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**CITY OF KELOWNA**

**MEMORANDUM**

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**Date:** December 4, 2002  
**File No.:** DP02-0090/DVP02-0100

**To:** City Manager

**From:** Planning & Development Services Department

**Subject:**

APPLICATION NO. DP02-0090/ OWNER: 569726 B.C. Ltd.  
DVP02-0100

1358 St. Paul Street, Kelowna, BC APPLICANT: Hans Neumann

**PURPOSE:** TO OBTAIN A DEVELOPMENT PERMIT FOR CONSTRUCTION OF A  
THREE STOREY 1858M<sup>2</sup> OFFICE BUILDING

TO VARY THE 40% MAXIMUM FOR SMALL CAR PARKING SPACES  
TO A REQUESTED MAXIMUM OF 70%

**EXISTING ZONE:** I2- GENERAL INDUSTRIAL

**PROPOSED ZONE:** C7- CENTRAL BUSINESS COMMERCIAL

**REPORT PREPARED BY:** RYAN SMITH

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**SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS**

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**1.0 RECOMMENDATION**

THAT Final Adoption of Zone Amending Bylaw No. 8938 be considered by Council;

AND THAT Council authorize the issuance of Development Permit No. DP02-0090 for Lot 2, District Lot 139, Plan KAP68461, ODYD; located on St. Paul Street, 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. Signage on the building to be in general accordance 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 Council authorise the issuance of Development Variance Permit No. 02-00; Hans Neumann, Lot 2, District Lot 139, Plan KAP68461, ODYD;

AND THAT variance to the following section of City of Kelowna Zoning Bylaw No. 8000 be granted:

Section 9: Parking and Loading: Size: 8.1.11

- Vary the 40% maximum for parking spaces less than 6 m in length (small car stalls) to a requested maximum of 70%.

## 2.0 SUMMARY

The applicant is seeking a development permit to construct a 3-storey 1858m<sup>2</sup> office building at 1358 St. Paul Street. The applicant has also applied to vary the 40% maximum for off-street parking spaces less than 6m in length to a requested maximum of 70%. In addition, the applicant is seeking to rezone the subject property from the existing I2 – General Industrial zone to a C7 – Central Business Commercial zone (Z02-1043).

## 3.0 ADVISORY PLANNING COMMISSION

The proposal was reviewed by the Advisory Planning Commission at their October 29<sup>th</sup>, 2002 meeting and it was resolved that:

That the Advisory Planning Commission supports Rezoning Application No. Z02-1043, 1358 St. Paul Street, Lot 2, Plan 68461, Sec. 25, Twp. 25, ODYD, by Hans Neumann to rezone from the I2-General Industrial zone to the C7-Central Business Commercial zone in order to facilitate the construction of a 3 storey, 6096 m2 office building;

AND THAT the Advisory Planning Commission supports Development Permit Application No. DP02-0090, 1358 St. Paul Street, Lot 2, Plan 68461, Sec. 25, Twp. 25, ODYD, by Hans Neumann to apply for a development permit in order to allow for the construction of a three storey, 6096 m2 office building.

## 4.0 BACKGROUND

### 4.1 The Proposal

The subject property is located on St. Paul Street between Doyle and Cawston Avenues and is currently vacant. The applicant is seeking a development permit to construct a 3-storey 1858m<sup>2</sup> office building at 1358 St. Paul Street. The applicant has also applied to vary the 40% maximum for off-street parking spaces less than 6m in length to a requested maximum of 70%. To accommodate this reduction in length the applicant has agreed to increase the width of each stall fronting the alley by approximately 0.3m. The façade of the proposed development facing St. Paul Street will be finished in clay brick and acrylic stucco. Signage for the building will be present on the first floor and will be flush with the siding of the building. The proposal also shows a walkway along the north side of the building to allow access from the parking area to St. Paul Street. Bicycle parking will be provided at the front and rear of the property and the applicant has agreed to add lighting along the walkway on the north end of the building. The applicant is also seeking to rezone the subject property from the existing I2 – General Industrial zone to a C7 – Central Business Commercial zone (Z02-1043).

The application meets the requirements of the C7 –Community Commercial zone as follows:

CRITERIA	PROPOSAL	C7 ZONE REQUIREMENTS
Site Area	1484m <sup>2</sup>	200m <sup>2</sup> (min)
Building Area	639m <sup>2</sup>	N/A
Lot Width	33.37	6.0m (min)
Lot Depth	44.59	30.0m (min)
Site Coverage	100%	N/A
Total Floor Area	1851m <sup>2</sup>	7555m <sup>2</sup>
F.A.R.	1.24	5.0(max)
Height	12.2m (3 Storeys)	22.0m (6 Storeys)
Setbacks		
- Front	0.0m	0.0m
- Rear	18.9m	0.0m
- Side(n)	1.37m	0.0m
- Side (s)	0.0m	0.0m
Parking Stalls (#)❶	26	25
-6m Stalls	7	15
-<6m Stalls	19	10
Bicycle Parking Class 1	6	6
Bicycle Parking Class 2	12	12

❶ The applicant has applied to vary the maximum number of small car parking spaces from 40% permitted to 70% requested.

#### 4.2 Site Context

The subject property is located on St. Paul Street midway between Cawston and Doyle Avenues in the Central City Sector. Much of the surrounding area is zoned for commercial/industrial uses.

Adjacent zoning and existing land uses are to the:

North - I2 – General Industrial  
 East - C7 – Central Business Commercial  
 South - I2 – General Industrial  
 West - C7 – Central Business Commercial

## Site Map

Subject Property: 1358 St. Paul Street



### 4.3 Existing Development Potential

The property is zoned I2 – General Industrial, a zone intended to provide for general industrial uses. Commercial office space is not a permitted use in the I2 zone.

### 4.4 Current Development Policy

#### 2.4.1 Kelowna Official Community Plan

The OCP designates the future land use of the subject property as “Commercial”, and the proposed development is consistent with this designation.

### 5.0 TECHNICAL COMMENTS

The application has been circulated to various City Departments and technical agencies and the following comments were submitted for inclusion:

5.1 Telus

TELUS will provide underground facilities to this development. Developer will be required to supply and install as per TELUS policy.

5.2 Shaw Cable

Owner/contractor to supply & install conduit system as per Shaw Cable drawings & specifications.

5.3 Inspection Services Department

The number of washrooms is insufficient.

5.4 Fire Department

- Engineered fire flows will be required.
- Fire department access and hydrants as per the BC Building Code and City of Kelowna Subdivision By-law.

5.5 Works and Utilities Department

- 5.5.1 Works and Utilities requirements for this application were addressed in our report under file Z02-1043, S99-109 and must be satisfied before development approval.
- 5.5.2 The developer must engage a consulting civil engineer to provide a storm water management plan for this site which meets the requirements of the City Storm Water Management Policy and Design Manual. The plan must accommodate the requirements to contain a 1 in 10-year storm event within pipes and identify overland drainage routes for a 100-year storm event. The storm water management plan must also include provision of a lot grading plan, minimum basement elevations (MBE), storm drainage service for this lot and / or on-site drainage containment and disposal systems. The on-site drainage system may be connected to the street drainage system.
- 5.5.3 The requested Parking Space variance does not compromise Works and Utilities servicing requirements.

## 6.0 PLANNING AND DEVELOPMENT SERVICES COMMENTS

The Planning and Development Services Department is generally supportive of the proposal. The proposed building represents a considerable improvement over the current use of the property. In addition, the Planning and Development Services Department has no concern regarding the proposed parking variance. The applicant has agreed to compensate for the shorter stall length along the lane by increasing the stall width. The Traffic Division has reviewed this variance and has expressed no concerns provided the applicant increases the width of the parking stalls along the alley. The applicant has also addressed the department's initial concerns including the lack of detailing along the northern façade and the lack of lighting along the walkway connecting St. Paul Street to the laneway. The applicant has committed to rough in the required electrical along the walkway for lighting. He has indicated that appropriate functional lighting will be installed should plans for ornamental street lighting along the walkway fail. The applicant has resolved not to increase the height of the brickwork on the façade of the proposed building, in favour of the look featured in the colour representations.

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Andrew Bruce  
Current Planning Manager

Approved for inclusion ☐

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

RWS  
Attach.

**FACT SHEET**

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| 1.  | <b>APPLICATION NO.:</b>  | DP02-0090/DVP02-0100   |
| 2.  | <b>APPLICATION TYPE:</b>   | Development Permit/ Development<br>Variance Permit   |
| 3.  | <b>OWNER:</b>  | 564913 B.C. Ltd.   |
|     | · <b>ADDRESS</b>   | P.O. Box 68 Station A  |
|     | · <b>CITY</b>  | Kelowna, BC  |
|     | · <b>POSTAL CODE</b>   | P.O. Box 68 Station A  |
| 4.  | <b>APPLICANT/CONTACT PERSON:</b>   | Neumann, Hans  |
|     | · <b>ADDRESS</b>   | 1520 Highland Drive North  |
|     | · <b>CITY</b>  | Kelowna, BC  |
|     | · <b>POSTAL CODE</b>   | V1Y 4K5  |
|     | · <b>TELEPHONE/FAX NO.:</b>  | 868-0878   |
| 5.  | <b>APPLICATION PROGRESS:</b>   |  |
|     | <b>Date of Application:</b>  | September 24, 2002   |
|     | <b>Date Application Complete:</b>  | September 24, 2002   |
|     | <b>Servicing Agreement Forwarded to Applicant:</b>   | N/A  |
|     | <b>Servicing Agreement Concluded:</b>  | N/A  |
|     | <b>Staff Report to APC:</b>  | October 29, 2002   |
|     | <b>Staff Report to Council:</b>  |  |
| 6.  | <b>LEGAL DESCRIPTION:</b>  | Lot 2, District Lot 139, Plan<br>KAP68461, ODYD  |
| 7.  | <b>SITE LOCATION:</b>  | St. Paul Street between Doyle and<br>Cawston Avenues   |
| 8.  | <b>CIVIC ADDRESS:</b>  | 1358 St. Paul Street, Kelowna, BC  |
| 9.  | <b>AREA OF SUBJECT PROPERTY:</b>   | 1484m"   |
| 10. | <b>EXISTING ZONE CATEGORY:</b>   | I2 – General Industrial  |
| 11. | <b>TYPE OF DEVELOPMENT PERMIT AREA:</b>  | Commercial DP  |
| 13. | <b>PURPOSE OF THE APPLICATION:</b>   | Obtain Development Permit for<br>construction of 3 storey 20,000 sq.ft.<br>Office Building, Vary the 40%<br>maximum for small car parking stalls<br>to 70% |
| 14. | <b>MIN. OF TRANS./HIGHWAYS FILES NO.:</b><br><b>NOTE: IF LANDS ARE WITHIN 800 m OF A<br/>CONTROLLED ACCESS HIGHWAY</b> | 2-81-20100   |
| 15. | <b>DEVELOPMENT PERMIT MAP 13.2<br/>IMPLICATIONS</b>  | Commercial DP  |
|     | Urban Town Centre Area   | Mandatory DP   |

**ATTACHMENTS**

**(not attached to the electronic version of the report)**

- Location of subject property
- Elevations
- Floor Plan
- Landscape Plan
- Colour Samples