

# REPORT TO COUNCIL



**Date:** December 14, 2015

**RIM No.** 1250-00

**To:** City Manager

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

**Application:** OCP15-0018 & Z15-0057      **Owner:** British Columbia Buildings Corporation

**Address:** 200 Potterton Road      **Applicant:** Roth Enterprises Ltd

**Subject:** Zoning Bylaw Amendment and Official Community Plan Amendment

**Existing OCP Designation:** EDINST - Educational / Major Institutional

**Proposed OCP Designation:** IND - Industrial

**Existing Zone:** P1 - Major Institutional

**Proposed Zone:** I2 - General Industrial

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## 1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP15-0018 to amend Map 4.1 in the Kelowna 2030 - Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of Lot A, Section 2, Township 20, ODYD Plan KAP59703 located at 200 Potterton Road, Kelowna, BC from the EDINST designation to the IND - Industrial designation be considered by Council;

AND THAT the Official Community Plan Map Amending Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT the requirement to hold a Public Information Session, prior to the Official Community Plan Map Amending Bylaw receiving first reading, in accordance with the *Local Government Act*, and the City of Kelowna's Development Applications Procedures Bylaw No. 10540, be waived;

AND THAT Rezoning Application No. Z15-0057 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, Section 2, Township 20, ODYD Plan KAP59703, located at 200 Potterton Road, Kelowna, BC from the P1 - Major Institutional zone to the I2 - General Industrial zone be considered by Council;

AND FURTHER THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

## **2.0 Purpose**

To amend the Official Community Plan to change the future land use designation and rezone the subject property to allow for the development of an industrial subdivision.

## **3.0 Community Planning**

Staff recommend that the application to amend the OCP and rezone the property be advanced to public hearing. The proposed development is consistent with development patterns in the area. The mid-sized industrial lots will be compatible with surrounding industrial land uses and based on customer inquiries, there appears to be a strong market demand for industrial land in the city.

The property was only designated as EDINST and zoned for Institutional in light of the provincial ownership of the property. As the province is no longer interested in developing the site, it is appropriate to re-zone the property for industrial use consistent with the surrounding neighbourhood.

## **4.0 Proposal**

### **4.1 Background**

The property is a large undeveloped property in a industrialized district of the city. The property is currently owned by the Province of British Columbia, who have previously considered the site as a location for a penitentiary. In 2012, the Province decided to locate the facility in Oliver, leaving the Potterton site vacant. As the site is no longer required for Provincial purposes, the Province has found a private buyer interested in designating the property for industrial use.

### **4.2 Project Description**

The applicant has applied to amend the Official Community Plan and to rezone the property to allow the development of an industrial subdivision. The applicant has also submitted an application to subdivide the property into 8 smaller parcels, subject to Council adopting the bylaw amendments.

The properties will be fully serviced general industrial lots which would be suitable for development for uses ranging from outdoor storage to industrial production. Future developers would be required to apply for a building permit from the City. A Form & Character Development Permit will not be required as this area is exempt.

The properties will be supplied water through a bulk water agreement with the District of Lake Country. The bulk water agreement allocates water on a per parcel basis. During the subdivision process, water will be allocated to the new parcels based on the area of the new parcels being created.

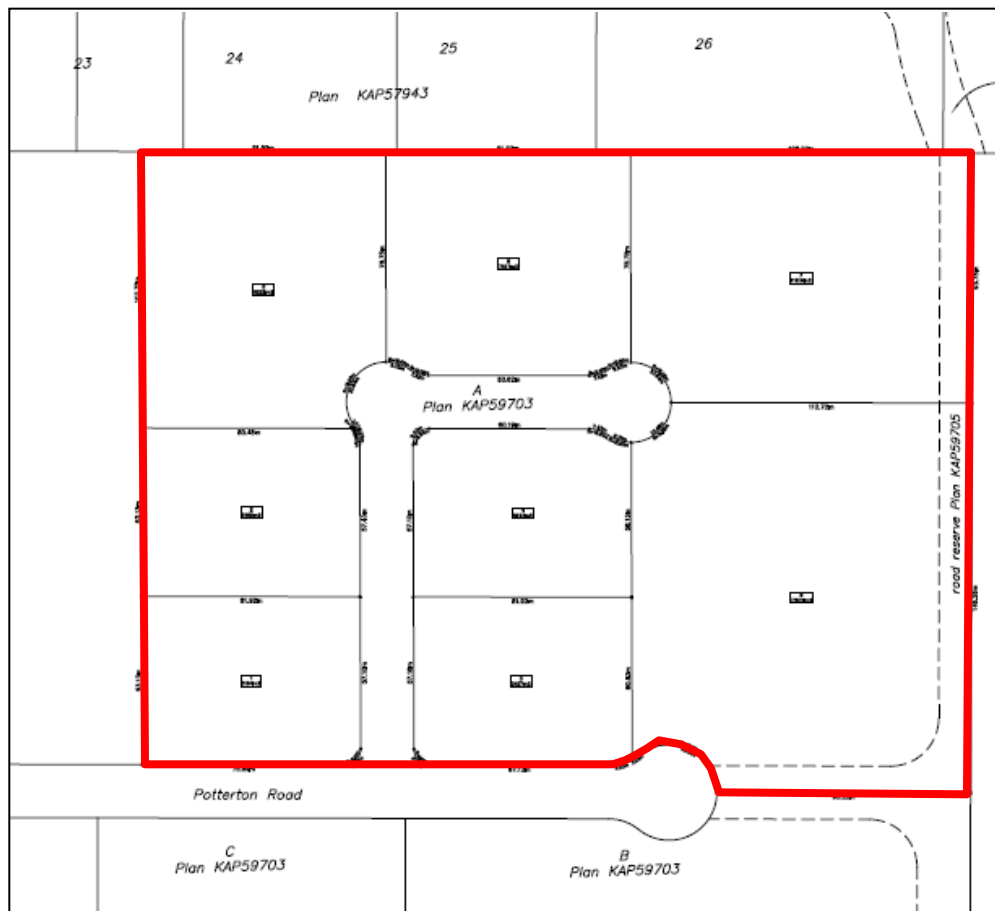


Figure 1 Preliminary Layout, subject to change

#### 4.3 Site Context

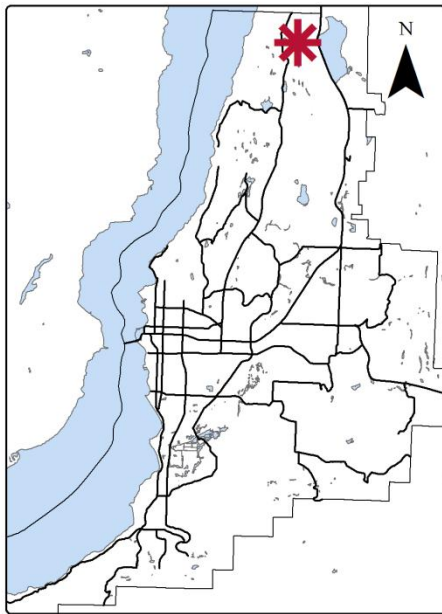
The property is located in an industrialized portion of the city just south of the border with Lake Country. The parcel is surrounded on three sides by industrial development. The property to the east is zoned A1 - Agriculture, but is not in the ALR and is designated for future industrial use.

The property will have access to Highway 97 along Beaver Lake Road

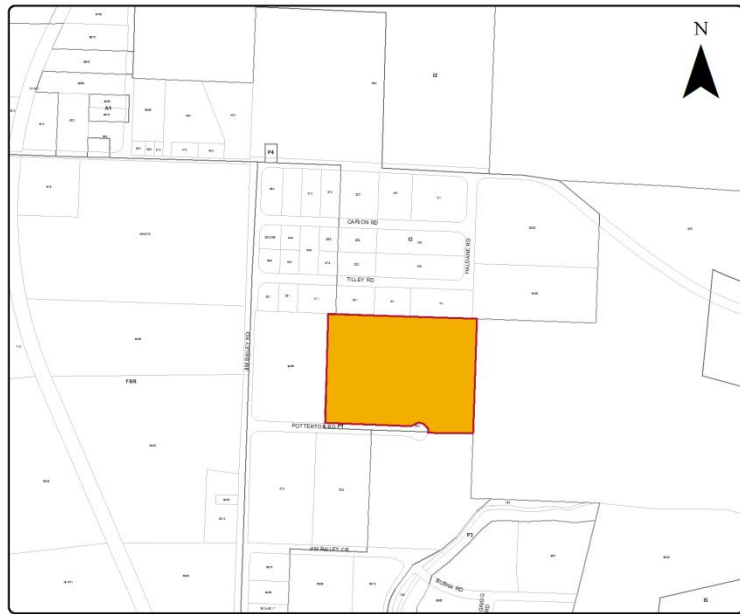
Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	I3 - Heavy Industrial	Industrial production
East	A1 - Agriculture	Vacant / Forested
South	I3 - Heavy Industrial	Warehouse Space
West	I2 - General Industrial	Industrial food processing

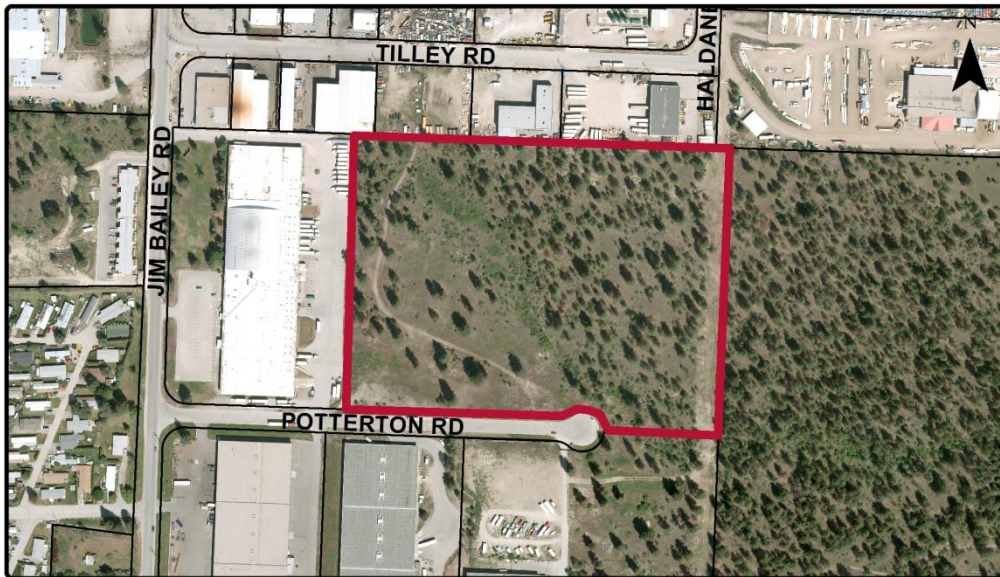
**Subject Property Map:**



CONTEXT



NEIGHBOURING ZONING



SUBJECT PROPERTY

**4.4 Zoning Analysis Table**

Zoning Analysis Table		
CRITERIA	ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Minimum Lot Area	4,000 m <sup>2</sup>	71,760 m <sup>2</sup>
Minimum Lot Width	40.0 m	312 m
Minimum Lot Depth	35.0 m	230 m

## **5.0 Current Development Policies**

### **5.1 Kelowna Official Community Plan (OCP)**

#### **Future Land Use**

**Industrial (IND)** Light and heavy industrial uses as well as Industrial/Business activities and airport related industrial uses. Industrial/business service refers to uses that provide services and support to industrial and business customers.

#### **Industrial Land Use**

**Policy 5.28.1 Rezoning to Industrial.** Consider allowing land not currently designated as industrial to be supported for an Official Community Plan amendment and subsequent rezoning to allow industrial uses provided that such a rezoning would be consistent with other Official Community Plan policies, provided that available municipal infrastructure can support the use, and provided that the industrial use would be compatible with existing and proposed future surrounding uses. Compatibility issues to consider include, but are not limited to, visual impact, noise, odour, hours of operation, pollution and traffic.

**Policy 5.29.1 Industrial Land Use Intensification.** Encourage more intensive industrial use of currently under-utilized industrial sites during site redevelopment or by permitting lot subdivision where new lots can meet the minimum lot size requirements of the Zoning Bylaw.

## **6.0 Technical Comments**

### **6.1 Building & Permitting Department**

No concerns

### **6.2 Development Engineering Department**

See attached Memorandum associated with S15-0083, dated November 17, 2015

### **6.3 Bylaw Services**

No concerns

### **6.4 Fire Department**

- 1 The Fire Department has no issues with the zoning change
- 2 Fire Department access is to be met as per BCBC 3.2.5.6 - appropriate road width and turnarounds.
- 3 Engineered Fire Flow calculations are required to determine Fire Hydrant requirements as per the City of Kelowna Subdivision Bylaw #7900. Should a hydrant be required on this property (STRATA) it shall be deemed private and shall be operational prior to the start of construction
- 4 The length of a cul-de-sac shall meet the requirements of the subdivision bylaw.

### **6.5 District of Lake Country**

The District is not impacted by the proposed subdivision or rezoning provided the bulk water agreement between the City and the District is adhered to.

## **7.0 Application Chronology**

Date of Application Received: Sept. 25, 2015

**Report prepared by:**

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Ryan Roycroft, Planner

**Reviewed by:** ☐ Terry Barton, Urban Planning Manager

**Approved for Inclusion:** ☐ Ryan Smith, Community Planning Department Manager

### **Attachments:**

Summary of Technical Comments