

# REPORT TO COUNCIL



**Date:** Sept 17<sup>th</sup> 2018

**RIM No.** 1250-30

**To:** City Manager

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

**Application:** Z18-0016

**Owner:** Mission Group Commercial  
Ltd. Inc. No. BC0933421

**Address:** 205 Lougheed Rd

**Applicant:** Mission Group – Luke  
Turri

**Subject:** Rezoning Application

Existing Zone: CD25 – Light Industrial – Residential Mixed Use

Proposed Zone: I2 – General Industrial

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## 1.0 Recommendation

THAT Rezoning Application No. Z18-0016 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, Section 2, Township 23, ODYD, Plan KAP84518, located at 205 Lougheed Road, Kelowna, BC from the CD25 – Light Industrial – Residential Mixed Use zone to the I2 – General Industrial zone, be considered by Council;

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

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 Sept 17<sup>th</sup>, 2018;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered in conjunction with Council's consideration of a Development Permit for the subject property.

## 2.0 Purpose

To rezone the subject from the CD25 – Light Industrial – Residential Mixed Use zone to the I2 – General Industrial zone to facilitate the use of the property for an industrial development.

## 3.0 Community Planning

Staff are supportive of the rezoning application. The Official Community Plan supports the preservation and conservation of industrial land. Due to steep slopes and significant no-build areas, there are adequate buffers to the neighbouring residential development to the south and west.

The previous property owner attempted to implement a custom Comprehensive Development zone that was applied for back on October 3<sup>rd</sup> 2014. Council approved the zone on June 30<sup>th</sup> 2015. The purpose of the CD25 – Light Industrial – Residential Mixed Use zone was to allow residential uses to occur within the same building as limited industrial uses in order to minimize the inherent land use conflict.

This was thought to be an experimental way to create housing that may be less costly but attractive to specific populations like young working people and students. This recommendation was adopted into the Official Community Plan as Policy 5.29.2, Secondary Housing in Light Industrial Areas, supports consideration of "limited expansion of housing as a secondary use within industrial buildings in light or transitional industrial areas." Further the OCP's future land use designation definition of Industrial (IND) states that it may also include Comprehensive Development (CD) zoning that provides for industrial uses.

However, the previous owner could not make this proposal work and sold the property to the current property owner which is requesting to use the property for solely industrial purposes. Staff are recommending support of the industrial land use as this is consistent with the OCP future land use and more consistent with the surrounding land use context than residential land uses would be.

Staff are recommending the CD25 zone be eliminated as the Local Government Act does not permit floating zones and no other property has the CD25 zoning designation.

#### **4.0 Proposal**

##### **4.1 Project Description**

The subject property is currently a vacant lot. The applicant would like to use the property for industrial purposes. A preliminary set of drawings are attached to the rezoning application and Staff are not tracking any variances associated with the proposal. Should Council support the Rezoning bylaw, staff will bring forward a report evaluating the design guidelines for the Development Permit.

##### **4.2 Site Context**

The subject property is located along the highway 97 Industrial corridor. The property is just under 4 acres in size but only about half the site (~1.9 acres) is useable (outside steep slopes and covenant areas). The property has urban services and is located within the Permanent Growth Boundary.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	I1 – Business Industrial RU5 – Bareland Strata Housing	Industrial Steep Slopes
East	I1 – Business Industrial I2 – General Industrial	Industrial
South	RU5 – Bareland Strata Housing	Residential
West	RU5 – Bareland Strata Housing	Residential

Subject Properties Map: 205 Lougheed Road



**5.0 Current Development Policies**

5.1 Kelowna Official Community Plan (OCP)

**Industrial Land Use Policies**

**Objective 5.28.**<sup>1</sup> Focus industrial development to areas suitable for industrial use.

**Rezoning to Industrial.**<sup>2</sup> Consider allowing land not currently designated as industrial to be supported for an Official Community Plan amendment and subsequent rezoning to allow industrial uses provided that such a rezoning would be consistent with other Official Community Plan policies, provided that available municipal infrastructure can support the use, and provided that the industrial use would be compatible with existing

<sup>1</sup> City of Kelowna Official Community Plan, Objective 5.28, Chapter 10 (Development Process Chapter).

<sup>2</sup> City of Kelowna Official Community Plan, Policy 5.28.1, Chapter 5 (Development Process Chapter).

and proposed future surrounding uses. Compatibility issues to consider include, but are not limited to, visual impact, noise, odour, hours of operation, pollution and traffic.

**Objective 5.30.**<sup>3</sup> Ensure adequate industrial land supply.

**Discourage I1 Zoning.**<sup>4</sup> Discourage properties from being rezoned to I1 Business Industrial. Instead, applicants should be encouraged to pursue a new industrial zone which would be based on the I1 Zone, but would preclude "offices" as a permitted use.

**Industrial Supply Protection.**<sup>5</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.

**Objective 5.29.**<sup>6</sup> Ensure efficient use of industrial land supply.

**Industrial Land Use Intensification.**<sup>7</sup> 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.

### **Industrial Projections**

Over Twenty years that would mean a need for an additional 64-80 ha (160-200 acres) of new industrial land.<sup>8</sup>

### **Industrial Future Land Use**

General industrial uses, limited by compatibility with on-site and nearby residential uses.<sup>10</sup>

## **7.0 Technical Comments**

### **7.1 Building & Permitting Department**

No comment on the rezoning application.

### **7.2 Development Engineering Department**

See Attachment 'A', memorandum dated March 1, 2018

### **7.3 Ministry of Transportation & Infrastructure**

Preliminary Approval is granted for the rezoning.

### **7.4 Fire Department**

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<sup>3</sup> City of Kelowna Official Community Plan, Objective 5.30, Chapter 5 (Development Process Chapter).

<sup>4</sup> City of Kelowna Official Community Plan, Policy 5.30.2, Chapter 5 (Development Process Chapter).

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

<sup>6</sup> City of Kelowna Official Community Plan, Objective 5.29, Chapter 5 (Development Process Chapter).

<sup>7</sup> City of Kelowna Official Community Plan, Policy 5.29.1, Chapter 5 (Development Process Chapter).

<sup>8</sup> City of Kelowna Official Community Plan, Chapter 3 Growth Projections

<sup>9</sup> Policy 5.2.4 (Development Process Chapter 5).

<sup>10</sup> Policy 5.3.2 (Development Process Chapter 5).

No Comment on the rezoning application.

**8.o Application Chronology**

Date of Application Received: Jan 19<sup>th</sup> 2018

Date Public Consultation Completed: Aug 23<sup>rd</sup> 2018

**Report Prepared by:** Adam Cseke, Planner Specialist

**Reviewed by:** Terry Barton, Urban Planning Department Manager

**Approved for Inclusion:** Ryan Smith, Community Planning Department Manager

**Attachments:**

Attachment 'A' Development Engineering Memo March 1, 2018

Attachment 'B' Initial Drawings of Proposal