

REPORT TO COUNCIL



Date: April 4, 2016

RIM No. 1250-30

To: City Manager

From: Community Planning Department (TB)

Application: Z16-0003 **Owner:** P J S Holdings Ltd

Address: 889 McCurdy Place **Applicant:** Gord Anton

Subject: Rezoning Application

Existing OCP Designation: IND - Industrial

Existing Zone: I1 - Business Industrial Zone

Proposed Zone: I2 - Business Industrial Zone

1.0 Recommendation

THAT Rezoning Application No. Z16-0003 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Strata Lot 23, District Lot 124, ODYD, Strata Plan KAS3323, together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form V, located on 889 McCurdy Place, Kelowna, BC from the I1 - Business Industrial zone to the I2 - General Industrial zone be considered by Council;

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

2.0 Purpose

To consider a Rezoning Application on the subject property from the I1 - Business Industrial zone to the I2 - General Industrial zone to allow general industrial uses with outdoor storage.

3.0 Community Planning

Planning Staff supports the proposal to rezone the subject property from the I1 - Business Industrial zone to the I2 - General Industrial zone to allow general industrial uses with outdoor storage on the subject property. The Official Community Plan supports more intensive use of under-utilized industrial sites, and encourages protection of existing industrial land. Rezoning the subject property to the I2 zone protects the industrial land supply and supports more efficient use of industrial sites in this area.

The main differences between the I1 and I2 zones are the permitted uses and regulations regarding outdoor storage. The I1 zone allows some light industrial and office uses, with limited

outdoor storage. The I2 zone permits a greater range of industrial uses and fewer restrictions on outdoor storage. Offices are not a permitted use in the I2 zone.

In fulfillment of Council Policy No. 367 respecting public consultation, the applicant undertook neighbourhood consultation by informing all properties within a 50m radius of the subject property. To date, staff have received no response.

4.0 Proposal

4.1 Background

The Marshall Business Centre was created as a bareland strata industrial park in 2007 through rezoning and subdivision of a former Marshall Feedlot. The lots on the outside of McCurdy Place are zoned I2 and the inside lots were all originally zoned I1, intended for light industrial and office uses with limited outdoor storage. Several of the outer lots zoned I2 have been purchased and developed with various general industrial uses, including automotive, motorcycle and minor recreational vehicle retailers, manufacturing, and equipment sales and rentals. The majority of these uses involve some outdoor storage on the property.

One inner lot zoned I1 was developed in 2012 with two multi-unit buildings, on 840-842 McCurdy Place. Some units are occupied while others remain vacant, and there has been little interest in developing other lots under the I1 zone. In February 2015, five inner lots were rezoned from I1 to I2 to respond to the demand for industrial property zoned I2. The adjacent lot was rezoned from I1 to I2 in August, 2015. The applicant will not require a comprehensive development permit.

4.2 Site Context

The subject property is located within the Marshall Business Centre, southwest of the intersection of McCurdy Road and Highway 97 in the City's Highway 97 Sector. The property is designated IND - Industrial in the Official Community Plan and is within the Permanent Growth Boundary. The area surrounding the property is industrial.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	I2 - General Industrial	General industrial
East	I2 - General Industrial	General industrial
South	I2 - General Industrial	Vacant
West	I2 - General Industrial	Vacant

Subject Property Map:



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Industrial Land Use Intensification.¹ 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 Supply Protection.² 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.

6.0 Technical Comments

6.1 Building & Permitting Department

- No comment.

6.2 Development Engineering Department

- See Schedule "A": City of Kelowna Memorandum dated March 8, 2016.

6.3 Fire Department

- No comment.

¹ City of Kelowna Official Community Plan, Policy 5.29.1 (Development Process Chapter).

² City of Kelowna Official Community Plan, Policy 5.30.1 (Development Process Chapter).

6.4 FortisBC Electric

- There are primary distribution facilities along McCurdy Place. The applicant is responsible for costs associated with any change to the subject property's existing service, if any, as well as the provision of appropriate land rights where required.
- Otherwise, FortisBC Inc. (Electric) has no concerns with this circulation.

6.5 Ministry of Transportation

- Preliminary approval is granted for the rezoning for one year pursuant to section 52(3)(a) of the Transportation Act.

6.6 Black Mountain Irrigation District

- No response.

7.0 **Application Chronology**

Date of Application Received: January 5, 2016
Date Public Consultation Completed: February 2016

Report prepared by:

Trisa Brandt, Planner I

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments

Schedule "A": City of Kelowna Memorandum dated March 8, 2016