

REPORT TO COUNCIL



Date: November 21, 2017

RIM No. 0940-93

To: City Manager

From: Community Planning Department (TB)

Application: TUP17-0002

Owner: 0838232 BC Ltd Inc No
BC0838232

Address: 2092 Enterprise Way

Applicant: Argus Properties Ltd.

Subject: Temporary Use Permit

Existing OCP Designation: IND - Industrial

Existing Zone: I3 – Heavy Industrial

1.0 Recommendation

THAT Council authorize Temporary Use Permit No. TUP17-0002 to extend TUP14-0005 to allow the use of a portion of the subject property to be used as a Thrift Store for Lot 3, District Lots 127 & 531, ODYD, Plan KAP54290, located at 2092 Enterprise Way, Kelowna, BC, for a three (3) year period commencing from Council approval;

AND FURTHER THAT no further extensions are permitted as per the regulations of Section 497 of the Local Government Act.

2.0 Purpose

To extend a Temporary Use Permit to allow the western portion of the existing building on the subject property to continue to be used as the "ReStore" operated through the organization Habitat for Humanity.

3.0 Community Planning

Staff recommends that Council supports this Temporary Use Permit Application to extend the original TUP14-0005. The TUP will allow the continued sale of used or discontinued construction material and home décor for the operation of "ReStore" through the organization Habitat For Humanity. This proposed location accepts donations of used or discontinued construction material and home decor by contractors or commercial retailers that may otherwise end up in the landfill. This is an appropriate location for a reuse program as the storage and refurbishing of construction materials requires an industrial zone while the sale of these products requires a commercial zone. The subject property borders both of these land uses with industrial on all immediate property lines, commercial businesses to the south separated by Enterprise Way.

Section 8 – Parking and Loading of the Zoning Bylaw 8000 indicates that “Retail Store, Convenience Retail Store, General Flea Markets, and Second-hand Stores with GFA greater than 1,000m² require 3.0 parking spaces per 100m² GFA. The required parking for this proposed use is a total of 63 stalls. The other current uses of the existing building require 0.5 parking spaces per 100m² GFA. “Warehousing and Storage” requires a total of 57 stalls. Currently the proposed site plan shows a total of 101 parking stalls. This leaves the parking requirements for the proposed use deficient by 19 parking stalls. However, parking has not been a problem in the previous 3 years of the Temporary Use Permit, which leads Staff to believe that it will continue to not be an issue. In accordance with the Local Government Act, this is the last time the Temporary Use Permit can be extended.

The proposed temporary use is confined to the western portion of the existing building at approximately 2,111m². The neighbouring property, 2076 Enterprise Way currently operates as an industrial operation.

4.0 Proposal

4.1 Background

The subject property is currently zoned I₃ – Heavy Industrial. The existing TUP was approved by Council on December 9, 2014. The Temporary Use Permit extension will give 0838232 BC and additional three years for temporary use of the property. Staff have encouraged the applicant to pursue an I₂ zone or a new location at the end of this period. At this time, Ministry of Transportation has stated they will not support a major rezoning for this property (e.g. commercial zone) without extensive off-site improvements to the road network.

4.2 Project Description

The existing building footprint is approximately 13,490m², with the proposed portion utilizing 2,111m² in the west side end the building. The ReStore operation services the construction and commercial sales industry in Kelowna allowing the cost free drop off of reusable materials. The operation also services the smaller construction companies as well as home owners with the sale of these items at wholesale cost.

4.3 Site Context

The subject property is located on the north side of Enterprise Way, between Hardy Street and Dilworth Drive. The property is currently zoned I₃, identified in Kelowna’s Official Community Plan as Industrial, and is within the Permanent Growth Boundary.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	I ₁ – Business Industrial	Custom Indoor Manufacturing & Technical Service Businesses
East	C ₇ – Central Business Commercial I ₂ – General Industrial	Automotive Parts Sales Window Manufacturing
South	C ₄ – Urban Centre Commercial C ₄ – Urban Centre Commercial C ₄ LP - Urban Centre Commercial (Liquor Primary)	Commercial Business Restaurant Hotel
West	I ₂ – General Industrial	Power Line Contracting & Dry Coating Paint Business

Subject Property Map: 2092 Enterprise Way**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.

The OCP allows Temporary Use Permits within “the Permanent Growth Boundary (PGB) on all lands designated in OCP2030 Commercial, Education /Institutional, Industrial, Mixed Use or Public Service / Utility.” The OCP defines Industrial as “uses that provide services and support to industrial and business customers. This designation may also include CD Comprehensive Development zoning that provides for industrial uses.” The retail sales to the general public that this proposed use accommodates does blend in with the adjacent land uses to the south. The subject property fronts Enterprise Way, south of the subject property along Enterprise Way are future land uses of Mixed Use (Residential/Commercial) as well as Commercial.

Chapter 7 - Infrastructure – Solid Waste Policies

Divert solid waste from landfills¹ Ensure Regional Strategies for waste management are followed.

Resource Recovery² Provide opportunities for resource recovery from reuse and utilization of waste transported for disposal in order to reduce the carbon footprint associated with waste.

6.o Application Chronology

Date of Application Received: June 15, 2017
Date of Revisions Received: September 15, 2017
Date Public Consultation Completed: October 17, 2017

Report prepared by: Trisa Brandt, Planner

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attached:

Site Plan
Floor Plan
Elevations

¹ City of Kelowna Official Community Plan, Policy 7.24.1 (Infrastructure Chapter).

² City of Kelowna Official Community Plan, Policy 7.25.1 (Infrastructure Chapter).