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## CITY OF KELOWNA

# MEMORANDUM

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**Date:** March 12, 2003  
**File No.:** (3060-20/3090-20) **DP03-0010**

**To:** City Manager

**From:** Planning & Development Services Department

**Subject:**

DEVELOPMENT PERMIT APPLICATION OWNER: KELOWNA CENTRAL  
NO. DP03-0010 PROPERTIES LTD.  
(INC NO. 659632)

AT: 1551 BANKS ROAD

APPLICANT: RICK ARNDT ARCHITECT  
INC. / RICK ARNDT

PURPOSE: TO SEEK AUTHORIZATION TO CONSTRUCT A 5,149M<sup>2</sup>  
(55,429 SF) BUILDING, A 2,804M<sup>2</sup> (30,220 SF) BUILDING, AND A  
478M<sup>2</sup> (5,150 SF) RESTAURANT BUILDING AS THE NEXT  
PHASE OF DEVELOPMENT OF THE FORMER CENTRAL PARK  
GOLF COURSE

EXISTING ZONE: C3 – COMMUNITY COMMERCIAL

REPORT PREPARED BY: PAUL McVEY

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SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

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### 1.0 RECOMMENDATION

THAT Council authorize the issuance of Development Permit No. DP03-0010 for Lot 1, DL 125, O.D.Y.D., Plan KAP67601, located on Banks 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;
6. The applicant register a Sec. 219 Restrictive Covenant in favour of the City of Kelowna to limit the potential use of the property by the maximum vehicle trip generation allowance as determined by a traffic impact study,

AND FURTHER 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 subject property was part of the former Central Park Golf Course, and was the subject of an Area Structure Plan application (ASP97-003) in 1997, which identified the subject property as Commercial Land use. The first phase of development on this portion of the former golf course site was the Home Depot store.

This current application seeks permission to develop 8,431 m<sup>2</sup> in 3 buildings as the first phase of construction of a total proposed 9,746 m<sup>2</sup> commercial development in a total of 5 buildings.

This application is being forwarded to Council for consideration in order to keep Council informed of ongoing development on a property that Council had previously issued a Development Permit. (DP99-10,051 parent site, DP99-10,059 Home Depot). Otherwise, this development application would have been delegated to the Director of Planning and Development Services for consideration.

## 3.0 BACKGROUND

### 3.1 The Proposal

The former Central Park Golf Course property was the subject of an application for an area structure plan in 1996,. The purpose of that application was to identify appropriate land use development patterns for the property, and to address the associated servicing requirements for that anticipated development. The site of the former Central Park Golf Course is encumbered by several rights of way for a major natural gas transmission pipeline and drainage works to connect Mill Creek with Mission Creek. That ASP was on May 2, 2000.

Since that time, a portion of the site has been developed with the new Home Depot development located south of Enterprise way and west of Banks Road, and several new automotive dealership developments north of the new Enterprise Way extension.

This current application seeks permission to construct three new buildings, creating a total of 8,435 m<sup>2</sup> (90,799 SF) building area. The largest building located adjacent to the existing Home Depot building near the intersection of Enterprise Way and Banks Road, and is designed as a 5,149 m<sup>2</sup> (55,429 SF) building proposed to be divided into 2 lease spaces. The second largest building is proposed to be located adjacent to Harvey Avenue next to the access to the Best Western hotel site. This building is designed as a 2,807 m<sup>2</sup> (30,220 SF) building proposed to be divided into 3 lease spaces. The smallest building included with this application is proposed to be located at the corner of Harvey

avenue and Banks Road, and is designed as a 478 m<sup>2</sup> (5,150 SF) building designed for a restaurant.

The two larger buildings are designed as large concrete buildings with flat roofs. The exterior walls are designed with a flat parapet detail. This parapet is raised approximately 3.0 m (10 ft) above the wall height over the entrance door locations, and is finished with a cornice molding. The length of the walls that are visible from the surrounding roadways are further broken up by the addition of vertical pilaster elements that extend above the roof line of the proposed buildings. These walls also include a section that has a raised roof line, similar to the detail above the main entrance door locations. The pilaster elements also include exterior lamps that illuminate the wall areas above and below the light fixtures.

The predominant wall colour is “light tan” for the upper half of the wall and “medium tan” for the lower half. The upper half of the wall is separated from the lower half by an accent band that is coloured “dark tan”. The wall base is coloured “dark grey” and is separated from the wall by an accent band that is “dark red” in colour. The wall pilaster elements located adjacent to the main building entrances include a quantity of split face masonry construction in a “dark grey” colour. The entrance store front units are proposed to use a grey colour metal frame system.

The restaurant building located at the corner of Harvey Avenue and Banks Road is proposed to be a “Montana’s Cookhouse and Bar”, and is designed to look like a frontier clapboard sided cookhouse building, similar to what you would have expected to see in the late 1800’s in a western frontier town. The facades facing both Harvey Avenue and Banks Road include a veranda feature that wraps around the front of the building facing Harvey Ave, and approximately half way along both sides of the building. The veranda is designed with heavy timber construction with bracket bracing to the columns. The sloped roof areas are designed to be finished with a wood shake roofing. The walls of the front half of the building adjacent to the veranda area are proposed to be finished with a horizontal wood siding with a “wavy” edge. The top of the parapet wall is designed with a cornice molding feature. The windows proposed for the restaurant are proposed to be a double-hung style wood framed window units, installed at regular intervals on both the upper and lower floor areas. The main entrance to the restaurant building is identified by a raised parapet area, and a wall area that is finished with a cultured stone finish. This cultured stone finish is repeated along the wall base in the area of the veranda and along the base of the remaining wall areas that are proposed to be finished with a stucco finish. The rear half of the building, located away from the Harvey Avenue frontage is designed as a flat stucco finished wall with a flat parapet and cornice molding detail. This portion of the building is designed to have an outdoors themed mural painted on the wall surface.

The landscaping plan submitted in support of this application replicates the landscaping theme reviewed by Council as part of the original ASP application, and indicates perimeter landscape plantings and landscaped islands within the proposed parking lot area.

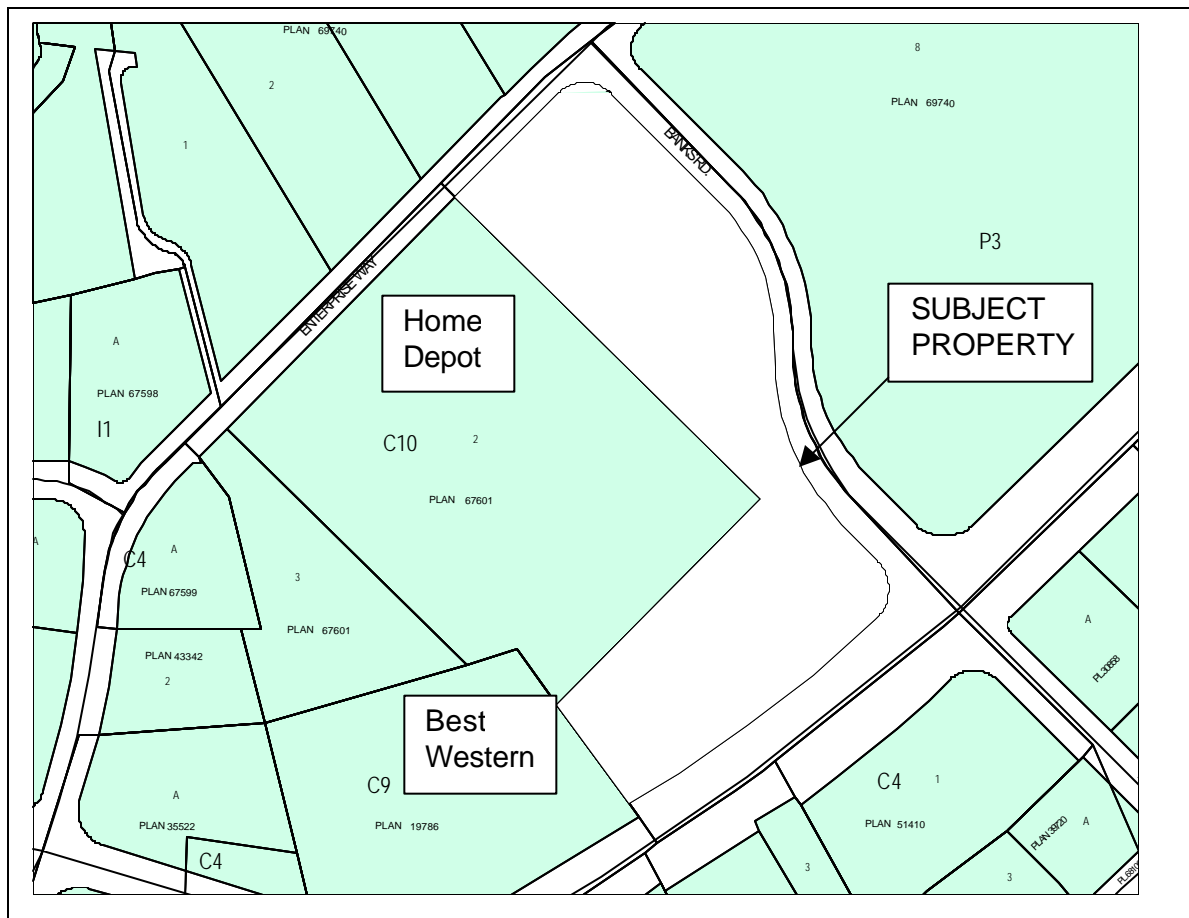
The proposal as compared to the C3 zone requirements is as follows:

CRITERIA	PROPOSAL	C3 ZONE REQUIREMENTS
Site Area (m <sup>2</sup> )	32,787 m <sup>2</sup>	1,300 M <sup>2</sup> (where no lane)
Site Coverage (%)	29.7%	50% max
Total Floor Area (m <sup>2</sup> )	8,431 m <sup>2</sup>	32,787 M <sup>2</sup> max
F.A.R.	0.25	FAR = 1.0 max
Storeys (#)	1 storey (9.5 m)	4 storeys (15m) max
Setbacks (m)		
- Front (HWY 97)	3.7 m	3.0 M
- Front (Enterprise)	37m	3.0 M
- Northeast Side (flanking) (Banks Rd.)	3.0 m	2.0 M
- Southwest Side	3.0 m	0.0 M
Parking Stalls (#)	465 stalls provided	422 stalls required

Note:

Parking calculations are based on a total of 9,746 m<sup>2</sup> (total building area for entire site), @ 4.4 stalls / 100 m<sup>2</sup> = 428 stalls required

### 3.2 Site Context



The adjacent zone uses are as follows:

Northwest	-	I2 – General Commercial/Enterprise Way, auto dealers
Northeast	-	P3 - Parks and Open Space/vacant - former golf course
Southeast	-	C4 – Town Centre Commercial/Highway 97, hotel use
West	-	C10 – service Commercial/Home Depot development

### 3.3 Current Development Policy

#### 3.3.1 Kelowna Official Community Plan

The Kelowna Official Community Plan designates the future land use of the subject property as “Commercial”.

#### 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 Central Park Golf Course Area Structure Plan

The Central Park Golf Course Area Structure Plan has identified the land use designation of the subject property as “Community Commercial”.

#### 3.3.4 Crime Prevention Through Environmental Design

The City of Kelowna Crime Prevention Through Environmental Design guidelines include the following suggestions for Commercial Developments;

##### **Natural Surveillance**

- parking areas should be visible from windows, wherever possible;
- parking areas should be well-lit with lighting that does not create dark shadows (numerous low wattage lights are preferable to few high wattage lights);
- loading areas should not create dead end alleys or blind spots.

##### **Territorial Reinforcement**

- property perimeters should be defined by landscaping, gates, or fencing which does not create a visual barrier;
- signs should clearly identify all businesses within the building.

##### **Natural Access Control**

- signs should clearly mark public entrances;
- sidewalks and public areas should be clearly marked by way of special paving and/or landscaping ;

- wall treatments, such as climbing plants or trellises, should not provide a means to climb the wall;

**Management**

- parking close to building entrances should be available to night-time employees;
- business associations should work together to promote shopper and business safety.

**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 Fire Department (per DP99-10,059)**

Fire Department access and fire hydrants will be required as per BC Building Code and the City of Kelowna Subdivision and Servicing Bylaw.

**4.2 Inspection Services Department**

This DP appears concentrated with signs.

1. Mark's Work Warehouse sign on the west elevation is not permitted. This is not a business frontage.
2. The Pier 1 Imports and the "tenant" signs are not permitted on the south elevation. This wall is not their business frontage. DVP required.
3. Michael's' sign on the south elevation exceeds the allowable area. DVP required.
4. Michael's' sign on the east elevation is not permitted. This is not their business frontage.
5. No details given on the entrance features at each driveway. Are there signs (freestanding)
6. No details on Freestanding sign at Banks and Enterprise.

No comments on the buildings not enough detail.  
One H/C stall per 50 stalls required.

**4.3 Ministry of Transportation (2-81-20178)**

The Ministry has no objection to this Development Permit in principal subject to the following:

- a. A covenant be registered against the subject property limiting the number of trips that can be generated by the site in accordance with Ward Consulting Group's trip generation / traffic impact work. The Ministry is to be party to said document.
- b. Application is to be made to the Ministry for a "set back permit" for those buildings that are proposed within the 4.5 meter setback area. Buildings are not to be located any closer to the right of way than the proposed 3 meters as there is some concern with regard to the sight distance for the existing Best Western access located to the west of this development.

4.4 Parks Manager (per DP99-10,059)

1. Landscape plan does not key type of plant to location on the plan.
2. Plan indicates two trees may or may not be removed. What species and what caliper size are they? They appear to be large shade trees. Why are they subject to removal?
3. The following applies for all boulevard (BLVD) landscape and is standard information required on a landscape plan:
  - A. Planting plan to include a proper plant materials list:
    - i) Latin name
    - ii) common name
    - iii) size at planting
    - iv) plant symbol key
    - v) indicate existing trees
  - B. Plant material specifications are 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 of city land to prevent migration of mulch.
  - D. Scale of plan and north arrow clearly indicated on plan.
  - E. All plant materials (trees, shrubs, ground covers and seed/sod) used in BLVD to be reviewed by Parks Division. All materials located in BLVD to meet city standard for size and method of installation.
4. 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.
5. BLVD maintenance (irrigation, shrubs, ground cover, sod, and seeded areas) is the responsibility of owner/occupant.
6. All BLVD tree maintenance is responsibility of Parks Division.
7. Planting plan to include all u/g utility locations in BLVD.

4.5 Works and Utilities Department

The Works & utilities Department comments and requirements regarding this application are as follows:

The Works & utilities Department comments and requirements regarding this application are as follows:

1. A site grading plan, a site servicing plan and a storm drainage plan are a requirement of this application. The plans must conform to the overall development for the Central Park development property and be submitted at the time of a building permit application.
2. The boulevard irrigation system must be integrated with the on-site irrigation system. The temporary connection must be removed.
3. A revision to the original Traffic Impact Study has identified some minor improvements to the laning configuration between Hwy 97 and the first access to the subject property will improve the traffic flow. These minor adjustments to the traffic lanes and median have been recognized by the City and the Developer. The developer will be required to make the improvements and provide bonding, the

amount of which will have to be determined, prior to the issuance of a building permit on the subject property.

4. Bicycle racks are required at each proposed building.
5. Onsite traffic issues
  - a) The loading dock configuration at “PAD CRU F” and “ BUILDING 1” should be checked to ensure that truck movements and parking do not interfere with traffic movements in the driving lane.
  - b) The loading dock and garbage pickup at “PAD D and PAD F” should be checked to ensure that truck movements can be achieved with the parking stalls to the west being occupied.
  - c) Ensure that garbage enclosure at “PAD C” and garbage trucks do not interfere with drive-through traffic.

#### 5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT COMMENTS

This application is for the next phase of construction of the “Home Depot” site. The proposed buildings generally follow the form and character of the original Development Permit DP99-10,051, which anticipated the use of several shades of “beige”. Another departure from the original proposal, is that DP99-10,051 anticipated 8 building pads creating a total of 7,153 m<sup>2</sup>. (77,000 SF), ranging from a 2787m<sup>2</sup> (30,000 SF) building located at the corner of Enterprise Way and Banks Road, 2 – 10000 SF buildings, 4 – 6000 SF, down to a 3000SF building. This current application proposes the construction of fewer, larger buildings, creating a similar amount of floor space. The form and character of the proposed building is similar to the original proposal, however, the proposed buildings are substantially larger. The exception is the proposed “Montana’s Cookhouse and Bar” building, which incorporates the corporate image for the “Montana’s Cookhouse and Bar” restaurant chain.

One area of concern is the amount and location of proposed signage, which does not conform to City of Kelowna Sign Bylaw No. 8235. In order to obtain approval for the signage as submitted, it will be necessary for an application for a Development Variance Permit be made.

The proposed landscaping is generally consistent with the original layout proposed in DP99-10,051. However, it is also evident that there has been a noticeable reduction of landscape planting along the road frontages. The applicant has committed to reviewing the landscape plans as submitted in order to increase the amount of planting, consistent with the proposed landscape drawings submitted with the previously issued Development Permit DP99-10,051.



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

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Andrew Bruce  
Current Planning Manager

Approved for inclusion

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

PMc/pmc  
Attach.

**FACT SHEET**

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|---|---|
| <b>1. APPLICATION NO.:</b>                        | DP03-0010   |
| <b>2. APPLICATION TYPE:</b>                       | Development Permit  |
| <b>3. OWNER:</b>                                  | Kelowna Central Properties Ltd.<br>(inc. no. 659632)  |
| . <b>ADDRESS</b>                                  | Ste 1100 – 100 Park Royal   |
| . <b>CITY/POSTAL CODE</b>                         | West Vancouver BC V7T 1A2   |
| <b>4. APPLICANT/CONTACT PERSON:</b>               | Rick Arndt Architect Inc.   |
| . <b>ADDRESS</b>                                  | Rick Arndt/Rudy Witmeier  |
| . <b>CITY/POSTAL CODE</b>                         | 10315 109 <sup>th</sup> St.   |
| . <b>TELEPHONE/FAX NO.:</b>                       | Edmonton, AB T5J 1N3<br>(780)428-8001/(780)426-2734   |
| <b>5. APPLICATION PROGRESS:</b>                   |   |
| Date of Application:                              | January 25 <sup>th</sup> 2003   |
| Date Application Complete:                        | February 19, 2003   |
| Servicing Agreement Forwarded to Applicant:       | N/A   |
| Servicing Agreement Concluded:                    | N/A   |
| Staff Report to Council:                          | March 12, 2003  |
| <b>6. LEGAL DESCRIPTION:</b>                      | Lot 1, DL 125, O.D.Y.D., Plan KAP67601  |
| <b>7. SITE LOCATION:</b>                          | North West Corner of Banks Road and Highway 97, South of Home Depot Development   |
| <b>8. CIVIC ADDRESS:</b>                          | 1551 Banks Road   |
| <b>9. AREA OF SUBJECT PROPERTY:</b>               | 32,787 m <sup>2</sup>   |
| <b>10. TYPE OF DEVELOPMENT PERMIT AREA:</b>       | General Commercial –<br>Springfield/Highway 97 Urban Centre   |
| <b>11. EXISTING ZONE CATEGORY:</b>                | C3 – Community Commercial   |
| <b>12. PURPOSE OF THE APPLICATION:</b>            | To Seek Authorization To Construct A 5149m <sup>2</sup> (55,429 SF) Building, A 2804m <sup>2</sup> (30,220 SF) Building, And A 478m <sup>2</sup> (5,150 SF) Restaurant Building As The Next Phase Of Development Of The Former Central Park Golf Course |
| <b>13. DEVELOPMENT VARIANCE PERMIT VARIANCES:</b> | N/A   |

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|-----|--|-----|
| 14. | <b>VARIANCE UNDER DEVELOPMENT<br/>PERMIT:</b>      | N/A |
| 15. | <b>DEVELOPMENT PERMIT MAP 6.2<br/>IMPLICATIONS</b> | N/A |

Attachments not included with electronic version;

Subject Property Map  
Schedule A, B,C, & D (13 pages)