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**CITY OF KELOWNA**

**MEMORANDUM**

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**DATE:** NOVEMBER 15, 2006

**TO:** CITY MANAGER

**FROM:** PLANNING & DEVELOPMENT SERVICES DEPARTMENT

**APPLICATION NO.** DP06-0171      **OWNER:** 4231 Investments Ltd. c/o Crestwell Realty Ltd

**AT:** 1950 & 2020 Harvey Avenue      **APPLICANT:** John McCormack Architects

**PURPOSE:** TO OBTAIN A DEVELOPMENT PERMIT FOR THE FORM AND CHARACTER OF A NEW FREE-STANDING COMMERCIAL BUILDING AND A NEW ADDITION TO AN EXSTING COMMERCIAL BUILDING

**EXISTING ZONE:** C4 – URBAN CENTRE COMMERCIAL

**REPORT PREPARED BY:** RYAN SMITH

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**1.0 RECOMMENDATION**

THAT Council authorize the issuance of Development Permit No. DP06-0171 for Lot A, Section 20, Township 26, ODYD Plan 30166, located at 1950 Harvey Avenue, Kelowna, B.C. subject to the following:

- a) The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";
- b) The exterior design and finish of the building to be constructed on the land be in general accordance with Schedule "B";
- c) Landscaping to be provided on the land be in general accordance with Schedule "C";
- d) 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;
- e) The applicant be required to add additional lighting in the parking area behind buildings "D" and "E".

**2.0 SUMMARY**

The applicant is seeking a development permit to construct a 609m<sup>2</sup> addition to an existing commercial building in order to create additional tenant space and add a new retail commercial building to the northwest corner of the subject property which will measure 542m<sup>2</sup> in size.

**3.0 PROPOSAL**

The proposal is for an addition to Building "E" (London Drugs) and the addition of a Building "H", located in Spall Plaza on Harvey Avenue between Spall Road and Hardy Street. The Spall

Plaza development currently spans two lots and houses retail tenants such as Toys R Us, Moore's, and IHOP.

The proposed addition to Building "E" will measure 609m<sup>2</sup> size and will be for the use of London Drugs. The proposed single storey addition will match the roofline of the existing building with the exception of a more pronounced cornice feature and the walls will be finished with painted split rib concrete block to complement the existing building. The building addition will have a ramp and doorway on the western elevation. No additional signage is proposed.

The applicant is proposing to located the new Building "H" in the northwest corner of the subject property. The elevations are characterized by varied cornice lines, painted stucco siding and windows on each elevation. The building will be divided into two tenant spaces. One tenant space will have pedestrian access and a patio facing onto Spall Road while the other tenant space will take access from the interior of the lot.

Despite the removal of one row of parking to facilitate the addition, parking on the site will continue to exceed that required. Bicycle parking is provided on-site in front of buildings "G" and "F" and additional bicycle parking stalls will be added in front of Building "B" and Building "H" in order to meet the additional bicycle parking triggered by this application.

The applicant is proposing new landscaping and landscape islands in areas of the site which are impacted by this new development.

The application meets the requirements of the C4 –Urban Centre Commercial zone as follows:

CRITERIA	PROPOSAL	C4 ZONE REQUIREMENTS
Site Area	48 037m <sup>2</sup>	1300.00m <sup>2</sup>
Lot Width	430m	40.0
Lot Depth	107m	30.0
Site Coverage (existing)	32.5%	75.0%
Site Coverage (proposed)	34.9%	75.0%
Total Floor Area	14 625m <sup>2</sup>	N/A
F.A.R. (existing)	0.33	1.0
F.A.R. (proposed)	0.35	1.0
Height	7.3m (max)	the lesser of 15.0m or 4 storeys
Setbacks (Addition to Building "E")		
- Front (hwy.97)	N/A	4.5m (Hwy.97 Setback)
- Rear (north)	14.5m	0.0m
- Side(east)	N/A	0.0 m
- Side (west)	N/A	0.0 m
Setbacks (New Building "H")		
- Front (hwy.97)	N/A	4.5m (Hwy.97 Setback)
- Rear (horth)	0.72m	0.0m
- Side(east)	N/A	0.0 m
- Side (west)	0.61m	0.0m

Parking Stalls (#)	Existing: 779 stalls  <b>Proposed: 717 stalls</b>	COK req: 1.75 pre 100 m <sup>2</sup> /GFA Total Required: 256 stalls  <b>MOT req. 4.4 pre 100 m<sup>2</sup>/GFA Total Required=585 stalls</b>
Bicycle Parking Class 1	8	8

#### 4.0 SITE CONTEXT

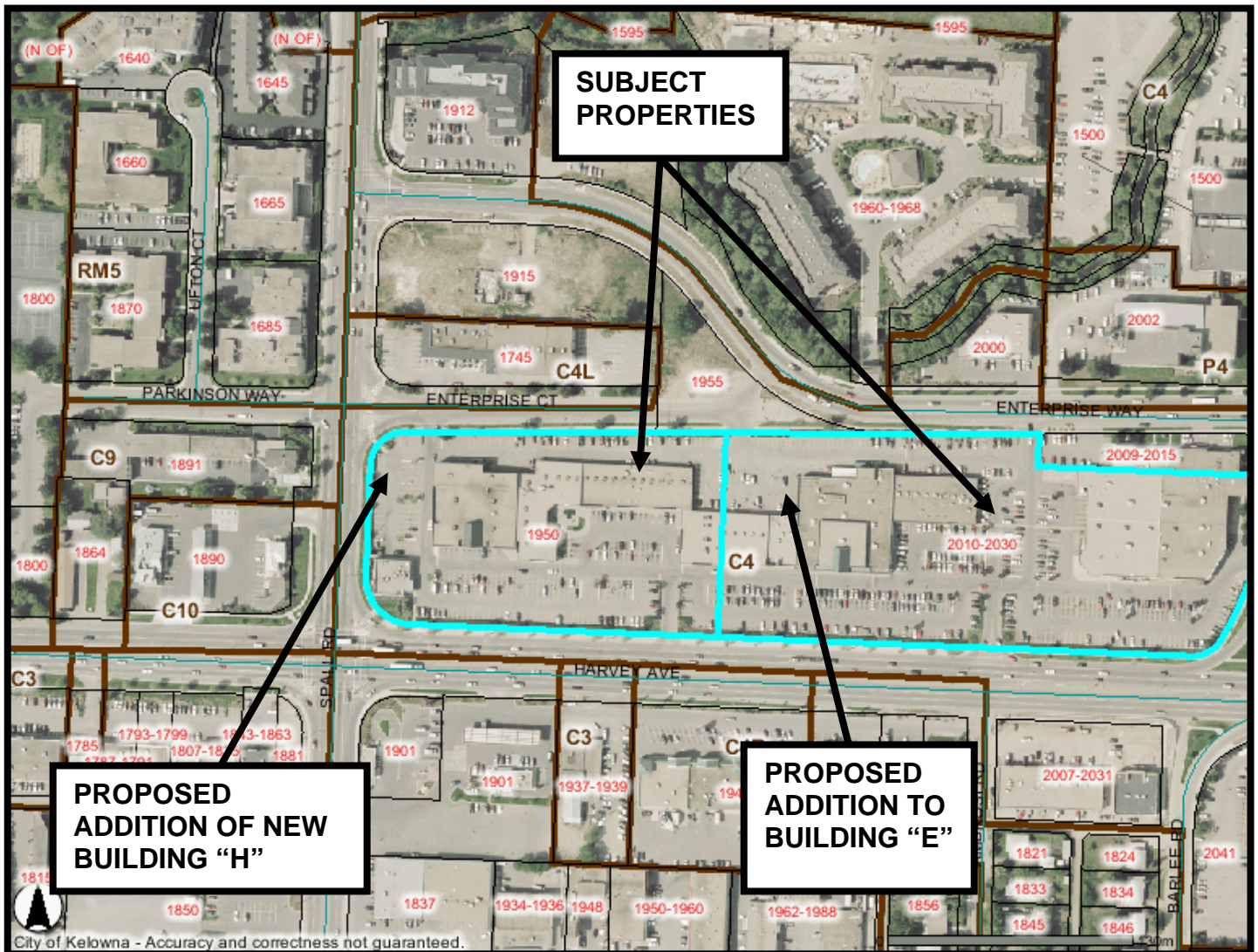
The subject property is located on Harvey Avenue between Spall Road and Hardy Street.

Adjacent zoning and existing land uses are to the:

- North - RM5 - Medium Density Multiple Housing
  - P4 - Utilities
  - C4 - Urban Centre Commercial
- East - C4 - Urban Centre Commercial
- South - C4 - Urban Centre Commercial
  - C10 - Service Commercial
- West - C9 - Tourist Commercial
  - C10 - Service Commercial
  - RM5 - Medium Density Multiple Housing

#### 4.1 Site Map

Subject Property: 1950 and 2010-2030 Harvey Avenue



#### 4.2 Existing Development Potential

The property is zoned C4 – Urban Centre Commercial. The purpose of community commercial centres is to serve more than one neighbourhood. The use of the proposed development must be consistent with uses permitted in the C4 zone.

#### 4.3 Current Development Policy

##### 4.3.1 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.

During the evaluation of this development permit application, staff will consider the following criteria for development in Urban Centres:

##### Access

- Design should facilitate pedestrian and bicycle access.
- Vehicle access and on-site circulation should minimize interference with pedestrian movement
- Vehicle access from arterial or collector roads is discouraged. Where possible, such access should be achieved from a local road or lane.
- Pedestrian access should be clearly marked.

##### Amenities

- Appropriate, high quality, public spaces which provide links to surrounding areas and open space relief should be encouraged;
- Amenities such as benches, garbage receptacles etc. should be encouraged to provide a pedestrian-friendly environment.

##### Building Massing

- Developments with multiple, separate buildings should be designed in such a manner that individual buildings are of different, but compatible shapes, masses, and exterior finishes.
- Commercial, industrial and multiple-unit residential developments should be sensitive to and compatible with the massing and rhythm of the established streetscape. Detailed design features of existing buildings should be emulated if such features are of design value.
- Commercial, industrial, and multiple-unit residential developments should have no more than a one storey height gain between adjacent uses within 5.0 m of the side property line where the adjacent property is not designated for higher density redevelopment. Height gains will also need to comply with Zoning Bylaw provisions.

##### Crime Prevention

- Guidelines for Crime Prevention Through Environmental Design Guidelines (CPTED) should be followed.

##### Environmental Considerations

- Projects should be designed to minimize the impacts of climatic conditions such as excessive heat, cold and wind.

### Landscaping

Landscaping should:

- enhance public views
- provide noise buffering
- assist in improving air quality
- complement buildings' architectural features
- enhance the edges of buildings
- screen parking areas from view (with vegetation, berms, low walls, fences etc.)
- provide visual buffers of new buildings, particularly of blank walls
- provide colour
- create shade
- create design interest
- retain required sight distances (from roadways)
- contribute towards a sense of personal safety and security
- facilitate the access, enjoyment and social activities for all authorized users
- provide equal access for mobility-challenged individuals

### Parking

- Parking areas should, wherever possible and safe, be located either under buildings or at the rear or side of main buildings.
- Mutual access agreements providing for co-ordination and connection of parking lots should be encouraged.
- Pedestrian circulation areas within parking lots should be convenient and clearly identified, preferably with distinct paving and/or landscaping treatment.
- Within multiple unit residential projects, underground parking is encouraged.

### Relationship to the Street

- Buildings containing uses attracting visits from the general public should be located as close to the front property line as practical and as permitted under prevailing zoning regulations.
- People-oriented facilities (store entrances, café seating areas, displays, signage) should be focussed along public streets and in front of buildings.
- Storefronts should incorporate large windows such that passers-by can see in and occupants can "look out".
- Awnings or overhangs should be included, where suitable, to provide sheltered environments for pedestrians and to aid in energy conservation.
- Buildings at key intersections should be designed to highlight the corner. Design treatments could include setbacks at the corner, accentuated entrances and additional height using, for instance, towers and cupolas.
- Restaurants are encouraged to provide outdoor patio dining areas.

### Signs

- The placement, size and format of signs shall be such that signs can be easily read by pedestrians (e.g. store signs should be at pedestrian eye level, not just on awnings).

## 5.0 TECHNICAL COMMENTS

This application was circulated to various City Departments and Technical Agencies and the following comments were received:

### 5.1 Works and Utilities

The Works & Utilities Department have the following requirements associated with this development application.

#### 5.1.1 Site Servicing and Fire Protection

The developer's consulting mechanical engineer will determine the domestic and fire flow requirements of this proposed development.

Site servicing issues will be reviewed and comments forwarded to the applicant at Building Permit stage.

#### 5.1.2 Road Improvements

Harvey Avenue, Enterprise Court and Spall Road have been fully urbanized and no further work is anticipated at this time

Grant statutory-rights-of-way without charge, if required for utility services.

#### 5.1.3 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.

Bonding for required off-site construction must be provided, and may be in the form of cash or an irrevocable letter of credit, in an approved format. The owner must also enter into a servicing agreement in a form provided by the City prior to issuance of a development permit.

#### 5.1.4 Geotechnical and Environmental Report

As a requirement of this application and/or prior to issue of a building permit, the following will be required:

- A geotechnical assessment to verify the site suitability for development, unstable soils, etc.
- List extraordinary requirements that may be required to accommodate construction of roads and underground utilities as well as building foundation designs.
- 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.

#### 5.1.5 Development Permit and Site Related Issues

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 dry-wells and perforated pipe bedded in drain rock.

Provide bicycle-parking space in a visible location at the front of the building.

#### 5.1.6 Administration Charge

An administration charge will be assessed for processing of this application, review and approval of engineering designs and construction inspection. The administration charge is calculated as 3% of the total off-site construction costs, not including design. 6% GST will be added and is total amount must be paid prior to issuance of the Building Permit.

#### 5.2 Inspection Services

No concerns.



## 6.0 PLANNING AND DEVELOPMENT SERVICES COMMENTS

The Planning and Development Services Department has no concerns with this Development Permit application. The proposed improvements are consistent in design with the existing development and the proposed Building "H" will help improve the pedestrian orientation of the site along Spall Road. Staff will require that the applicant add additional lighting in the parking area adjacent to the London Drugs addition in order to increase the safety of this area.

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Shelley Gambacort  
Acting Manager of Development Services

Approved for inclusion

Mary Pynenburg, MRAIC MCIP  
Director of Planning & Development Services

MP/SG/rs

Attach.

**ATTACHMENTS**

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

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