

Memo

DATE: May 14, 2010
TO: City Manager
FROM: Community Sustainability Division



APPLICATION: DP10-0008 **OWNER:** T 252 Enterprises Ltd., Inc. No. 680506

AT: 435 Harvey Avenue **APPLICANT:** John Adams

PURPOSE: To consider a Development Permit for the form and character of the proposed car wash.

EXISTING ZONES: C4 - Urban Centre Commercial

PROPOSED ZONE: C3 - Community Commercial

REPORT PREPARED BY: Alec Warrender

1.0 RECOMMENDATION

THAT Final Adoption of Text Amending Bylaw No. 10320 be considered by Council;

THAT Final Adoption of Zone Amending Bylaw No. 10311 be considered by Council;

THAT Council authorize the issuance of Development Permit No. DP10-0008 for Lot A, D.L. 139, ODYD, Plan 35149 located at 435 Harvey Avenue, Kelowna, 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 THAT the applicant be required to complete the above-noted condition No. 4 within 180 days of Council approval of the Development Permit application in order for the permit to be issued.

A handwritten signature in blue ink, appearing to be "JW".

2.0 SUMMARY

The purpose of this application is to consider the form and character of the proposed car wash which includes three indoor wash bays and four outdoor (covered) wash bays. Significant landscaping has been provided around the perimeter of the subject property with a landscaped trellis proposed for the elevation facing Harvey Avenue.

3.0 ADVISORY PLANNING COMMISSION

At a meeting held on March 30th, 2010 the APC passed the following motion:

THAT the Advisory Planning Commission support Text Amendment Application No. TA10-0004, for 435 Harvey Avenue, to consider a Text Amendment to Zoning Bylaw No. 8000 to change the wording for the Service Station, Minor definition.

Comment:

The APC supports this stand alone text amendment application for this definition change, recognizing that the restriction of 3 bays is limiting and the inclusion of 6 bays allows for a more economically viable business venture for this stand alone use. However, the Advisory Planning Commission thought this development land use was not the highest and best use for this highway location.

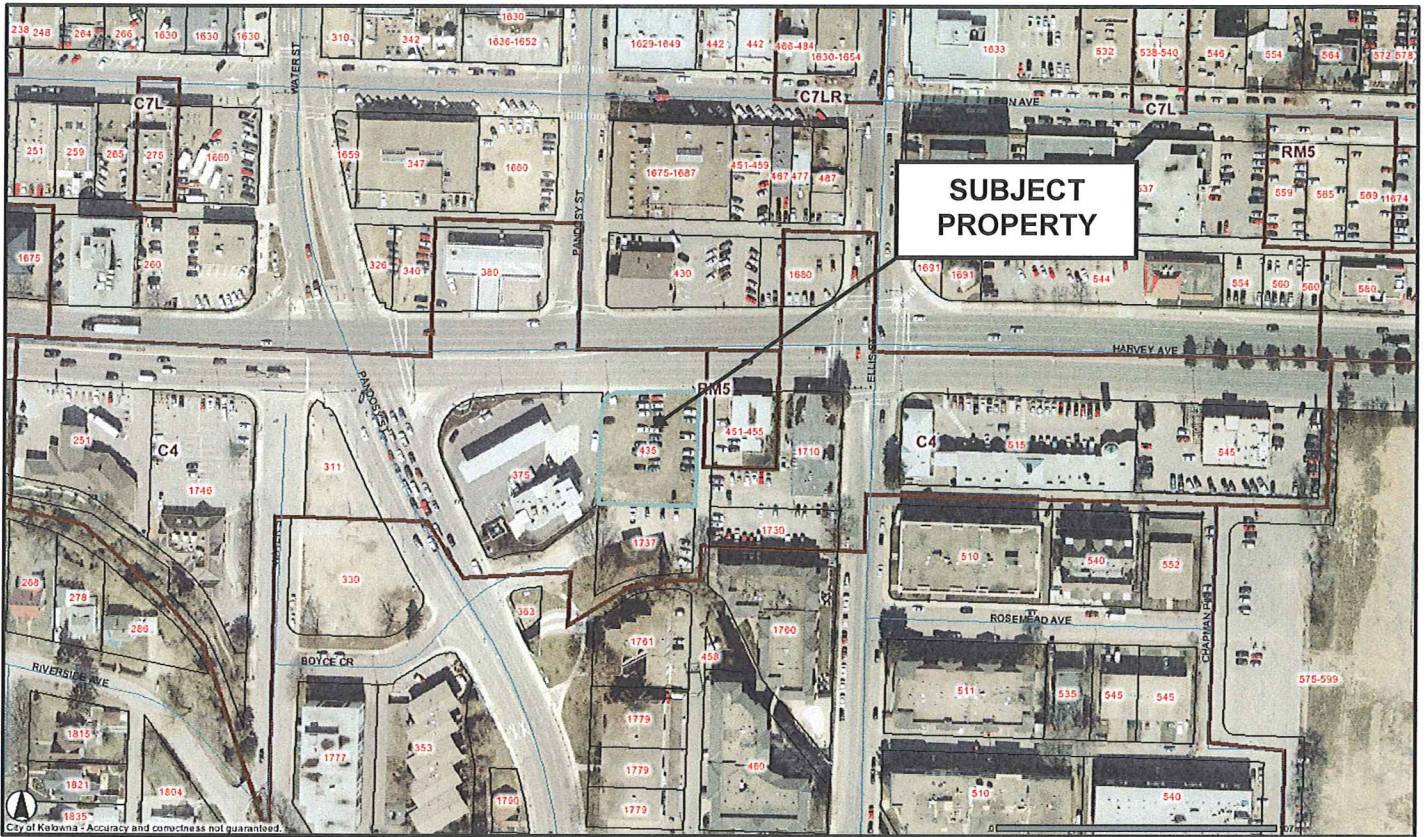
4.0 THE PROPOSAL

A one-storey, six bay carwash is proposed, with three enclosed wash bays and three covered bays. The design of the proposed building includes a projecting roof with timber beams. A trellis with landscaping is proposed for the elevation facing the Harvey Avenue while earth toned colours will be used for the building walls (see attached). Significant landscaping has been provided around the perimeter of the subject property. Vehicular access has been secured through an access easement with the neighbouring car wash property. Queue areas for the wash bays have been provided on the site plan. The application compares to the requirements of Zoning Bylaw No. 8000 as follows:

Zoning Bylaw No. 8000		
Criteria	Proposed	C3 Zone Requirements
Floor Area Ratio (FAR)	0.12	1.0 commercial project
Site Coverage	12%	50%
Height	6.95m	15.0m
Front yard (N)	4.5m	3.0m
Side yard (S)	0.3m	0.0m
Side yard (E)	8.0m	2.0m
Rear yard (W)	14.4m	0.0m
Other Regulations		
Vehicle Parking	Total Parking Stalls = 1 stall	1 stall (1 per employee)
Bicycle Parking	2 stalls	2 required
Loading stalls	1 stall	1 stall
Queuing stalls	2 stalls per wash bay	2 stalls per wash bay

4.1 SUBJECT PROPERTY MAP:

435 Harvey Avenue



4.2 Site Context

The adjacent land uses are as follows:

<i>Direction</i>	<i>Zoning Designation</i>	<i>Land Use</i>
North	C7 - Central Business Commercial	Commercial
West	C4 - Urban Centre Commercial	Commercial
South	C4 - Urban Centre Commercial	Commercial
East	RM5 - Medium Density Multiple Housing	Apartment

5.0 TECHNICAL COMMENTS

5.1 Building & Permitting

Building permit required. Engineering may be required. Exiting from bays is to be addressed, man door is required (to be addressed at this stage).

5.2 Development Engineering Branch

See Attached

5.3 Environment

This car wash facility must adhere to the design requirements for connection to the sewerage system, which are outlined within City of Kelowna Bylaw 6618-90 (Sanitary Sewer/Storm Drain Regulation Bylaw).

5.4 Fire Department

There is a hydrant on Harvey Ave. in which I cannot determine from the application if the existing hydrant is accessible. Fire Truck access is from an easement and a lane, therefore a 6M paved access is required for emergency vehicles.

5.5 Ministry of Transportation

The Ministry has no objections to the proposed land-use as presented in the referral package received March 3, 2010. Please consider the appropriate site distances when planning landscaping and signage placement.

6.0 LAND USE MANAGEMENT DEPARTMENT COMMENTS

The subject property lies within the area along Harvey Avenue identified in the Downtown Plan as appropriate for auto-oriented uses. While this is not the highest and most efficient use of this prominent highway location, the proposal has merits and will compliment the other auto-dominated uses that are within the vicinity. Access will be gained through an access agreement with the gas station to the west and the lane located to the east of the subject property.

A projecting roof with timber beams are proposed, this helps to add articulation to the elevations. The earth toned colours help to provide a sensitive aesthetic that will fit in well with the downtown highway area. The landscape plan improves the existing site with larger plantings proposed on either side of the building and along the highway frontage. The trees will help to break-up the vehicular dominance of the site, while softening the building elevations. The proposal meets bylaw standards for parking, queuing and traffic flow. Signage is to be addressed through a Building Permit for signage at a later date.



Danielle Noble
Manager, Urban Land Use

Approved for inclusion:



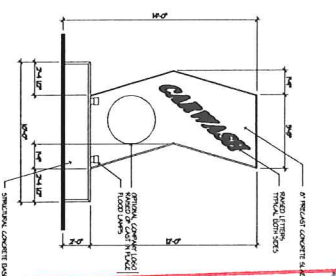
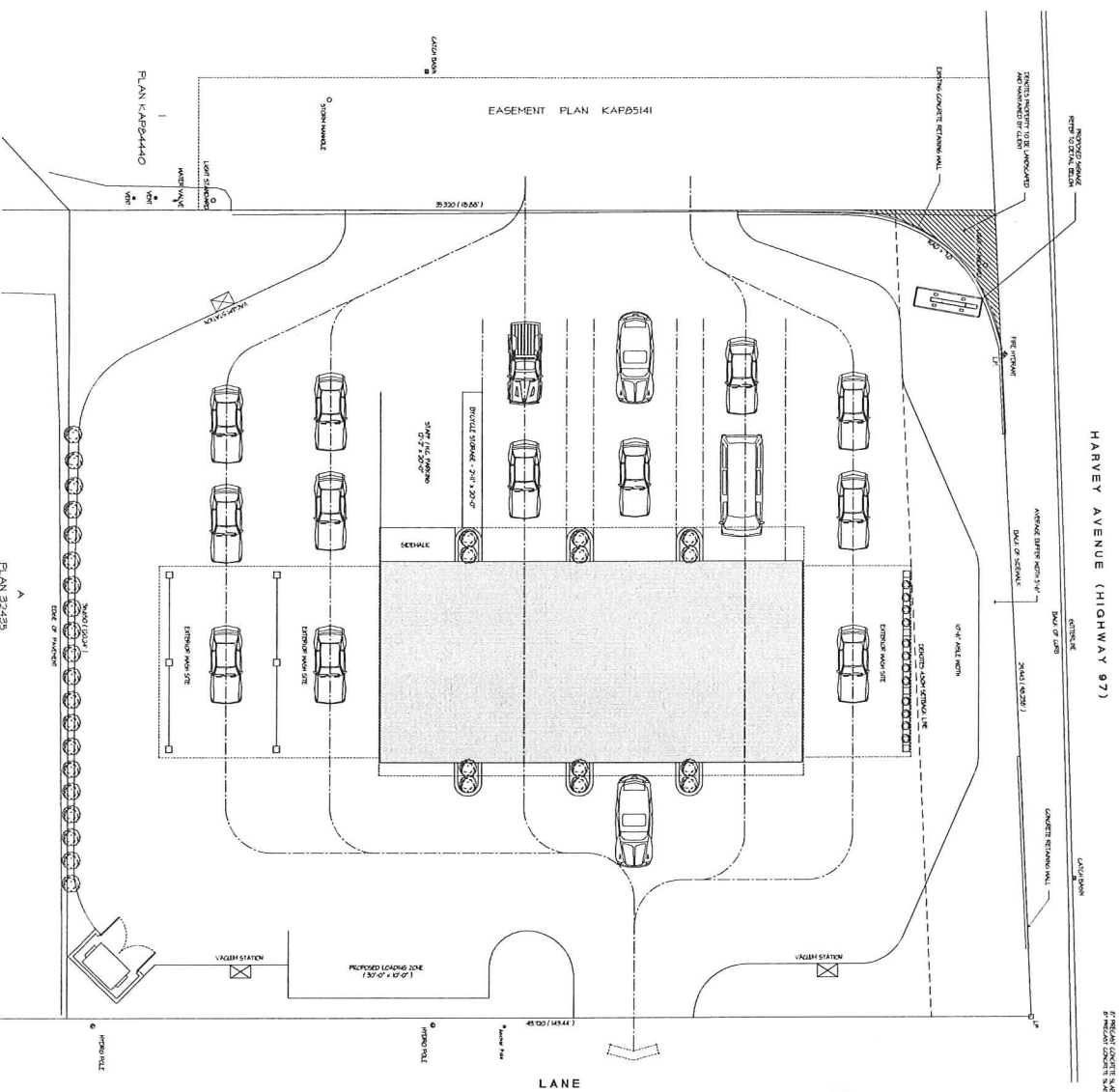
Shelley Gambacort
Director, Land Use Management

Attachments:

Subject Property Map
Site Plan
Elevations
Landscape Plan
Development Engineering Requirements

Chronology

Date Application Accepted January 20, 2010
APC February 16, 2010
Rezoning & Text Amendment Public Hearing May 4, 2010



SCHEDULE A
 This forms part of development
 Permit # DP10-0008

- NOTES**
1. ALL DIMENSIONS UNLESS OTHERWISE NOTED.
 2. ALL DIMENSIONS TO FACE UNLESS OTHERWISE NOTED.
 3. ALL DIMENSIONS TO CENTERLINE UNLESS OTHERWISE NOTED.
 4. ALL DIMENSIONS TO FACE UNLESS OTHERWISE NOTED.
 5. ALL DIMENSIONS TO CENTERLINE UNLESS OTHERWISE NOTED.
 6. ALL DIMENSIONS TO FACE UNLESS OTHERWISE NOTED.
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 11. ALL DIMENSIONS TO CENTERLINE UNLESS OTHERWISE NOTED.
 12. ALL DIMENSIONS TO FACE UNLESS OTHERWISE NOTED.
 13. ALL DIMENSIONS TO CENTERLINE UNLESS OTHERWISE NOTED.
 14. ALL DIMENSIONS TO FACE UNLESS OTHERWISE NOTED.
 15. ALL DIMENSIONS TO CENTERLINE UNLESS OTHERWISE NOTED.

SITE PLAN
SCALE: 1/8" = 1'-0"

TED J. THOMAS & ASSOCIATES LTD.
 2220 W. GARDEN AVENUE, VANCOUVER, BC V6K 1A5
 PHONE: 250-343-5200
 FAX: 250-343-5200
 E-MAIL: TTT@TJTA.COM

PROJECT:
MORGES CARWASH
 459 HARTY AVE. NELSON, BC
 DRAWN BY: BERTHOLD
 DATE: 11/28/2008
 FILE NAME: SITE PLAN
 CHK. BY: T. THOMAS

PERMIT:
 A110

NO.	REVISION	DATE
1	ISSUED FOR PERMIT	11/28/2008
2	REVISED PER PLAN COMMENTS	12/15/2008
3	REVISED PER PLAN COMMENTS	12/15/2008
4	REVISED PER PLAN COMMENTS	12/15/2008
5	REVISED PER PLAN COMMENTS	12/15/2008
6	REVISED PER PLAN COMMENTS	12/15/2008
7	REVISED PER PLAN COMMENTS	12/15/2008
8	REVISED PER PLAN COMMENTS	12/15/2008
9	REVISED PER PLAN COMMENTS	12/15/2008
10	REVISED PER PLAN COMMENTS	12/15/2008
11	REVISED PER PLAN COMMENTS	12/15/2008
12	REVISED PER PLAN COMMENTS	12/15/2008
13	REVISED PER PLAN COMMENTS	12/15/2008
14	REVISED PER PLAN COMMENTS	12/15/2008
15	REVISED PER PLAN COMMENTS	12/15/2008

DATE:

SCALE:

NOTES:

1. ALL DIMENSIONS UNLESS OTHERWISE NOTED.

2. ALL DIMENSIONS TO FACE UNLESS OTHERWISE NOTED.

3. ALL DIMENSIONS TO CENTERLINE UNLESS OTHERWISE NOTED.

4. ALL DIMENSIONS TO FACE UNLESS OTHERWISE NOTED.

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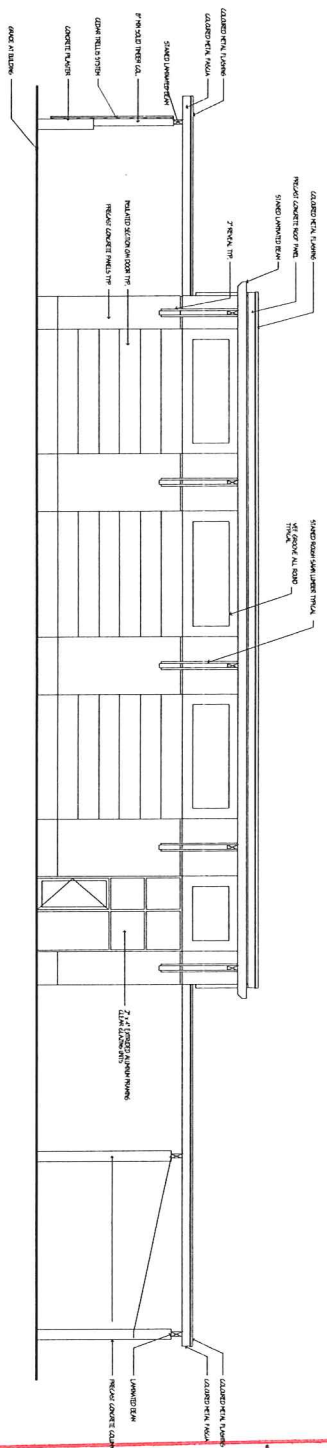
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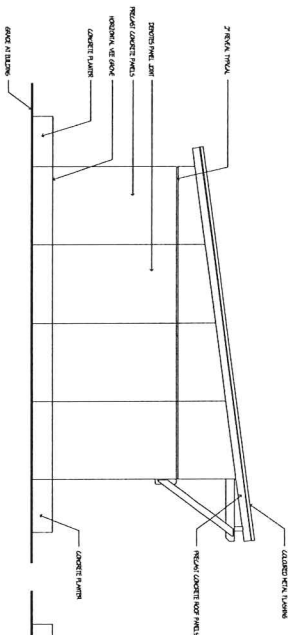
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15. ALL DIMENSIONS TO CENTERLINE UNLESS OTHERWISE NOTED.

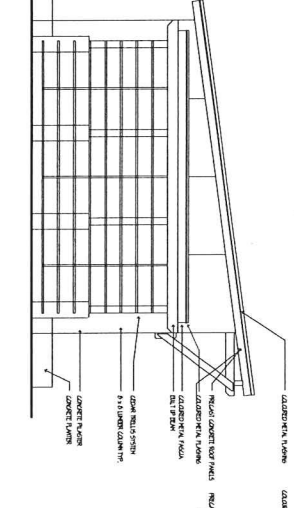
FRONT - WEST ELEVATION
SCALE: 3/8" = 1'-0"



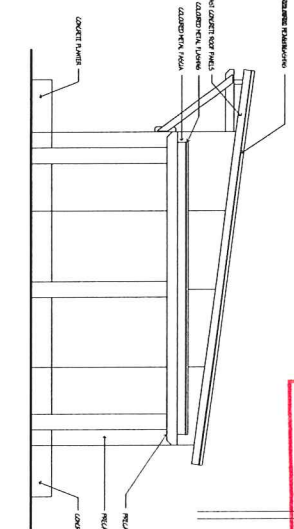
LHS - NORTH ELEVATION
SCALE: 3/8" = 1'-0"
(INCLUDES GARAGE DOOR)



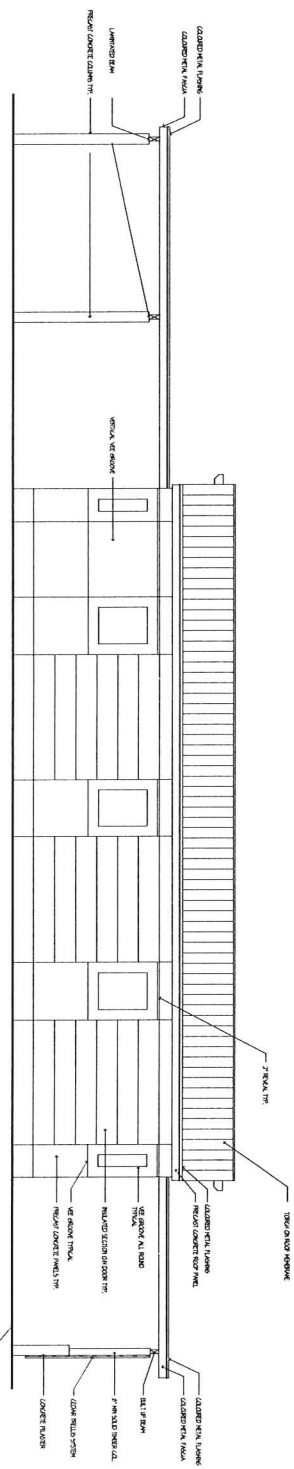
LHS - NORTH ELEVATION
SCALE: 3/8" = 1'-0"



RHS - SOUTH ELEVATION
SCALE: 3/8" = 1'-0"




REAR - EAST ELEVATION
SCALE: 3/8" = 1'-0"



EXTERIOR ELEVATIONS

SCHEDULE B.
This forms part of development
Permit # DP10-0008

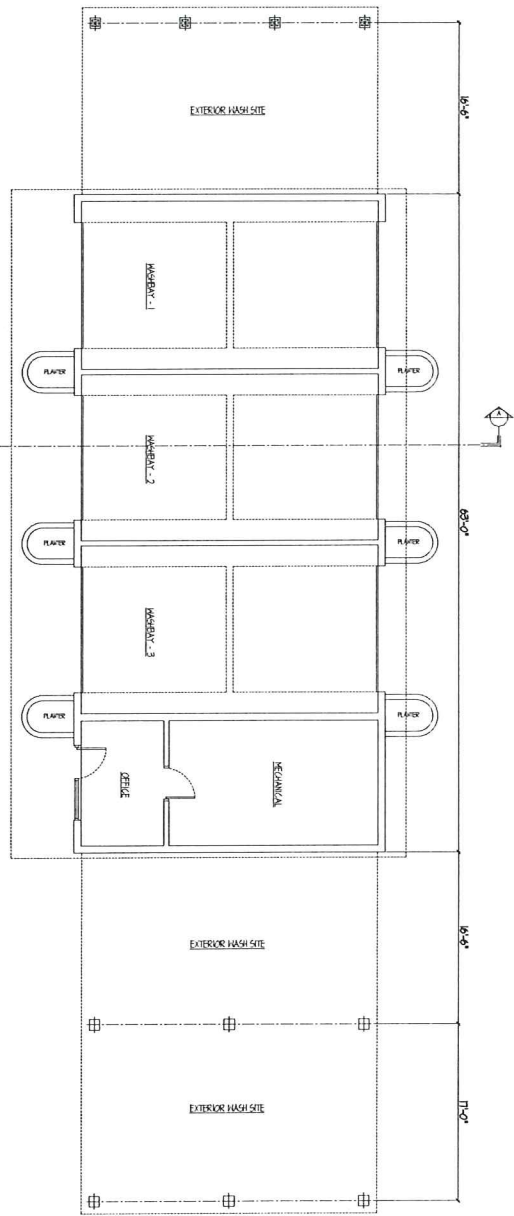
NO.	DATE	REVISIONS
1		ISSUED FOR PERMIT
2		REVISIONS


TED J. THOMAS & ASSOCIATES LTD.
 220-210 PAVILION AVE.
 VANCOUVER, B.C. V6K 3K2
 TEL: 604-275-2222
 FAX: 604-275-2222
 E-MAIL: ted@tedjthomas.com

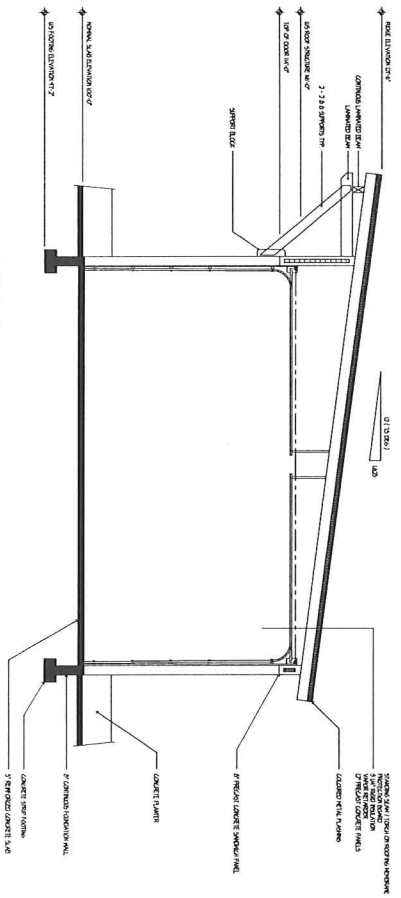
PROJECT:
 MORGAN LEWIS
 455 HUNTER AVE. NELSON
 DRAWN BY: T. BETHUNE
 DATE: 20/12/2008
 FILE NAME: 10100000
 CDR BY: T. BETHUNE

THIS DRAWING IS SHOWN AS PART OF A DEVELOPMENT PERMIT APPLICATION AND IS NOT TO BE CONSIDERED A CONTRACT DOCUMENT. ANY CHANGES TO THIS DRAWING SHALL BE MADE BY THE ARCHITECT AND NOTED ON THE DRAWING. THE ARCHITECT'S LIABILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE BUILDING AND DOES NOT EXTEND TO THE DESIGN OR CONSTRUCTION OF ANY OTHER WORKS OR SERVICES. THE ARCHITECT'S LIABILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE BUILDING AND DOES NOT EXTEND TO THE DESIGN OR CONSTRUCTION OF ANY OTHER WORKS OR SERVICES.

13.0



FLOOR PLAN
SCALE - 3/8" = 1'-0"



SECTION A-A - A'
SCALE - 1/4" = 1'-0"

FLOOR PLAN / SECTION

SCHEDULE B
This forms part of development
Permit # D110-0008

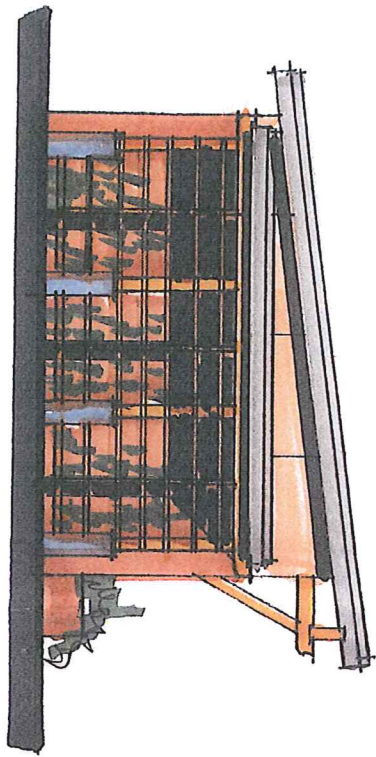
DATE	REV	DESCRIPTION
1/15/20	A	ISSUE FOR PERMIT
1/15/20	B	CORRECTED

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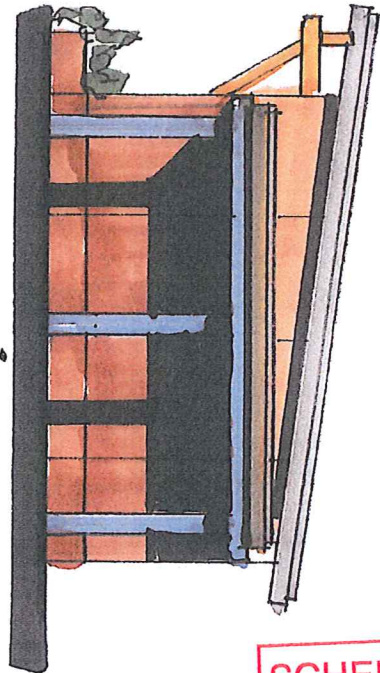
TED J. THOMAS
ARCHITECTS
2225 CENTRAL AVE.
SEASIDE, CA 92083
PHONE: 760.753.5200
FAX: 760.753.5201
E-MAIL: ted@tedjthomas.com

PROJECT
PROPOSED CAR WASH
JOHN ADAMS
425 WAREY AVE. SELMA, CA
DATE: 10/20/21 REVISION: B
DRAWN BY: ESTELLE
DATE: 10/20/21
FILE NAME: TJK21A
CHK BY: TJK21A

A2.0



NORTH (HWY 97) ELEVATION



SOUTH ELEVATIONS

SIDE ELEVATIONS
SCALE: 1/8" = 1'-0"

SCHEDULE B
 This forms part of development
 Permit # D10-0008

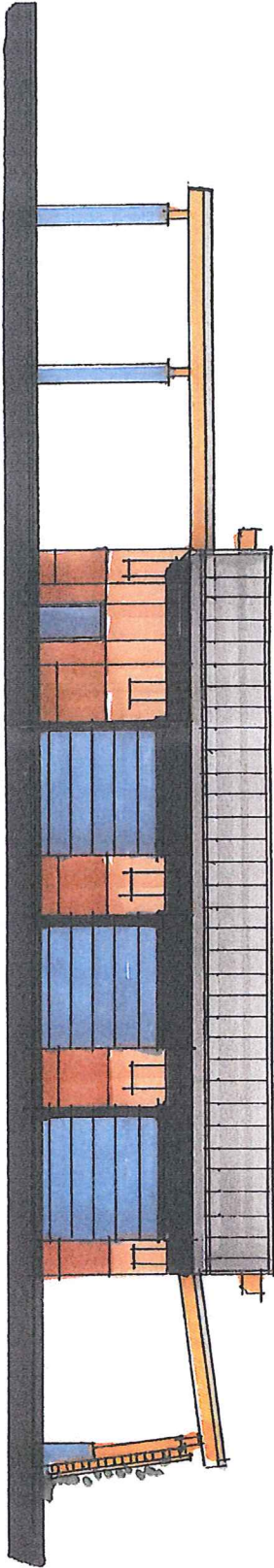
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3	REVISED	
4	REVISED	

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DATE _____

TED J. THOMAS
 ARCHITECT
 2200 N. 20TH AVE., SUITE 100
 DENVER, CO 80202
 PHONE: 303.733.3300
 FAX: 303.733.3300
 CELL: 303.993.3300
 WWW: T.J.THOMAS.COM

FOR SET:
 PREPARED BY: JAMES
 JOHN ADAMS
 429 HANCOCK AVE. BELLEVUE, WA
 98004
 PHONE: 206.461.2000
 FAX: 206.461.2000
 CELL: 206.461.2000
 WWW: JADAMS.COM



EAST ELEVATION
SCALE: 1/8" = 1'-0"

SCHEDULE B
This forms part of development
Permit # DP10-0008

REVISIONS	
NO.	DATE
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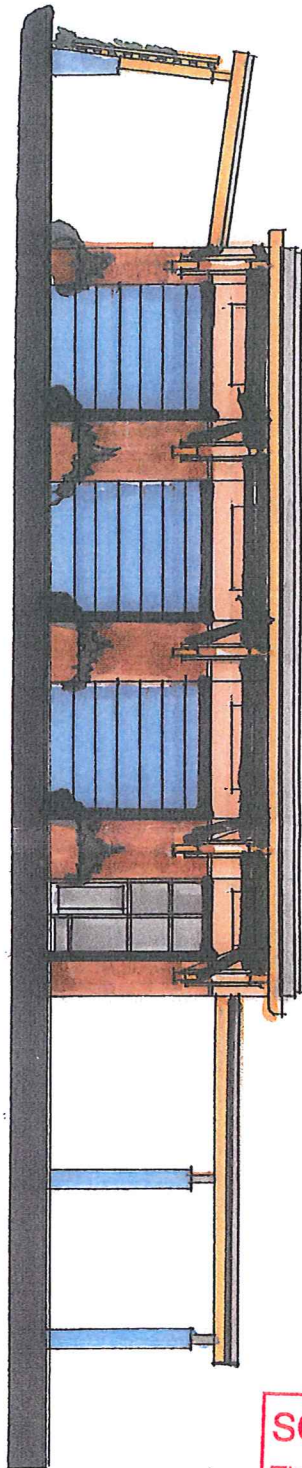
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DATE

PROJECT

TED J. THOMAS
ARCHITECTS & ASSOCIATES LTD.
2000 WEST 10TH AVENUE
SUITE 200
VANCOUVER, BC V6M 2K6
TEL: 604-271-1111
FAX: 604-271-1112
WWW.TJTHOMAS.COM

PROJECT: **PROPOSED CASPARUKI**
JOHN ADAMS
409 HANCOCK AVE. BELMONT, B.C.
JOB NO.: 2009-271
DRAWN BY: **STEFANIE**
CHECKED BY: **STEFANIE**
DATE: 2009-08-20
FILE NAME: 1001114
DWG: 1001114.DWG



WEST (FRONT) ELEVATION
SCALE: 1/8" = 1'-0"

SCHEDULE B
This forms part of development
Permit # DP10-0008

NO.	REVISION
1	ISSUED FOR PERMIT
2	REVISED
3	REVISED
4	REVISED

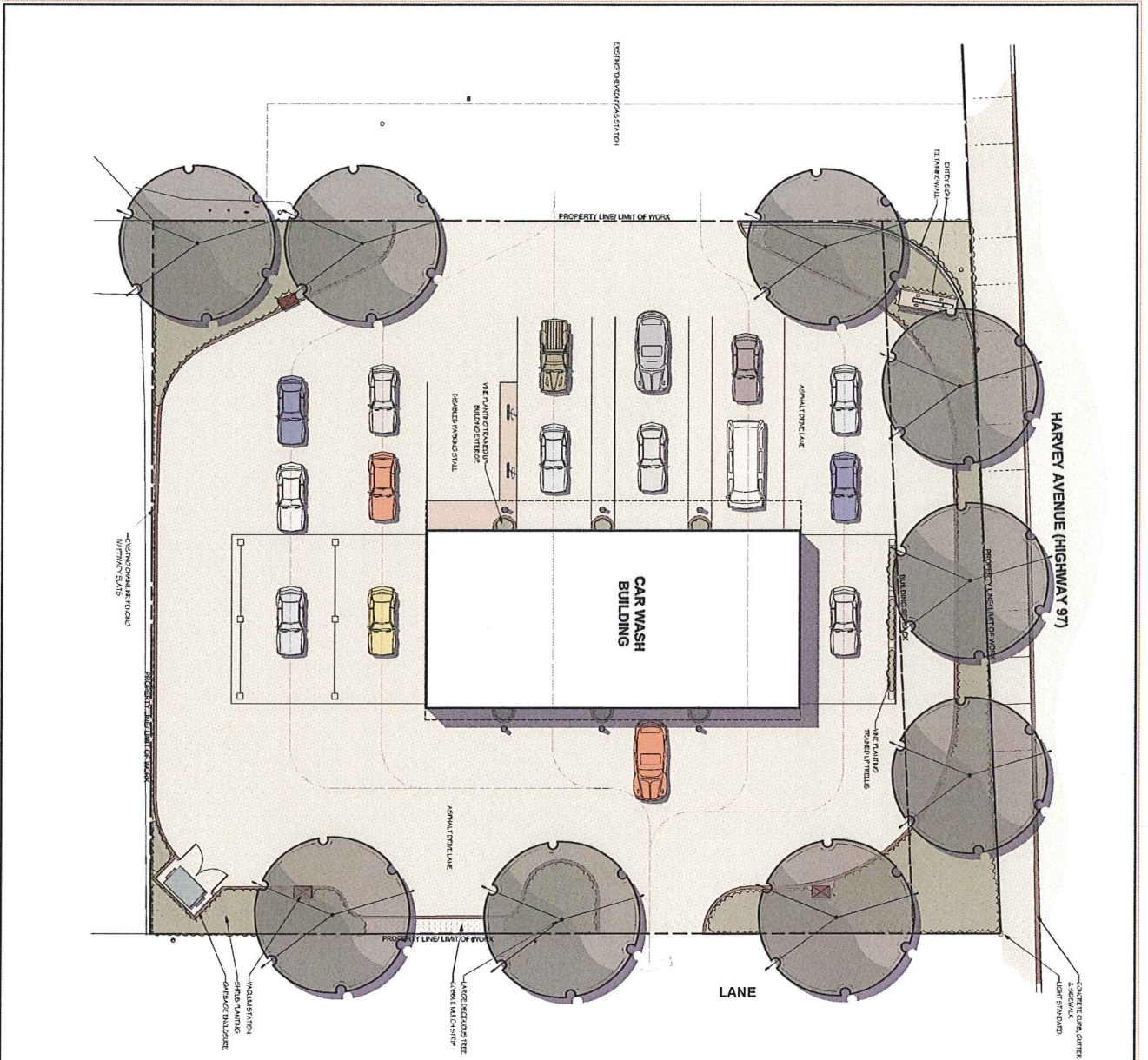
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DATE

DATE

TED J. THOMAS
ARCHITECTURE LTD.
2220A WILSON AVE. V1V 4G6
PHONE: 250-363-5200
FAX: 250-363-5200
WWW.TJTHOMAS.COM

PROJECT: HORNBY CATHARA
50N AVENUE
499 HORNBY AVE. BELMUNA
DESIGNED BY: EDUARDO
DRAWN BY: JACOBUS
FILE NAME: 101114
PLOT DATE: 01/20/2014



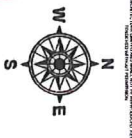
PLANT LIST

SYMBOL	COMMON NAME	REMARKS
	LARGE REDWOOD TREE	1. PLANT MATERIAL AND DIMENSIONS SHALL BE AS SPECIFIED IN THE PLANT LIST.
	MEDIUM REDWOOD TREE	2. ALL SETBACKS SHALL BE MAINTAINED AT ALL TIMES.
	SMALL REDWOOD TREE	3. TREE PLANTING SHALL BE COMPLETED WITHIN 90 DAYS OF PERMIT ISSUANCE.
	MEDIUM EVERGREEN TREE	4. TREE PLANTING SHALL BE COMPLETED WITHIN 90 DAYS OF PERMIT ISSUANCE.
	SMALL EVERGREEN TREE	5. TREE PLANTING SHALL BE COMPLETED WITHIN 90 DAYS OF PERMIT ISSUANCE.
	MEDIUM DECIDUOUS TREE	6. TREE PLANTING SHALL BE COMPLETED WITHIN 90 DAYS OF PERMIT ISSUANCE.
	SMALL DECIDUOUS TREE	7. TREE PLANTING SHALL BE COMPLETED WITHIN 90 DAYS OF PERMIT ISSUANCE.

NOTES

1. PLANT MATERIAL AND DIMENSIONS SHALL BE AS SPECIFIED IN THE PLANT LIST.
2. ALL SETBACKS SHALL BE MAINTAINED AT ALL TIMES.
3. TREE PLANTING SHALL BE COMPLETED WITHIN 90 DAYS OF PERMIT ISSUANCE.
4. TREE PLANTING SHALL BE COMPLETED WITHIN 90 DAYS OF PERMIT ISSUANCE.
5. TREE PLANTING SHALL BE COMPLETED WITHIN 90 DAYS OF PERMIT ISSUANCE.
6. TREE PLANTING SHALL BE COMPLETED WITHIN 90 DAYS OF PERMIT ISSUANCE.
7. TREE PLANTING SHALL BE COMPLETED WITHIN 90 DAYS OF PERMIT ISSUANCE.

SCHEDULE C
 This forms part of development
 Permit # D910-0008



Site Plan Information
 Prepared by: [Name]
 205-1715 Oakman Ave, Kelowna, BC
 (250) 755-5200

Proposed Car Wash Facility
 435 Harvey Ave
 Kelowna, BC

Issued by / Revision:
 1. Development Permit: 10.02.12
 2. DP (Re-issue): 10.05.12
 3.
 4.
 5.

Project No.: 10-008
 Design By: XS
 Drawn By: XS
 Checked By: FC
 Date: May 12, 2010
 Scale: 1/100



CITY OF KELOWNA
MEMORANDUM

Date: February 23, 2010
File No.: Z10-0001 DP10-0008

To: Planning & Development Services Department (PMcV)

From: Development Engineering Manager

Subject: 435 Harvey Avenue Plan 35149 Lot A Carwash

Development Engineering has the following requirements associated with this development application. The road and utility upgrading requirements outlined in this report will be a requirement of this development.

The Development Engineering Technologist for this project is John Filipenko. AScT

These are our initial comments and are subject to MOT requirements.

1. Domestic Water and Fire Protection

- (a) Our records indicate that this development site is serviced with a 25mm-diameter copper water service from the watermain on Harvey Avenue. The developer must engage a consulting mechanical engineer to determine the flow requirements of this development and establish the service needs. It is anticipated that a larger water service will be required.
- (b) Only one service will be permitted for this development. The applicant, at his cost, will arrange for the decommissioning of all existing small diameter service and the installation of one new larger metered water service. The estimated cost of this construction for bonding purposes is **\$12,000.00**
- (c) 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. Boulevard landscaping, complete with underground irrigation system, must be integrated with the on-site irrigation system.

2. Sanitary Sewer

- (a) The developer's consulting mechanical engineer will determine the development requirements of this proposed development and establish the service needs.
- (b) Our records indicate that this property is currently serviced from a main within the abutting lane with two 100mm-diameter sanitary services. Only one service will be permitted for this development.

The applicant, at his cost, will arrange for the capping of all existing unused services at the main, as well as the installation of one new larger service. The estimated cost for construction for bonding purposes is **\$6,000.00**

3. Storm Drainage

- (a) The developer must engage a consulting civil engineer to provide a storm water management plan for this site which meets the requirements of the City Storm Water Management Policy and Design Manual. The drainage study should indicate the size and location of detention and treatment facilities on a Lot Grading Plan.
- (b) Our records indicate that this property is currently serviced from a main within the abutting lane with a 150mm diameter service. The on-site drainage system may utilize this existing connection as an overflow service.
- (c) Provide a Lot Grading Plan.

4. Road Improvements

- (a) Harvey Avenue: The existing driveway access which fronts this development will require modifications. The estimated cost for construction for bonding purposes is **\$6,000.00**
- (b) Lane: The lane fronting the development site will require pavement widening in conjunction with the required lane widening. The estimated cost of this construction for bonding purposes is **\$2,000.00**

5. Road Dedication and Subdivision Requirements

By registered plan to provide the following:

- (a) Dedicate an additional road allowance widening of 0.80m along the length of the lane to provide one half of the future 7.6m commercial width.
- (b) Road closure of the remnants of a corner rounding on the north west property corner.
- (c) Provide all necessary Statutory Rights-of-Way for any utility corridors required, including those on proposed or existing City Lands.
- (d) If any road dedication or closure affects lands encumbered by a Utility (such as Gas, Hydro, etc.) please obtain the approval of the utility. Any works required by the utility as a consequence of the road dedication or closure must be incorporated in the construction drawings submitted to the City's Development Manager.

6. Electric Power and Telecommunication Services

The electrical and telecommunication services to this development 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 developer's cost.

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.

8. Development Permit And Site Related Issues

Should a revision to the site access and egress be required, drawings must be submitted for approval by MOT and the City development Engineering Department. This is required to guarantee that the requirements and the limitations of access and egress requirements have been met.

9. Bonding and Levy Summary(a) Bonding

Driveway modifications	\$ 6,000.00
Lane frontage improvements	\$ 2,000.00
Service Upgrades	\$ 18,000.00

Total Bonding **\$ 26,000.00**

NOTE: The bonding amounts 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 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.

10. Site Related Issues

- (a) Direct vehicular access onto Harvey Avenue will not be permitted.
- (b) An access agreement is in place with Chevron Canada. Ensure that the drive through exist is not blocked with vehicles in queue for the carwash bays.

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 **\$584.85** (\$557.00 + 27.85 GST)

Steve Muenz, P. Eng.
Development Engineering Manager
JF/jf