

REPORT TO COUNCIL



Date: July 25th, 2017

RIM No. 0940-93

To: City Manager

From: Community Planning Department (JR)

Application: TUP16-0003-01

Owner: Tolko Industries Ltd.

Address: 945 Guy Street

Applicant: Kerkhoff Construction (2016) Ltd.

Subject: Temporary Use Permit

Existing OCP Designation: IND - Industrial

Existing Zone: I4 – Central Industrial

1.0 Recommendation

THAT Council authorize the extension of Temporary Use Permit No. TUP16-0003-01 to allow for the existing building to continue to be used as a marketing and sales center for the proposed One Water Development under construction for Lot D, District Lot 139, ODYD, Plan KAP71362 located at 945 Guy Street, Kelowna, BC, for a three (3) year period commencing from the date of Council approval, subject to the following conditions:

- a) The dimensions and siting of the temporary use on the land be in general accordance with Schedule "A";

AND FURTHER THAT there is no opportunity to extend the Temporary Use Permit.

2.0 Purpose

To seek a three (3) year extension on a Temporary Use Permit to allow for the existing building to continue to be used as a marketing and sale center for the proposed developments in the neighbourhood.

3.0 Community Planning

Staff support the extension of the Temporary Use Permit for the existing building on the subject property for a three (3) year period. The existing building was constructed and used for a similar purpose as part of the Waterscapes Development a number of years ago. The building sat vacant until last year where the applicant proposed to utilize it again temporarily as a marketing and sales center associated with the 1157 Sunset Development, that is currently under construction. Council approved the Temporary Use Permit and it has been used as a sales center since. The applicant is requesting extension of the Temporary Use Permit for another three (3) years to facilitate a marketing and sales center for the One Water Development

and potential other redevelopment in the neighbourhood. This is the last opportunity for the applicant to renew the permit.

4.0 Proposal

4.1 Background

The subject property is owned by Tolko Industries Ltd and is currently used for its sawmill operations. A small corner of the industrial property near the intersection of Manhattan Drive and Sunset Drive was previously used as a marketing/sales center for the Waterscapes Development from 2007 to 2010. From 2012 to present, many potential applicants have inquired to the City regarding possible alternative uses (e.g. daycare, office, market, etc.) for the building but the high cost of upgrading the temporary structure to meet the BC Building Code for a permanent use has been a significant deterrent. The structure was vacant until last year when Kerkhoff Construction Ltd. began leasing the corner of the property from Tolko and obtained a Temporary Use Permit for one (1) year as a marketing/sales center for the 1157 Sunset Development.

The applicant is requesting an extension for another three (3) years as the previous one (1) year period will be expiring in August.

4.2 Project Description

The applicant is requesting an extension to allow the existing building near the intersection of Manhattan Drive and Sunset Drive owned by Tolko Industries to be used as a marketing/sales centre for the One Water Development currently under construction.

4.3 Site Context

The subject property is located near the corner of Sunset Drive and Manhattan Drive and is currently designated as IND – Industrial. Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	I ₄ – Central Industrial	Industrial - Sawmill
East	I ₄ – Central Industrial	Industrial - Warehouse
South	I ₁ – Business Industrial	Under construction
West	RU6 – Two Dwelling Housing / P ₃ – Parks and Open Space	Urban Residential and Park

Subject Property Map: 945 Guy Street



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 4 – Future Land Use - Temporary Use Permits (TUP)

The temporary use designation is intended to apply to operations that are temporary in nature and the designation does not in itself permit specific uses on the designated sites. Within these areas, Council may, by resolution, issue a Temporary Use Permit and specify the conditions under which the temporary use be carried on. Upon the expiration of a Temporary Use Permit, the permitted uses revert to those outlined in the City of Kelowna Zoning Bylaw 8000.

Temporary Use Permits may be considered within the Permanent Growth Boundary (PGB) on all lands designated in OCP2030 Commercial, Education/Institutional, Industrial, Mixed Use, or Public Service/Utility. All Temporary Use Permits must conform to other policy direction in this OCP, including fit within the character of the neighbourhood and surrounding uses. Appropriate landscaping, screening and buffering will be included as conditions of the permit to protect adjacent land uses.

6.0 Technical Comments

6.1 Building & Permitting Department

- No Comment

6.2 Fire Department

- No Comment

7.0 Application Chronology

Date of Application Received: June 12th, 2017

Date Public Consultation Completed: June 7th, 2017

Report prepared by: Jenna Ratzlaff, Planner

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Schedule "A": Site Plan

DRAFT Temporary Use Permit No. TUP16-0003-01