

REPORT TO COUNCIL



Date: January 16th, 2023

To: Council

From: City Manager

Department: Development Planning

Application: DP22-0133

Owner: Nicola Va (9640 McCarthy)
Nominee Inc., Inc.No.
BC1333757

Address: 9640 McCarthy Road

Applicant: PC Urban Properties Corp.

Subject: Development Permit

Existing OCP Designation: IND - Industrial

Existing Zone: I2 – General Industrial

1.0 Recommendation

THAT final adoption of Rezoning Bylaw No. 12433 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP22-0133 for Lot 1 Sections 10 and 11 Township 20 ODYD Plan EPP91012, located at 9640 McCarthy Road, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land in accordance with Schedule "A",
2. The exterior design and finish of the building to be constructed on the land in accordance with Schedule "B",
3. Landscaping to be provided on the land 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 the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit Application in order for the permits to be issued;

AND THAT issuance of the Development Permit be considered subsequent to approval of the Ministry of Transportation and Infrastructure;

AND FURTHER THAT this Development Permit is 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 two new industrial buildings on the subject property.

2.0 Development Planning

Staff support the proposed Development Permit for the form and character of two new industrial buildings. The proposal meets the majority of the Official Community Plan (OCP) Form and Character Development Permit Guidelines including building siting, materials and colours and landscaping. Based on fit with the Development Permit guidelines staff believe the buildings will fit will into the neighbourhood.

3.0 Proposal

3.1 Project Description

The Development Permit Application is for the form and character of two new industrial buildings that will both be two-storeys in height and contain 37 commercial units in total. The total gross floor area will be 9,834m² and will be accessed off McCarthy Road and have a pedestrian/cyclist access onto the Rail Trail. The units will have include office, manufacturing and warehouse space and will meet all of the development regulations of the I2 – General Industrial zone.

The proposal includes several materials including white, light grey and dark grey tilt-up concrete panels, white Aluminum Composite Material (ACM) panels and glazing with black aluminium frames. The form and character meets the majority of the OCP Development Permit Guidelines. The proposal also includes landscaping throughout the site including landscape islands, which break up parking areas, as well as landscape buffers on McCarthy Road and the rear lot line adjacent to the Rail Trail. If the application is successful, due to its size (over 4,500m²) the Development Permit is required to be signed off by the Ministry of Transportation and Infrastructure prior to issuance.

3.2 Site Context

The subject property is in the Gateway Region of Kelowna and is located on McCarthy Road, near the intersection with Beaver Lake Road. The surrounding area is zoned I2 – General Industrial and I3 – Heavy Industrial. The property also borders the Rail Trail and lands within the District of Lake Country.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	I3 – Heavy Industrial	Warehousing
East	District of Lake Country	Agriculture
South	I2 – General Industrial	Cannabis Production Facility
West	I2 – General Industrial	Rail Trail / Warehousing

Subject Property Map: 9640 McCarthy Road



3.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	I2 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Min. Lot Area	4,000m ²	15,392m ²
Min. Lot Width	40.0m	102.13m
Min. Lot Depth	35.0m	155.43m
Development Regulations		
Max. Floor Area Ratio	1.5	0.64
Max. Site Coverage (buildings)	60%	43%
Max. Site Coverage (buildings, parking, driveways)	90%	90%
Max. Height	14.0m	10.11m
Min. Front Yard	2.0m	25.42m
Min. Side Yard (south)	0.0m	1.52m
Min. Side Yard (north)	0.0m	16.06m
Min. Rear Yard	0.0m	22.04m
Other Regulations		
Min. Parking Requirements	142 (+75 covenant)	217
Min. Bicycle Parking	5 spaces	5 spaces
Min. Loading Space	5 spaces	3 spaces + 37 unit loading spaces

4.0 Current Development Policies

Objective 6.44 Support the continued development of industrial lands.	
Policy 6.4.2. Jim Bailey / Beaver Lake Industrial Lands.	Encourage the development of the industrial lands in the vicinity of Jim Bailey Road and Beaver Lake Road, recognizing the unique role that the area plays as a large-scale industrial area, by undertaking the following: <ul style="list-style-type: none"> • Encouraging heavy/large formal industrial uses in this area, such as manufacturing and warehousing that may not transition well into other Kelowna neighbourhoods; • Discouraging the creation of small lot industrial properties; • Discouraging integration of residential uses; and • Planning for and coordinating the provision of utility and transportation infrastructure to service industrial growth.
Objective 6.8 Ensure a compatible urban-rural interface.	
Policy 6.8.3. Urban-Rural Buffers	Where a property is adjacent to the ALR, ensure that development limits associated negative impacts on adjacent agricultural operations by including appropriate buffers, setbacks, and site planning, consistent with the Farm Protection Guidelines.

5.0 Application Chronology

Date of Application Received: June 15th, 2022
Date Public Consultation Completed: July 25th, 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 DP22-0133
Schedule A: Site Plan and Floor Plans
Schedule B: Elevations
Schedule C: Landscape Plan
Attachment B: OCP Form and Character Development Permit Guidelines