

# REPORT TO COUNCIL



**Date:** February 24, 2020

**To:** Council

**From:** City Manager

**Department:** Development Planning

**Application:** TA19-0022      **Owner:** PC Urban 816 Clement Holdings Ltd., Inc. No. BC1100007

**Address:** 816 Clement Ave      **Applicant:** PC Urban – Shawn Oh

**Subject:** Text Amendment

**Existing OCP Designation:** IND – Industrial

**Existing Zone:** I4 – Central Industrial

---

## 1.0 Recommendation

THAT Zoning Bylaw Text Amendment Application No. TA19-0022 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in Schedule "A" attached to the report from the Development Planning Department dated February 24, 2020 for Lot B Section 30 Township 26 Osoyoos Division Yale District Plan EPP83554 located at 816 Clement Avenue, Kelowna, BC be considered by Council;

AND FURTHER that the Zoning Bylaw Text Amendment Bylaw be forwarded to a Public Hearing for further consideration.

## 2.0 Purpose

To amend the Zoning Bylaw to allow select commercial uses in the I4 – Central Industrial zone at 816 Clement Avenue.

## 3.0 Development Planning

Development Planning Staff are recommending support for the proposed Text Amendment to allow the requested uses in the I4 – Central Industrial zone for the property located at 816 Clement Avenue. The subject property is located in the industrial district north of downtown Kelowna and is one block east of the Downtown Urban Centre. Staff recognize that this area of the City is experiencing change and that it is necessary to protect the core of the north end industrial area while allowing for compatible uses that provide an effective transition to the Downtown Urban Centre.

The I<sub>4</sub> zone comprises a majority of the north end industrial area and currently permits breweries and distilleries, food primary establishments, industrial high technology research and product design, minor liquor primary establishments, and indoor participant recreation services, among other uses. Several of the proposed uses are similar to service commercial and light industrial uses.

Additionally, the applicant is proposing limited retail uses, and the retail uses proposed complement the mix of industrial uses surrounding the subject property. Staff are recommending that office and retail uses be permitted as secondary uses to help ensure that most of the site is used for more industrial uses. Residential uses are not being proposed as part of this application and would not be supported on the subject property.

#### **4.0 Proposal**

##### **4.1 Background**

In 2018, 740 Clement Avenue, the property west of 816 Clement Avenue, underwent an OCP amendment and rezoning to allow for residential and commercial uses (OCP17-0021 / Z17-0093). A Development Permit has been approved for 740 Clement Ave that includes approximately 150 residential units and 9,400 sqft of ground floor commercial space.

Additionally, a site-specific text amendment was approved for the subject property in 2018 (TA18-0006) to allow additional commercial uses to Building 1 only which will be located at the south property line fronting Clement Avenue, once it is constructed. The proposed site-specific text amendment being considered are for Building 2, in order to provide commercial land use consistency across the site.

##### **4.2 Project Description**

The subject property is currently sitting vacant in preparation for future construction works that are expected to commence soon. A building permit application has been received for both light industrial buildings (Buildings 1 and 2) proposed for the site.

The applicant is requesting the following uses to allow for more tenant flexibility than is permitted under the I<sub>4</sub> zone, specifically for Building 2 only fronting Vaughan Avenue and located at the north boundary of the site.

The applicant is requesting the following land uses in the I<sub>4</sub> zone in addition to the uses already permitted for Building 2 only:

- Business Support Services
- High Technology Research and Product Design
- Liquor Primary Establishment, Major
- Offices
- Offices, Construction and Development Industry
- Retail Stores, Convenience
- Retail Stores, Service Commercial
- Personal Service Establishments
- Commercial Schools

##### **4.3 Site Context**

The subject property is located midblock on the south side of Vaughan Avenue between Richter Street to the west and Ethel Street to the east. The site is surrounded by other I<sub>4</sub> zoned industrial properties to the north and east, mixed use commercial / residential to the west and residential to the south on the south side of

Clement Avenue. The surrounding Future Land Use designations include industrial to the north and east, mixed use to the west and multiple unit residential (medium density) to the south. The subject property is just east of the Downtown Urban Centre, which ends at Richter Street, and the rail trail is in close proximity. Land uses of the properties adjacent to the subject property are listed below:

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	I <sub>4</sub> – Central Industrial	Warehouse Storage and Sales
East	I <sub>4</sub> – Central Industrial	General Industrial Uses
South	RU6 – Two Dwelling Housing	Residential
West	C <sub>4</sub> – Urban Centre Commercial	Apartment Housing, Retail Stores, General General Industrial Uses

**Subject Property Map: 816 Clement Avenue**



**5.0 Current Development Policies**

**5.1 Kelowna Official Community Plan (OCP)**

Chapter 1: Introduction

*Goals for a Sustainable Future:*

Contain Urban Growth – Reduce greenfield urban sprawl and focus growth in compact, connected and mixed-use (residential and commercial) urban and village centres.

Chapter 5: Development Process

*Objective 5.3 Focus development to designated growth areas*

*Policy .1 Permanent Growth Boundary.* Establish a Permanent Growth Boundary as identified on Map 4.1 and Map 5.2. The City of Kelowna will support development of properties outside the PGB

for more intensive use only to the extent permitted as per the OCP Future Land Use designations in place as of initial adoption of OCP Bylaw 10500, except for Agri-Business designated sites or as per Council's specific amendment of this policy. The PGB may be reviewed as part of the next major OCP update.

*Policy .2 Compact Urban Form.* 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 per ha 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.

*Objective 5.19 Ensure development is compatible with surrounding land uses*

*Policy .6 North End Industrial (High Tech and Incubator).* Encourage the redevelopment of industrially designated lands north of the Downtown Urban centre for high-tech projects and buildings, including the potential for "incubator space" for smaller businesses.

*Objective 5.29 Ensure efficient use of industrial land supply.*

*Policy .1 Industrial Land Use Intensification.* Encourage more intensive industrial uses 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.

## **6.o Application Chronology**

Date of Application Received: December 2, 2019

Date Public Consultation Completed: December 9, 2019

**Report prepared by:** Andrew Ferguson, Planner II

**Reviewed by:** Adam Cseke, Urban Planning Specialist

**Approved for Inclusion:** Terry Barton, Development Planning Department Manager

### **Attachments:**

Schedule "A": Summary Table of Proposed Text Amendments to Zoning Bylaw No. 8000.

Attachment A: Applicants Rationale Letter