

# REPORT TO COUNCIL



**Date:** March 6, 2017

**RIM No.** [RIM Classification Number]

**To:** City Manager

**From:** Community Planning Department (AC)

**Application:** Z17-0009 & TA17-0003

**Owner:** FORTISBC Inc.

**Address:** 700 Swordy Rd

**Applicant:** Zeidler BKDI Architects – Jean  
Guy Beliveau

**Subject:** [Title]

Existing OCP Designation: MXR – Mixed Use (Residential/Commercial) & MRL – (Multiple Residential – Low Density)

Existing Zone: P4 – Utilities & A1 - Agriculture

Proposed Zone: P4 – Utilities

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## 1.0 Recommendation

THAT Zoning Bylaw Text Amendment Application No. TA17-0003 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in the Report from the Community Planning Department dated March 6<sup>th</sup> 2017 be considered by Council;

THAT Rezoning Application No. Z17-0009 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of a portion of Part of Lot 2 Outlined Red on Plan A917 District Lot 134 ODYD Plan 2864, located at 700 Swordy Rd, Kelowna, BC from the A1 - Agriculture zone to the P4 – Utilities zone, as shown as Map A" attached, be considered by Council

AND THAT the Zone Amending Bylaw & the Text Amendment Bylaw be forwarded to a Public Hearing for further consideration.

AND FURTHER THAT final adoption of the Zone Amending Bylaw & the Text Amendment Bylaw be subsequent to the following:

The outstanding conditions identified in Attachment "A" associated with the report from the Community Planning Department dated March 6<sup>th</sup> 2017.

## 2.0 Purpose

To consider a Text Amendment to allow non-accessory parking as a principal use within the P4 – Utilities zone and to consider a rezoning application for a portion of the subject property from the A1 Agriculture zone to the P4 – Utilities zone in order to construct a surface parking lot.

### 3.0 Community Planning

Staff support the rezoning and text amendment bylaws. The purpose of the 67 stall surface parking lot is to supplement the commercial parking lot at the adjacent mixed-use project (The Shore) located immediately west. The property will remain in the ownership of Fortis with a long-term lease to 'The Shore'. A landscape buffer variance for the surface parking lot, from 3.0m to 2.0m, is needed due to Fortis's vehicular requirements to service the existing sub-station and to the location of the overhead power poles. A Development Permit and Development Variance Permit for the surface parking lot will come to Council for review if the Rezoning and Text Amendment are supported. The purpose of the Text Amendment is to allow surface parking lots as a permitted use within the P4 zone. Staff believe the primary use of 'non-accessory parking' is an acceptable use within that zone. Staff considered rezoning a portion of the subject property to a zone that permits non-accessory parking (such as the C4 zone) but that was not acceptable to Fortis' re: protection of their long term interests. The property needs to permit 'Utilities, Major' as a principal use as Fortis would like to protect for a long-term possible expansion to the sub-station. The principal use 'Utilities, Major' is only permitted within the P4 zone.

### 4.0 Proposal

#### 4.1 Project Description

The 67 stall parking lot will be screened with a landscape buffer and will be setback 9.2m from the existing Fortis sub-station at the south end. The 9.2m clearance is a safety setback required by the Fortis equipment. Access to the surface parking lot will be from Richter Street. Fortis will develop a new access for service vehicles from Swordy Road. A pedestrian link has been created at the south-western end of the surface parking lot to facilitate pedestrian movement between the two sites.

#### 4.2 Site Context

The site is located at the south end of the South Pandosy Urban Centre within close proximity to Boyce - Gyro Beach. Specifically, the adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C9 – Tourist Commercial	Vacant
East	RU1 – Single Detached Housing & RM3 – Low Density Multiple Housing	Residential
South	RM3 – Low Density Multiple Housing	Residential
West	Future C4- Urban Centre Commercial	Vacant

**Subject Property Map:** 700 Swordy Rd



## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Development Process

**Preferred Plant Species.**<sup>1</sup> Use species of plants well-adapted to Kelowna, drought-tolerant, pest-resistant, with preference for plants indigenous to the Kelowna area, compatible with urban development and adapted to the specific site conditions in restoration and replanting practices on City land. Emphasize “right tree in the right location” to help ensure that trees will not have to be removed due to future conflicts with utility wires, building foundations, etc.

**Power Lines.**<sup>2</sup> Ensure development appropriately interfaces with transmission lines.

## 6.0 Technical Comments

### 6.1 Building & Permitting Department

A Building permit is required for the civil works portion of the parking lot. A Civil engineer is required to provide drawings and schedules at time of permit application.

### 6.2 Development Engineering Department

<sup>1</sup> City of Kelowna Official Community Plan, Policy 5.3.2 (Development Process Chapter).

<sup>2</sup> City of Kelowna Official Community Plan, Policy 5.27.2 (Development Process Chapter).

See attached memorandum dated February 9, 2017.

6.3 Fire Department

No concerns.

6.4 Shaw

Shaw owns/operates an existing aerial fibre on the FortisBC transmission line that crosses the subject lot. As per the plan, it looks as though pole locations will be unaffected, but in the event that poles, and/or their associated downhauls, need to be relocated, Shaw will have to supply the developer a cost sheet for the relocation work.

**7.0 Application Chronology**

Date of Application Received: February 2<sup>nd</sup> 2017  
Date Public Consultation Completed: February 20<sup>th</sup> 2017

**Report prepared by:** Adam Cseke, Planner 2  
**Reviewed by:** Terry Barton, Urban Planning Manager  
**Approved for Inclusion:** Ryan Smith, Community Planning Department Manager

**Attachments:**

Development Engineering Memo dated February 9<sup>th</sup> 2017  
Initial Drawing Package