
CITY OF KELOWNA

MEMORANDUM

Date: May 15, 2001
File No.: (3060-20/3090-20) **DP01-10,014**

To: City Manager

From: Planning & Development Services Department

Subject:

DEVELOPMENT PERMIT APPLICATION OWNER: BRI-ASH DEVELOPMENTS
NO. DP01-10,014 INC.

AT: 150 EDWARDS ROAD APPLICANT: EARTH TECH (CANADA)
INC.

PURPOSE: TO SEEK PERMISSION TO CONSTRUCT A NEW AUTOMATIC
CAR WASH, GAS BAR, & CONVENIENCE STORE FACILITY TO
EXISTING SITE

EXISTING ZONE: I2 – GENERAL INDUSTRIAL

REPORT PREPARED BY: PAUL McVEY

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT Municipal Council authorize the issuance of Development Permit No. DP01-10,014; for Lot 1, DL 123, O.D.Y.D., Plan KAP53302, located on Edwards Road, Kelowna, B.C., subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land be in general accordance with Schedule "B";
3. Landscaping to be provided on the land be in general accordance with Schedule "C";
4. The Signage to be constructed on the land be in general conformance with Schedule "D";
5. The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a professional landscaper;

AND THAT the applicant be required to complete the above-noted conditions within 180 days of Council approval of the development permit application in order for the permit to be issued.

2.0 SUMMARY

The applicant wishes to construct a new building on the subject property located adjacent to Highway 97. The proposed use of the building is for an automated car wash, a convenience store, and a gas bar. A General Industrial Development Permit is required for the proposed development.

An application has also been made for a Development Variance Permit concurrently with the Development Permit application, to vary the highway building setback provisions of the Zoning Bylaw from the 15 m setback required to 4.5 m proposed. The applicant has also submitted a variance to the Sign Bylaw to permit 3 signs for the gas bar where the Sign Bylaw permits 2 signs per business. The DVP application has been circulated to Council separately from this DP application.

2.1 Advisory Planning Commission

The above noted application was reviewed by the Advisory Planning Commission at the meeting of April 17, 2001 and the following recommendation were passed:

THAT the Advisory Planning Commission Supports Development Permit Application No. DP01-10,014 by Earth Tech (Canada) Inc. (Darren Schlamp) to seek permission to construct a car wash / retail gas bar,

3.0 BACKGROUND

3.1 The Proposal

The original car wash building was constructed on site in 1997. The truck fuel card-lock facility was added later in 2000. This current application is for a new automatic car wash, convenience store, and gas bar facility, proposed to be located adjacent to the Highway 97 frontage.

This current application proposes the construction of a new building which is approximately 372 m² (12 m wide x 31 m long), located 4.5 m east of the Highway 97 frontage adjacent to Mill Creek. The proposed building is designed to contain a drive through automatic car wash bay along the west half of the building, and a convenience store and operators kiosk located at the south east corner of the building. The remainder of the building is anticipated to be used for the mechanical room for the car wash, and storage for the store. The exterior of the proposed building is designed to be finished with the same type of finishes and colours as the existing construction on the subject property, namely "blue" coloured metal fascia panels, "grey" coloured metal wall panels with a "red" coloured horizontal band located above the top of the windows and doors. There is a "U" shaped canopy structure proposed to be constructed over the gas bar pump islands, located at the south east corner of the proposed building. The outer edge of the canopy is designed to be finished with "blue" coloured metal panels, except for the west and south sides, which are designed to be finished with "white" panels which incorporate the "Husky" logo, similar to the canopy which has been constructed over the truck fuel card-lock facility, located at the east end of the Edwards Road frontage.

The site plan is designed to add the new car wash building to the west end of the existing site development utilizing the existing access points. In addition to the car wash building and the gas bar pump islands, there are also three vacuum cleaner kiosks and associated vehicle stalls proposed to be installed in the south west corner of the site.

The landscape plan submitted with the application indicates a level of landscaping comparable with the landscaping that has been installed on site during the previous phases of construction. As well, the landscape plan also indicates the installation of some shrubs and the planting of a “dry land seed mix” in the creekside area adjacent to Mill Creek. The plan also indicates the installation of a fence along the property line adjacent to the creek dedication.

There has been application made for a Development Variance Permit to vary Section 6.10 Setback from Provincial Highway, in order to reduce the building setback from a Provincial Highway from the 15 m setback required where site is not located in an urban town centre to the 4.5 m setback proposed. This variance is considered supportable as Mill Creek is located between the subject property and Highway 97. At the time of the development of the first phase of the “Wash Zone” development, it was necessary for the owner to dedicate additional land adjacent to Mill Creek to provide a minimum of 15 m from the creek to the property line. The proposed building location greatly exceeds the physical separation of 15 m from the location of the highway.

The applicant has also applied for a variance to the Sign Bylaw to permit 3 signs to the new gas bar building, where the bylaw only permits 2 signs per business.

The Development Variance Permit application has been circulated to Council separately from the Development Permit application in order that both applications can be presented to Council in a timely manner.

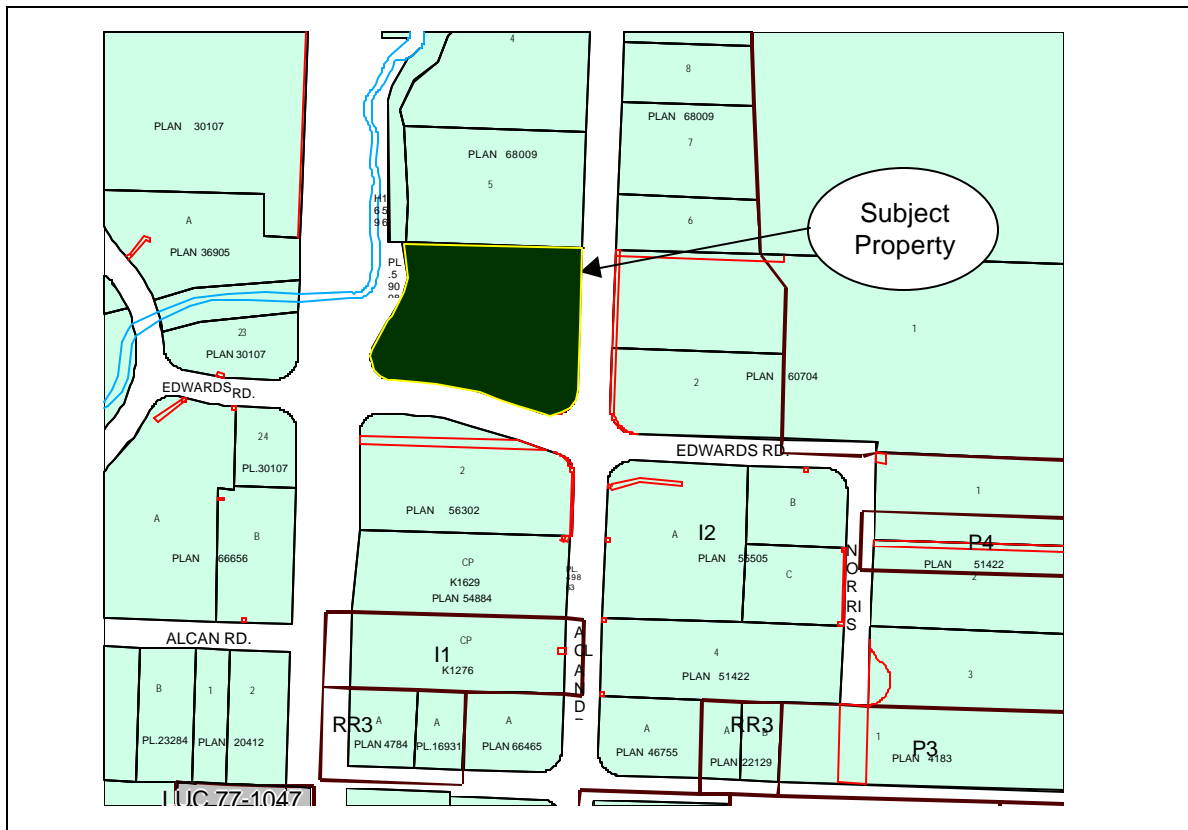
The proposal as compared to the I2 – General Industrial zone requirements is as follows:

CRITERIA	PROPOSAL	I2 ZONE REQUIREMENTS
Site Area (m ²)	15,140 m ²	4,000 m ²
Site Width (m)	99.7m	40.0 m minimum
Site Coverage (%)	16.3%	60%
Total Floor Area (m ²)	2,159 m ²	22,710m ² maximum @ FAR = 1.5
F.A.R.	0.14	FAR = 1.5 maximum
Storeys (#)	13.3 m (existing)	14.0m maximum
Setbacks (m)		
- Front (Hwy 97)	4.5 m *	15 m minimum (Provincial Hwy)
- Front (Acland Rd.)	9.5 m	7.5 m minimum
- South Side (flanking)	21.2 m	6.0 m minimum
- North Side	26.9 m	0.0 m minimum adj to C or I zones
Parking Stalls (#)	43 stalls provided	2 stalls per 100 m ² GFA (total 43 required)
Loading Stalls (#)	3 provided	1 stall per 1,900 m ²

* Variance required for Section 6.10 Setback from Provincial Highway, to reduce setback from the 15 m setback required where site is not located in an urban town centre to the 4.5 m setback proposed.

3.2 Site Context

Subject Property Map



Adjacent zones and uses are, to the:

- North - I2 – General Industrial – Petro Canada Truck Stop
- East - I2 – General Industrial/Acland Rd. – Vacant Industrial land
- South - I2 – General Industrial/Edwards Rd. – Chevron Truck Stop
- West - I2 – General Industrial/Highway 97 – Industrial uses

3.3 Current Development Policy

3.3.1 Kelowna Official Community Plan

This proposal is consistent with the "Industrial" designation of the Official Community Plan.

As well, the proposed development also meets the environmental requirements of the Official Community Plan, which requires a minimum 15 m Stream Corridor Leave Strip for redeveloped areas with previous land disturbance.

3.3.2 City of Kelowna Strategic Plan (1992)

"The City will, in its plans and policies concerning future urban development, place an emphasis on more efficiently using serviced land within existing urban areas through infill and will provide for an increased density of development within established urban areas through re-development of areas which are in transition. Urban areas which are targeted include the Central City area with emphasis on the waterfront and north end, Rutland, and South Padosy particularly along major traffic arteries and near the town centres, the Glenmore Valley and Highway 97 corridor."

3.3.3 Crime Prevention Through Environmental Design

The proposed development utilizes the following aspects of the CPTED guidelines;

- Parking areas are visible from both the building and the street,
- Exterior of the building is well lit,
- Store is visible from the street,
- Property boundaries are marked through landscaping,

4.0 TECHNICAL COMMENTS

The application has been circulated to various technical agencies and City departments and the following relevant comments have been submitted:

4.1 B.C. Gas

Gas is available in area. A main extension is required. An application allowing 8 weeks notice is also required to initiate the works.

4.2 Fire Department

Fire department access and hydrants as per the BC Building Code and City of Kelowna Subdivision Bylaw.

Installation permit required for fuel tank installations.

4.3 Irrigation District (BMID)

The above property is within BMID boundaries and is currently serviced by same. We have no objections to the proposed development subject to:

1. A capital cost charge of \$1,000 for the first 100 m² of building and \$4.00 per m² thereafter. As per specs drawing - 362 m² = \$2,000.48.
2. A connection fee of \$350 at time of building.
3. The existing building currently has a 150 mm service from Acland Road. Should an additional service be required for the proposed building, it would be from Edwards Road and be at owner's cost.
4. Fire protection in this area is adequate.
5. This building will require a backflow prevention device and require a water meter.

4.4 Shaw Cable

Owner/Developer to supply and install an underground conduit system as per Shaw Cable drawings and specifications.

4.5 Telus

Developer to place a tie cable from the existing building to the new cable.

4.6 Works and Utilities Department

The Works & Utilities Department have the following requirements associated with this development application. The requirements outlined in this report will be a condition of the issuance of a building permit or a subdivision approval, but are outlined in this report for information only

1. Road improvements

The frontage of the property must be upgraded in accordance with the current Subdivision, Development and Servicing Bylaw consisting of the construction of a sidewalk along Edwards Road and Acland Road to match the existing sidewalk on the new Acland Road extension. The estimated cost for this work, for bonding purpose, would be \$28,000.00, inclusive of a bonding contingency.

2. Domestic Water and Fire protection.

- a) The property is serviced by the Black Mountain Irrigation District (BMID) and as such, all servicing arrangements are to be made with the District.
- b) The water service to the new proposed building must be extended from the existing service at a point downstream of the watermeter to ensure that all the domestic water is metered.

3. Drainage.

A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual, is a requirement of this application. The storm water must be detained on site by providing catch basins, drywells all interconnected by perforated pipes.

4. Sanitary Sewer.

The property is currently serviced by the municipal sewer collection system. All the connection fees for this industrial zoned property were collected based on the entire area at the time of the initial phase.

5. Engineering.

Design, construction, supervision and inspection of all off-site civil works and site servicing must be performed by a consulting civil Engineer and all such work is subject to the approval of the city engineer.

6. Levies and performance bonding.

Performance bonding

Sidewalk on Edwards road
Sidewalk on Acland Road

At building permit stage
At building permit stage

5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT COMMENTS

The proposed construction represents a reasonable form of development for the last phase of building on the subject property. The form and character of the new building is similar to the existing construction which has occurred on the site, and is anticipated to complement the existing development in terms of use as well. The applicant has proposed landscaping the remainder of the site to the same standard as the landscape work that has been done previously on the site. As well, the applicant has also proposed some additional plantings to serve as remediation work in the creek corridor adjacent to the subject property, which should clean up this portion of the creek and also improve the riparian habitat for this portion of Mill Creek.

The outstanding servicing issues identified in this report are included for information only. The execution of the servicing agreement will be associated with the building permit required for pending building construction.

In light of the above, the Planning and Development Services Department supports this application, and recommends for Council's positive consideration of this Development Permit application and associated Development Variance Permit application.

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.: | DP01-10,014 |
| 2. APPLICATION TYPE: | Development Permit |
| 3. OWNER: | Bri-Ash Developments Inc. |
| . ADDRESS | 5738 Goudie Rd. |
| . CITY | Kelowna, BC |
| . POSTAL CODE | V1P 1H6 |
| 4. APPLICANT/CONTACT PERSON: | Earth Tech (Canada) Inc. |
| . ADDRESS | Darren Schlamp |
| . CITY | #201 – 3275 Lakeshore Rd. |
| . POSTAL CODE | Kelowna, BC |
| . TELEPHONE/FAX NO.: | V1W 3S9 |
| 5. APPLICATION PROGRESS: | 762-3727/762-7789 |
| Date of Application: | March 21, 2001 |
| Date Application Complete: | March 22, 2001 |
| Servicing Agreement Forwarded to Applicant: | N/A |
| Servicing Agreement Concluded: | N/A |
| Staff Report to Council: | April 9, 2001 |
| 6. LEGAL DESCRIPTION: | Lot 1, DL 123, O.D.Y.D.,
Plan KAP53302 |
| 7. SITE LOCATION: | North Side Edwards Road, between
Highway 97 & Acland Road |
| 8. CIVIC ADDRESS: | 150 Edwards Road |
| 9. AREA OF SUBJECT PROPERTY: | 15,140 M ² |
| 10. TYPE OF DEVELOPMENT PERMIT AREA: | General Industrial – Highway 97 |
| 11. EXISTING ZONE CATEGORY: | I2 – General Industrial |
| 12. PURPOSE OF THE APPLICATION: | To Seek Permission To Construct A
New Automatic Car Wash, Gas Bar, &
Convenience Store Facility To
Existing Site, And To Vary The
Highway Building Setback Provisions
From 15m Required To 4.5m
Proposed |

- | | |
|---|--|
| 13. DEVELOPMENT VARIANCE PERMIT
VARIANCES: | Zoning Bylaw; Section 6.10.1
Setback from Provincial Highways
be varied from 15 m setback required
to 4.5 m setback proposed, and
Sign Bylaw; Section 6 Specific Zone
Regulations for the I2 zone from 2
signs per business permitted to 3
signs for the Gas Bar proposed. |
| 14. VARIANCE UNDER DEVELOPMENT
PERMIT: | N/A |
| 15. DEVELOPMENT PERMIT MAP 13.2
IMPLICATIONS | N/A |

Attachments

Subject Property Map
Schedule A, B & C (pages)
7 pages of site elevations / diagrams