

REPORT TO COUNCIL



Date: October 18, 2016

RIM No. 0940-050

To: City Manager

From: Community Planning Department (RR)

Application: DVP16-0100 **Application:** DVP16-0100

Address: 9595 Bottom Wood Lake Rd **Address:** 9595 Bottom Wood Lake Rd

Subject: Development Variance Permit

Existing OCP Designation: IND - Industrial

Existing Zone: I2 - General Industrial

1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP16-0100 for Lot 44, DL 118 ODYD Plan 457 Except Plans 20108, 36673 and 39429, located at 9595 Bottom Wood Lake Road Kelowna, BC;

AND THAT variances to the following section of Zoning Bylaw No. 8000 be granted:

Section 15.2.5 (d): I2 General Industrial Front Yard Setback

To vary the required minimum front yard from 7.5 m permitted to 1.32 m proposed.

AND THAT the developer be required to construct a black chainlink fence along the Bottom Wood Lake frontage of the site restricting vehicle access to the road outside of approved entrances;

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

2.0 Purpose

To consider a variance to the front yard setback at 9595 Bottom Wood Lake Road for an expansion to an agri-industrial building from 7.5 m to 1.32 m.

3.0 Community Planning

Community Planning has no objections to the variance, as long as internal circulation is not negatively impacted. The recommended conditions of approval are intended to ensure that on-site vehicle traffic is not diverted to Bottom Wood Lake Road.

The developer may also require additional approvals from the District of Lake Country, as a portion of the expansion is within the District boundary. The City of Kelowna cannot impose

requirements or restrictions on Lake Country's behalf. The City may only enforce requirements of the variance within the limits of the City.

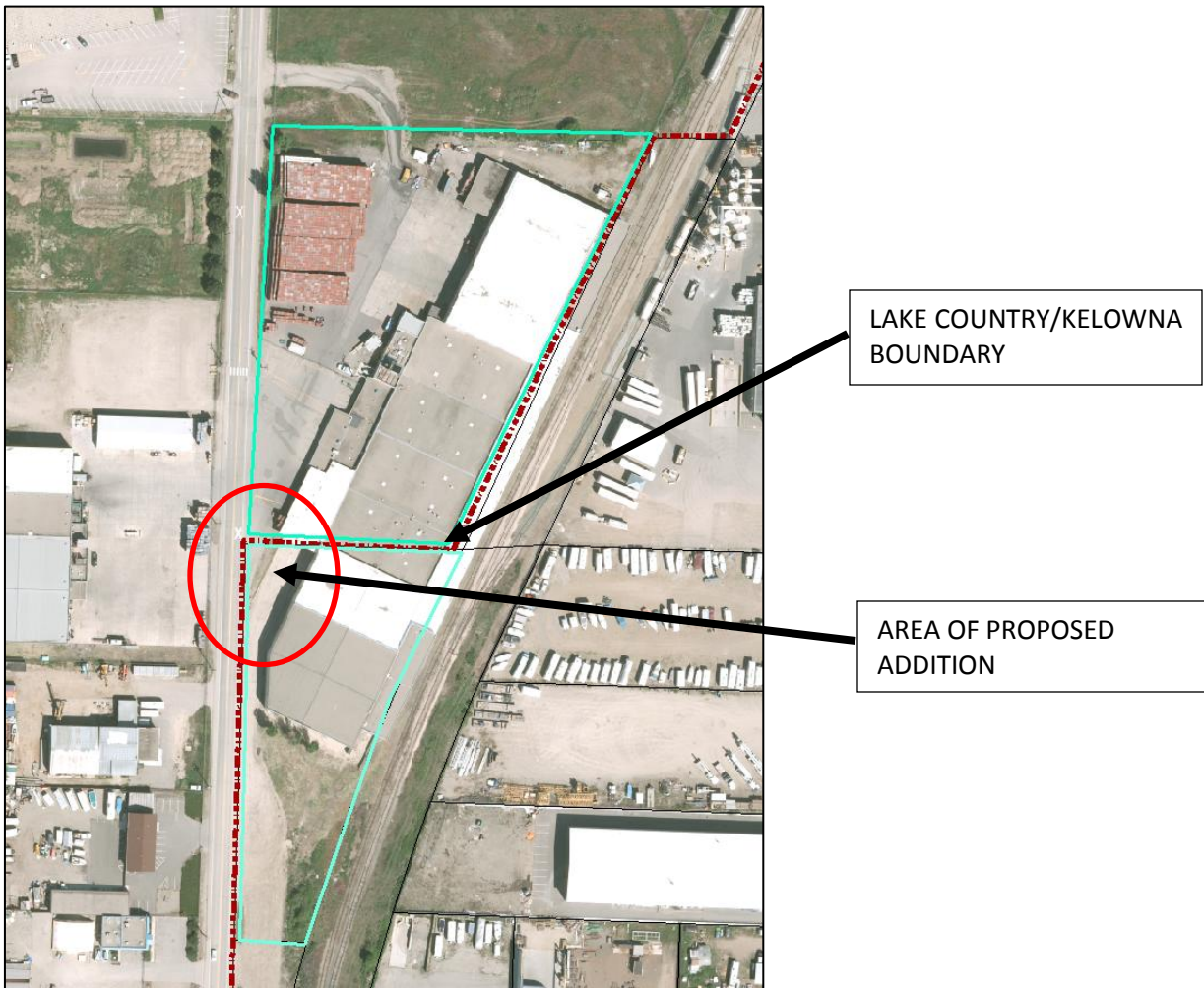
There is no sidewalk or cycling lane on Bottom Wood Lake Road, so a building closer to the property line should not negatively impact the active transportation opportunities.

The industrial building is in keeping with the form and character of the general neighbourhood.

4.0 Proposal

4.1 Background

The subject building straddles two properties, one in the City of Kelowna, one in the District of Lake Country. The building pre-dates the subject property being within the City of Kelowna boundaries by a number of decades.



4.2 Project Description

The applicant has proposed an addition to the existing building to expand internal production lines and improve operational efficiencies. Because all operations are production line based, there is very little space flexibility with internal operations. The production lines cannot be moved back, necessitating the variance application.

The proposed one storey addition would be built to within 1.32 m of the front property line.

4.3 Site Context

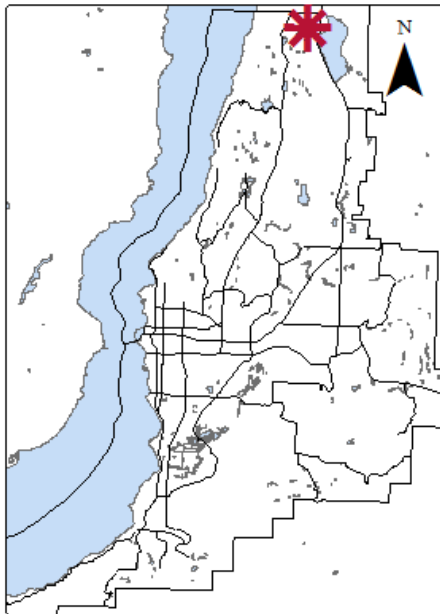
The site is unique in the community. The BC Tree Fruits Packing House is built across the city limits between Kelowna and Lake Country, straddling property lines. The southern third of the building is within the City, while the northern two thirds and site parking are in Lake Country.

The property is in the northern area of the Winfield Industrial Area. Properties to the north, south, east and west are used for industrial purposes. The former CN railways runs to the east of the subject property.

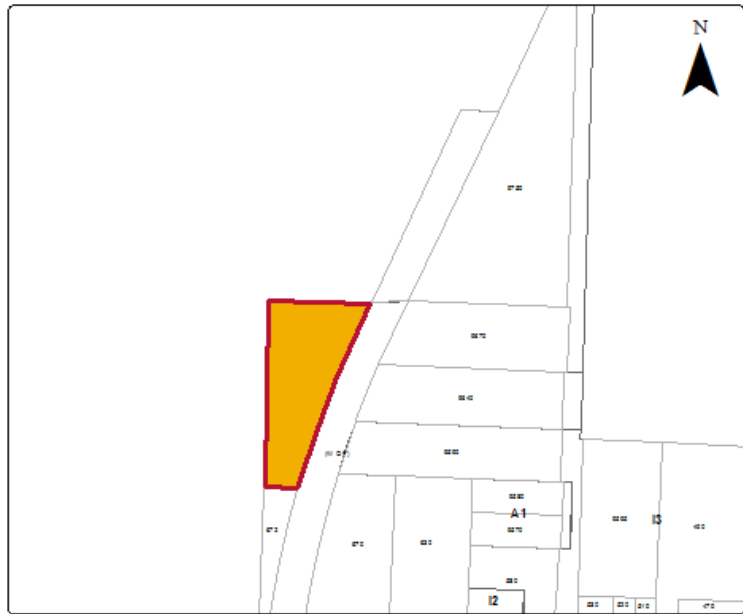
Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	Industrial - Lake Country	Portion of Fruit Packing Building
East	Railway/Future Trail	Railway/Future Trail
South	I2 - General Industrial	Warehouse
West	Industrial - Lake Country	Fruit Packing facilities

Subject Property Map:



CONTEXT



NEIGHBOURING ZONING



SUBJECT PROPERTY

4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	I2 ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Maximum Floor Area Ratio	1.5	0.56
Maximum Site Coverage	60%	56.51%
Maximum Height	14.0 m	m
Minimum Front Yard	7.5 m	1.37 m ●
Minimum Side Yard	0.0 m	>80 m
Minimum Side Yard	0.0 m	0.0 m
Minimum Rear Yard	0.0 m	>30 m

5.0 Technical Comments

5.1 Building & Permitting Department

- No comments

5.2 Development Engineering Department

- The DP app does not compromise any municipal services. Vehicle movement requirements were dealt with under BP 51549 (JO)Bylaw Services.

Report prepared by:

Ryan Roycroft, Planner

Reviewed by:

Terry Barton, Urban Planning Manager

Approved for Inclusion:

Ryan Smith, Community Planning Department Manager

Attachments:

Site Plan

Conceptual Elevations

Developer's Rationale