

# REPORT TO COUNCIL



**Date:** February 22, 2021

**To:** Council

**From:** City Manager

**Department:** Development Planning

**Application:** Z19-0072

**Owner:** Larry. L. Cota and Carla C. Cota

**Address:** 2996 Sexsmith Rd

**Applicant:** Urban Options Planning & Permits

**Subject:** Rezoning Application

**Existing OCP Designation:** IND-L – Industrial – Limited

**Existing Zone:** A1 – Agriculture 1

**Proposed Zone:** I6 – Low-Impact Transitional Industrial

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## 1.0 Recommendation

THAT Rezoning Application No. Z19-0072 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 32, Section 3, Township 23, ODYD Plan 18861, located at 2996 Sexsmith Road, Kelowna, BC from the A1 – Agriculture 1 zone to the I6 – Low-Impact Transitional Industrial zone, be considered by Council;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Development Planning Department dated February 22, 2021;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the property owner registering a 219 Restrictive Covenant limiting forward facing vehicular exit from the subject property.

## 2.0 Purpose

To consider an application to rezone the subject property from the A1 – Agriculture 1 zone to the I6 – Low-Impact Transitional Industrial zone to allow for outdoor storage on the subject property.

## 3.0 Development Planning

Staff are supportive of the proposed rezoning of the subject property from the A1 zone to the I6 zone as the proposal aligns with the Official Community Plan (OCP). The OCP designates the property as IND-L

Industrial – Limited, which was established in 2011 after public consultation associated with the 2030 OCP review. This designation was created for the I6 zone to allow for a range of low-impact industrial uses that are intended to act as a transition between the general industrial areas to the south and east and the rural residential areas to the north and west. The permitted uses, development regulations, screening requirements, outdoor storage restriction and other regulations within the I6 zone are designed to limit negative impacts to the nearby residential, rural, and agricultural uses in the area.

#### 4.0 Proposal

##### 4.1 Background and Project Description

The subject property has a history of Bylaw enforcements resulting from land use that has been contrary to the existing zone (A1 – Agriculture). The applicant is proposing to rezone the property to allow for existing industrial uses on the property to come into Bylaw compliance. The proposed uses include:

- Single family dwelling housing (existing);
- General contractor services (Cota Top Coat Seal);
- Outdoor storage – associated with contractor services, general uses and storage of vehicles.

The existing dwelling and an accessory building located at rear of the property will remain.

A 3.0m drainage statutory right of way (SRW) is required between the subject property and the abutting property to the east at 3030 Sexsmith Rd. The applicant and the property owner of 3030 Sexsmith Rd have agreed to share the required SRW width between the two properties.

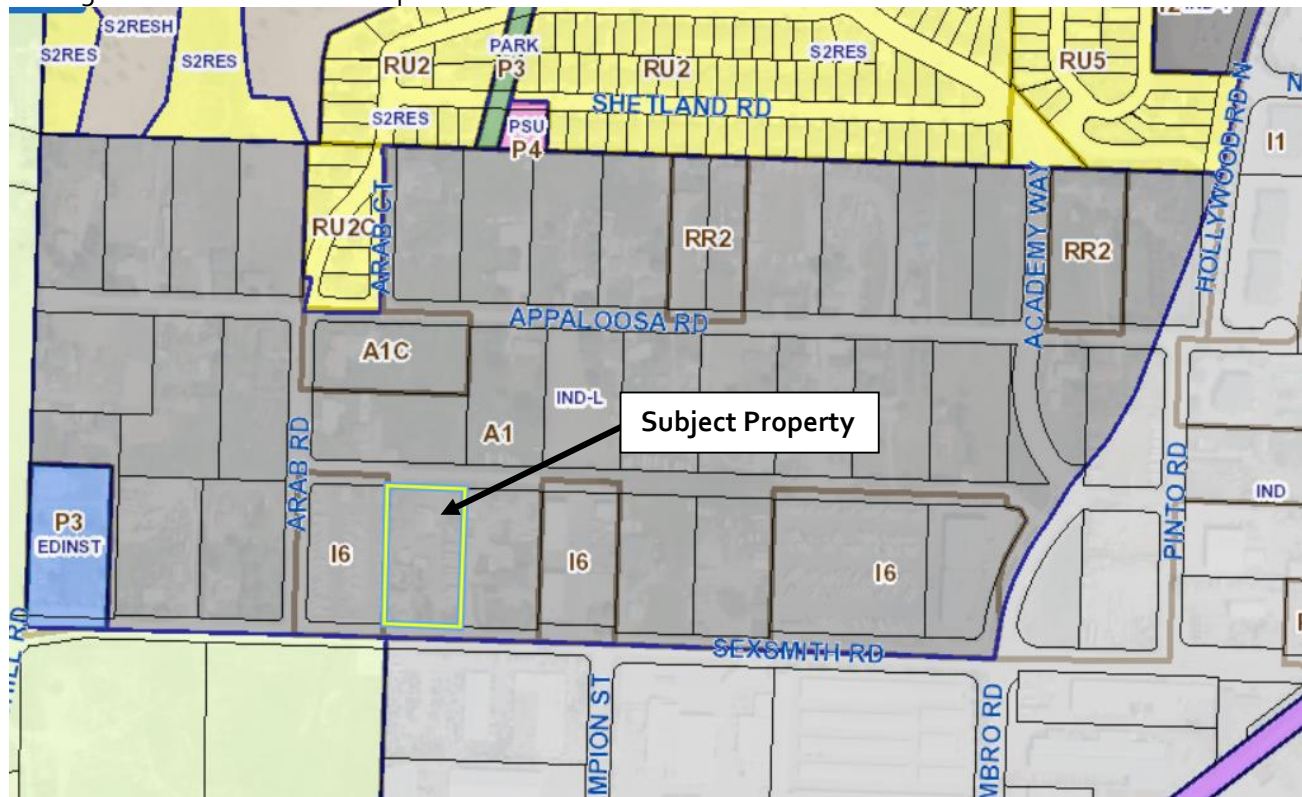
##### 4.2 Site Context

The subject parcel is located within the Arab/Appaloosa area. The subject property is designated as Industrial – Transitional (IND-T) in the OCP and the lot is within the Permanent Growth Boundary. The surrounding land use consist of Agriculture to the north, combination of Agriculture and Industrial to the east and west, and Industrial to the South. Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	Future Palomino Rd A1 - Agriculture	Agriculture/industrial/residential
East	I6 – Low Impact Transitional Industrial A1 - Agriculture	Outdoor storage Agriculture/industrial/residential
South	Sexsmith Rd I2 – General Industrial	General Industrial
West	I6 – Low Impact Transitional Industrial A1 - Agriculture	Outdoor storage Agriculture/industrial/residential

## Subject Property Map: 2996 Sexsmith Rd

Zoning and Future Land Use Map:



## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Chapter 10: Development Process

##### Objective 5.28 Industrial Land Use Policies:

Focus industrial development to areas suitable for industrial use.

##### Objective 5.30 Industrial Supply Protection:

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 Development Engineering Department

- Refer to attached Schedule A, Development Engineering Department Memorandum, dated June 11, 2019.

## **7.0 Application Chronology**

Date of Application Received: February 22, 2019  
Date Public Consultation Completed: September 11, 2020

**Report prepared by:** Barbara B. Crawford, Planner II  
**Reviewed by:** Dean Strachan, Community Planning & Development Manager  
**Approved for Inclusion:** Terry Barton, Development Planning Department Manager

### **Attachments:**

Schedule A: Development Engineering Memo

Attachment A: Site Plan and Letter of Rationale