
CITY OF KELOWNA
MEMORANDUM

Date: April 9, 2003
File No.: (3060-20/3090-20) **DP02-0103**

To: City Manager

From: Planning & Development Services Department

Subject:

DEVELOPMENT PERMIT APPLICATION OWNER: 1931 VENTURE INC. (INC.
NO. DP02-0103 NO. 250090) & ORLANDO
UNGARO

AT: 1955 BARON ROAD

APPLICANT: MILLER & WYATT LTD.

PURPOSE: TO SEEK A DEVELOPMENT PERMIT TO AUTHORIZE
CONSTRUCTION OF A 1,486 M² COMMERCIAL BUILDING FOR
USE AS AN AUTOMOBILE PARTS SALES AND DISTRIBUTION
CENTRE

EXISTING ZONE: C4 – TOWN CENTRE COMMERCIAL

PROPOSED ZONE: C10 – SERVICE COMMERCIAL

REPORT PREPARED BY: PAUL McVEY

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT Final Adoption of Zone Amending Bylaw No. 8954 be considered by Council;

AND THAT Council authorize the issuance of Development Permit No. DP02-0103 for Lot 2, DL 532, O.D.Y.D., Plan KAP58763, located on Baron 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 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 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 has an application to rezone from the existing C4 – Town Centre Commercial to the C10 – Service Commercial zone in order to permit the use of the land as an automotive parts sales and distribution centre. The application for rezoning received a successful public hearing on February 4, 2003 and second and third reading the same night. This associated Development Permit seeks permission to construct a 1,486 m² commercial building.

2.1 Advisory Planning Commission

The above noted application (DP02-0103) was reviewed by the Advisory Planning Commission at the meeting of November 26, 2002 and the following recommendation was passed:

THAT the Advisory Planning Commission supports Development Permit Application No. DP02-0103, 1955 Baron Road, Lot 2, Plan 58763, Sec. 21, Twp. 26, ODYD, by Miller & Wyatt Ltd., to rezone from the C4-Town Centre Commercial zone to seek a Development Permit in order to authorize construction of a 1,403 m² commercial building.

3.0 BACKGROUND

3.1 The Proposal

The subject property is located on Baron Road directly across from the Canadian Tire Store site. The property was created in 1996 at the time of the major redevelopment of the Canadian Tire Store and the associated Baron Road Extension. At that time, the property was zone C-3 (Community Commercial).

In 1998, when Zoning Bylaw 8000 was adopted, the property became zoned C4 – Town Centre Commercial zone, a zone that does not permit the use of the property as an automotive parts sales and distribution centre.

The rezoning application seeks to rezone the subject property from the C4 – Town Centre Commercial zone to the C10 – Service Commercial zone to permit the use of the property for an automotive parts sales and distribution centre. The rezoning application received a successful public hearing on February 4, 2003, and the zone amending bylaw received second and third reading the same night.

This current Development Permit application seeks authorization to construct a 1,486 m² commercial building for use as an automotive parts sales and distribution warehouse.

The site plan for the proposed development indicates access from Baron Road at both the northwest corner and the southwest corner. The access at the northeast corner of the site is located on an area of the property that is protected by a reciprocal access agreement to provide physical access to the mobile home park (Peacock Mobile Home Park) that is located to the east of the subject property. The site plan indicates that the proposed building is located near the east property line, adjacent to the BC Gas right of way. The site is proposed to be developed with surface parking located adjacent to the Baron Road frontage and the rear property line on top of the BC Gas right of way. There is also a one-way access driveway located along the south property line to provide access to the rear parking area and to provide truck access to the loading dock area located at the rear of the building. It is anticipated that there will be a gate located on this drive aisle to control access during off-hours in order to provide a secure parking area for delivery vehicles, and to prevent access to the building wall in order to reduce the opportunities for graffiti.

The landscape plan submitted with the application shows a 3.0m landscape area adjacent to the Baron Road frontage along the entire frontage, as well as a 1.5 m wide landscape strip along the rear property line adjacent to the existing mobile home site.

The floor plan for the proposed building indicates that proposed building is divided into two areas. The west 1147 m² is anticipated to be used for the automotive parts sales and distribution centre for Miller & Wyatt Ltd., a local automotive supplier with several outlet located in both the downtown and Rutland town centres. It is anticipated that these smaller operations will be consolidated into this new larger location. The remaining 338 m² is designated as lease space for up to three tenants.

The floor plan for Miller & Wyatt Ltd. indicates retail and storage area, as well as washrooms and a meeting / lunch room located on the ground floor at the southwest corner of the building. The second floor level is designed with offices and storage space.

The proposed building is designed as a concrete building constructed with tilt-up concrete panels. The front elevation indicates store front glazing located at regular intervals along the entire front of the proposed building. The front elevation also includes horizontal design elements that are located above the ground floor windows and above the mezzanine level windows, and run the entire length of the front elevation. The horizontal element above the upper windows is a cornice feature, while the lower element is a reveal in the wall panel which will create a shadow line. The front of the building includes a raised parapet height above the main entry doors that provide for glazed entry area. The area above the entry store front glazing are designed to be finished with glazed "spandrel" opaque glass panels. The remaining three building elevations are proposed to be constructed of tilt up concrete panels, and finished with same painted finishes as the front of the building. The base wall colour is proposed to be a "medium tan", with a "dark tan" trim colour.

The proposed building fascia signage is designed to be located above the entry doors to the retail areas. There is also one free-standing pylon sign located near the northerly driveway. This sign is designed to be a maximum 3.05 m (10ft) high.

The proposal as compared to the C10 zone requirements is as follows:

CRITERIA	PROPOSAL	C10 ZONE REQUIREMENTS
Site Area (m ²)	4,815 m ²	1,000 m ²
Site Width (m)	114 m	40 m min.
Site Coverage (%)	29%	60%
Total Floor Area (m ²)	1,402.8 m ²	max. 3,129.7 m ² @ FAR = 0.65
F.A.R.	0.29	0.65 max
Storeys (#)	1 storey	3 storeys (12.0 m)
Setbacks (m)		
- Front	4.5 m	2.0 m
- Rear	18.5 m	0.0 m
- North Side	3.6 m	0.0 m
- South Side	6.1 m	4.5 m abutting a residential zone
Parking Stalls (#)	37 stalls provided	2.0 stalls per 100 m ² GFA 1403/100*2=29stalls x 125%=37
Loading Stalls (#)	1 loading provided	1 per 1900 m ² GFA

The subject property is generally flat and level. The lot has a major natural gas transmission line and associated right of way located adjacent to the east property line.

Adjacent zones and uses are, to the:

- North - C4 – Town Centre Commercial – vacant lot
- East - RM7 – Mobile Home Park – Mobile Home Park uses
- South - RM3 – Low Density Multiple Housing - row housing
RM5 – Medium Density Multiple Housing - apartment housing
- West - C10 – Service Commercial/Baron Rd, Canadian Tire Store

- All buildings, structures, and additions thereto shall be designed in a manner which gives consideration to the relationship with adjacent building and open areas, the efficiency of the circulation system, and the design and siting compatibility with surrounding development,
- All facades of commercial buildings shall be designed in a manner which appropriately addresses adjacent uses and structures,
- External lighting shall enhance the safety of persons on the site after dark but shall not be of an intensity or cast in such a way which would interfere with nearby residential properties.

3.3.2 City of Kelowna Strategic Plan (1992)

The application is consistent with the Strategic Plan, as follows:

“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 redevelopment 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 Pandosy particularly along major traffic arteries and near the town centres, the Glenmore Valley and Highway 97 corridor.”

3.3.4 Crime Prevention Through Environmental Design

3.3.3 Crime Prevention Through Environmental Design

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

Territorial Reinforcement

- property boundaries, where possible, should be marked with hedges, low fences or gates;
- private and semi-private areas should be easily distinguishable from public areas;
- lanes should be well-maintained with pavement treatment and landscaping, wherever possible;
- entrances onto lanes and use of the space in the lane (e.g. shopping entrances or outdoor cafes), increases public ownership and safety of the lane;
- blank walls should be avoided, but can be improved by the installation of windows, vertical landscaping (e.g. ivy), non-paint-able surfaces, or the use of mural art; which all discourage graffiti;
- all public and semi-private areas should be well-maintained to convey pride and ownership, which discourage negative activity;
- benches should be placed in public spaces and along paths or sidewalks to provide a resting place, particularly for seniors or those with disabilities; elevated seating positions allow for broad observation and give users a greater sense of control.

Natural Access Control

- public paths should be clearly marked;
- signs should direct patrons to parking and entrances;
- there should be no easy access to the roof;
- entrances to dwellings within a commercial building should be separate from the commercial entrance to enable distinction of residential visitors from those frequenting businesses;
- wall treatments, such as climbing plants or trellises, should not provide a means to climb the wall;

Management

- operating hours should coincide with those of other neighbouring businesses;
- pay phones should be call-out only and under surveillance at all times;
- interior space should be well-lit.

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 Aquila Networks Canada

Aquila will provide underground electrical service.

4.2 Fire Department

Engineered fire flows required.

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

4.3 Inspection Services Department

The maximum size of the mezzanine in the Miller Wyatt space shall be 1134 sq. ft.

The parking calculations are high. The parking should be 2.2 stalls per 100m² (Retail Stores - Service Commercial); this would require 31 stalls. They have extra parking, but with the windows shown it appears that a second floor or mezzanines may be added. The extra stalls would permit only 2580 sq. ft. of office space.

More exit doors may be required depending on floor layouts and rack storage.

Ensure the access to the trailer park meets the minimum fire fighters access requirements.

Automatic doors required for retail tenants over 500 m².

4.4 Works and Utilities Department

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

Our comments were addressed in the rezoning application file No. Z02-1050 and the requirements must be satisfied before issuing the development permit.

A comprehensive site drainage management plan in compliance with the City's drainage design and policy manual, is a requirement of this application.

Construct a new 2.0 m. x 4.0 m. concrete pad for a bus stop to be situated 12m. before the north driveway, behind the existing sidewalk. The exact location is to be confirmed with the City of Kelowna TDM division.

5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT COMMENTS

The Planning and Development Services Department does not have concerns with the proposed building development on the subject property. The development application represents a reasonable form of development of the subject property. The site plan proposes the use of the existing gas right of way at the rear of the building for parking and access purposes. The landscape plan also proposes a 1.5 m. landscape buffer between the parking area and the existing mobile home park. The access to the mobile home park will be maintained by using the access corridors through the proposed parking lot.

It is anticipated that in the future, when the property to the north develops, that the driveway access will be relocated from the existing location, to a location at the north end of Lot 3, Plan 58763, in order that this new driveway will line up with the existing driveway from the Canadian Tire property located across Baron Road.

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

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.: | DP02-0103 |
| 2. APPLICATION TYPE: | Development Permit |
| 3a. OWNER:
· ADDRESS
· CITY/POSTAL CODE | 1931 Venture Inc. (Inc. No. 250090)
1-1890 Cooper Rd.
Kelowna, BC |
| 3b. OWNER:
· ADDRESS
· CITY/POSTAL CODE | Orlando Ungaro
1497 Alta Vista Rd,
Kelowna, BC V1Y 6K9 |
| 4. APPLICANT/CONTACT PERSON:
· ADDRESS
· CITY/POSTAL CODE
· TELEPHONE/FAX NO.: | Miller & Wyatt Ltd. (Brian Wyatt)
487 Leon Ave.
Kelowna, BC V1Y 6J4
763-5111/763-7151 |
| 5. APPLICATION PROGRESS:
Date of Application:
Date Application Complete:
Servicing Agreement Forwarded to Applicant:
Servicing Agreement Concluded:
Staff Report to Council: | October 30, 2002
November 4, 2002
February 14, 2003
February 14, 2003
April 9, 2003 |
| 6. LEGAL DESCRIPTION: | Lot 2, DL 532, O.D.Y.D., Plan KAP58763 |
| 7. SITE LOCATION: | Southeast side of Baron Road,
Between Leckie Road and Banks Road. |
| 8. CIVIC ADDRESS: | 1955 Baron Rd. |
| 9. AREA OF SUBJECT PROPERTY: | 4815 M ² |
| 10. TYPE OF DEVELOPMENT PERMIT AREA: | Highway Centre – Town Centre |
| 11. EXISTING ZONE CATEGORY: | C4 – Town Centre Commercial |
| 12. PROPOSED ZONE: | C10 – Service Commercial |
| 13. PURPOSE OF THE APPLICATION: | To Seek A Development Permit To
Authorize A 1,402 M ² Commercial
Building For Use As An Automobile
Parts Sales And Distribution Centre |
| 14. DEVELOPMENT VARIANCE PERMIT
VARIANCES: | N/A |

- | | | |
|-----|----------------------------------------------------|-----|
| 15. | VARIANCE UNDER DEVELOPMENT
PERMIT: | N/A |
| 16. | DEVELOPMENT PERMIT MAP 6.2
IMPLICATIONS | N/A |

Attachments

Subject Property Map
Schedule A, B, C & D (5 pages)
3 pages of building details / diagrams