

# REPORT TO COUNCIL



**Date:** August 9<sup>th</sup>, 2022

**To:** Council

**From:** City Manager

**Department:** Development Planning

**Application:** DP22-0091 / DVP22-0092      **Owner:** R 547 Enterprises Ltd., Inc.No. BC0822036

**Address:** 1300 Findlay Road      **Applicant:** Team Construction Management (1981) Ltd.

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

**Existing OCP Designation:** IND – Industrial

**Existing Zone:** I2 – General Industrial

---

## 1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP22-0091 for Lot A Section 34 Township 26 ODYD Plan EPP107390, located at 1300 Findlay Road, 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";
4. The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect;

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP22-0092 for Lot A Section 34 Township 26 ODYD Plan EPP107390 located at 1300 Findlay Road, Kelowna, BC;

AND THAT variance to the following section of the Zoning Bylaw no. 8000 be granted:

**Section 7.6.1(b): Minimum Landscape Buffer Treatment Levels Schedule**

To vary the required landscape buffer from 3.0m required to 2.0m proposed.

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

## Purpose

To issue a Development Permit for the form and character of a new industrial building and to issue a Development Variance Permit to vary the front yard landscape buffer size.

### 2.0 Development Planning

Staff support the proposed development and associated front yard landscape buffer variance due to the consistency with the Official Community Plan's (OCP) Urban Design Guidelines. The subject property is located on Findlay Road near the intersection with Fitzpatrick Road, and the proposal meets the intent of the industrial nature of the area. The building uses several materials and colours that will be incorporated well into the neighbourhood.

Staff also support the variance to the front yard landscape buffer, as the applicant has proposed a 2.0m buffer, where five large shade trees will be planted to improve the streetscape. As part of the original rezoning application (Z18-0107) the applicant dedicated a large 0.41-acre parcel (1308 Findlay Road) to the City, which is within the Francis Brook riparian area. This parcel contains part of the Francis Brook Linear Park trail. Overall, the proposed form and character is strong and will be an important addition to the new industrial area.

### 3.0 Proposal

#### 3.1 Project Description

The Development Permit and Development Variance Permit applications are for a new industrial building that will facilitate an automotive and equipment repair shop. The proposed building is on Findlay Road and was rezoned to I2 – General Industrial in April 2021. The building is situated towards the front of the parking, while hiding the majority of the hardscaping in the rear. The project uses several materials and colours including aluminium overhead door, smooth precast concrete panel, and stained wood posts with concrete base. The colours include blue pantone, red pantone, medium and light grey pantone, and process black. The Landscape Plan (Schedule C) includes five shade trees along Findlay Road to help mitigate the variance request. The plan also proposed shrubs and grasses, as well as mulch bins at the rear of the property.

#### 3.2 Site Context

The subject property is in the Rutland OCP Sector and is within the Permanent Growth Boundary (PGB). The surrounding area is primarily zoned I2 – General Industrial, RM3 – Low Density Multiple Housing and A1 – Agriculture 1.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	I2 – General Industrial	Francis Brook Riparian Area
East	RM3 – Low Density Multiple Housing	Townhomes
South	I2 – General Industrial & I1 – Business Industrial	General Industrial
West	A1 – Agriculture 1	Single-Family Dwelling

**Subject Property Map: 1300 Findlay Road**



3.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	I <sub>2</sub> ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Min. Lot Area	10,000m <sup>2</sup>	6,100m <sup>2</sup>
Min. Lot Width	40.0m	116.55m
Min. Lot Depth	35.0m	66.95m
Development Regulations		
Max. Floor Area Ratio	1.5	0.35
Max. Site Coverage (buildings)	60%	30.28%
Max. Height	14.0m	9.14m
Min. Front Yard	7.5m	15.9m
Min. Side Yard (south)	4.5m	10.7m
Min. Side Yard (north)	4.5m	10.7m
Min. Rear Yard	6.0m	19.8m
Other Regulations		
Min. Parking Requirements	32	36
Min. Long-Term Bicycle Parking	2	4
Min. Loading Space	1	1
Min. Front Yard Landscape Buffer	3.0m	2.0m <span style="color: red;">❶</span>
❶ Indicates a requested variance to Table 7.1 – Minimum Landscape Buffer Treatment Levels		

4.0 **Current Development Policies**

<b>Objective 6.4. Support the continued development of industrial lands.</b>	
	Require low impact industrial uses where industrial lands are adjacent to residential lands. Such uses should be primarily indoors, have limited outdoor

Policy 6.4.4. Industrial / Residential Interface.	storage and include buffering and screening to reduce impacts on residential neighbourhoods. The proposal is oriented towards the front of the property to limit surface parking and includes shade trees to limit the impact to neighbouring residential.
---	---

**5.0 Application Chronology**

Date of Application Received: April 11<sup>th</sup>, 2022  
 Date Public Consultation Completed: May 24<sup>th</sup>, 2022

- Report prepared by:** Tyler Caswell, Planner I
- Reviewed by:** Dean Strachan, Community Planning & Development Manager
- Reviewed by:** Terry Barton, Development Planning Department Manager
- Approved for Inclusion:** Ryan Smith, Divisional Director, Planning & Development Services

**Attachments:**

- Attachment A: Draft Development Permit DP22-0091 / DVP22-0092
  - Schedule A: Site Plan and Floor Plans
  - Schedule B: Elevations
  - Schedule C: Landscape Plan
- Attachment B: OCP Form and Character Development Permit Guidelines