

REPORT TO COUNCIL



Date: March 18, 2019

RIM No. 1250-30

To: City Manager

From: Community Planning Department (LK)

Application: Z18-0122 **Owner:** The Flowr Group(Okanagan)
Inc., Inc. No. BCo974062

Address: 9670 McCarthy Road **Applicant:** Meiklejohn Architectural
Design Studio Inc.

Subject: Rezoning Application

Existing OCP Designation: IND - Industrial

Existing Zone: I3 – Heavy Industrial

Proposed Zone: I2 – General Industrial

1.0 Recommendation

THAT Rezoning Application No. Z18-0122 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1 Section 11 Township 20 ODYD Plan 3997, located at 9670 McCarthy Road, Kelowna, BC from the I3 – Heavy Industrial 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 Applicant providing a landscape plan for Planning Staff review and approval;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the applicant posting 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, as determined by a Registered Landscape Architect;

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 February 25, 2019.

2.0 Purpose

To rezone the subject property from the I3 – Heavy Industrial zone to the I2 – General Industrial zone to facilitate the construction of a new industrial building.

3.0 Community Planning

Community Planning is supportive of the request to rezone the subject property from the I3 – Heavy Industrial zone to the I2 – General Industrial zone. The Official Community Plan (OCP) has a Future Land Use of Industrial for the subject property and the adjacent parcels within the City of Kelowna boundary. Across McCarthy Road, the parcels are within the Lake Country area and contain farming uses.

4.0 Proposal

4.1 Background

In 2017, Council approved rezoning of the parcel located at 9590 McCarthy Road from the I3 – Heavy Industrial zone to the I2 – General Industrial Zone and in 2018 Council approved the rezoning of 9580 McCarthy Road from the A1 – Agriculture zone to the I2 – General Industrial zone. This building is currently under construction. The comprehensive Flowr campus is expanding to include the development of another two adjacent parcels to the north (9670 & 9640 McCarthy Road).

4.2 Project Description

The proposed development consists of two parcels which will be consolidated to a single legal lot. 9640 McCarthy Road is zoned I2 and 9670 McCarthy Road is I3. Rezoning the 9670 McCarthy Road parcel from I3 – Heavy Industrial to I2 – General Industrial will align the zoning across the two parcels and with the applicants previous approved development proposals within the area.

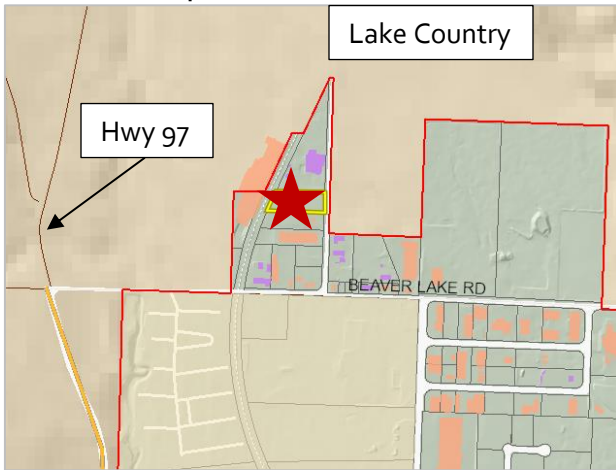
The I2 zone has reduced setback requirements and increases the allowable FAR in comparison to the I3 zone. The properties are situated directly across from ALR land that is within the Lake Country boundaries. Due to this, Staff will require a minimum 3.0 m landscape buffer be provided across the street frontage width to meet the Zoning Bylaw Landscape Requirements. The subject properties also share a rear property line with the Okanagan Rail Trail. The applicant will need to provide a landscape buffer design for staff to review. As part of the conditions of Rezoning Adoption, the Applicant will be required to provide a Landscape Performance Security to address both the front and rear property line buffering requirements.

Staff is working with the applicant to address on-site parking across all four properties. A parking covenant has been registered on title between two of the lots and will be modified as required. Should the applicant meet the parking provision, all other Zoning Bylaw Development Regulations would comply and the applicant could proceed directly to a Building Permit as a Development Permit would not be required for the new building. Should a variance be required for parking, a Development Variance Permit application would come before Council for consideration.

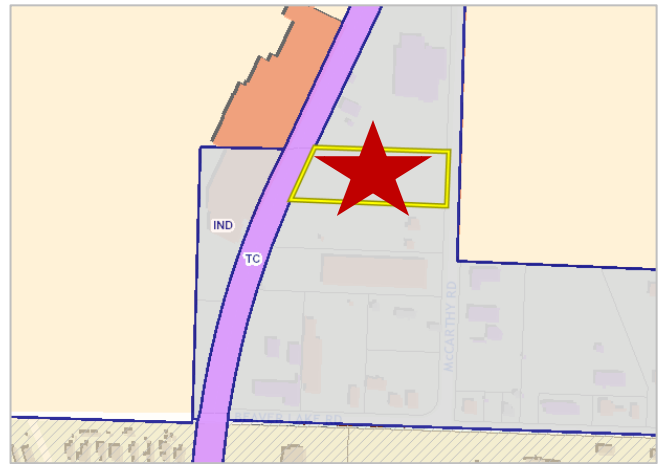
In fulfillment of Council Policy No. 367, the applicant completed public notification and consultation with adjacent property owners.

4.3 Site Context

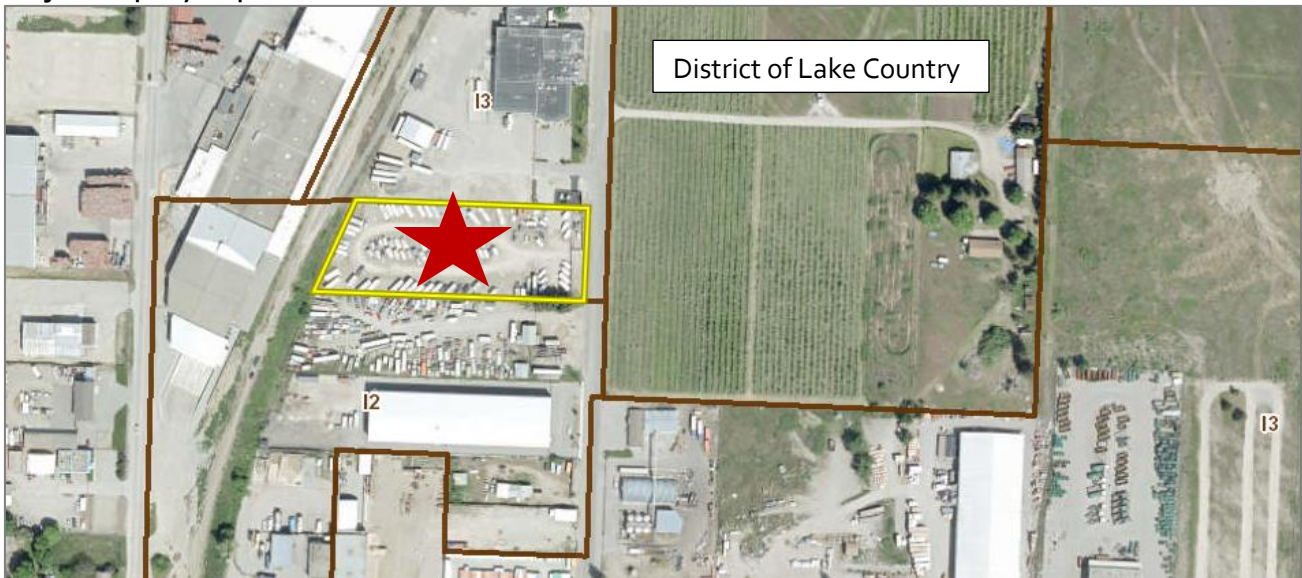
Site Context Map:



Future Land Use Map:



Subject Property Map:



5.0 **Current Development Policies**

5.1 Kelowna Official Community Plan (OCP)

Development Process

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

6.0 **Technical Comments**

6.1 Development Engineering Department

Refer to Attachment A.

7.0 Application Chronology

Date of Application Received: December 13, 2018

Date Public Consultation Completed: February 22, 2019

Report prepared by: Lydia Korolchuk, Planner

Reviewed by: Dean Strachan, Suburban and Rural Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Attachment A: Development Engineering Memorandum dated December 17, 2018.

Attachment B: Site Plan

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