
CITY OF KELOWNA

MEMORANDUM

DATE: June 19, 2008

TO: City Manager

FROM: Planning and Development Services Department

APPLICATION NO. Z08-0024

OWNER: Young & Hamel Motors LTD., (INC NO 50702)

AT: 580 Harvey Avenue

APPLICANT: Cheviot Properties Ltd.

PURPOSE: TO REZONE THE SUBJECT PROPERTY FROM THE C4 – URBAN CENTRE COMMERCIAL ZONE TO THE C7 – CENTRAL BUSINESS COMMERCIAL ZONE.

EXISTING ZONE: C4 – URBAN CENTRE COMMERCIAL

PROPOSED ZONE: C7 – CENTRAL BUSINESS COMMERCIAL

REPORT PREPARED BY: Alec Warrender

1.0 RECOMMENDATION

THAT Rezoning Application No. Z08-0024 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, District Lot 139, ODYD, Plan 36595, located at 580 Harvey Avenue, Kelowna B.C., from the C4 – Urban Centre Commercial zone to the C7 – Central Business Commercial zone be considered by Council;

THAT the zone amending bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the zone amending bylaw be considered in conjunction with Council's consideration of a Development Permit on the subject properties;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Works & Utilities Department being completed to their satisfaction;

2.0 SUMMARY

The applicant has applied to rezone the subject property from the C4 – Urban Centre Commercial to the C7 – Central Business Commercial zone. A Development Permit for the form and character of the proposed development has also been submitted.

3.0 ADVISORY PLANNING COMMISSION

At a meeting held on April 8, 2007, the APC passed the following motions:

THAT the Advisory Planning Commission support Rezoning Application No. Z08-0024, for 580 Harvey Avenue, Lot A, Plan 36595, Sec. 24, Twp. 25, Sec. 19, Twp. 26, ODYD by Cheviot

Properties Ltd. (0749687 BC Ltd.), to rezone the subject property from the C4 – Urban Centre Commercial zone to the C7 – Central Business Commercial zone.

4.0 THE PROPOSAL

The applicant is seeking to obtain a Development Permit for the construction of an office building. The subject 1,5381 m² property is located on the corner of Harvey Avenue and Bertram Street. The proposed office building will have a total floor area of 2,702.2m². The applicant has proposed a total of 28 parking stalls where a total of 36 are required, the applicant has agreed to pay cash-in-lieu of the required parking.

The proposed development compares to the C7 zone as follows:

CRITERIA	PROPOSAL	C7 ZONE REQUIREMENTS
Development Regulations		
Floor Area Ratio	1.76	9.0
Height	21.5 m	22m
Front Yard (south)	4.5 m	0.0 m / 4.5 m Hwy setback
Side Yard (east)	3.0 m	3.0 m
Side Yard (West)	7.9 m	0.0 m
Rear Yard (north)	0.0 m	0.0 m
Other Regulations		
Minimum Parking Requirements	28 stalls (*)	36 stalls (1.3 * 27 = 36 stalls)
Bicycle Parking	(to be shown on revised plan)	Class I: 6 Class II: 15
Loading	(to be shown on revised plan)	2 spaces

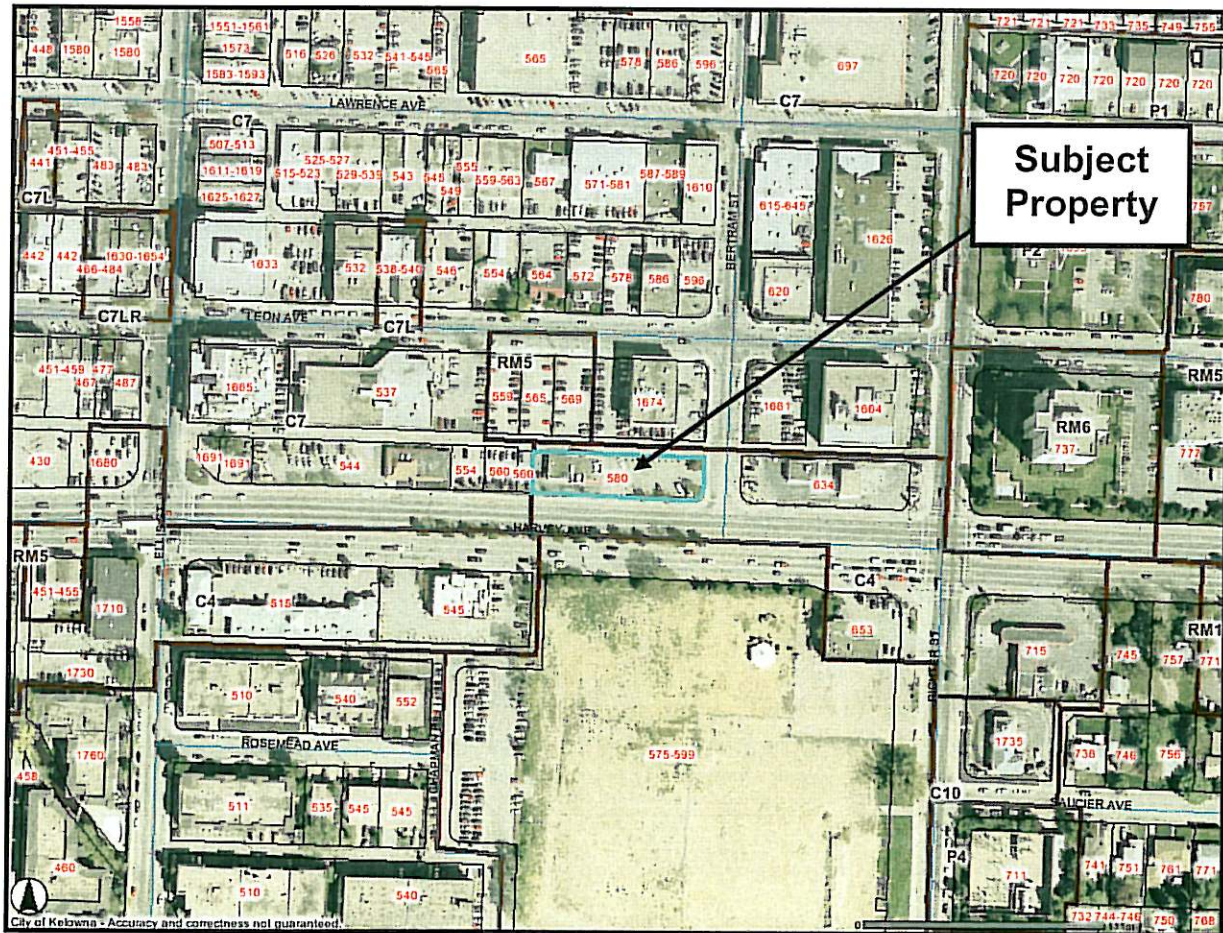
(*) The applicant has agreed to provide cash-in-lieu of the required parking

4.1 Site Context

Direction	Zoning Designation	Land Use
North	C7 – Central Business Commercial	Commercial
East	C4 – Urban Centre Commercial	Commercial
South	P2 – Education & Minor Institutional	Former K.S.S site
West	C7 – Central Business Commercial	Commercial

4.2 Site Location

580 Harvey Avenue

5.0 TECHNICAL COMMENTS5.1 Inspections Services

Applicant has addressed concerns.

5.2 Works & Utilities

See Attached.

6.0 PLANNING COMMENTS

Staff suggested that the applicant rezone the subject property to the C7 zone which would allow the development to accommodate additional office space (FAR) and is consistent with the adjacent commercial zones. The development of office space in this area is a step in the right direction and is welcome in the City Centre.

The overall design of the building was well received. Although commercial space at grade is desirable it is not feasible due to parking and site configuration. As can be seen on the elevations the applicant was responsive to Staff's recommendation that the base of the building

be opened up and fitted with decorative screens to allow sightlines into and from the parking below the building.



Shelley Garnbaccort
Planning & Development Services

SG/aw

Attachments

- Location Map
- Site Plan & Elevations
- Works & Utilities - Comments

CITY OF KELOWNA
MEMORANDUM

Date: February 26, 2008
File No.: DP08-0027 DVP08-0025
To: Planning & Development Services Department (AW)
From: Development Engineering Manager (SM)
Subject: 580 Harvey Ave. 5 story office building with at grade parking Lot A Plan 36595
Variance on Height and number of storeys

These are W. & U. initial comments and they may be subject to MOT requirements

1. Domestic Water and Fire Protection

- (a) The proposed development site is serviced with a 38mm diameter water service. The developer must engage a consulting mechanical engineer to determine the domestic and fire flow requirements of this development, it is anticipated a larger service will be required. Only one water service is permitted. Unused services must be removed at the applicant's cost.

The estimated cost of this construction for bonding purposes is **\$10,000.00**.

- (b) 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. The boulevard irrigation system must be integrated with the on-site metered irrigation system.
- (c) The developer must obtain the necessary permits and have all existing utility services disconnected prior to removing or demolishing the existing structures. The City of Kelowna water meter contractor must salvage existing water meters, prior to building demolition. If water meters are not salvaged, the developer will be invoiced for the meters.

2. Sanitary Sewer

- (a) The proposed development site is serviced with two 100mm-diameter sanitary services. The developer's consulting mechanical engineer will determine the requirements of this development.
- (b) Only one sanitary service is permitted and all unused services must be removed and capped at the applicant's cost. It is anticipated a larger sanitary sewer service will be required. The estimated cost for bonding purposes is **\$8,000.00**.

3. Storm Drainage

- (a) The developer must engage a consulting civil engineer to provide a storm water management plan for the site, which meets the requirements of the City Storm Water Management Policy and Design Manual. The storm water management plan must also include provision of lot grading plan, minimum basement elevation (MBE), and recommendations for onsite drainage containment and disposal systems.
- (b) Provide a lot-grading plan.
- (c) Storm drainage systems for the site will be reviewed and approved when a site design is submitted.

4. Road Improvements

- (a) Harvey Avenue fronting this development is fully urbanized. There are no improvements anticipated at this time. The existing access from Bertram Street must be removed and restored to an urbanized standard. The estimated cost for bonding purposes is **\$9,000.00**.
- (b) Damage to existing curb, sidewalk and road surfaces will likely occur during the excavation and construction period. Replacement of damaged works, as determined by the city engineer, will be at the developer's expense.
- (c) Site access and egress designs must be submitted for approval by the City Works & Utilities Department. This is required to guarantee that the requirements and the limitations of access and egress required by the City have been addressed to the City's satisfaction.

5. Road Dedication and Subdivision Requirements

Grant statutory rights-of-way if required for utility services.

6. Electric Power and Telecommunication Services

The electrical and telecommunication services to the building must be installed in an underground duct system. 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.

7. Geotechnical Report

As a requirement of this application and / or prior to issue of a building permit, the applicant must provide a modified geotechnical report prepared by a Professional Engineer qualified in the field of hydro-geotechnical survey to address the following:

- (a) Area ground water characteristics.
- (b) Site suitability for development; i.e. unstable soils, etc.
- (c) 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, analyze soil sulphate content, identify

unsuitable underlying soils such as peat, etc. and make recommendations for remediation if necessary.

- (d) List extraordinary requirements that may be required to accommodate building foundation designs.

8. Bonding and Levy Summary

(a) Bonding

Road Access Modifications	\$ 9,000.00
Water Service Upgrades	\$10,000.00
Sanitary Service Upgrades	\$ 8,000.00

Total Bonding \$27,000.00

NOTE: The bonding amounts shown above are comprised of estimated construction costs escalated to include engineering design and contingency protection and do not including utility service costs. 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 building permit.

9. Survey Monuments and Iron Pins

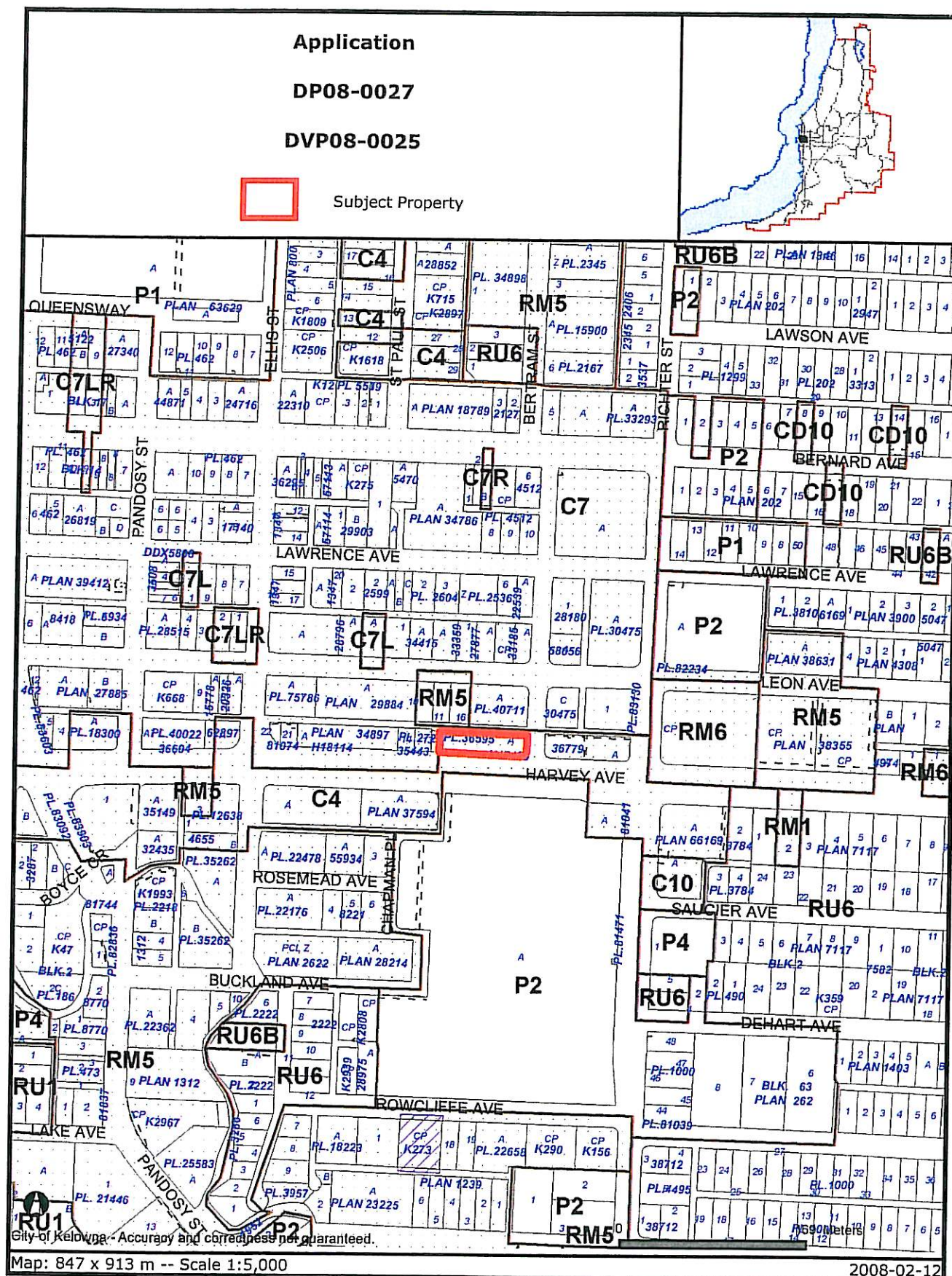
If any legal survey monuments or property iron pins are removed or disturbed during construction, the developer will be invoiced a flat sum of \$1,200.00 per incident to cover the cost of replacement and legal registration. Security bonding will not be released until restitution is made.

10. Development Permit, Development Variance Permit and Site Related Issues

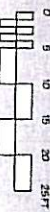
- (a) The development will be required to contain and dispose of site generated storm water on the site by installing a ground recharge system consisting of drywells and perforated pipe bedded in drain rock.
- (b) The requested building height and storey's variance does not compromise Works and Utilities servicing requirements

11. Administration Charge

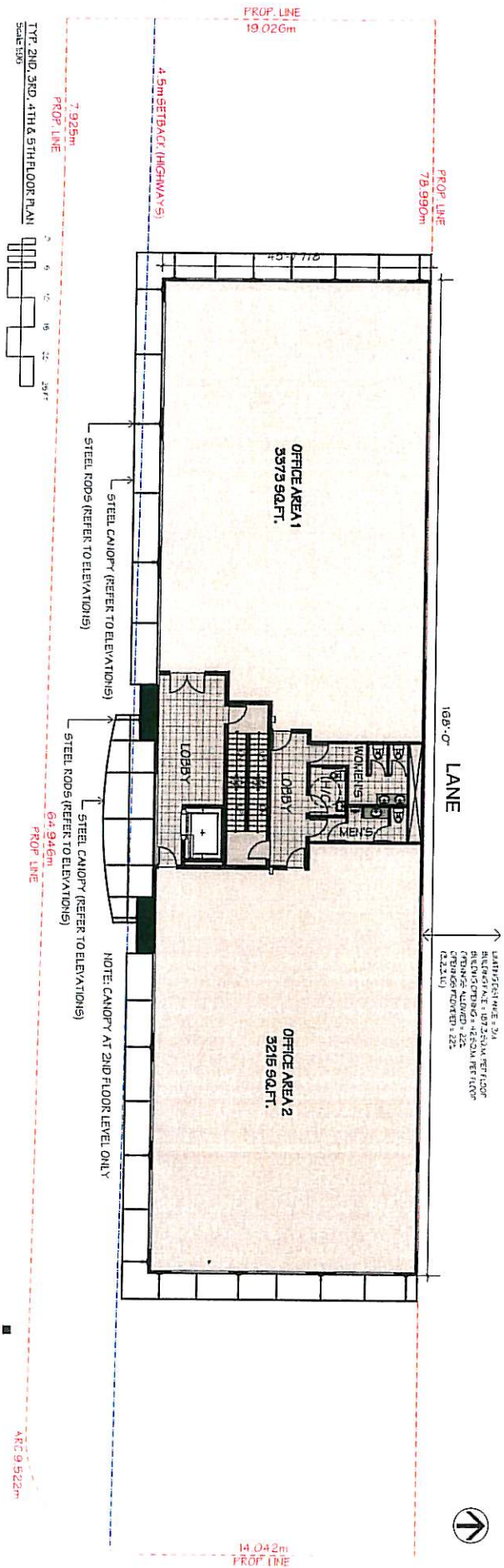
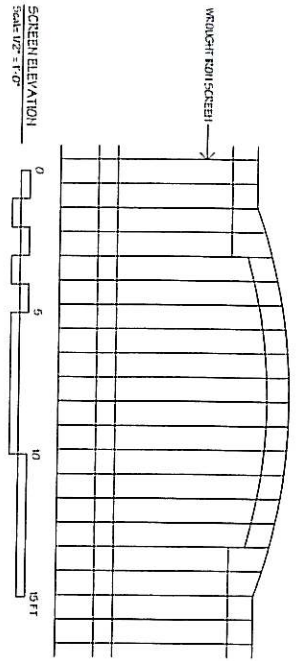
An administration charge will be assessed for processing of this application, review and approval of engineering designs and construction inspection. The administration charge is calculated as (3% of Total Off-Site Construction Cost plus GST) in the amount of **\$515.16** (\$486.00 + 29.16 GST)



Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.
 The City of Kelowna does not guarantee its accuracy. All information should be verified.

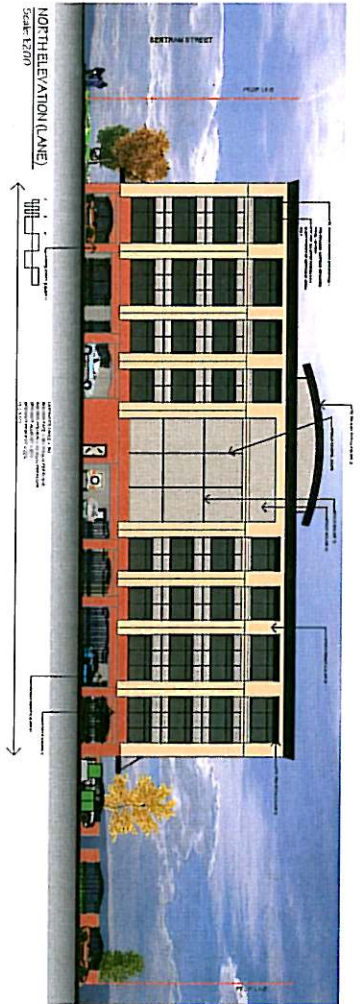
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HARVEY AVENUE (HIGHWAY 37)



BERTRAM STREET

Office Building for Christof Depentus Ltd
580 Honey Avenue, Kelowna, B.C.



Office Building for Most Properties Ltd
580 Honey Avenue, Kelowna, B.C.

REVISIONS: APRIL 14/08 REVISED SITE LAYOUT FOR APC
MARCH 18/08 REVISED UTM DIST ON NORTH ELEV. AND ADDED DIMENSIONING
MARCH 28/08 ADDED BIKE PARKING & WATER METER RM

LANDSCAPE SECTION
Scale 1/2" = 1'-0"

EXISTING CONC. STEWALK

SHALE (SCAFFOLD AND RESEALANT)

PLANTS & PLANTS

CONCRETE WALL

PLANTS OUT GRASS

WALL OF BUILDING

WING FOR ECH SCREEN

OPENING IN BUILDING

PLANTS GRASS

LED LIGHTING

0 15 FT

0 2 FT

WALL SECTION
Scale 1/2" = 1'-0"

