
CITY OF KELOWNA

MEMORANDUM

Date: November 26, 2003
File No.: (3060-20/3090-20) **DP03-0121**

To: City Manager

From: Planning & Corporate Services Department

Subject:

DEVELOPMENT PERMIT APPLICATION OWNER: SIMPLE PURSUITS INC.
NO. DP03-0121

AT: 1007 RUTLAND ROAD NORTH APPLICANT: AS ABOVE

PURPOSE: TO OBTAIN A DEVELOPMENT PERMIT TO ALLOW FOR
CONSTRUCTION OF A 311 M² COMMERCIAL BUILDING AS
THE FIRST PHASE OF DEVELOPMENT ON THE SUBJECT
PROPERTY

EXISTING ZONE: C2 – NEIGHBOURHOOD COMMERCIAL

REPORT PREPARED BY: PAUL McVEY

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT Council authorize the issuance of Development Permit No. DP03-0121 for Lot 1, Sec. 26, Twp. 26, O.D.Y.D., Plan KAP65904, located on Rutland Road N., 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;

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 applicant seeks permission to construct a 311 m² building on the subject property for use as a convenience store. There is also an associated application for a Development Variance Permit which has been made to authorize a 1.5 m roof overhang to project into the required front and flanking side yards, where the zoning bylaw limits projections into the yards to a maximum of 600 mm.

2.1 Advisory Planning Commission

The above noted application (DVP03-0122) was reviewed by the Advisory Planning Commission at the meeting of October 21, 2003 and the following recommendation was passed:

THAT the Advisory Planning Commission supports Development Permit Application No. DP03-0121, 1007 Rutland Road North, Lot 1 Plan 65904, Sec. 26, Twp. 26, ODYD, by Simple Pursuits Inc obtain a Development Permit to allow for construction of a 311 m² commercial building as the first phase of development on the subject property, subject to the provision of windows along the west and south elevations;

NOTE:

The applicant has revised the building elevations to provide additional glazing elements to the west and south elevations

3.0 BACKGROUND

3.1 The Proposal

The subject property was rezoned to the C2 - Community Commercial zone (Z95-1006) in 1996. The subject property was created in 1999 as part of the "gateway" to the access route to the proposed Tower Ranch Golf Resort development. At the time the lot was created, there was a Building Scheme registered on title to control the form of development to include residential uses on the second floor of the proposed commercial development in order to create a mixed-use development.

This proposed building under application is the first phase of development of the subject property. The site plan for this development proposal is laid out with the proposed building located in the south west corner of the property adjacent to the road frontages, with a paved parking area located to the north and west of the proposed building. The remaining area of the site is proposed to be seeded with a grass mix until there is an application made for the future phases of site development.

There is a vehicle access to the site is from Rutland Road North, located near the north property line. There is also a second vehicle access from McCurdy Road East located near east property line of the site.

The proposed form and character of the building is designed to replicate a 1900's railway station. The building is sited on the subject property adjacent to the south west

corner of the property adjacent to both Rutland and McCurdy Roads. The South west corner of the building is beveled at a 45 deg. angle. The roof overhangs project over a 1.5 m wide sidewalk which is located around the perimeter of the proposed building to provide pedestrian access to the building entry, located on the north side of the building, adjacent to the parking lot.

The exterior of the building is designed with timber bracket details and “eyebrow” dormers on the north and south sides of the roof, details that are reminiscent of 1900’s railroad station architecture. There are also heavy timber details included around the window and door openings, as well as to the remaining wall areas to enhance the notion of an old time railroad station. The wall finish of the building is proposed to be acrylic stucco in a “Brick Red” colour. The wood trim elements are proposed to be a medium brown colour, as is the soffits and gutters. The roof is proposed to be a dark gray “mottled” asphalt shingle product.

The wall areas on the north side of the building facing the parking lot have a substantial number of windows. The east elevation has two windows as well. The west elevation facing Rutland Road North, and the south elevation facing McCurdy Road East does include window elements in addition to the timber detailing that is designed into these wall areas repeats the bay spacing pattern that is created by the window placement on the other elevations. These window elements are designed to be glazed with “spandrel glass”, and will not function as windows.

The roof has been designed to provide a 1.5 m overhang to provide weather protection to the sidewalk that surrounds the proposed building. The intent of the wide sidewalk around the building is to provide a readily useable pedestrian link around the building to connect the main access to the convenience store facing the parking lot to the surrounding pedestrian routes.

As part of this Development Permit application, there has also been a Development Variance Permit application to allow the 1.5 m roof overhang to project into the front and flanking side yards, as the bylaw limits roof projections into yards to a maximum of 600mm.

The proposal as compared to the C2 zone requirements is as follows:

CRITERIA	PROPOSAL	C2 ZONE REQUIREMENTS
Site Area (m ²)	4,011 M ²	1,500 M ²
Site Width (m)	55 M	40 M
Site Coverage (%)	8 %	40%
Total Floor Area (m ²)	311 M ²	1,203 M ² max @ FAR = 0.3
F.A.R.	.08	FAR = 0.3
Storeys (#)	1 storey	2 ½ Stories (10.5 M) Max
Setbacks (m)		
- Front (Rutland Rd)	4.5 m	4.5 M
- Rear	45.7 m	6.0 M adj. to residential
- North Side	36 m	2.0 M for 1 or 1 ½ Storey
- South Side (Flanking)	4.5 m	4.5 M
Parking Stalls (#)	8 stalls provided	2 per 100 M ² GFA
Loading Stalls (#)	1 stall provided	1 per 1,900 M ² GFA

3.2 Site Context

The subject property is currently vacant, and is generally flat and level. The site was the former location of the “Greenery” nursery. The subject property was created in 1999 as part of the road dedication to provide for the access route to the pending Tower Ranch Golf Resort. At the time that the lot was created, there was a building scheme registered on title to control the form of building permitted on the site.

Adjacent zones and uses are, to the:

- North - A1 – Agriculture 1 / Church
RU1 – Large Lot Housing / Single Family Dwelling units
- East - RM1 – Four Plex Housing / Vacant
- South - RM1 – Four Plex Housing / Four Plex housing units, McCurdy Rd. E.
- West - A1 – Agriculture 1 / Knights of Columbus church hall

-
- PL.47186
- 18
- 19
- 2
- SUBJECT PROPERTY
- 3
- 4
- Rutland Rd N
- ALMOND CT.
- A1
- A
- PLAN 4841
- 1
- 2
- PLAN 32891
- (65905)
- 904
- 2
- 3
- RM1
- (65906)
- (65909)
- 16
- PL.65904
- 15
- (65909)
- 14
- RU6
- PL.66718
- 1
- CP
- (71855)
- (65909)
- K2436
- 1
- PL.65904
- 6
- 7
- 1
- 2
- NEWBY
- 11
- 10
- 9
- 8
- 7
- 6
- PLAN 39619
- 5
- 4
- 3
- 2
- 1
- McCurdy Rd. E.

- All development should provide visual interest and human scale.
- All development should contribute to a sense of community identity and sense of place (integration of development within larger community, belonging, community cohesiveness).
- All development should facilitate access by, and minimize conflicts among pedestrian, bicycle, and vehicular modes of transportation (access, mobility).
- All development should promote safety and security of persons and property within the urban environment (CPTED).

General Commercial Development Permit Areas Guidelines;

Access

- Design should facilitate pedestrian and bicycle access.
- Within multiple unit residential projects, vehicle access and on-site circulation shall minimize interference with pedestrian movement.
- Within multiple unit residential projects, vehicle access from arterial or collector roads is discouraged. Where possible, such access should be achieved from a local road or lane.
- Vehicle access should not interfere with pedestrian movement.
- Vehicle access (including parking and loading) should be, wherever possible, from a lane.
- Pedestrian access should be clearly marked.

Building, Structures, And Additions

- Buildings, structures and additions should be designed and sited in a manner compatible with adjacent buildings and open areas.

Ancillary Services / Utilities

- Loading, garbage and other ancillary services should be located at the rear of buildings.
- Utility service connections should be screened from view or be located so as to minimize visual intrusion.

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

3.3.3 Rutland Sector Plan

This proposal is consistent with the Rutland Sector Plan future land use designation of “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 Aquila Networks Canada

No response, assumed No Comment.

4.2 B.C. Gas (Terasen Utility Services)

No response, assumed No Comment.

4.3 Fire Department

Fire department access and hydrants as per the BC Building Code and City of Kelowna Subdivision By-law. Engineered fire flows will be required. Hydrant required within 90m of principal entrance.

4.4 Parks Manager

All entry feature signs for the proposed development to be located on private property and not on City BLVD.

4.5 Public Health Inspector

No objections at this time. Approval of food premises plans and specifications required by this office. Permit to operate a food premise required by this office.

4.6 Shaw Cable

Owner/developer 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 conduit as per TELUS policy.

4.8 Works and Utilities Department

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

1. Subdivision

- a) Provide easements as may be required

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.

- a) The subject property is within the service area of the Black Mountain Irrigation District (BMID). The developer is required to make satisfactory arrangements with the BMID for these items. All charges for service connection, and upgrading costs are to be paid directly to the BMID.
- b) A water meter is mandatory as well as a sewer credit meter to measure all the irrigation water. Water meters 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.

- c) The water system must be capable of supplying domestic and fire flow demands of the project in accordance with the Subdivision, Development & Servicing Bylaw. Provide water calculations for this subdivision to confirm this.

4. Sanitary Sewer.

The proposed development is currently serviced by the municipal wastewater collection system.

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. Access.

Curb drop at driveways were approved and constructed in conjunction with the creation of the original subdivision, no further frontage upgrading is required.

4.9 Registered Building Scheme

The following is an excerpt of the Registered Building Scheme, as the document applies to the Commercial zoned property;

“B. Commercial Design Criteria (Lot 1)

1. Roofs

Design and architectural treatments that reduce the perceived size, scale and mass of buildings are preferred. Sloped roofs are mandatory and a minimum roof pitch of 6:12 is required, except over front porches where a minimum pitch may be 4:12. Flat roofs are not acceptable.

The style of roof to be emphasized is one which is a low slung hip roof with overhangs and strong fascia lines. Roof materials will be consistent for homes as well as accessory buildings. One of the following will be acceptable:

- ◆ Concrete shingles/slate
- ◆ Aluminum, steel
- ◆ Concrete tile
- ◆ Wood shingles
- ◆ Textured asphalt shingles

All roof stacks, vents and flashings are to have a non-cyclone finish in a colour that is consistent with the overall colour scheme. Skylights should not be directly visible from the street. Roof overhangs are to be a minimum 600 mm measured horizontally in the

main level and a minimum 450 mm at upper levels. Roofs pitched more than 4:12 may have a reduced overhang to avoid excessively low overhangs. Gutters and rain water leaders shall be of a colour that relates to the overall colour scheme.

2. Colours

Building designs should incorporate warm earth colours, with tone on tone accent schemes. Warm greys, green and beige may be used. Bright colours will not be permitted.

3. Exterior Material

Façade materials should be varied and articulated to add a visual interest to the streetscape but not disjointed through the use of too many different surface treatments.

The exterior finish of buildings will utilize the following materials;

Masonry;	Strong horizontal stonework will be encouraged on all building to provides a contracting material at the base of walls and to emphasize horizontal lines.
Stucco;	The use of stucco as the main exterior wall treatment.
Siding	the use of vinyl or wood siding as the main exterior wall treatment.

4. Urban Form

The following general urban forms will apply to the commercial lot:

- a) Principal and secondary uses will include apartment housing on the second storey of a commercial building which will be closely oriented to the Rutland Road and McCurdy Road frontages;
- b) All uses on the commercial lot will be oriented to pedestrian needs and be located and designed as to avoid vehicular interference with pedestrian movements;
- c) All uses on the commercial lot will be required to integrate into the design elements of the residential character, massing and compatible exterior treatment of the adjacent residential lots;
- d) Landscaping, awnings, and accessory buildings will be intergraded with design of the building;
- e) Signage will be scaled to the pedestrian in terms of size, location, lettering, and lighting;
- f) Slope roofs at a consistent pitch, and
- g) Pitched roof form and associate roof forms (gables and dormers) shall be used.”

5.0 PLANNING AND CORPORATE SERVICES DEPARTMENT COMMENTS

The building scheme that is registered on the title of the subject property requires that the proposed development has a requirement that the proposed development has a residential use on the second storey in order to create a mixed-use development. As this proposed building is only single storey and does not include a residential component, it will be necessary to include a residential component in future phases. This proposed development only uses a small portion of the site adjacent to the road frontages. It will be necessary to consider this application as the first phase of development of the site. The undeveloped areas of the site are proposed to be temporarily landscaped with a dry-land seed mix.

While there are no immediate neighbours with similar forms of architecture, there is a recently completed multi-unit residential development located across McCurdy Road, south of the subject property, that has been built with a “shingle style” form and character which should be complimentary to the proposed development on the subject property. The proposed form and character of development introduces a visually interesting building style onto the subject property. Even though there really is not any context for the proposed “Railway Station” building style proposed for the site, the proposed form and character creates an interesting departure from the usual form of a “corner store”.

The Planning and Corporate Services Department does not have concerns with the associated Development Variance Permit application to authorize a 1.5 m projection into the required front yard and flanking side yard setbacks. The 1.5 m roof overhang is a major component of the building design.

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

Andrew Bruce
Manager of Development Services

Approved for inclusion

☐

R.L. (Ron) Mattiussi, ACP, MCIP
Director of Community and Corporate Services

PMc/pmc
Attach.

FACT SHEET

- | | |
|--|---|
| 1. APPLICATION NO.: | DP03-0121 |
| 2. APPLICATION TYPE: | Development Permit |
| 3. OWNER:
· ADDRESS
· CITY/POSTAL CODE | Simple Pursuits Inc. (Inc.No. 449611)
PO Box 20123
Kelowna, BC V1Y 9H2 |
| 4. APPLICANT/CONTACT PERSON:
· ADDRESS
· CITY/POSTAL CODE
· TELEPHONE/FAX NO.: | Mr. Shane Worman
Simple Pursuits Inc. (Inc.No. 449611)
PO Box 20123
Kelowna, BC V1Y 9H2
762-0040/762-0550 |
| 5. APPLICATION PROGRESS:
Date of Application:
Date Application Complete:
Servicing Agreement Forwarded to Applicant:
Servicing Agreement Concluded:
Staff Report to Council: | October 2, 2003
October 2, 2003
N/A
N/A
November 26, 2003 |
| 6. LEGAL DESCRIPTION: | Lot 1, Sec. 26, Twp. 26, O.D.Y.D.,
Plan KAP65904 |
| 7. SITE LOCATION: | North East Corner Rutland Road
North and McCurdy Road East |
| 8. CIVIC ADDRESS: | 1007 Rutland Road N |
| 9. AREA OF SUBJECT PROPERTY: | 4,011 m ² |
| 10. TYPE OF DEVELOPMENT PERMIT AREA: | General Commercial |
| 11. EXISTING ZONE CATEGORY: | C2 – Neighbourhood Commercial |
| 12. PURPOSE OF THE APPLICATION: | To obtain a Development Variance Permit to allow for a 1.5 m roof overhang to project into front and side yard setbacks where the Zoning Bylaw allows a maximum projection of 0.6 m |
| 13. DEVELOPMENT VARIANCE PERMIT VARIANCES: | Vary Section 6.4.1 Projections into Yards , from maximum projection of 0.6 m permitted to 1.5 m proposed for the roof overhangs |
| 14. DEVELOPMENT PERMIT MAP 6.2 IMPLICATIONS | N/A |

Attachments

Subject Property Map
Schedule A, B & C (4 pages)
3 pages of building diagrams