

Appendix A: Previous Council Resolutions – Arab/Appaloosa Road Area

Resolution	Date
<p>THAT Council receives, for information, the Report from the Manager, Urban Land Use dated November 19, 2012 with respect to the Industrial – Limited future land use designation contained in the Kelowna 2030 Official Community Plan;</p> <p>AND FURTHER THAT Council directs staff to report back with options for amending the I6 – Low Impact Transitional Industrial Zone to ensure consistency of intent and purpose with the Kelowna 2030 Official Community Plan.</p>	December 3, 2012
<p>THAT Council receives, for information, the Supplemental Report from the Manager of Urban Land Use dated March 19, 2013, with respect to the Industrial – Limited future land use designation contained in the Kelowna 2030 Official Community Plan;</p> <p>AND THAT Council directs staff to pursue Land Use Alternative 1, as identified in Report from the Manager of Urban Land Use dated March 19, 2013;</p> <p>AND THAT Council directs staff to initiate the process to advance Sanitary Sewer Connection Area #35 to a Specified Sanitary Sewer Service Area;</p> <p>AND FURTHER THAT Council direct staff NOT to accept further Rezoning applications for the Arab/Appaloosa Road area, pending final resolution of land for the area.</p>	March 25, 2013
<p>THAT Council receives, for information, the Report from Utilities Planning Manager dated September 30, 2013, regarding the Arab/Appaloosa Water, Sewer and Road Pre-design and Public Review;</p> <p>AND THAT Council direct staff to abandon the Local Area Service process required to construct the infrastructure needed to meet the I6 – Low Impact Transitional Zoning as costs are in excess of what will likely be considered reasonable by area property owners;</p> <p>AND FURTHER THAT staff be directed to report back to Council with alternative options for future land uses in the Arab/Appaloosa area.</p>	September 30, 2013
<p>THAT Council receives, for information, the Report from Utilities Planning Manager, Bylaw Services Manager and Urban Planning Manager, dated December 16, 2013 regarding the Arab/Appaloosa Land Use and Servicing Options;</p> <p>AND THAT Council directs staff to follow Option 1 as identified in the Utilities Planning Manager, Bylaw Services Manager and Urban Planning Managers report, dated December 16, 2013 regarding the Arab/Appaloosa Land Use and Servicing Options;</p>	December 16, 2013

Resolution	Date
<p>AND THAT Council directs staff to bring forward the proposed amendments to the I6 Zone, including a provision for outdoor storage, and to require Development Permits, to ensure consistency with the intent and purpose of the Kelowna 2030 OCP and Industrial-Limited designation;</p> <p>AND THAT Council directs staff to ensure that the fire flow and servicing with respect to the I6 Zone be required as per Subdivision, Development and Servicing Bylaw No. 7900;</p> <p>AND THAT Council directs staff to commence bylaw enforcement action against the two (2) most prolific offenders;</p> <p>AND FURTHER THAT Council directs staff to hold a Local Area Servicing meeting in order to gauge support for a Local Area Servicing Bylaw and to explain the proposed changes to the I6 Zone.</p>	
<p>THAT Official Community Plan Bylaw Text Amendment No. OCP14-0002 to amend Kelowna 2030 – Official Community Plan Bylaw No. 10500 by amending Map 5.8 as outlined in the Report of the Community Planning and Real Estate Department dated April 13, 2015, be considered by Council;</p> <p>AND THAT Official Community Plan Bylaw Text Amendment No. OCP14-0002 to amend Kelowna 2030 – Official Community Plan Bylaw No. 10500 by adding Section 18 to the Comprehensive Development Permit Guidelines, as outlined in the Report of the Community Planning and Real Estate Department dated April 13, 2015, be considered by Council;</p> <p>AND THAT Zoning Bylaw Text Amendment No. TA14-0001 to amend City of Kelowna Zoning Bylaw No. 8000 by amending to I6 – Low Imp Report of the Community Planning and Real Estate Department dated April 13, 2015, be considered by Council;</p> <p>AND FURTHER THAT the Official Community Plan Amending Bylaw and the Zone Amending Bylaw be forwarded to a Public Hearing for further consideration.</p>	April 13, 2015
<p>THAT Council receives, for information, the report from the Community Planning Department Manager dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy;</p> <p>AND THAT Council directs staff to follow the Bylaw Enforcement Strategy as identified in the Report from the Community Planning Department Manager dated March 21, 2016 regarding the Arab/Appaloosa Land Use and By Enforcement Strategy;</p> <p>AND THAT Council directs staff to prepare Official Community Plan amendments as identified in the Report from the Community Planning Department Manager dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy;</p>	March 21, 2016

Resolution	Date
<p>AND FURTHER THAT Council directs staff to lift the moratorium on accepting rezoning applications in the Arab/Appaloosa area as noted in the Report from the Community Planning Department Manager dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy.</p>	
<p>THAT Council receive for information, the supplementary report from the Community Planning Department dated November 28, 2016, with respect to the Industrial – Limited future land use designation for properties along the Arab and Appaloosa Roads;</p> <p>AND FURTHER THAT Council direct staff to pursue Option 3 (Informational Mail-Out and Survey with Public Open House / Meeting) as outlined in the report from the Community Planning Department dated November 28, 2016.</p>	November 28, 2016
<p>THAT Council receive for information the supplementary report from Community Planning dated February 27, 2017, with respect to the establishment of a Local Area Service along Arab and Appaloosa Roads;</p> <p>AND THAT Council direct staff to follow the future land use and bylaw enforcement strategy as identified in the Utilities Planning Manager report, dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy;</p> <p>AND FURTHER THAT Council direct staff to prepare Official Community Plan amendments as identified in the Utilities Planning Manager report, dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy.</p>	February 27, 2017
<p>THAT Council waive the requirement of the Development Application Procedures Bylaw 10540 that a defeated bylaw not be reconsidered for 6 months from the date of its defeat;</p> <p>AND THAT Official Community Plan Map Amendment Application No. OCP16-0020 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use Designation of the properties identified in Appendix 'A' attached to the Community Planning report dated April 10, 2017, from the Industrial – Limited (IND-L) designation to the Resource Protection Area (REP) designation be considered by Council;</p> <p>AND THAT the Official Community Plan Map Amending Bylaw be forwarded to a Public Hearing for further consideration;</p> <p>AND THAT Council considers the public processes detailed in the Report from the Community Planning Department dated February 27, 2017, to be appropriate consultation for the purpose of Section 475 of the <i>Local Government Act</i>.</p> <p>AND FURTHER THAT Council directs staff to pursue an escalating Bylaw Enforcement process on non-compliant properties in the subject area.</p>	April 25, 2017

Resolution	Date
<p>THAT Council receives, for information, the report from the Development Planning Department dated February 28, 2022, with respect to the Arab/Appaloosa Road Area Development Update;</p> <p>AND THAT Council endorses to the Arab/Appaloosa Road area engineering plan and project process as outlined in the report from the Development Planning Department dated February 28, 2022;</p> <p>AND FURTHER THAT Council directs staff to renew bylaw enforcement for the Arab/Appaloosa Road area as outlined in the report from the Development Planning Department dated February 28, 2022.</p>	February 28, 2021

February 4, 2020

City of Kelowna
Planning Department
1435 Water St, Kelowna, BC
V1Y 1J4



Regarding: 185 Arab Rd – Rezoning Rationale

The following items will illustrate the support for the application to rezone 185 Arab Rd from A1 – Agricultural to I6 – Low Impact Transitional Industrial

1.0 Existing Lot Conditions

The existing conditions of the lot meet all of the zone requirements of I6 (as outlined in the attached Zoning Analysis Table). The existing residential house is situated that its within the I6 building setbacks. No variances are required with the rezoning to I6 for this property.

2.0 Existing Off-Site Conditions

With the improvement of Arab Rd completed in 2009 to meet the Collector Class 1 Rural Road ROW, the lot will have the appropriate utility services provided to tie into. The frontage of the lot still requires some off-site upgrades for sidewalks.

With this being a corner lot, it also backs onto Palomino Rd. Palomino Rd has been reclassified to a laneway, where a portion of it has been constructed in 2019 from Arab Rd heading east approximately 70 meters adjacent to the property line.

It is understood that the owner of the lot will have to contribute its share of the costs of upgrading Arab Rd and Palomino Rd. A recent detailed cost analysis was completed by CTQ Consultants Ltd that outlines the required off-site costs to be paid, which has been submitted to the City.

3.0 OCP (official Community Plan)

This lot sits within an area that the City has identified in its Official Community Plan to be Light – Industrial. Rezoning to I6 fits within the Official Community Plan.

4.0 Future Development in the Area

The area between Sexsmith Rd, Arab Rd, Appaloosa Rd, and Hollywood Rd is undergoing a transition from A1 to I6. In the last three years, within this area, there have been 5 lots rezoned from A1 to I6 and 10 lots currently in the process of being rezoned. In addition, there are 10 lot owners who are coming together to provide a security bond to allow the upgrading of Appaloosa and Palomino Rd (between Arab and Hollywood Rd) to meet the requirements of an Industrial subdivision.

5.0 Existing Industrial Needs

Currently the City of Kelowna has a shortage of available Industrial land and buildings. This is demonstrated with observing how new projects are leased or sold in a very short time period (*210 Lougheed and 3050 Sexsmith Rd*).

A search for available Industrial land only shows one lot available that is technically zoned Industrial, but is advertised to be rezoned Commercial (*1055-1063 Ellis St*).

While there are a couple of Strata units coming online (*Enterprise Way and Clement Ave*), these units are geared towards a different user than what you would see in the Sexsmith / Appaloosa area. When researching the available units that are comparable, there is only 8 units available at this time (*Airport Park*).

When talking with local Commercial Realtors, they express a real need for more Industrial land and buildings. It has also been noted that currently there is a vacancy rate of 0.76% for Industrial. (*HM Commercial Group – 2019 Industrial Report*).

6.0 Proposed Development

No official design has been completed for 185 Arab Rd at this time. Rezoning this property conforms to the area and will further enhance the Industrial area requirements and needs.

7.0 Summary

1. The lot meets all of the I6 zoning requirements
2. Arab Rd has already been upgraded to provide the required utilities to the lot
3. Palomino Rd has been partially completed adjacent to the lot
4. Rezoning this lot follows the Official Community Plan designation and requirements
5. The immediate surrounding area is transitioning from A1 to I6 with upgrading the infrastructure to accomplish this
6. There is an extremely low inventory of available Industrial land in the City of Kelowna
7. The rezoning and development of the lot conforms to the neighbourhood and will enhance the Industrial needs of the area

Regards,



Steve Lea, Civil Tech
Press Developments Ltd.



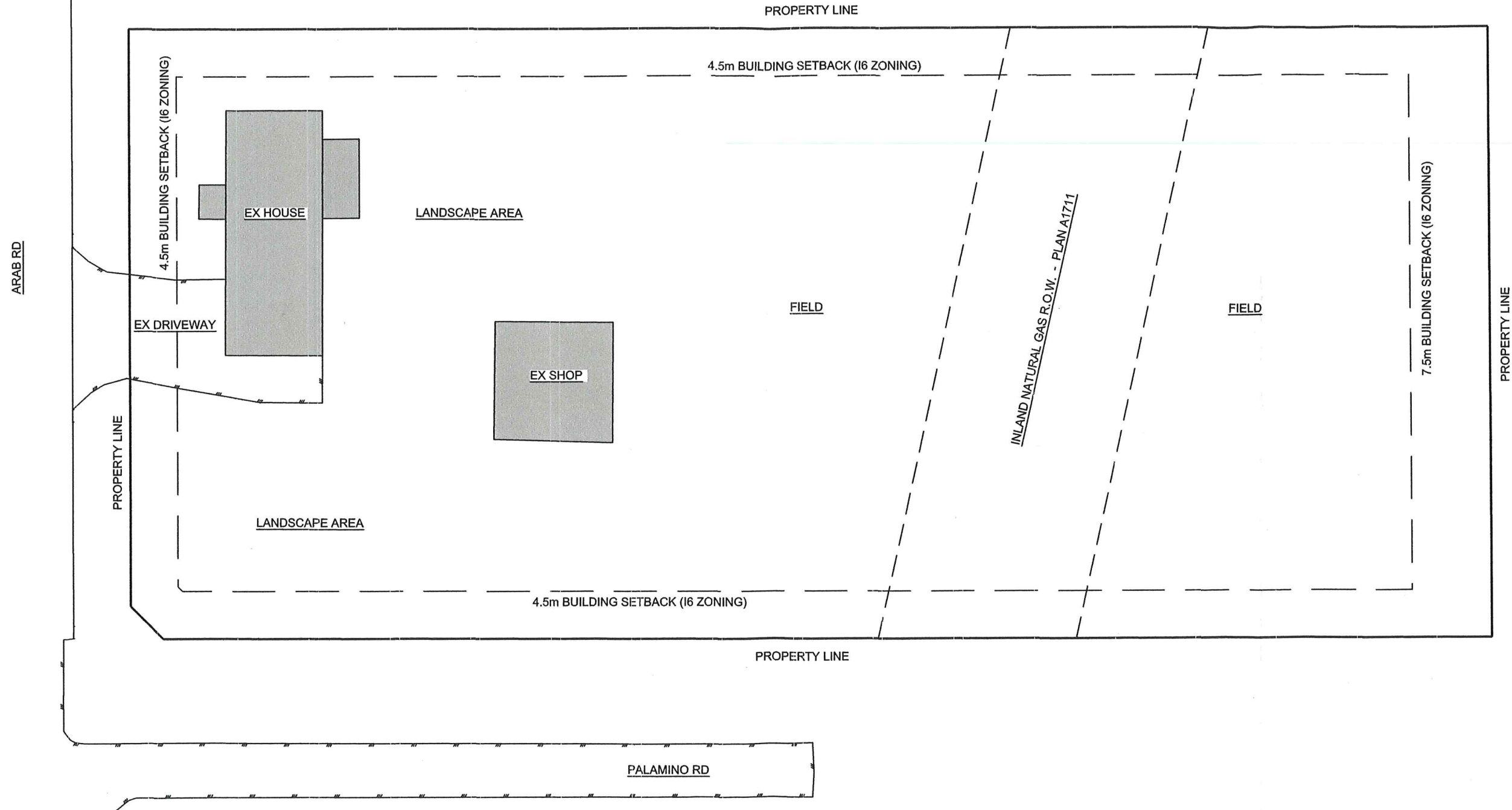
ATTACHMENT B

This forms part of application
Z20-0025

Planner Initials **BC**



THE DRAWINGS AND DIMENSIONS AS SHOWN ARE BASED ON ESTIMATED EXISTING CONDITIONS AND MEASUREMENTS. ALL DESIGN AND DIMENSIONS HEREIN ARE SUBJECT TO CHANGE PER ACTUAL AND CONFIRMED SITE CONDITIONS AND MEASUREMENTS.
OWNER AND CONTRACTOR TO VERIFY ALL DIMENSIONS, STRUCTURAL DETAILS, EXISTING CODES, AND GRADE REQUIREMENTS.
CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AT THE JOB SITE AND NOTIFY THE DESIGNER OF ANY DIMENSIONAL ERRORS, OMISSIONS, OR DISCREPANCIES BEFORE BEGINNING OR FABRICATING ANY WORK.
OWNER WILL TAKE NECESSARY PRECAUTIONS TO REMOVE OR RELOCATE ITEMS OF VALUE TO BE REUSED AND/OR SAVED, OR IN ANY DANGER OR BEING DAMAGED DUE TO CONSTRUCTION PROCESS.



ISSUES		
No.	DATE	DESCRIPTION
1	MAR 3, 20	REZONING

REVISIONS		
No.	DATE	DESCRIPTION

PROJECT 185 ARAB RD
 CLIENT 0725353 BC LTD.
 DRAWING TITLE EX SITE PLAN

DATE FEBRUARY 8, 2020
 SCALE 1 : 200
 DRAWN SWL
 PROJECT No. 20004
 DRAWING No.

HALF-SCALE

C1

CITY OF KELOWNA
MEMORANDUM



Date: March 6, 2020
File No.: Z20-0025
To: Planning & Development Services Department (BC)
From: Development Engineer Manager (JK)
Subject: 185 Arab Rd., Lots 401, Plan 18861 A1 – I6

Development Engineering has the following comments and requirements associated with this application rezone the subject property from A-1 to I6 are as follows:

1. General

Access to the subject lots must be achieved off of Arab Road and exit on Palomino Road is designated as a rural lane Palomino will be exit only to Arab road. CTQ Consultants Ltd. has created a master plan and cost estimate for Bonding for Area.

2. Geotechnical Study

We recommend that a comprehensive geotechnical study be undertaken over the subject property. The geotechnical study should be undertaken by a Professional Engineer or a Geoscientist competent in this field. This study should analyse the soil characteristics and suitability for development of the requested zoning. As well, the study should address drainage patterns including the identification of ground water and the presence of any surface springs and the suitability of the lands for disposal of site generated storm drainage. In addition this study must describe soil sulphate contents, the presence or absence of swelling clays.

3. Sanitary Sewer System

- a) The developer's consulting mechanical engineer will determine the development requirements of the proposed development and establish the service needs. Only one service per lot will be permitted for this development. There is an existing 100mm PVC sanitary service to lot.
- a) The Connection Area #35 charge is currently set by Bylaw at \$13,300 per Single Family Equivalent (SFE). This Bylaw was reviewed for and accepted by Council in 2018.

determined by the following formula: the first 0.36 acres of developed land or portion thereof equals 1 SFE. Thereafter 1.49 Acres per acre of developed land.

The assessed value is 5.17 SFE's is **\$68,787.60**

4. Water Servicing Requirements

This development is within the service area of the Glenmore Ellison Irrigation District (GEID). The developer is required to make satisfactory arrangements with the GEID for these items. All charges for service connection and upgrading costs are to be paid directly to the GEID. The developer is required to provide a confirmation that the district is capable of supplying fire flow in accordance with the City of Kelowna current Bylaws and Policies.

5. Storm Drainage

A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual By-Law 7900 is required.

6. Road Improvements

a.) The Appaloosa Properties will work together or on their own the first application in to council will be required to complete all roads, Water, Sanitary and storm works for Appaloosa area, including Palomino, Arab roads. CTQ Consultants Ltd. has created a master plan and cost estimate for bonding for Area.

b.) The frontage of Arab Road will be upgraded to a full (SS-R5) urban standard in accordance with Bylaw 7900, Sidewalk and road marking will be required.

7. Road Dedication and Subdivision Requirements

(a) Grant Statutory Rights Of Way if required for utility services.

(b) If any road dedication or closure affects lands encumbered by a Utility right-of-way (such as Hydro, TELUS, Gas, etc.) please obtain the approval of the utility. Any works required by the utility as a consequence of the road dedication or closure must be incorporated in the construction drawings submitted to the City's Development Manager.

8. Power and Telecommunication Services

The services to this development are to be installed underground. It is the developer's responsibility to make a servicing application to the respective utility companies. The utility companies are then required to obtain the city's approval before commencing their works.

9. Design and Construction

a) Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.

b) Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.

- c) Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).
- d) A “Consulting Engineering Confirmation Letter” (City document ‘C’) must be completed prior to submission of any designs.
- e) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City’s Works & Utilities Department. The design drawings must first be “Issued for Construction” by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

10. Servicing Agreements for Works and Services

- a) A Servicing Agreement is required for all works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. The applicant’s Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works. The Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.
- b) Part 3, “Security for Works and Services”, of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than \$5,000,000 and the City is to be named on the insurance policy as an additional insured.

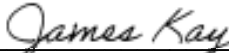
11. DCC Credits

None of the required improvements qualify for DCC credit consideration, as these levies are collected as cash in lieu.

12. Bonding and Levies Summary

Levies

Palomino Rd. repair works	TBD
Connection. Area #35	\$68,787.60
Total levies	<u>TBD</u>



 James Kay, P. Eng.
 Development Engineering Manager
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