid-term redevelopment plans, Community Planning staff are not concerned that this rezoning would lead to erosion of the Service Commercial land base.

## **4.0 Proposal**

### **4.1 Background**

The building at 1889 Spall Road was constructed approximately 12 years ago. It has been home to several significant tenants, and currently houses a Quality Greens grocery store and T-Bones Butcher shop.

The C10 - Service Commercial zone is intended for a range of commercial activities, including vehicular oriented activities such as automotive dealerships or vehicle servicing centers. It allows limited office use, allowing only offices intended for developers or construction companies, and "service commercial retail use".

The applicant feels that the land use and building on the site is more closely aligned with the C4 - Urban Center Commercial zone, which allows additional retail and office uses. The applicant has applied for the zoning bylaw amendment to allow greater flexibility in renting second floor space to office or personal service clients, rather than being limited solely to developers or construction companies.

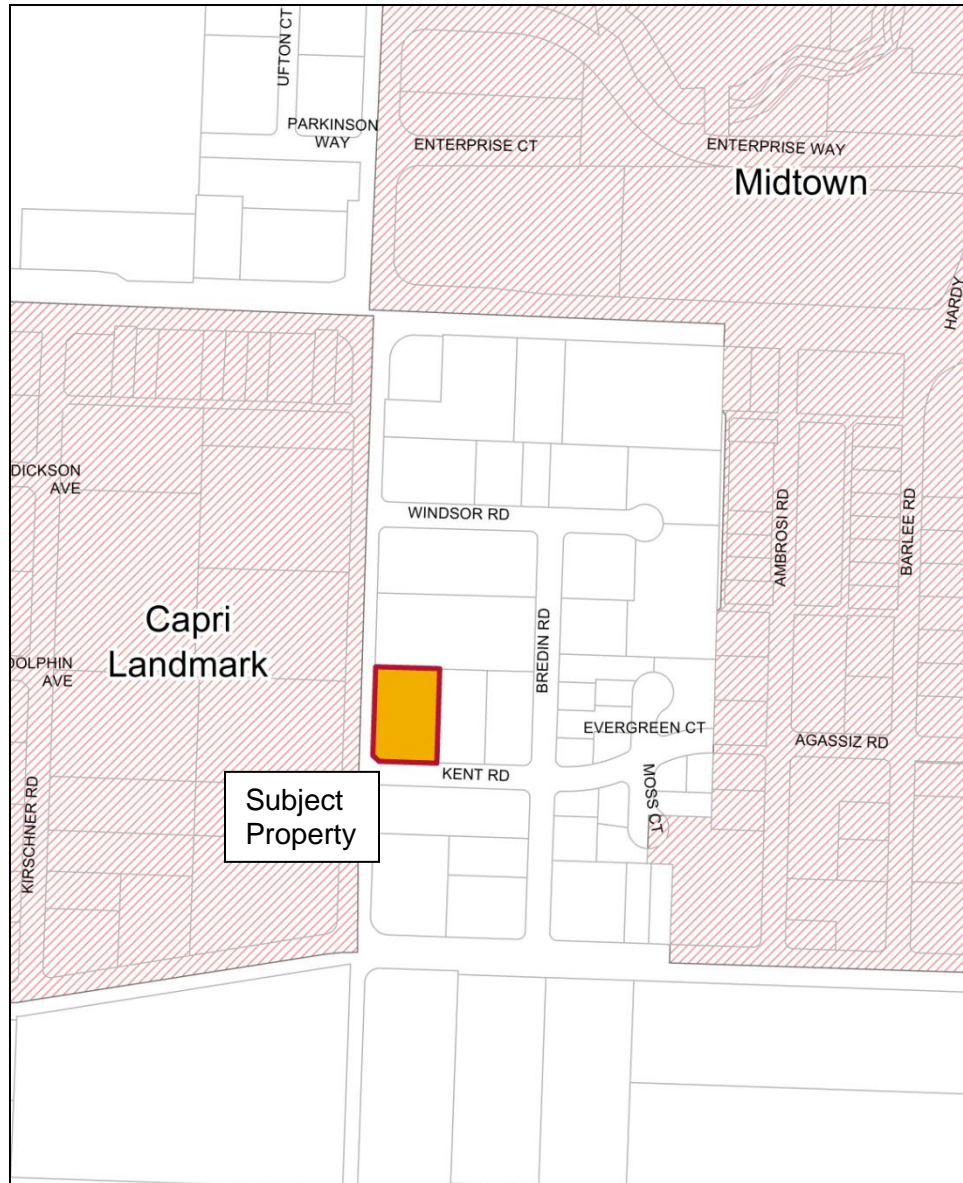
The applicant is not proposing any physical, servicing or infrastructure changes to the existing building. In the near term, the land use change would only alter the tenants that can use the offices on the second floor.



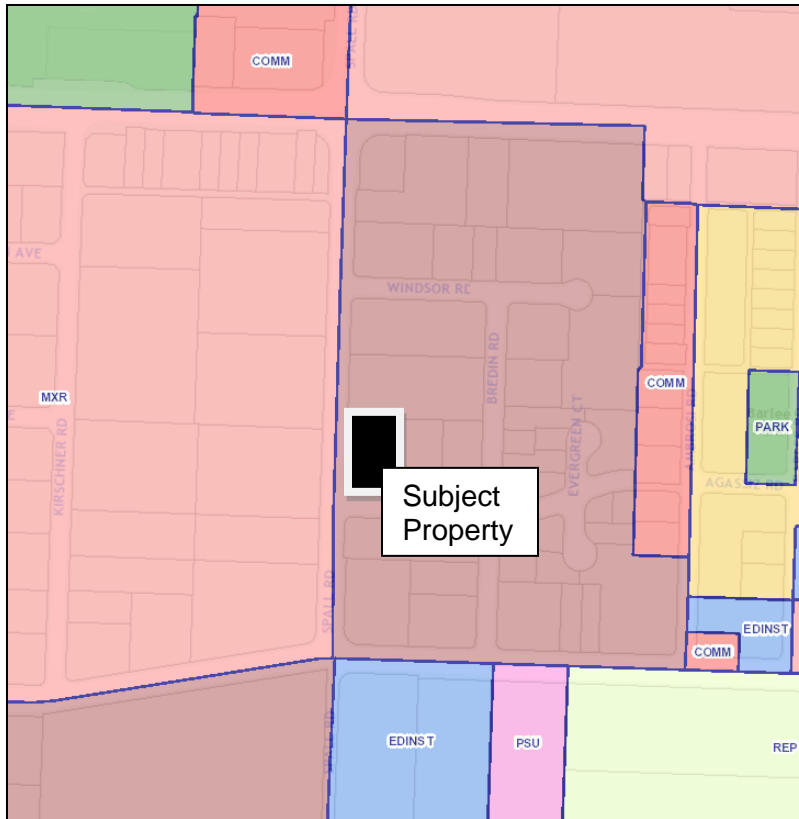
Subject property



Across street



The site sits between two Urban Centers, the Capri Landmark Urban Center and the Midtown Urban Center. The property is designated for future Service Commercial use, while the properties directly across Spall are designated for future Mixed Use Residential use.

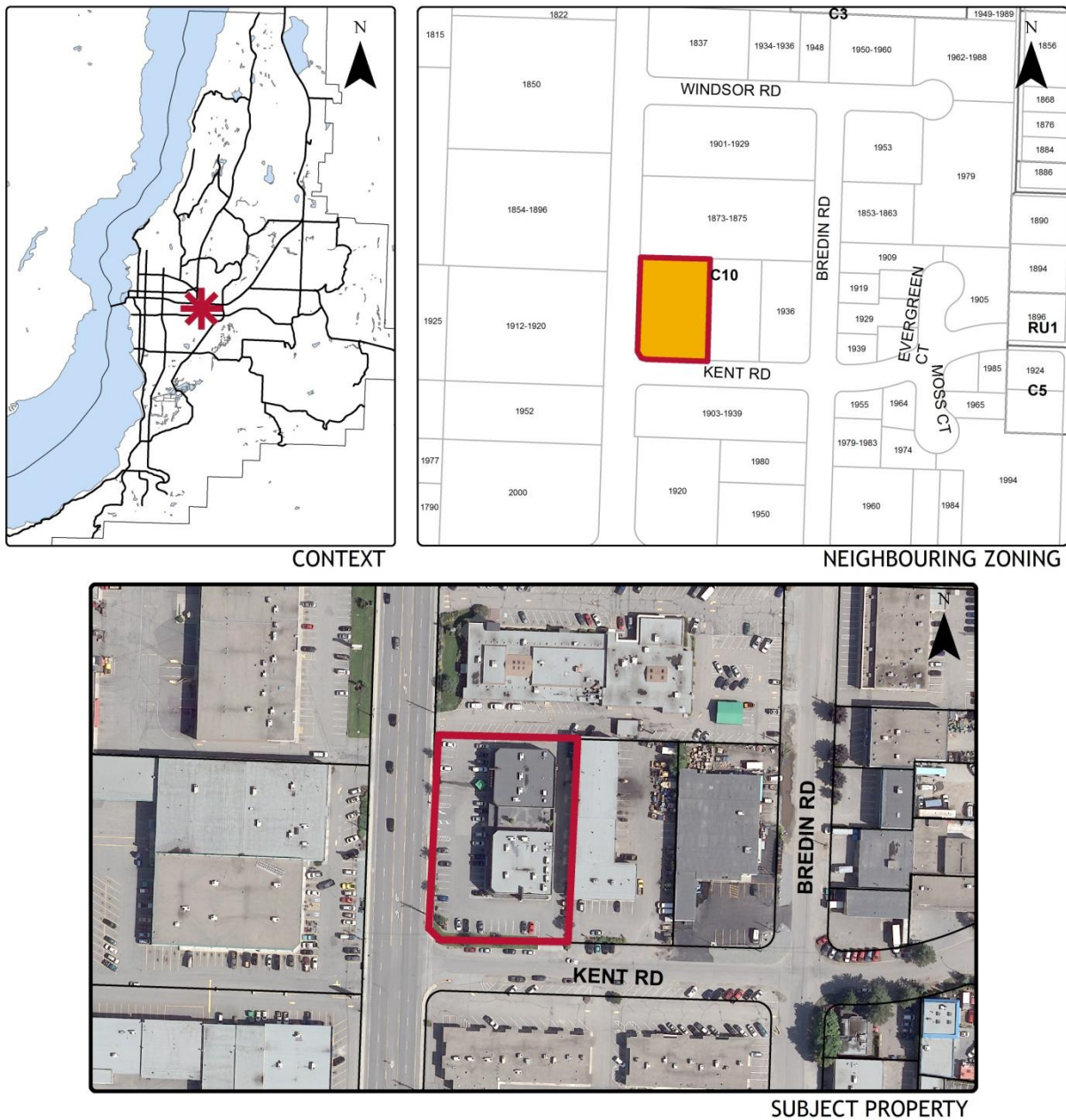


Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C10 - Service Commercial	Business Park
East	C10 - Service Commercial	Retail / Office Rental
South	C10 - Service Commercial	Business Park
West	C10 - Service Commercial	Furniture Retailer / Commercial Plaza



## Subject Property Map:



## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

**Ensure that Urban Centres develop as vibrant commercial nodes.**

**Conversion of C10.** Discourage the conversion of C10 Service Commercial zoned areas to C3, C4 or C7 zoning, outside of Urban Centres. The City, depending on site-specific circumstances, may support the conversion of C10 Service Commercial zoned sites to C3, C4 or C7, within Urban Centres. and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

## **6.0 Technical Comments**

### **6.1 Building & Permitting Department**

The Building and Permitting Department has no concerns with the application.

### **6.2 Development Engineering Department**

See attached memorandum dated February 2, 2015.

### **6.3 Fire Department**

The Fire Department has no issues with the rezoning of this area.

## **7.0 Application Chronology**

Date of Application Received: January 19, 2015

**Report prepared by:**

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Ryan Roycroft, Planner

**Reviewed by:**

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Terry Barton, Urban Planning Manager

**Approved for Inclusion:**

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Ryan Smith, Community Planning Department Manager

**Attachments:**