
CITY OF KELOWNA
MEMORANDUM

Date: January 8, 2001
File No.: (3090-20) **DVP00-10,023**
To: City Manager
From: Planning & Development Services Department
Subject:

DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP00-10,023	OWNER: AL STOBER CONSTRUCTION LTD
AT: HARVEY AVENUE & DICKSON AVENUE	APPLICANT: WATER STREET ARCHITECTURE (DOUG LANE)

PURPOSE: TO SEEK A DEVELOPMENT VARIANCE PERMIT TO REDUCE THE REQUIRED HIGHWAY SETBACK FROM 15 M TO 4.5 M PROPOSED FOR A HIGH TECH BUSINESS CAMPUS

EXISTING ZONE: C10 – SERVICE COMMERCIAL

PROPOSED ZONE: CD 14 – COMPREHENSIVE HIGH TECH BUSINESS CAMPUS

REPORT PREPARED BY: PAUL McVEY

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT Bylaw Nos. 8609 and 8610 be advanced for final adoption;

AND THAT Municipal Council authorize the issuance of Development Variance Permit No. DVP00-10,023; Al Stober Construction Ltd.; Lot A, D.L. 129, O.D.Y.D., Plan 2742, located on Harvey Avenue and Dickson Avenue, Kelowna, B.C.;

AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted:

Section 6.10.1 **Setback from Provincial Highways** be varied from 15 m setback required to 4.5 m setback proposed.

2.0 SUMMARY

The applicant has made application to rezone the subject property from the C10 – Service Commercial zone to the CD14 – Comprehensive High Tech Business Campus zone in order to create a campus style development to serve “high tech” and “knowledge based” businesses. The subject property is located between the Downtown Urban town Centre and the Springfield and Highway 97 Urban Town Centres. The requested setback from Highway 97 is consistent with the minimum permitted setback of 4.5 m permitted in Urban Town Centres.

The development of the subject property is anticipated to take place in two phases. Phase One of the development application is designed to consist of a 6 storey, 6,582 m² office building and related parking areas. The building is proposed to be designed to accommodate “high tech” and “knowledge based” businesses. The development site comprises approximately 1.47 hectares of the subject property located north of the proposed extension of Dickson Avenue, and does not include the triangular portion south of the Dickson Avenue extension.

The proposed site plan indicates the proposed parking structure associated with the phase two building being located 4.5 m from the new property line adjacent to Harvey Avenue (Highway 97), where section 6.10.1 **Setback from Provincial Highways** requires a minimum setback of 15 m.

The above noted application also includes a subdivision application that proposes to realign the existing east-side lot line to improve the configuration of the subject property in relation to the proposed development and to dedicate the extension of Dickson Avenue, and a Development Permit application which will be considered concurrently with the final adoption of the zone amending bylaw.

2.1 Advisory Planning Commission

The above-noted application was reviewed by the Advisory Planning Commission at the meeting of April 11, 2000 and the following recommendation was passed:

THAT the Advisory Planning Commission supports Rezoning Application No. DVP00-10,023 by Water Street Architecture (Doug Lane), 1621 Harvey Avenue for phase one only.

Note; The development plans reviewed by the APC were for the original proposal which was for several buildings. These plans have been revised to proposed only two buildings. The phase one building is located in the approximate centre of the site and does not require a variance to the highway setback. The parking structure associated with the phase two building is located 4.5 m from the property line adjacent to the highway, and requires the variance.

3.0 BACKGROUND

3.1 The Proposal

The subject property is located north of Dickson Avenue and south of Harvey Avenue (Highway 97), adjacent to the north end of Dayton Street. The applicant proposes to develop the property to accommodate “high tech” and “knowledge based” businesses, in two phases, and is proposed to be named the “Landmark Corporate Campus”. The portion of the subject property which is located north of the proposed extension of Dickson Avenue is under application for rezoning to the CD14 – Comprehensive High Tech Business Campus zone.

The proposed development site is approximately 1.47 ha in area, and is located north of the proposed extension of Dickson Avenue. One 6 storey building, approximately 6,582 m² (GFA) in size, is proposed for Phase One and is positioned near the centre of the Dickson Avenue frontage. The proposal also includes a Phase Two building that is proposed to be 4 storeys high and approximately 4,388 m² (GFA) in size constructed over an underground parking structure. The proposed parking structure associated with the Phase Two building is located 4.5 m from the property line adjacent to the Provincial Highway.

The subject property is located between the Downtown Urban town Centre and the Springfield and Highway 97 Urban Town Centres. It is interesting to note that if the subject property had been located within an Urban Town Centre, Section 6.10 of the zoning bylaw permits the setback from a Provincial Highway to be reduced from the 15 m required in other areas down to 4.5 m.

The site plan indicates the primary vehicle access to the site from Dickson Avenue at the south side of the subject property. The internal pedestrian network is well defined from vehicle and parking areas. Sidewalks are three to four metres wide and are proposed to connect the buildings and plaza areas. There are two pedestrian access points from Harvey Avenue adjacent to the proposed Phase Two building, and two pedestrian access points from Dickson Avenue adjacent to the Phase One building and surface parking lot. The pedestrian network also provides a strong connection between the two buildings through a pedestrian plaza area between the two buildings, which also provides for an outdoor meeting and amenity space.

The form and character of the proposed development will be addressed through the associated Development Permit application which will be considered in conjunction with this Development Variance Permit application.

The applicant has provided a draft of the CD14 - Comprehensive High Tech Business Campus zone that provides zoning bylaw regulation for the proposed development. The development as proposed compared to the draft CD14 – zone is as follows;

CRITERIA	PROPOSAL	CD14 ZONE REQUIREMENTS
Site Area (m ²) (after subdivision, and road dedications)	14,737 m ²	14,737 m ²
Site Width (m)	130 m	N/A
Site Depth (m)	115 m	N/A
Site Coverage (%)	35% (Ph 1 & 2)	50%
Total Floor Area (m ²) Phase One	6,582 m ² (excluding u/g parking)	Maximum 14,737 m ² @ FAR = 1.0
Phase Two	4,388 m ² (excluding u/g parking)	
Total Floor area	10,970 m ²	
F.A.R.	.74 (excluding u/g parking)	1.0 max.
Storeys (#)	22 m & 6 storeys	22 m
Setbacks (m)		
- Front (Dickson Ave) Ph 1	6 m	4.5 m
- Front (Highway 97) Ph 2	4.5 m *	15 m from Provincial Hwy
- East Side	6 m	0 m
- West Side	77 m	0 m
Landscaping (m)		
- Front	6 metres	Level 2: 3 metres
- Rear	4 metres	Level 3: 3 meters or opaque barrier
- East Side	6 metres	0
- West Side	6 metres	0
Parking Stalls (#) (Phase 1 & Phase 2)	157 open 129 underground = 286	2.5 stalls per 100m ² (GFA) 275 required
Loading Stalls (#)	3	3 loading spaces
Landscaped Parking	1900 m ² (approx.)	2.0 m ² landscaping / per required surface parking space = 272 m ²
Bicycle Stalls (#) **	32	Class I : 16 Class II: 16

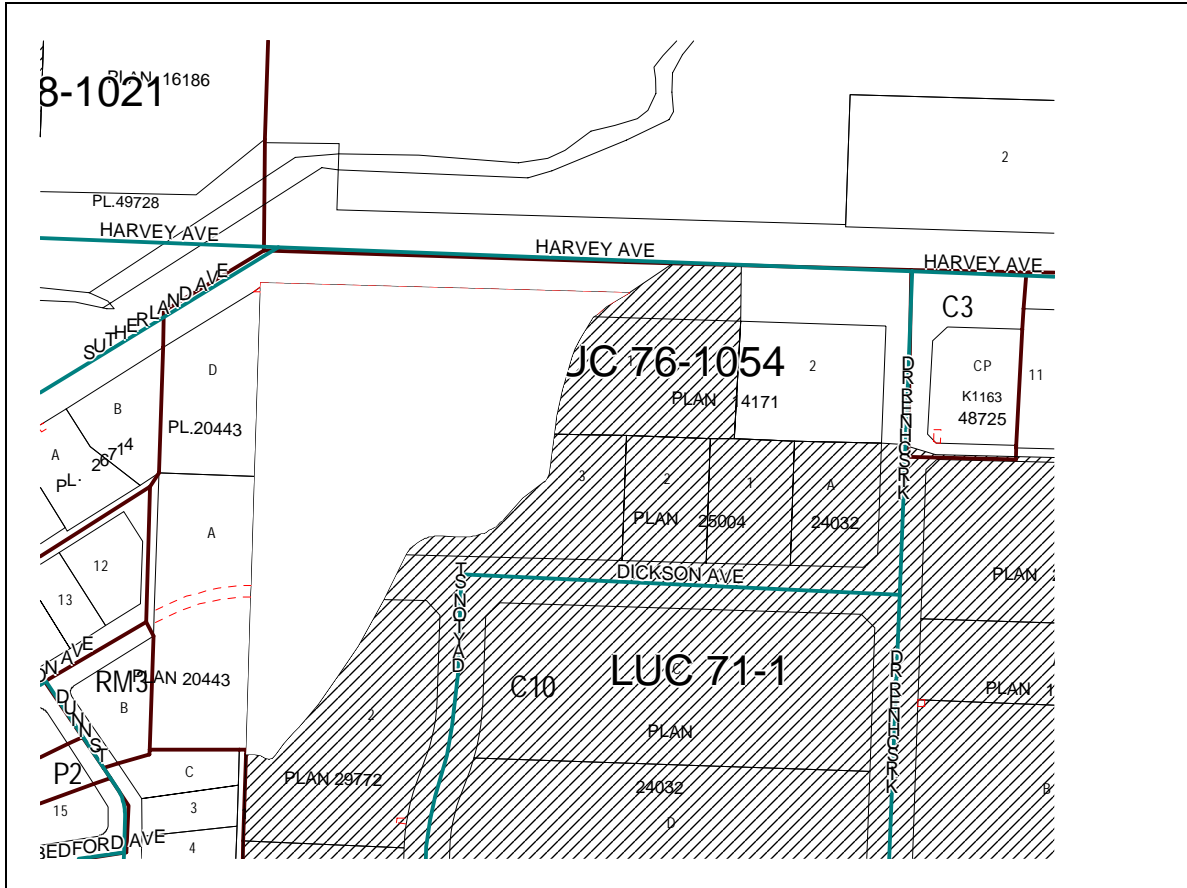
Notes:

* The applicant has made application for a Development Variance Permit to reduce the required building setback from a Provincial Highway from the 15 m required to the 4.5 m setback proposed.

** The application has provided the required number of bicycle stalls. However, a minimum of sixteen will need to be accommodated on the site in a location that is readily accessible for visitors.

3.2 Site Context

Location map of subject property



The property is situated on the south side of Highway 97. The site, and the broader area, are largely zoned for commercial land uses. Commercial uses to the south include a variety of office, warehouse, retail, and automotive services.

Adjacent zones and uses are, to the:

- North - P1- Major Institutional - Highway 97 and Parkinson Recreation Centre
- East - C10 – Service Commercial – Land Use Contract - Car sales
- South - C10 – Service Commercial – Office, commercial, retail
- West - C10 – Service Commercial – Car sales and vacant lot

3.3 Current Development Policy

3.3.1 Kelowna Official Community Plan

The proposed rezoning is consistent with the Official Community Plan Future Commercial Land Use designation of the subject property.

The OCP Landscaping Guidelines encourage a landscape plan that displays of an overall design theme, and that complements the building's architectural features. The proposed landscape plan is well integrated with the pedestrian and plaza network, includes articulation of rooftops, and related well to the proposed building.

The proposal is consistent with OCP Industrial Policies that state that the City will place an emphasis on attracting job-intensive, high-technology, knowledge-based, non-polluting industries to the City (6.14.12). Employment policies also speak to the desire to promote economic development, for the City to work in co-operation with other employment related interest, and to explore evolving technological changes and alternative employment opportunities with respect to their impact on job creation, and work related travel demands (1.8.3). The application could be considered inconsistent with other aspects of the OCP commercial and employment policies in that these policies encourage major commercial development and employment opportunities to focus in the Urban Town Centres. (6.5.1, 6.5.4, 1.8.1).

3.3.2 City of Kelowna Strategic Plan (1992)

The Strategic Plan encourages the development of a more compact urban form by increasing densities through infill and re-development within existing urban areas and to provide for higher densities within future urban area. The Strategic Plan did not develop objectives or strategies for employment generation.

4.0 TECHNICAL COMMENTS

The application has been circulated to various technical agencies and City departments and have been addressed through the associated subdivision and rezoning applications.

5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT COMMENTS

The subject property is located between the Downtown Urban Town Centre and the Springfield and Highway 97 Urban Town Centre. Section 6.10 of Zoning Bylaw 8000 makes provision to reduce the required setback from Provincial Highways to a minimum of 4.5 m where the property is located within an Urban Town Centre.

The Planning and Development Services Department supports this variance as part of the comprehensive development of the subject property to a High Tech Business Campus use.

This application for a Development Variance Permit will have to be considered in conjunction with the associated Development Permit application in order to have the zone amending bylaw adopted.

In light of the above, the Planning and Development Services Department recommends for positive consideration by Council.

Andrew Bruce
Current Planning Manager

Approved for inclusion

R.L. (Ron) Mattiussi, ACP, MCIP
Director of Planning & Development Services

PMc/pmc
Attach.

FACT SHEET

1. **APPLICATION NO.:** DVP00-10,023
2. **APPLICATION TYPE:** Development Variance Permit
3. **OWNER:** Al Stober Construction
• **ADDRESS** 900-1708 Dolphin Ave
• **CITY/POSTAL CODE** Kelowna, BC, V1Y 1J6
4. **APPLICANT/CONTACT PERSON:** Water Street Architecture
• **ADDRESS** 1485 Water Street
• **CITY/POSTAL CODE** Kelowna, B.C.
• **TELEPHONE/FAX NO.:** 762-2235
762-4584
5. **APPLICATION PROGRESS:**
Date of Application: March 17, 2000
Date Application Complete: April 5, 2000
Servicing Agreement Forwarded to Applicant: August 29, 2000
Servicing Agreement Concluded: November 23, 2000
Staff Report to Council: December 6, 2000
6. **LEGAL DESCRIPTION:** Lot A, D.L. 129, O.D.Y.D., Plan 2742
7. **SITE LOCATION:** Between Harvey and Dickson Avenues, adjacent to the north end of Dayton Street
8. **CIVIC ADDRESS:** 1621 Harvey Avenue
9. **AREA OF SUBJECT PROPERTY:** 17,799 m²
10. **AREA OF PROPOSED REZONING:** 14,737 m²
11. **EXISTING ZONE CATEGORY:** C10 – Service Commercial
12. **PROPOSED ZONE:** CD14 – Comprehensive High Tech Business Campus
13. **PURPOSE OF THE APPLICATION:** To Seek A Development Variance Permit To Reduce The Required Highway Setback From 15 M To 7.5 M Proposed For A High Tech Business Campus

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| 14. DEVELOPMENT VARIANCE PERMIT VARIANCES | THAT variances to the following sections of Zoning Bylaw No. 8000 be granted:
Section 6.10.1 Setback from Provincial Highways be varied from 15 m setback required to 7.5 m setback proposed. |
| 14. MIN. OF TRANS./HIGHWAYS FILES NO.:
NOTE: IF LANDS ARE WITHIN 800 m OF A CONTROLLED ACCESS HIGHWAY | 02-081-18405 |
| 15. DEVELOPMENT PERMIT MAP 13.2 IMPLICATIONS | N/A |

Attachments that are missing from electronic version of the report;
State of Title
Subject Property Map
Site Plan