

REPORT TO COUNCIL



Date: August 27, 2018

RIM No. 1250-30

To: City Manager

From: Community Planning Department (AF)

Application: Z18-0053

Owner: 1124478 BC Ltd

Address: 1639 Cary Rd

Applicant: Architecturally Distinct
Solutions

Subject: Rezoning Application

Existing OCP Designation: SC – Service Commercial

Existing Zone: C10 – Service Commercial / I2 – General Industrial

Proposed Zone: C10 – Service Commercial

1.0 Recommendation

THAT Rezoning Application No. Z18-0053 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, District Lot 125, ODYD, Plan KAP81782, located at 1639 Cary Road, Kelowna, BC from I2 – General Industrial zone and the C10 – Service Commercial zone to the C10 – Service Commercial zone be considered by Council;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Community Planning Department dated August 27, 2018;

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

2.0 Purpose

An application to rezone from I2 – General Industrial and C10 – Service Commercial to C10 – Service Commercial to facilitate zoning which is consistent with the Future Land Use Designation.

3.0 Community Planning

Community Planning supports the proposed development application to rezone a portion of the subject property from I2 – General Industrial to C10 – Service Commercial as it is in line with the Official Community Plan (OCP) Future Land Use Designation of SC – Service Commercial. The property is situated within the Urban Core Area of the City and is located within the Highway 97 City Sector just northeast of

the Midtown City Centre. The intent of the development application is to facilitate a minor rezoning of the property which will allow the zone of the subject property to be consistent with the Future Land Use Designation. It is consistent with the OCP Urban Infill Policy of Compact Urban Growth by utilizing the existing services and utilities in the area.

4.0 Proposal

4.1 Background

The subject property currently has an existing two story building located near the front property line along Cary Road as well as an accessory building located to the rear of the principle building.

4.2 Project Description

The proposed development application to rezone a portion of the site from I2 to C10 will facilitate consistent zoning for the subject property which is consistent with the OCP Future Land Use Designation of SC – Service Commercial. An associated Development Permit has been submitted for a two-storey 1,027m² commercial building. Staff are not tracking any variances associated with the Development Permit.

The proposed rezoning meets the OCP Urban Infill Policies for Compact Urban Growth and Sensitive Infill. These policies state that growth should occur in areas that are already serviced and have access to transit, and that growth should be designed to be sensitive to the existing character of the neighbourhood.

4.3 Site Context

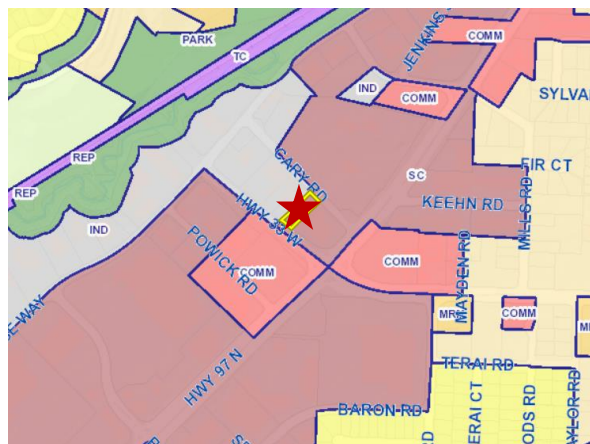
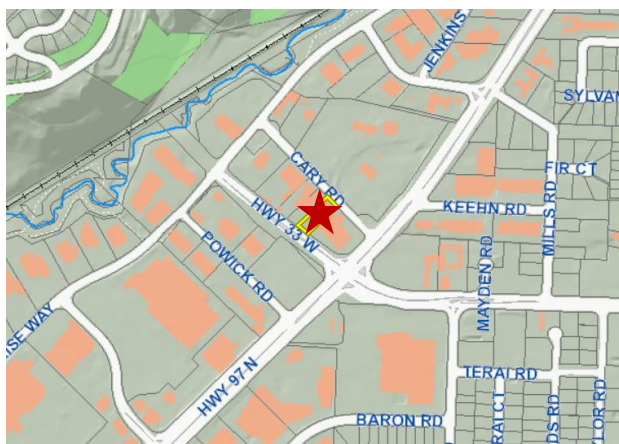
The subject property is located within the Highway 97 corridor near the intersection of Highway 33 and Highway 97 and just southeast of Mill Creek Linear Park. It is in close proximity to transit routes located along both Highway 33 and Highway 97. The surrounding neighbourhood is largely comprised of commercially zoned properties including C3 – Community Commercial, C4 – Urban Centre Commercial, C9 – Tourist Commercial and C10 – Service Commercial. Other zones within the surrounding area include I1 – Business Industrial, I2 – General Industrial and P4 – Utilities. The property is fully serviced and is located within the Permanent Growth Boundary.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C10 – Service Commercial	Commercial
East	C10 – Service Commercial	Commercial
South	C4 – Urban Centre Commercial	Commercial
West	I2 – General Industrial	Industrial

Site Context Map

Future Land Use Map



Subject Property Map: 1639 Cary Rd



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Compact Urban Form.¹ 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.

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

Retention of Commercial Land.² In order to ensure that the City's commercial land supply is not eroded, where the OCP Bylaw 10500 indicated a commercial land use designation for the property, the expectation would be that there be no net loss of commercial space on the site as a result of the redevelopment to include other uses.

Conversion of C10.³ 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.

6.0 Technical Comments

6.1 Building & Permitting Department

- No comments applicable to rezoning

6.2 Development Engineering Department

- See attached memorandum dated May 16, 2018

6.3 Fire Department

- No concerns with proposed rezoning application

6.4 Ministry of Transportation

- Preliminary Approval is granted for the rezoning for one year pursuant to Section 52(3)(a) of the Transportation Act. Please forward the bylaw for Ministry signature after 3rd reading.

7.0 Application Chronology

Date of Application Received: May 15, 2018

Date Public Consultation Completed: May 28, 2018

Report prepared by: Andrew Ferguson, Planner

Reviewed by: Dean Strachan, Suburban and Rural Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Attachment A: Development Engineering Technical Comments

Attachment B: Site Plan

Attachment C: Floor Plans

Attachment D: Conceptual Building Elevations and Sections

² City of Kelowna Official Community Plan, Policy 5.24.2 (Development Process Chapter).

³ City of Kelowna Official Community Plan, Policy 5.25.1 (Development Process Chapter).