
CITY OF KELOWNA

MEMORANDUM

Date: July 10, 2002
File No.: (3360-20) **Z02-1021**

To: City Manager

From: Planning & Development Services Department

Subject:

APPLICATION NO. Z02-1021

OWNER: GLENMORE STORE LTD.
(INC NO 556183)

AT: 1014 GLENMORE DRIVE

APPLICANT: TURIK MCKENZIE
ARCHITECTS INC. /
CLIVE MCKENZIE

PURPOSE: TO REZONE THE SUBJECT PROPERTY FROM THE EXISTING
C1 – LOCAL COMMERCIAL ZONE TO THE C3 – COMMUNITY
COMMERCIAL ZONE IN ORDER TO PERMIT DRIVE IN FOOD
SERVICES AS A PERMITTED USE

EXISTING ZONE: C1 – LOCAL COMMERCIAL

PROPOSED ZONE: C3 – COMMUNITY COMMERCIAL

REPORT PREPARED BY: PAUL McVEY

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 4, Sec. 29, Twp. 26, O.D.Y.D., Plan 7943, located on Glenmore Drive, Kelowna, B.C., from the C1 – Local Commercial zone to the C3 – Community Commercial zone;

AND THAT the zone amending bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the zone amending bylaw be considered in conjunction with Council's consideration of a Development Permit and a Development Variance Permit on the subject property;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Works & Utilities Department being completed to their satisfaction;

AND THAT final adoption of the zone amending bylaw be withheld until the owner has executed a Servicing Agreement acceptable to the City of Kelowna.

2.0 SUMMARY

The applicants have proposed the redevelopment of the subject property with a comprehensive building plan consisting of 2 buildings and substantial site landscaping. One of the buildings is proposed to be used as a coffee shop with a drive-through pickup window, while the other is proposed to replace existing Glenmore Store located on the subject property. Because the proposed coffee shop incorporates a drive-through pickup window, it has been necessary for the applicant to rezone the subject property to the C3 – Community Commercial zone, a zone which permits “drive-in food services” as a permitted use.

3.0 BACKGROUND

3.1 The Proposal

The applicants have proposed the redevelopment of the subject property with a comprehensive proposal that includes a new convenience store to replace the existing Glenmore Store, a new coffee shop with a drive-through pick-up window, a new rental commercial unit, and a residential unit on the upper floor of the commercial building. As part of the site development, the applicant proposes a land exchange to close a portion of the lane connecting to Glenmore Road in exchange for the dedication of a new lane along the west property line connecting to Mountain Avenue.

The site plan for the proposed development shows the main access to the site coming from Glenmore Drive in the form of a right-in, right-out driveway, and secondary access off of the newly created lane connecting to Mountain Avenue. The buildings are arranged on the site so that the new replacement for the existing Glenmore Store is located at the south side of the property, adjacent to Glenmore Drive. The new coffee shop building is located northwest corner of the property, with parking located to the east, between the new building and Glenmore Drive. The coffee shop also incorporates a drive-through window on the north side of the building. The site plan shows a 1.8 m high solid panel screen fence. The site plan also indicates a substantial amount of landscaping along the Glenmore Drive frontage, and several landscaped islands in the parking area.

The floor plans for the larger of the two buildings show that the ground floor is divided into two commercial areas. The east end of the building which is closest to Glenmore Drive, has been designed to provide a 234.9 m² space for a convenience store to replace the existing Glenmore Store. The west end of the ground floor creates 191.9 m² space for a rental commercial retail space. Dividing these two area is a recessed entry which provides two separate accesses to the second floor area. The second floor area has been designed to provide for 126.9 m² of office space above the convenience store at the east end of the building. The area above the rental commercial retail space at the west end of the building has been designed as a one bedroom residential suite. The suite incorporates a study area in one of the dormers facing the parking lot, and a deck at the west end of the building facing the existing park.

The floor plan for the smaller coffee shop building has been designed to provide a basement area of 124.9 m², a main floor of 144.2 m², and a loft area of 41.8 m², which has open areas connecting with the main floor level. The main floor level also includes a 49.2 m² exterior patio seating area.

The buildings elevations have been designed to incorporate a substantial amount of building details reminiscent of Victorian residential architecture. The exteriors of the buildings are designed with a base of cultured stone, wall finishes of painted horizontal siding, and textured asphalt roofing. The sloped roof areas of both buildings incorporate a number of dormer elements to provide for floor space and natural light to the second floor areas. The gable ends of the roof and dormer areas have been designed to be finished with wood shingles, and incorporate a substantial amount of wood bracket detailing, reminiscent of Victorian gingerbread residential architecture. The windows proposed for the building utilize mullion details to reinforce the Victorian period architecture. There are also column details that are incorporated into the exterior finish of the ground floor. The coffee shop building includes a covered patio area facing the parking lot to provide an outdoor sheltered seating area.

In order to control the intensity of permitted C3 uses on the subject property, the applicants have proposed to register a restrictive covenant on title to limit the maximum size of individual office and general retail stores to a maximum gross floor area of 235 m², the same size limit that exists in the C2 – Neighbourhood Commercial zone. It is anticipated that this covenant will be registered on title prior to the upcoming Public Hearing.

The proposal as compared to the C3 zone requirements is as follows:

CRITERIA	PROPOSAL	C3 ZONE REQUIREMENTS
Site Area (m ²)	2,622m ² (2590m ² after lot line adj.)	460 m ²
Site Width (m)	48m	13.0m
Site Coverage (%)		50%
Total Floor Area (m ²)	880.47m ²	m ² @ FAR = 1.0 max.
F.A.R.	0.34	1.0 max.
Storeys (#)	2 Storeys	15 m or 4 Storeys max.
Setbacks (m)		
- Front (Glenmore Dr.)	4.5 m	3.0 m
- Rear	6.2m	The minimum rear yard is 0.0 m, except it is 6.0 m where abutting a residential zone.
- North Side (Mountain Ave.)	4.0m	The minimum side yard is 0.0 m, except it is 2.0 m from a flanking street
- South Side	4.5m	The minimum side yard is 0.0 m, except it is 2.0 m from a flanking street or where the site abuts a residential zone other than an RU1, RU2, RU3, and RU4 zone. In these latter zones, the minimum side yard is the greater of 4.5 m or half the height of the building.
Parking Stalls (#)	40 stalls provided ①	2 per dwelling unit 3.0 per 100 m ² GFA 880.47M ² = 27 27 + 2 = 29 stalls req'd

Variances Requested;

Section 7.6.1.(e) Minimum Landscape Buffers vary Level 3 requirements from a minimum 3.0 m landscape buffer required to 0.0 m landscape buffer proposed to the north property line,

① Section 8.1.2 Number of Spaces be varied from a maximum of 125% of required parking permitted to a maximum of 137% of required parking proposed

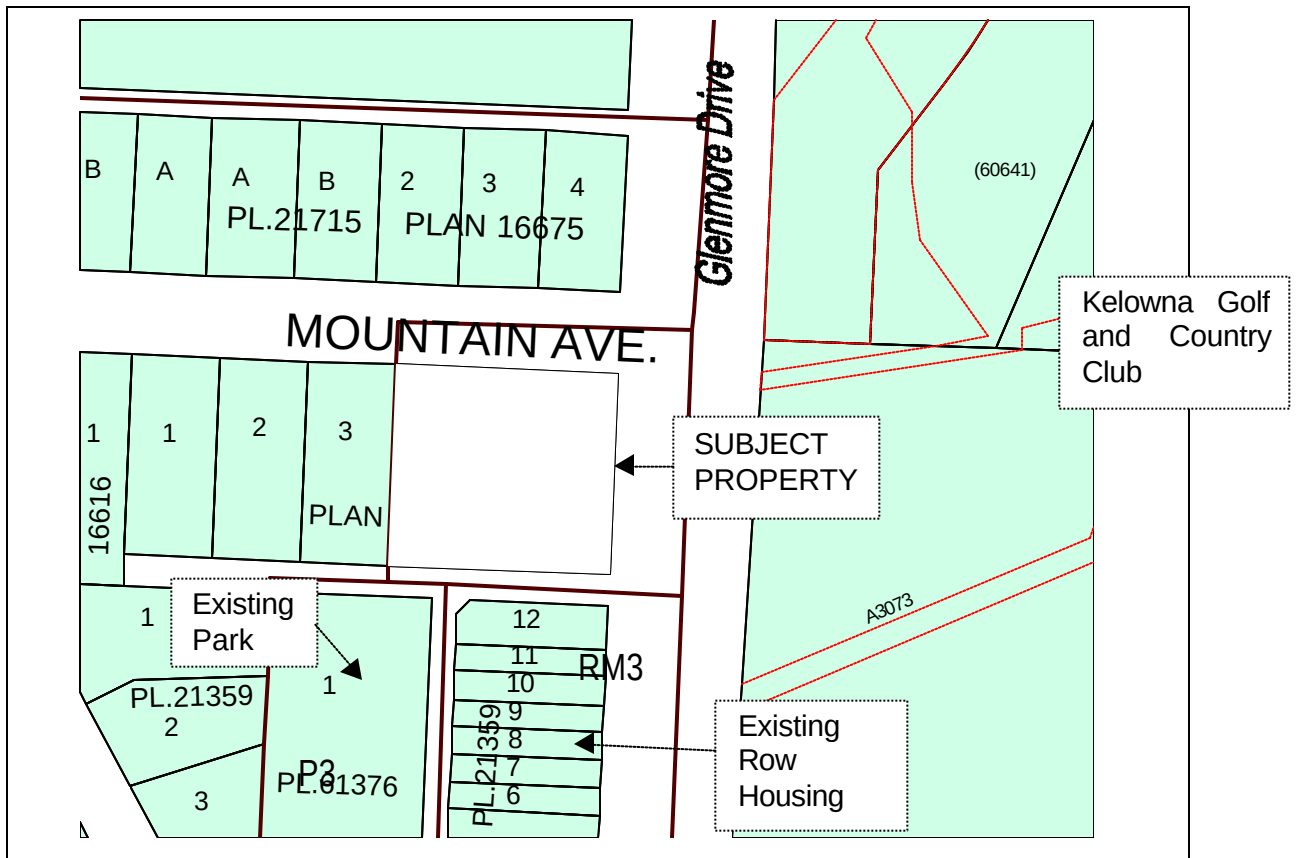
3.2 Site Context

The subject property is located at the south west corner of Mountain Avenue and Glenmore Drive. The site is generally level, and is currently occupied by the existing Glenmore Store, located at the north east corner of the lot. The site is located in a neighbourhood of older established single family housing development to the west, and the Kelowna Golf and Country Club to the east.

Adjacent zones and uses are, to the:

- North - RU1 – Large Lot Housing, single family residential uses/Mountain Ave.
- East - P3 – Parks and Open Space/Glenmore Dr., Kelowna Golf and Country Club
- South - RM3 – Low Density Multiple Housing, row house uses
- West - RU1 – Large Lot Housing, single family residential uses

SUBJECT PROPERTY MAP



3.3 Existing Development Potential

The existing zoning of C1 – Local Commercial allows for; agricultural machinery services on sites where agricultural machinery services were in existence prior to July 1st, 1998, care centres – major, gas bars on sites where gas bars were in existence prior to July 1st, 1998, personal service establishments, retail stores – convenience as principal permitted uses, and amusement arcades – minor, apartment housing, card centre – minor, and home based businesses – minor as permitted secondary uses.

3.4 Current Development Policy

3.4.1 Kelowna Official Community Plan

The proposed zone is consistent with the “Commercial” Future Land Use designation of the City of Kelowna Official Community Plan.

3.4.2 City of Kelowna Strategic Plan (1992)

The project is consistent with the Urban Form objectives of the Strategic Plan which encourages a “more compact urban form by increasing densities through infill and redevelopment within existing urban areas...”.

3.4.3 Glenmore / Clifton / Dilworth Sector Plan

The Glenmore/Clifton/Dilworth Sector Plan identifies the intersection of Mountain Avenue and Glenmore Drive as an existing Neighbourhood Village Centre. The proposed zone is consistent with the “Commercial” future land use designation of the Glenmore/Clifton/Dilworth Sector Plan.

The Glenmore/Clifton/Dilworth Sector Plan also includes the following statements relating to Neighbourhood Village Centres;

- Encourage all Neighbourhood Villages to be in keeping with the adjacent residential scale, form and character,
- Recognize existing traditional neighbourhood stores within the Glenmore neighbourhood

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

Existing gas service to site would require alteration and/or upgrade for new development - may be billable to customer.

4.2 Fire Department

Fire department access and hydrants as per the B.C. Building Code and City of Kelowna Subdivision By-law.

4.3 Inspection Services Department

No Concerns.

4.4 Parks Manager

1. All entry feature signs for the proposed development to be located on private property and not on city Blvd. This includes any landscape treatment.

Landscape Plan Requirements:

2. The following applies for all boulevard (BLVD) landscape on city ROW and is standard information required on a landscape plan:
 - A. Planting plan to include a plant materials list:

i) Latin name	iv) plant symbol key
ii) common name	v) indicate existing trees
iii) size at planting	vi) indicate existing trees to be removed
 - B. Minimum plant material specifications for blvds. as follows:
 - i) Deciduous Tree – caliper @300mm above rootball (min. 60mm)
 - ii) Deciduous Shrub - spread (min. 450mm)
 - iii) Coniferous Tree - height (min. 2.5m)
 - iv) Coniferous Shrub - spread (min. 450mm)
 - v) Seed/Sod Mix according to location and proposed activity use.
 - C. Shrub beds require plastic edge beside all areas abutting a city sidewalk or city land to prevent migration of mulch.
 - D. Scale of plan and north arrow clearly indicated on plan.
 - E. Planting plan to include all u/g utility locations in BLVD.
3. All plant material (trees, shrubs, ground covers and seed/sod) used in BLVD to be reviewed by City Parks Division. All materials located in BLVD to meet city standard for size and method of installation.
4. **BLVD maintenance** (irrigation, shrubs, ground cover, sod, and seeded areas) is the responsibility of owner/occupant.
5. **BLVD tree maintenance** is responsibility of Parks Division.
6. Planting plan to include all u/g utility locations in BLVD.
7. All trees planted in sidewalk and not in grass Blvd will require a vault and grate and/or root shield barriers. All trees in grass Blvd to use root shield barriers beside concrete infrastructure.
8. All plant material (trees, shrubs, ground covers and seed/sod) used in BLVD to be reviewed by City Parks Division. All materials located in BLVD to meet city standard for size and method of installation.
9. Planting plan to include all u/g utility locations in BLVD.

4.5 Public Health Inspector

A more detailed drawing of the kitchen area will be necessary for a food premises operating permit.

4.6 Shaw Cable

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

4.7 Telus

Telus will provide underground facilities to this development. Developer will be required to supply and install as per Telus policy. Telus conduit and cable in the land adjacent to this proposal may have to be relocated. A new entrance cable will have to be placed to provide Telus facilities.

4.8 Utilicorp Networks Canada

UNC will provide underground electrical service to development.

4.9 Works and Utilities Department

The Works & Utilities Department comments and requirements regarding this application to rezone the subject property from C1 (Local Commercial) to C3 (Community Commercial) are as follows:

1. Subdivision

- a) Provide easements as may be required.
- b) Dedicate the 7.5 m. Lane along the westerly edge of the property to extend the existing lane to Mountain Ave.
- c) Close the existing lane along the southerly boundary of the subject property by a road exchange.
- d) Provide a 6.0 m corner rounding at the corner of Glenmore Dr. and Mountain Ave.

2. Geotechnical Study.

We recommend that a comprehensive geotechnical study be undertaken over the entire site. The geotechnical study should be undertaken by a Professional Engineer or a Geoscientist competent in this field. This study should analyse the soil characteristics and suitability for development of the requested zoning. As well, the study should address drainage patterns including the identification of ground water and the presence of any surface springs and the suitability of the lands for disposal of site generated storm drainage. In addition this study must describe soil sulphate contents, the presence or absence of swelling clays,

3. Domestic water and fire protection.

This development is within the City of Kelowna water service area. A new water service adequately sized for the proposed development and the decommission of the existing service might be required. All the charges for service connection, and upgrading costs are to be paid directly to the City at the time of the application for a new connection.

A watermeter is mandatory as well as a sewer credit meter to measure all the irrigation water. Watermeters must be housed in an above-ground, heated, accessible and secure building, either as part of the main site buildings or in a separate building. Remote readers units are also mandatory on all meters.

4. Sanitary Sewer.

The subject property currently serviced by the municipal sanitary sewer collection system. A new sanitary sewer service adequately sized for the proposed development might be required. All the charges for service connection and upgrading costs are to be paid directly to the City at the time of the request for a new connection.

5. 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.

6. Power and Telecommunication Services.

The services to and fronting this development are to be installed underground. It is the developer's responsibility to make a servicing application to the respective utility companies. The utility companies are then required to obtain the city's approval before commencing their works.

7. Road improvements.

a) Mountain Ave

The applicant is responsible to upgrade Mountain Avenue to a collector standard. The construction consists of a sidewalk, existing curb modification at the lane, removal and/or relocation of utilities as may required. The estimated cost for this work is \$7,000.00 inclusive of a bonding escalation.

b) Lane

The applicant is responsible for the construction of the lane extension to Mountain Ave. The construction consists of a 7.5m. wide commercial paved lane complete with storm drainage works, removal and/or relocation of utilities as may be required including Irrigation and the street light on the cut off portion of the park corner. The estimated cost, for this work, for bonding purpose, is \$20,000.00, inclusive of a bonding escalation.

c) Glenmore road

The applicant is responsible for the removal of the existing lane access onto Glenmore Road. The construction consists of the removal of a portion of the curb and the replacement with a new curb, the adjustment to the existing sidewalk if required, removal and/or relocation of utilities as may be required. The estimated cost, for bonding purpose, is \$5,000.00, inclusive of a bonding escalation.

8. Street lights.

Streetlights must be installed on all fronting roads as determined by the Manager of Electrical Utilities.

9. 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.

10. DCC Credits.

None of the required improvements qualify for DCC credit consideration, as these upgradings are not identified in the current DCC schedules.

11. Bonding and Levies Summary.

a) Performance Bonding

Mountain Ave	\$ 7,000.00
Glenmore Ave	\$ 5,000.00
Lane construction	<u>\$20,000.00</u>
<u>Total Bonding</u>	<u>\$32,000.00</u>

b) Levies

N/A

5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT COMMENTS

The proposed site development application represents a reasonable form of development of the subject property. The proposed form and character has been developed to express a rich residential character, and incorporates a substantial amount of details and textures to enrich the visual experience. The inclusion of a coffee shop as part of the site redevelopment provides a destination for casual social interaction and should appeal equally to both vehicular and pedestrian or cycle traffic. The redevelopment of the existing Glenmore Store into a new, larger facility, will provide a modern convenience retail store to serve the neighbourhood with those incidental grocery items, without the need to make an auto trip to purchase these items at a more distant location.

The rezoning to the C3 – Community Commercial zone is not seen as a major issue. While the uses of the C3 zone exceed those uses permitted in the C2 – Neighbourhood Commercial zone, the applicants proposal to provide a restrictive covenant to limit the area of retail and office uses to a maximum of 235 m² will reduce the number of potential uses of the rental retail space in the building not occupied by either the coffee shop or the convenience store. The scale of any commercial and office tenant will therefore be consistent with neighbourhood commercial uses. It has been necessary for the applicant to seek the C3 zone in order to have a zone applied that permits the use of

a drive through window for the coffee shop. While the use of a drive-through window on the coffee shop supports a more automobile intensive use of the site, it is also recognized that the drive through window provides a substantial level of potential business to the property, which will strongly enhance the economic viability of the development.

While the Planning and Development Services Department is very supportive of the proposed architecture of the proposed development, there are two areas that raise some concerns;

- Pedestrian access at the north east corner of the site. Staff would like to see pedestrian access incorporated into the landscaping and parking plan, possibly by way of a plaza feature,
- Drive Through Screening. Staff have requested further detail of the proposed screening to ensure adequate site lines are provided

These issues will be dealt with in the future as part of the consideration of the associated Development Permit application.

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

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.: | Z02-1021 |
| 2. APPLICATION TYPE: | Rezoning |
| 3. OWNER: | Glenmore Store Ltd. (Inc No (56183) |
| · ADDRESS | 1130 Richter St. |
| · CITY | Kelowna, BC |
| · POSTAL CODE | V1Y 2K7 |
| 4. APPLICANT/CONTACT PERSON: | Turik McKenzie Architects Inc. / |
| · ADDRESS | Clive McKenzie |
| · CITY | 2263 Leckie Rd. |
| · POSTAL CODE | Kelowna, BC |
| · TELEPHONE/FAX NO.: | V1X 6Y5 |
| | 762-4407/762-7033 |
| 5. APPLICATION PROGRESS: | |
| Date of Application: | May 3, 2002 |
| Date Application Complete: | May 8, 2002 |
| Servicing Agreement Forwarded to Applicant: | July 10, 2002 |
| Servicing Agreement Concluded: | @ |
| Staff Report to Council: | July 10, 2002 |
| 6. LEGAL DESCRIPTION: | Lot 4, Sec. 29, Twp. 26, O.D.Y.D.,
Plan 7943 |
| 7. SITE LOCATION: | Southwest Corner of Glenmore Drive,
and Mountain Avenue. |
| 8. CIVIC ADDRESS: | 1014 Glenmore Drive |
| 9. AREA OF SUBJECT PROPERTY: | 2,622 m ² |
| 10. AREA OF PROPOSED REZONING: | 2,622 m ² |
| 11. EXISTING ZONE CATEGORY: | C1 – Local Commercial |
| 12. PROPOSED ZONE: | C3 – Community Commercial |
| 13. PURPOSE OF THE APPLICATION: | To Rezone The Subject Property
From The Existing C1 – Local
Commercial Zone To The C3 –
Community Commercial Zone In
Order To Permit Drive In Food
Services As A Permitted Use |
| 14. MIN. OF TRANS./HIGHWAYS FILES NO.: | N/A |
| NOTE: IF LANDS ARE WITHIN 800 m OF A
CONTROLLED ACCESS HIGHWAY | |
| 15. DEVELOPMENT PERMIT MAP 13.2
IMPLICATIONS | N/A |

Attachments

Subject Property Map

Site Plan

11 pages of building elevations / diagrams