

# REPORT TO COUNCIL



**Date:** July 16, 2019

**RIM No.** 0940-00 and 0940-50

**To:** Council

**From:** City Manager

**Application:** DP19-0048 and DVP19-0049

**Owner:** J-4 Holdings Ltd., Inc. No.  
BC0261294

**Address:** 716 Adams Court

**Applicant:** NOvation Architecture

**Subject:** Development Permit and Development Variance Permit

Existing OCP Designation: IND - Industrial

Existing Zone: I2 – General Industrial

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## 1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP19-0048 and Development Variance Permit DVP19-0049 for Lot 6, Section 2, Township 23, Osoyoos Division Yale District, Plan 29524, located at 716 Adams Court, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule A;
2. The exterior design and finish of the building to be constructed on the land, be in accordance with Schedule B;
3. Landscaping to be provided on the land be in accordance with Schedule C; and
4. The applicant be required to post 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.

AND THAT variances to the following section of Zoning Bylaw No. 8000 be granted, as shown in Schedule A:

**Section 15.2.5(e): I2 – General Industrial Development Regulations**

To vary the required minimum side yard setback flanking a street for an industrial building from 6.0 m permitted to 5.0 m proposed.

AND FURTHER THAT this Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

## **2.0 Purpose**

To consider a Development Permit for the form and character of three new industrial buildings, and to consider a variance to reduce the minimum side yard setback flanking a street from 6.0m permitted, to 5.0m proposed on the subject property.

## **3.0 Community Planning**

Staff are recommending support for the proposed Development Permit for the form and character of a proposed commercial complex consisting of three industrial buildings. The proposal meets many of the Official Community Plan (OCP) Design Guidelines for Industrial Use and some key design elements are as follows:

- The building façades facing Highway 97 to the east and the Rail Trail cycling corridor to the west are enhanced with vertical articulation to help mitigate the actual and perceived bulk of the buildings;
- The overall mass of the building is softened with the addition of upper windows to the buildings fronting the Highway and the Rail Trail. In return the additional windows allow natural light into the mezzanine floor area;
- Exterior materials include a combination of painted concrete, stone and glass accents, and the selected colour palate utilizes the region's natural and cultural landscaping which consists of differing tones of grey with a deep shade of red used as accent on the exterior façade of the buildings;
- On-site landscaping design include landscaped outdoor space with seating area, a combination of large shade and coniferous trees along the Highway 97 and Rail Trail frontages, and an overall landscape design quality that surpasses the existing surrounding industrial properties.

Overall, the applicant has put in considerable thought and consideration to the proposed siting and design of the industrial buildings located at a visible corner lot fronting Highway 97 (to the east) and adjacent to the Rail Trail transportation corridor (to the west). The applicant has worked with Staff to refine the form and character of the buildings and the landscaping design to achieve a number of positive features, including: a simple shaped footprint that maximizes the commercial frontage to Highway 97, the use of vertical articulation and additional upper windows along the façades fronting the highway and the Rail Trail to mitigate massing, and the proposed landscape design that exceeds other existing industrial properties located along the Highway 97 industrial/commercial corridor.

## **Variance**

The applicant is requesting consideration to vary the required minimum side yard setback flanking a street (Highway 97) for an industrial building from 6.0 m permitted to 5.0 m proposed. The required setback variance is mostly due to a steep grade change along the highway frontage. The requested variance will not compromise any municipal infrastructure or services, will not impact the proposed on-site landscape design, and will not cause visual obstructions on the highway.

To fulfill the requirements of Council Policy No. 367, the applicant submitted a neighbour consultation summary form on February 13, 2019 outlining that neighbours within 50 m of the subject property were notified.

## 4.0 Proposal

### 4.1 Project Description

The subject property currently has a card lock station on the southwestern portion of the property, and the remainder of the lot is generally used as outdoor storage. The card lock station is being leased and is in year 5x of a 10-year lease agreement.

The proposed development is a single-storey (8.7 m in height) commercial complex located along Highway 97 in a predominantly commercial and industrial section of the City. Due to the 10-year lease agreement, the applicant is proposing to develop the site in a three-phased approach; the main building fronting the highway (building 1) constructed in Phases 1 and 2, and the remaining two buildings located along the Rail Trail (building 2) and within the property interior (building 3) will be constructed during Phase 3, following the completion of the 10-year lease.

Building 1 consists of 15 warehouse units (3,633 m<sup>2</sup> total floor area [9,090ft<sup>2</sup>]), whereas buildings 2 and 3 consist of 10 (1,576 m<sup>2</sup> [16,960ft<sup>2</sup>]) and three (584m<sup>2</sup> [6,285 ft<sup>2</sup>]) warehouse units, respectively, with a site-wide total building footprint of 5,793 m<sup>2</sup> (62,357ft<sup>2</sup>). Each warehouse unit is designed with a mezzanine space, as well a dedicated loading-bay door is proposed for each unit.

Due to its close proximity to the highway, signage is a very important component of the design consideration as such the applicant has designed the highway façade to allow control on where signage is to be placed. The applicant's overall goal is to maintain a cohesive exterior design that will be uniform and appealing from all sides of the building. In consideration of tenants who will occupy buildings 2 and 3, the applicant proposed a pylon sign along the highway frontage to advertise for the future interior businesses. The applicant is required to meet the current Sign Bylaw regulations for the permanent signs on the building at the time of Sign Permit application.

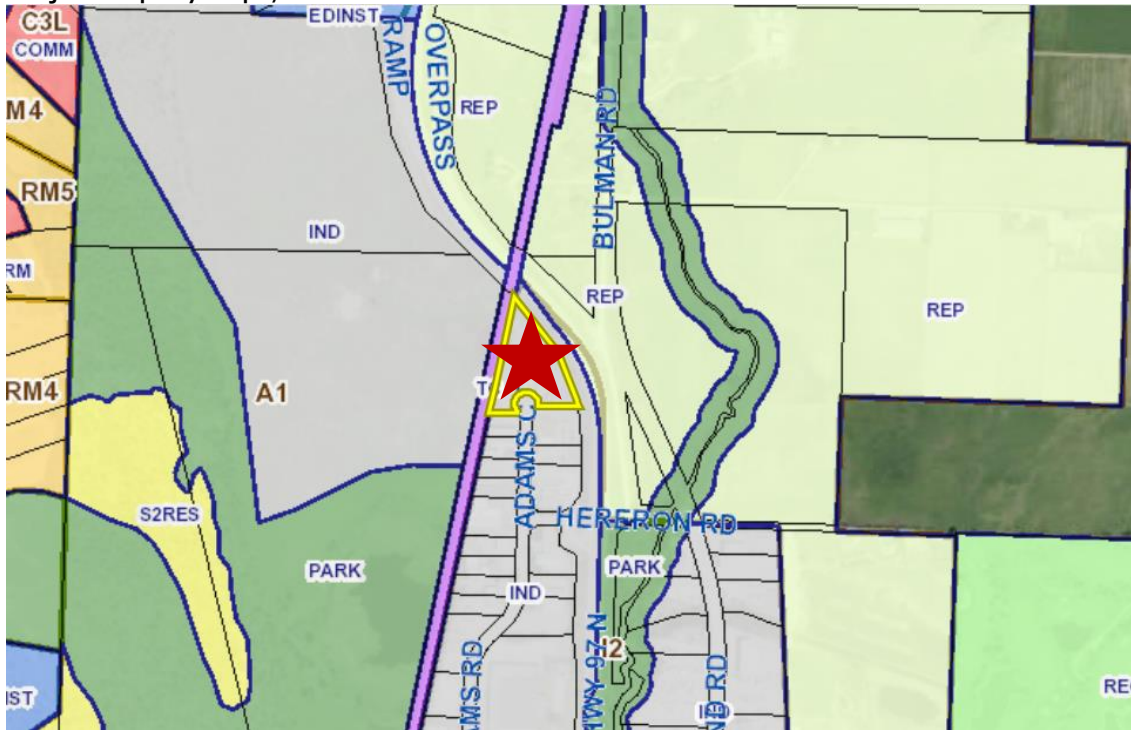
In addition to meeting the parking space requirements under the I2 – General Industrial zoning, the applicant has also proposed four disabled parking stalls, and 22 bicycle parking spaces on the property.

### 4.2 Site Context

The roughly triangular shaped subject lot is located at the end of, and is accessed from Adams Court (to the south). Highway 97 is flanking the north and east sides of the property, while the Rail Trail transportation corridor is adjacent to the west of the lot. The parcel is designated as Industrial (IND) in the OCP, and is within the Permanent Growth Boundary. Adjacent land uses are as follows:

| Orientation | Zoning   | Land Use                          |
|-------------|--|-----------------------------------|
| North       | Highway 97<br>A1 - agriculture                         | Highway<br>Agricultural           |
| East        | Highway 97<br>A1 - Agriculture                         | Highway 97<br>Agricultural        |
| South       | I2 – General Industrial                                | Commercial and Industrial         |
| West        | Rail Trail Transportation Corridor<br>A1 - Agriculture | Transportation Corridor<br>Vacant |

## Subject Property Map: 716 Adams Court



## 4.3 Zoning Analysis Table

| Zoning Analysis Table   |  |   |
|---|--|---|
| CRITERIA  | I2 ZONE REQUIREMENTS   | PROPOSAL  |
| Development Regulations   |  |   |
| Height  | 14.0m  | 8.7m  |
| Front Yard  | 7.5m   | 7.5m  |
| Side Yard (west)  | 0.0m   | 3.0m  |
| Side Yard (east)  | 6.0m   | 5.0m <span style="color: red;">●</span>   |
| Rear Setback (Hwy 97)   | 6.0m   | 5.0m <span style="color: red;">●</span>   |
| Site coverage   | 60%  | 45.3%   |
| FAR   | 1.5  | 0.45  |
| Parking Regulations   |  |   |
| Minimum Parking Requirements  | 72   | 86  |
| Minimum Loading spaces  | 4  | 28  |
| Disabled Parking Spaces   | n/a  | 4   |
| Ratio of Parking Stalls   | Full size: 70% Min<br>Medium Size: 30% Max<br>Compact Size: As extra | Full size: 60% (51 stalls)<br>Medium Size: 40% (35 stalls)<br>Compact Size: 0% (0 stalls) |
| Other Regulations   |  |   |
| Minimum Bicycle Parking Requirements  | 22   | 22  |
| Landscape Buffer  | 3.0  | Ranges from: 3.0m (east); 5.0m (west); up to 7.0m (south)                                 |
| <span style="color: red;">●</span> Indicates a requested variance to vary the required minimum side yard setback flanking a street (Highway 97) for an industrial building from 6.0 m permitted to 5.0 m proposed |  |   |

## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### **Development Process**

**Industrial Land Use.**<sup>1</sup> Focus Industrial development to areas suitable for Industrial use.

**Industrial Supply Protection.**<sup>2</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.

**Industrial Land Use Intensification.**<sup>3</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.

**Public and private open space.**<sup>4</sup> Design industrial developments to include outdoor break areas, green space, bicycle racks, skylights and windows in work areas, and linkages to recreational opportunities (e.g. linear parks).

**Development Permit Guidelines.**<sup>5</sup> Comprehensive Development Permit Area.

#### Objectives:

- Convey a strong sense of authenticity through urban design that is distinctive for Kelowna;
- Promote a high urban design standard and quality of construction for future development that is coordinated with existing structures;
- Integrate new development with existing site conditions and preserve the character amenities of the surrounding area;
- Promote interesting, pedestrian friendly streetscape design and pedestrian linkages;
- Provide for a scale and massing of commercial buildings that promotes a safe, enjoyable living, pedestrian, working, shopping and service experience;
- Incorporate architectural features and detailing of buildings and landscapes that define an area's character;
- Promote alternative transportation with enhanced streetscapes and multi-modal linkages.

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

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

<sup>3</sup> City of Kelowna Official Community Plan, Policy 5.29.1 (Development Process Chapter)

<sup>4</sup> City of Kelowna Official Community Plan, Policy 7.5, Chapter 14 (Urban Design Development Permit Areas).

<sup>5</sup> City of Kelowna Official Community Plan, Policy 14.2 (Urban Design Development Permit Areas Chapter)

## **6.o Application Chronology**

|   |                   |
|---|-------------------|
| Date of Application Received:           | December 21, 2018 |
| Date Public Consultation Completed:     | February 13, 2019 |
| Date of Supplemental Drawings Received: | May 28, 2019      |

|                                |   |
|--------------------------------|---|
| <b>Report prepared by:</b>     | Barbara B. Crawford, Planner                          |
| <b>Reviewed by:</b>            | Dean Strachan, Suburban and Rural Planning Manager    |
| <b>Approved for Inclusion:</b> | Terry Barton, Development Planning Department Manager |

### **Attachments:**

- Attachment A – Rationale Letter
- Schedule A – Site Plan and Floor Plans
- Schedule B – Conceptual Elevations, Colour and Material Board
- Schedule C – Landscape Plan and Estimate
- Draft Development Permit