
CITY OF KELOWNA

MEMORANDUM

Date: March 18, 2003
File No.: DP03-0007

To: City Manager

From: Planning & Development Services Department

Subject:

APPLICATION NO. DP03-0007 **OWNER:** Interior Fisheries Ltd.

LOCATION: 3960 Lakeshore Road **APPLICANT:** T & G Enterprises Ltd.

PURPOSE: TO CONSTRUCT A 3 BAY CAR WASH

EXISTING ZONE: C2 – NEIGHBOURHOOD COMMERCIAL

REPORT PREPARED BY: RYAN SMITH

1.0 RECOMMENDATION

THAT Council authorize the issuance of Development Permit No. DP03-0007 for Lot B, Section 1, Township 25 and of Section 6, Township 26, ODYD, Plan 26397, located on Lakeshore 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 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;
5. The applicant be required to register a Section 219 Restrictive Covenant concurrent with a bareland strata subdivision plan tying the car wash use to the existing gas station.

2.0 ADVISORY PLANNING COMMISSION

At the Regular Meeting of February 25, 2003 the Advisory Planning Commission resolved:

That the Advisory Planning Commission supports Development Permit Application No. DP03-0007, 3960 Lakeshore Road - Lot B, Plan 36397, Sec. 1, Twp. 25, ODYD, by T & G Enterprises Ltd. (Ted Matte), to obtain a development permit for a 3 bay car wash and single bay dog wash facility subject to a 219 covenant being registered that will allow the car wash facility to be ancillary to the operation of the gas bar on the adjacent strata lot.

The Advisory Planning Commission would prefer to see the access directly onto Radant Road, and the applicant should consider better sound attenuation fencing, increased landscaping, and try to eliminate any areas of excessive paving by incorporating landscaping where possible.

*Note: The applicant has amended the proposed site plan to address the concerns highlighted by the Advisory Planning Commission.

3.0 SUMMARY

The applicant is proposing to construct a 3 bay car wash facility located on a bareland-strata lot (also proposed) at the corner of Lakeshore Rd. and Radant Rd. The car wash will be constructed adjacent to the existing Esso gas bar and 7-11 convenience store. The two uses will be tied together as principal and accessory uses by way of a two-lot bareland strata subdivision with a section 219 covenant specifying the principal use on one lot and the accessory use on the second lot.

4.0 BACKGROUND

4.1 The Proposal

The applicants are seeking a Development Permit for the construction of a car wash as an accessory use on a bareland strata lot that will include Lot B, Plan 26397 and Lot B, Plan 54767. The proposed car wash will house three wash-bays, a dog-wash and vacuum units. The applicants are proposing a common property access at the northern most access to the development off Lakeshore Road. The applicant is also proposing an access onto the alley to the west of the property. The applicant is proposing this unique arrangement because a stand-alone car wash is not a permitted principal use in the C2- Neighbourhood Commercial Zone, however, it is a permitted use when accessory to a gas bar. As a gas bar is located on lot B, Plan 54767, technically the car wash would be accessory to the gas bar should two bareland strata lots be created.

The 3 bay car wash will be housed in a single building. Access to each bay will be controlled through overhead bay doors. The siding of the building will be finished in redbrick with complementing stucco sections. The sloping roof will be finished with brown concrete tile. The applicant is also proposing landscape buffering (to match that of existing development) on the north side of the property bordering onto Radant Road and along the northernmost portion of the Lakeshore Road frontage. The proposed car wash could operate 24hrs per day.

The application meets the requirements of the C2 – Neighbourhood Commercial zone as follows:

CRITERIA	PROPOSAL	C2 ZONE REQUIREMENTS
Site Area		
Lot B, Plan 54767	3468.82 m ²	
Lot B, Plan 26397	1558.00 m ²	
Total	5026.82 m ²	1500 m ² (min) / 1.0 Hectares (max)
Minimum Site Area for this use	5026.82 m ²	2502 m ²
Lot Width	36.9m	40.0m
Lot Depth	30.0m	30.0m
Building Areas		
Building "A" (Existing)	444.08 m ²	
Building "B" (Existing)	252.96 m ²	
Building "C" (Proposed)	181.9 m ²	
Total Floor Area	878.94	
F.A.R.	0.175	0.3
Site Coverage (%)	17.48%	40%
Setbacks (m)		
- Front	22m	4.5m
- Rear	8.5m	0.0m
- Side Yard (N)	8.0m	4.5m
- Side Yard (S)	2.1	0.0m
Parking		
Upstream Vehicle Stacking	3	2 (Coin-Op)
Bicycle Parking	3	3
Parking Stalls (#)	20	15
Loading	1	1

4.2 Site Context

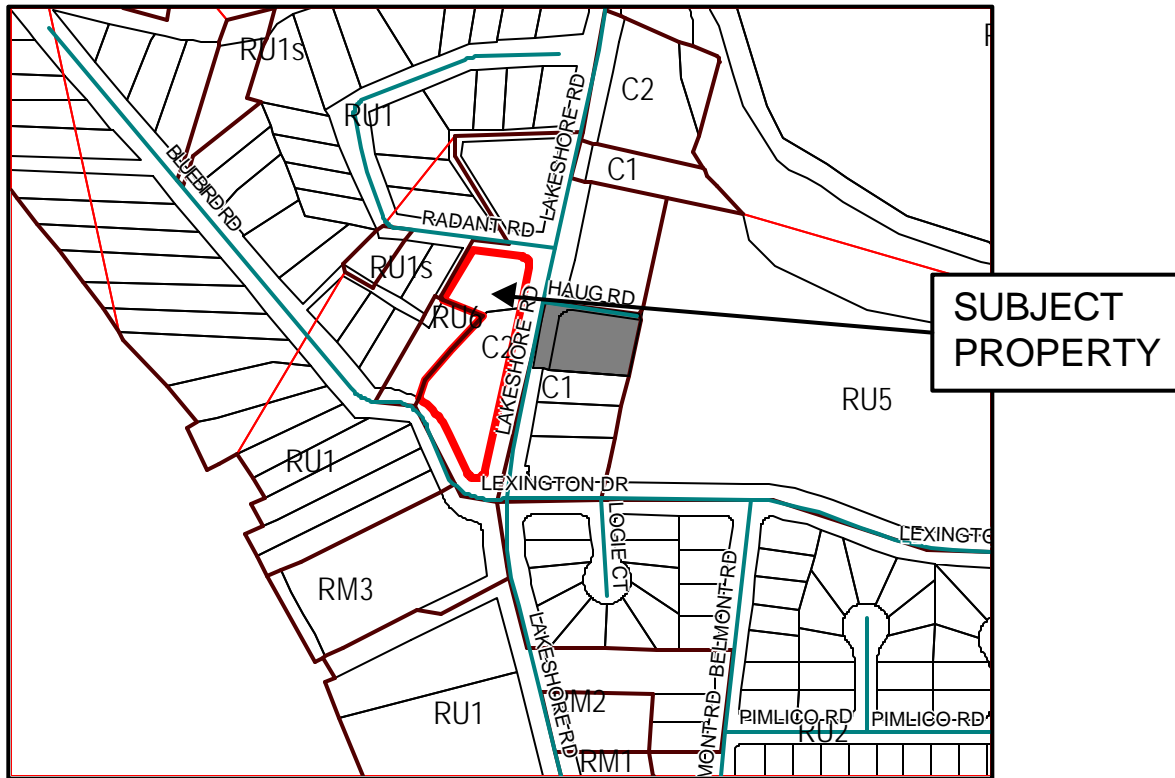
The subject property is located on Lakeshore Road in the North Mission/Crawford Sector.

Adjacent zoning and existing land uses are to the:

- North - RU1/C2 – Large Lot Housing/ Neighbourhood Commercial
- East - C2 – Neighbourhood Commercial
- South - RU6/C2 – Two Dwelling Housing/ Neighbourhood Commercial
- West - RU1/RU6 – Large Lot Housing/ Two Dwelling Housing

Site Map

Subject Property: 3960 Lakeshore Road



5.0 TECHNICAL COMMENTS

5.1 Works and Utilities Department

The Works & utilities Department has the following comments and requirements associated with this application for the proposed development. The road and utility upgrading requirements outlined in this report will be a requirement of the issuance of a building permit, but are outlined in this report for information only.

Lakeshore Road is serviced with a 250mm-diameter AC watermain. The lot is serviced with a 19mm copper domestic service. A larger service will likely be required.

The developer's consulting mechanical engineer will determine the domestic and fire flow requirements of this proposed development and establish the required size and preferred location of the new service. Removal of the unused 19mm diameter service and the installation of the new service will be at the applicant's cost.

A water meter is mandatory for this development and must be installed inside the building on the water service inlet as required by the City Plumbing Regulation and Water Regulation bylaws. The developer or building contractor must purchase the meter from the City at the time of application for a building permit from the Inspection Services Department, and prepare the meter setter at his cost.

If any City of Kelowna water will be used for irrigation on this site after the site is connected to City of Kelowna sanitary sewer, then an "irrigation sewer credit meter" must also be purchased from the City and installed on the irrigation branch line. This development will have to be billed for sewer-use as a commercial account. (Sewer-use charge by metered consumption).

5.1.1 Sanitary Sewer

This parcel has been serviced with a 150mm PVC sanitary service complete with an inspection chamber at property line. The service should be large enough for this development and can be retained. If a larger service is required, it can be provided at the owner's cost.

The proposed car wash facility must be provided with a properly sized and approved sediment settling and oil separation unit prior to discharge of the car wash effluent to the sanitary sewer. It is also necessary to install a monitoring manhole on the sanitary sewer service on site.

5.1.2 Storm Drainage

The subject development must include the design of a drainage system for Lakeshore Road in front of the subject lot, including a piped drainage system and catch basins for curb and gutter construction. The cost of the work is included in the road design calculations.

The on-site drainage system may be connected to the proposed street drainage system with an overflow service at the developer's cost, with approval from the City drainage engineer.

5.1.3 Road Improvements

Lakeshore Road must be upgraded to a full urban standard along the full frontage of this proposed development, including curb and gutter, separate sidewalk, storm drainage system including catch basins, manholes / dry-wells and pavement widening. Also required is a landscaped boulevard complete with underground irrigation system, ornamental street lighting required and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. The estimated cost of this construction for bonding purposes is \$21,800.00 (note including the cost of relocating or adjusting of utility poles and other appurtenances)

Radant Road is designated an urban class 1 local road. It will be necessary to upgrade Radant Road adjacent to this development to a modified residential standard consisting of curb and gutter, including catch basins, pavement widening. Also required is a landscaped boulevard complete with underground irrigation system, ornamental street lighting required and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. The estimated cost of this construction for bonding purposes is \$9,100.00.

The rear lane fronting this development must be upgraded to a paved standard including catch basin and drywall. The estimated cost of this construction for bonding purposes is \$11,900.00.

5.1.4 Road Dedication and Subdivision Requirements

By registered plan to provide the following:

Grant Statutory Rights Of Way if required for utility services.

Register a joint access agreement.

5.1.5 Electric Power and Telecommunication Services

The existing overhead electrical and telecommunication distribution wiring on Lakeshore Road fronting this development must be relocated to an approved offset within the proposed boulevard area. The developer may choose to have the wiring installed in an underground duct system, and have the buildings connected by underground services. It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services which would be at the applicant's cost.

5.1.6 Street Lighting

Ornamental street lighting including underground ducts must be installed on Lakeshore Road fronting on the proposed development. The cost of this requirement is included in the roads upgrading item.

5.1.7 Engineering

Road and utility construction design, construction supervision, and quality control supervision of all off-site and site services including on-site ground recharge drainage collection and disposal systems, must be performed by an approved consulting civil engineer. Designs must be submitted to the City Engineering Department for review and marked "issued for construction" by the City Engineer before construction may begin.

5.1.8 Geotechnical Report

As a requirement of this application and building permit approval the applicant must provide a comprehensive geotechnical report prepared by a Professional Engineer qualified in the field of hydro-geotechnical survey to address the following:

Area ground water characteristics, including water sources on the site.

Site suitability for development; i.e. unstable soils, foundation requirements etc.

Drill and/or excavate test holes on the site and install piezometers if necessary. Log test hole data to identify soil characteristics, identify areas of fill if any. Identify unacceptable fill material, analyse soil sulphate content, identify unsuitable underlying soils such as peat, etc. and make recommendations for remediation if necessary.

List extraordinary requirements that may be required to accommodate construction of roads and underground utilities as well as building foundation designs.

5.1.9 Survey Monuments and Iron Pins

If any legal survey monuments or property iron pins are removed or disturbed during construction, the developer will be invoiced a flat sum of \$1,200.00 per incident to cover the cost of replacement and legal registration. Security bonding will not be released until restitution is made.

5.1.10 Development Permit and Site Related Issues

Position the proposed car-wash building closer to Lakeshore Road and have the building situated so that the exits from the wash bays face Lakeshore Road. This will allow more stacking area for cars waiting to be washed without congesting the combined Lakeshore Road access.

A site grading plan, a site servicing plan and a storm drainage plan are a requirement of this application. Site servicing issues will be reviewed and comments related to site development will be addressed when a detailed site development design or building permit application is received.

The development will be required to contain and dispose of site generated storm water on the site by installing a ground recharge system consisting of drywells and perforated pipe bedded in drain rock.

A bike rack must be provided in accordance with current bylaws and policies.

5.1.11 Access and Manoeuvrability

The proposed joint access onto Lakeshore Road will require modifications to the existing sidewalk letdown and shall have a maximum width of 10.0 meters.

A joint access agreement must be registered for vehicular traffic between lot B Plan 26397 and lot B Plan 54767.

The main entrance to the car-wash site shall be from Radant Road and the proposed location is acceptable as shown.

An SU-9 standard size vehicle must be able to manoeuvre onto and off the site without requiring a reverse movement onto public roadways. If the development plan intends to accommodate larger vehicles movements should also be illustrated on the site plan.

5.1.12 Bonding and Levy Summary

<u>Bonding</u>	Lakeshore Rd frontage upgrades	\$21,800.00
	Radant Rd frontage upgrades	\$9,100.00
	Lane improvements	\$11,900.00
Total Bonding Amount		<u>\$42,800.00</u>

The owner must also enter into a servicing agreement in a form provided by the City prior to issuance of a building permit

5.1.13 Levies

No levies are applicable.

NOTE: The bonding amount shown above are comprised of estimated construction costs escalated by 140% to include engineering design and contingency protection and are provided for information purposes only. The owner should engage a consulting civil engineer to provide detailed designs and obtain actual tendered construction costs if he wishes to do so. Bonding for required off-site construction must be provided as a condition of subdivision approval or building permit issuance, and may be in the form of cash or an irrevocable letter of credit, in an approved format.

5.1.14 Administration Charge

An administration charge is applicable to this development in the amount of 3% (+ GST) of the total off-site servicing costs. The administration charge will be assessed and must be paid prior to release of any security deposits.

5.2 Interior Health

Sanitary sewer and City water connection required.

5.3 Telus

Developer will be required to provide underground conduit to Telus specifications as designed by Telus.

5.4 Shaw Cable

Owner/developer to install conduit system as per Shaw drawings & specifications.

5.5 Inspection Services Department

No Comment.

6.0 PLANNING COMMENTS

The Planning and Development Services Department has not supported a car wash on this site as a principal use primarily due to the current zoning regulations which specifies a car wash as an accessory use to a gas bar. However, the applicant has demonstrated the ability to satisfy zoning requirements by way of a proposed bare land strata development whereby the car wash will be tied to the development to the south as an ancillary use by way of restrictive covenant and strata bylaws. Alternately, the subject property would have had to be consolidated with the property to the south or it would have had to include a gas bar in the development proposal.

As the applicant has provided a solution to the zoning restrictions, it is appropriate to consider the proposed use on site. With respect to the current OCP, the subject property is identified as being within the North Mission Urban Village commercial area. Some of the relevant policies for development in this area are identified in the North Mission/Crawford Sector Plan (1997):

1. *Continue to strive towards a more compact urban form which promotes the integration of land uses and the use of alternative methods of transportation other than the automobile;*
2. *Encourage and promote the further development of the North Mission Urban Village as the primary commercial area in the plan area;*
3. *Encourage new retail and service activities that promote the intensification of pedestrian and transit-oriented grade-related development within the North Mission Urban Village;*
4. *Encourage the establishment of a visually coherent pattern of building heights, placing particular emphasis on achieving incremental building height transitions between areas of contrasting character of use;*

Andrew Bruce
Current Planning Manager

Approved for inclusion

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

RWS
Attach.

FACT SHEET

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|---|--|
| 1. APPLICATION NO.: | DP03-0007 |
| 2. APPLICATION TYPE: | Development Permit |
| 3. OWNER:
· ADDRESS
· CITY
· POSTAL CODE | Interior Fisheries Ltd.
1171 Harvey Avenue
Kelowna, BC
V1W 1V5 |
| 4. APPLICANT/CONTACT PERSON:
· ADDRESS
· CITY
· POSTAL CODE
· TELEPHONE/FAX NO.: | Ted Matte
4020 Casorso Rd.
Kelowna, BC
V1W 4N6
764-0337 |
| 5. APPLICATION PROGRESS:
Date of Application:
Date Application Complete:
Servicing Agreement Forwarded to Applicant:
Servicing Agreement Concluded:
Staff Report to APC:
Staff Report to Council: | February 6, 2003
February 6, 2003
N/A
N/A
February 25, 2003
March 24 th , 2003 |
| 6. LEGAL DESCRIPTION: | Lot B, Section 1, Township 25 and of Section 6, Township 26, ODYD, Plan 26397 |
| 7. SITE LOCATION: | West side of Lakeshore Road. North of Bluebird Road and South of Radant Road. |
| 8. CIVIC ADDRESS: | 3960 Lakeshore Road |
| 9. AREA OF SUBJECT PROPERTY: | 5026.82m ² |
| 10. EXISTING ZONE CATEGORY: | C2 – Neighbourhood Commercial |
| 11. TYPE OF DEVELOPMENT PERMIT AREA: | Lakeshore Road (Barrera Road to Barnaby Road)/North Mission |
| 13. PURPOSE OF THE APPLICATION: | Development Permit to construct a 3 bay car wash |
| 14. MIN. OF TRANS./HIGHWAYS FILES NO.:
NOTE: IF LANDS ARE WITHIN 800 m OF A CONTROLLED ACCESS HIGHWAY | N/A |
| 15. DEVELOPMENT PERMIT MAP 13.2 IMPLICATIONS | N/A |

ATTACHMENTS

(not attached to the electronic version of the report)

- Site Plan
- Subject Property Map
- Elevations