

# REPORT TO COUNCIL



**Date:** January 20, 2012

**To:** City Manager

**From:** Land Use Management, Community Sustainability (AW)

**Application:** Z11-0058                      **Owner:** Citizen Management Ltd., (Inc. No. 217830)

**Address:** 3327 Lakeshore Road                      **Applicant:** CTQ Consultants Ltd.

**Subject:** Rezoning

Proposed OCP Designation: Commercial

Existing Zone: C9 - Tourist Commercial

Proposed Zone: C4 - Urban Centre Commercial

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## 1.0 Recommendation

THAT Rezoning Application No. Z11-0058 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of part of Strata Lot 1-60, DL 14, ODYD, Strata Plan K533 together with an interest in the common property in proportion to the unit entitlement of Strata Lot as shown on Form 1, located at 3327 Lakeshore Road, Kelowna, BC, from C9 - Tourist Commercial to C4 - Urban Centre Commercial be considered by Council;

AND THAT Zone Amending Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of Zone Amending Bylaw be considered in conjunction with Council's consideration of a Development Permit on the subject property;

AND FURTHER THAT final adoption of Zone Amending Bylaw be considered subsequent to the requirements of the Development Engineering Branch being completed to their satisfaction.

## 2.0 Purpose

To rezone the subject property from C9 - Tourist Commercial to the C4 - Urban Centre Commercial zone in order to permit the construction of a two storey mixed use development. A Development Permit for the form and character of the development will be considered pending favourable consideration of the proposed land uses.

## 3.0 Land Use Management

The subject property is designated Commercial in the OCP and is within the South Pandosy Urban Centre, and the OCP supports commercial redevelopment within Urban Centres. The purpose of this application is to change the zoning from C9 - Tourist Commercial to C4 - Urban Centre

Commercial to allow for the construction of a Shoppers Drug Mart store with rental apartment units on the second floor. While the loss of visitor accommodation in an area close to the Okanagan Lake is regrettable, the Urban Centre location supports the C4 - Urban Centre Commercial zoning and therefore this application does conform. It is anticipated that this portion of the South Pandosy Town Centre will continue to develop with a mix of commercial, tourist commercial and residential uses. The proposed uses will help to create a complete community with a balance of jobs, homes and shopping. Although only a few residential units are proposed the project will create the ability to live close to inner-city employment.

The applicant worked with Staff prior to submitting the application to ensure that the building design was consistent with the 2030 OCP Design Guidelines. While Staff would prefer to see a complete redevelopment of the property without any surface parking, significant improvements were made to the overall quality of site and building design. The scale and form of development will fit within the South Pandosy Town Centre.

#### 4.0 Proposal

##### 4.1 Project Description

The applicant is proposing to demolish the existing 'Pandosy Inn' and develop the subject property with a two storey mixed use building. Shopper's Drug Mart will be the anchor tenant occupying the entire ground floor while 7 rental apartment units will be provided on the second storey. The required parking is located at grade and meets the requirements of the Zoning Bylaw. The landscape plan shows that a number of street trees will be added to the area while a few additional trees have been applied to help provide shade to the surface parking areas. The colours and materials consist of brick, stone and stucco, the applicant team has added significant glazing to allow views into the building and stair wells. The application compares with the requirements of Zoning Bylaw No. 8000 as follows:

<b>Zoning Bylaw No. 8000</b>		
<b>Criteria</b>	<b>Proposed</b>	<b>C4 Zone Requirements</b>
<b>Development Regulations</b>		
Floor Area Ratio (FAR)	0.40	1.0
Site Coverage (buildings)	27%	75%
Height	13m / 2 storeys	15m / 4 storeys
Front yard	5.17m	0.0m
Side yard (N)	1.65m	0.0m
Side Yard (S)	5.6m	0.0m
Rear yard	6.1m	0.0m
<b>Other Regulations</b>		
Vehicle Parking	43 spaces	34 stalls required 34 x 125% = 43 spaces max
Bicycle Parking	To be shown	Class I: 5 Class II: 18
Loading stalls	1 stall	1 stall

4.2 Site Context



The subject property is located at the south end of the South Pandosy Town Centre, and the existing motel will be demolished in order to accommodate the proposed development. The adjacent land uses are as follows:

<i>Direction</i>	<i>Zoning Designation</i>	<i>Land Use</i>
North	C4 - Urban Centre Commercial	Commercial
East	C4 - Urban Centre Commercial	Commercial
South	C9 - Tourist Commercial	Motel
West	C1 - Local Commercial	Parking

## 5.0 Current Development Policies

### 5.1 South Pandosy / KLO Sector Plan

#### Vision Statements

- A complete community with a balance of jobs, homes and shopping. The plan recognizes the need to encourage more local employment through commercial retail and service, offices and an enhanced agricultural industry. The ability to live close to inner-city employment will be fostered through a careful integration of higher density housing. A revitalized commercial district will improve access to a variety of services and retails businesses by tourists and local residents.
- Establishment of the South Pandosy Urban Town Centre with a mixture of commercial, multiple family housing forms and institutional uses.

#### South Pandosy Town Centre Policies

- Locate commercial and mixed-use buildings within the core business area close to the road corridor to minimize the distance between the sidewalk and the building front. Parking and service site uses should be located behind or within the building.
- Develop pedestrian connections to provide a continuous network of efficient pedestrian routes, in particular, to and from key destinations.
- Encourage mixed-use and multiple family residential buildings with useable exterior balconies and arcades. Also, encourage landscaping on the balconies and roof structures of these buildings.

### 5.2 Kelowna Official Community Plan 2030 (OCP)

#### 5.2.1 Development Process (Chapter 5) - Considerations in Reviewing Development Applications

#### Commercial Land Use Policies

##### **Encourage Mixed Use Development (Objective 5.24)**

Auto-Oriented Sites (Policy 1). Support (but do not require) inclusion of residential uses when auto-oriented commercial sites and strip malls redevelop. Live-work, student and rental housing is particularly encouraged. Where auto oriented sites are redeveloped within Urban Centres, redevelopment should create a higher density more walkable, and higher amenity site.

Retention of Commercial Land (Policy 2). In order to ensure that the City's commercial land supply is not eroded, where the OCP Bylaw 10500 indicated a commercial land use designation for the property, the expectation would be that there be no net loss of commercial space on the site as a result of the redevelopment to include other uses.

**Ensure that Urban Centres develop as vibrant commercial nodes (Objective 5.25).**

##### **Encourage Supply of Green Office Space (Object 5.27)**

*Green Office Space (Policy 1)*. Support rezoning that results in:

- Innovative, green office space; and
- an ability to locate close to other innovative firms (clustering); and
- proximity to collective green space (park or courtyard); and
- low-rise (max. 3 storey) buildings with a centre courtyard (to provide for interaction between businesses).

Where such can be provided within the Permanent Growth boundary, with preferred locations being the Urban Centres (see Map 5.11 Urban / Village Centres).

*Offices Near Transit (Policy 2).* Direct new office development to areas served by public transit.

### 5.2.2 Definitions (Chapter 17)

#### **Town Centre (S. Pandosy / Rutland / Capri-Landmark)**

A vibrant, amenity-rich area wherein different land uses frequently occur within the same building and almost always occur within a one-block area. Town Centres contain a variety of housing types, the presence of which contributes to social diversity. Town Centres are highly urbanized, pedestrian-friendly environments that draw people for work, shopping, and recreation from a broad community of approximately 25,000 residents living within approximately 2 kilometres. Town Centre cores are located at least 2 kilometres from the core of other Town Centres, a City Centre, or a Highway Centre. Density will decrease as the distance from the core increases.

## **6.0 Technical Comments**

### **6.1 Building & Permitting Department**

Building Permit required upon confirmation of land use.

### **6.2 Development Engineering Department**

See Attached.

### **6.3 Fire Department**

Fire department access, fire flows, and hydrants as per the BC Building Code and City of Kelowna Subdivision Bylaw #7900. The Subdivision Bylaw requires a minimum of 150ltr/sec flow. Additional comments will be required at the building permit application.

### **6.4 Fortis BC**

In response to the subject referral, the developer / owners will need to contact FortisBC at 1-866-436-7847 to make arrangements with FortisBC design to develop an electrical service plan for this proposal which may include the granting of SRWs as part of the plan.

### **6.5 Telus**

TELUS will provide underground facilities to this development. Developer will be required to supply and install conduit as per TELUS policy. Developer may be required to move existing TELUS X-Connect Cabinet.

## **7.0 Application Chronology**

Advisory Planning Commission: August 16, 2011

Application on Hold: At the applicants request the application was on hold from August 16<sup>th</sup>, 2011 - January 18<sup>th</sup>, 2012 for Shopper's Drug Mart to conclude their feasibility review.

The above noted application was reviewed by the Advisory Planning Commission at the meeting on August 16, 2011 and the following recommendation was passed:

THAT the Advisory Planning Commission supports Rezoning Application No. Z11-0058 by CTQ Consultants (G. Threlfall) to rezone the subject property from the C9 - Tourist Commercial zone to the C4 - Urban Centre Commercial zone.

Anecdotal Comment:

The Advisory Planning Commission supported the Rezoning Application as the C4 zoning fits in with the Pandosy Urban Centre. The Advisory Planning Commission also believes the C4 zone is more viable in this area than the C9 zone and noted there are ample opportunities for the C9 zone further down Lakeshore Road.

**Report prepared by:**



Alec Warrender, Land Use Planner

**Reviewed by:**



Danielle Noble, Manager of Urban Land Use

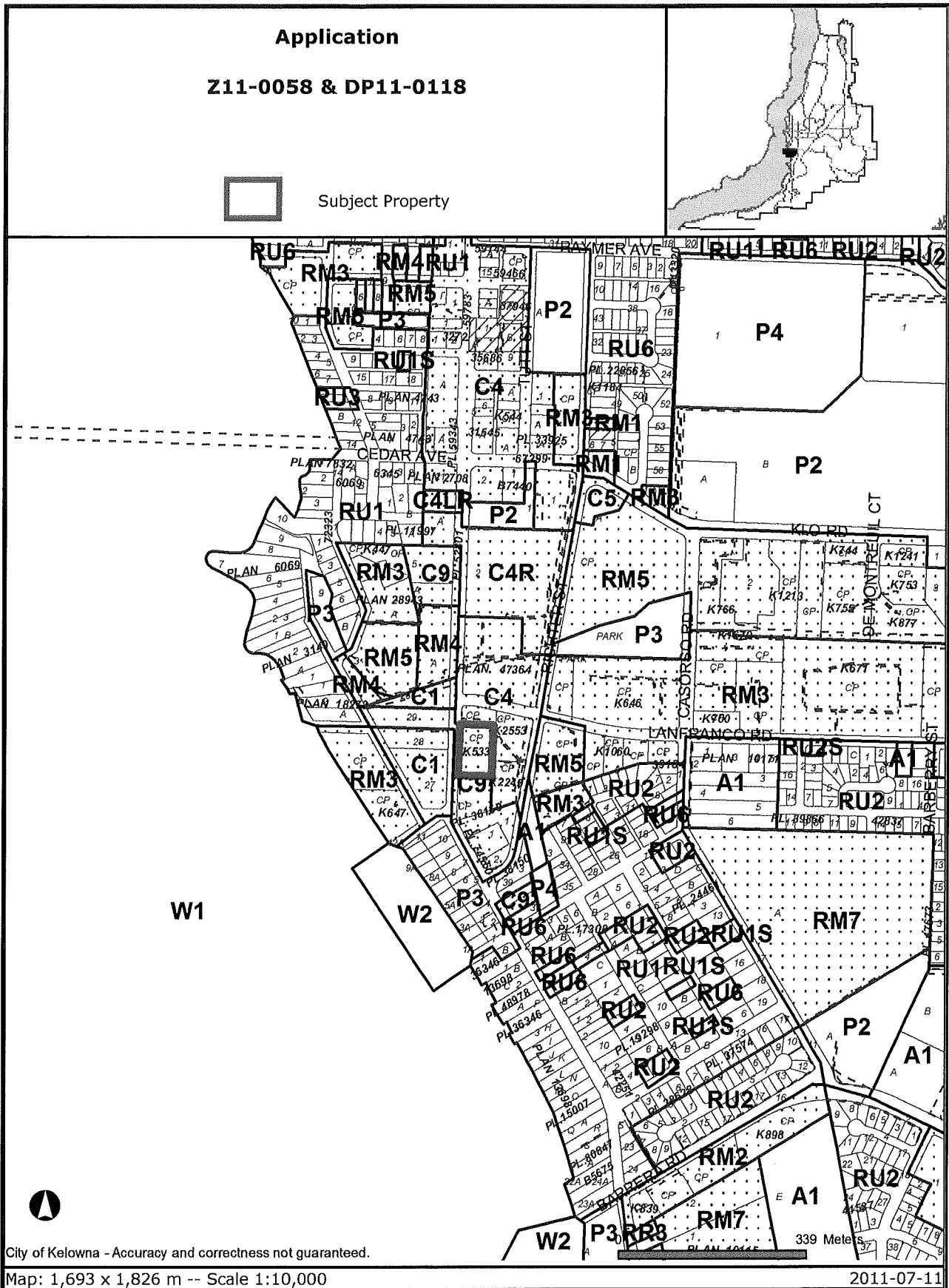
**Approved for Inclusion:**



Shelley Gambacort, Director of Land Use Management

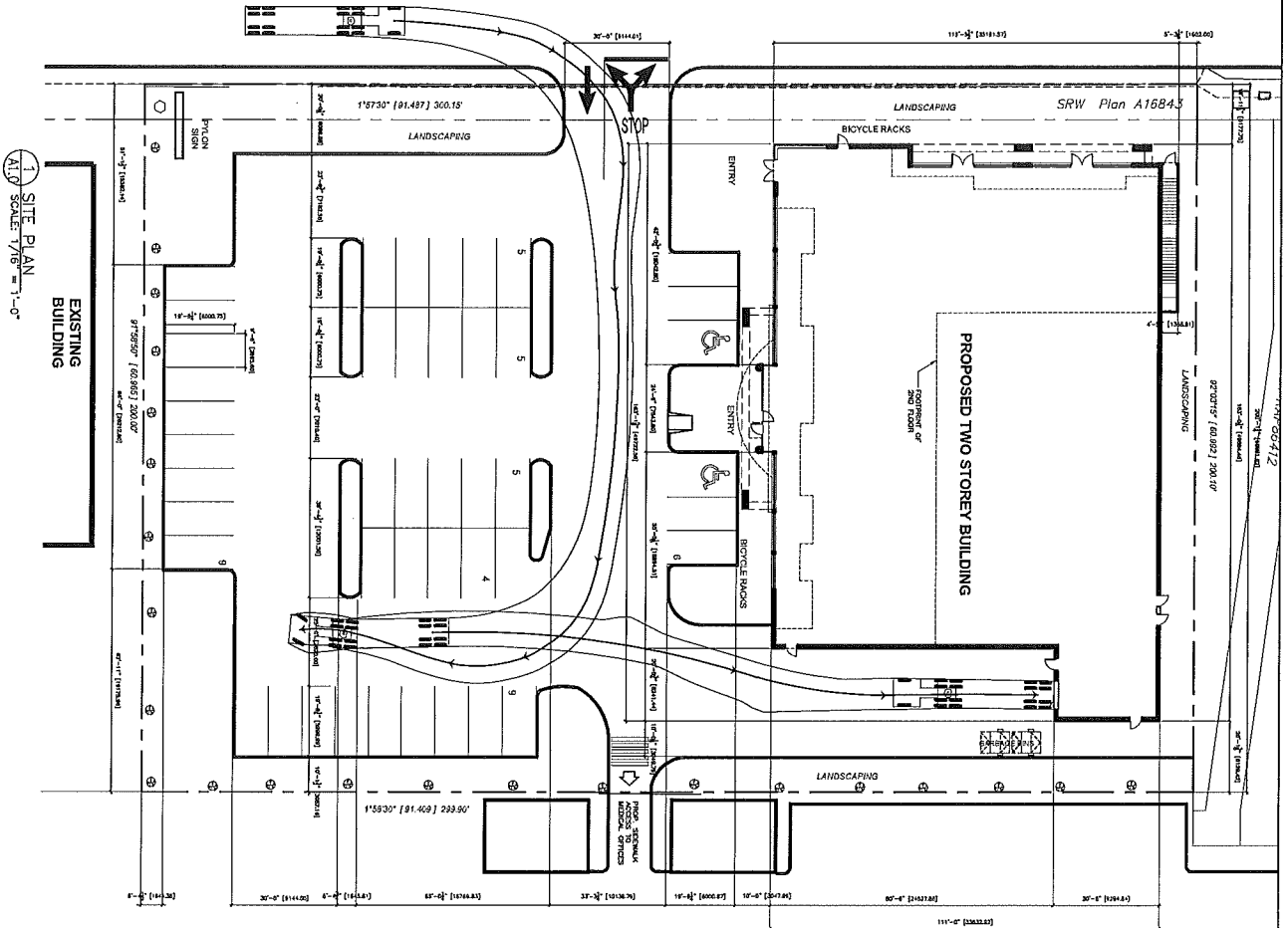
**Attachments:**

Subject Property Map  
Site Plan  
Building Elevations  
Schematic Rendering  
Landscape Plan



*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.*

LAKESHORE ROAD



1 SITE PLAN  
A1.0 SCALE 1/8" = 1'-0"

EXISTING  
MEDICAL  
BUILDING

EXISTING  
MEDICAL  
BUILDING

<b>SITE STATISTICS</b>	
<b>PROPOSED ZONING</b> - C4 - URBAN CENTRE COMMERCIAL	
<b>LEGAL DESCRIPTION</b> - LOT OF BLAN KASSER, D.L. 4, COXYD.	
<b>CHIC ADDRESS</b> - 3377 LAKESHORE ROAD	
<b>LOT AREA</b> - 5,572 m <sup>2</sup> (69,900 ft <sup>2</sup> )	
<b>PERMITTED MAXIMUM DENSITY</b> - 10 x 5,572 m <sup>2</sup> - 55,722 m <sup>2</sup> (69,900 ft <sup>2</sup> )	
<b>PERMITTED MAXIMUM HEIGHT</b> - 10.0 m (32.81 ft)	
<b>PROPOSED HEIGHT</b> - 12.00 m (39.37 ft)	
<b>PROPOSED FRONT SETBACK</b> - 0.0 m	
<b>PROPOSED SIDE SETBACK</b> - 1.0 m	
<b>PROPOSED REAR SETBACK</b> - 0.0 m	
<b>PROPOSED SITE COVERAGE</b> - 27%	
<b>SITE COVERAGE COVERAGE</b> - 7%	
<b>PROPOSED BUILDING HEIGHT</b> - 12.00 m	
<b>PROPOSED BUILDING HEIGHT</b> - 12.00 m	
<b>PROPOSED FRONT SETBACK</b> - 0.0 m	
<b>PROPOSED SIDE SETBACK</b> - 1.0 m	
<b>PROPOSED REAR SETBACK</b> - 0.0 m	
<b>PARKING REQUIREMENTS</b> 175 PER 1000 m <sup>2</sup> - 9,750 x 175 = 1706 SPACES	
<b>MINIMUM PARKING ALLOWED</b> - 45 SPACES x 125 = 5625 SPACES	
<b>PROPOSED PARKING</b> - 48 SPACES	
<b>LOADING REQUIREMENTS</b> 1 PER 1000 m <sup>2</sup> - 11 LOADING BAY	
<b>LOADING BAY</b> - 11 LOADING BAY	
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<b>LOADING BAY</b> - 11 LOADING BAY	

200 - 1687 WEST BROADWAY  
VANCOUVER, B.C. V6J 1X2  
TEL: 736-3730 FAX: 736-1182

**ANSON TERRY ARCHITECT**

REV.	DATE	DESCRIPTION
1	APR 12/11	ISSUED FOR REVIEW
2	MAY 17/11	ISSUED FOR REVIEW
3	MAY 24/11	REVISED DRAWINGS
4	SEP 04/11	REVISED PLANS
5	OCT 20/11	REVISED PLANS
6	DEC 09/11	REVISED PLANS
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**SHOPPERS DRUG MART**  
DESIGN & CONSTRUCTION

3377 LAKESHORE ROAD  
KELOWNA, BC

**SITE PLAN**

DESIGNED BY: AM  
DRAWN BY: AM  
START DATE: APR. 2011  
SCALE: AS NOTED  
SUN LAYOUT REF: PERMS  
PROJECT NO.: 2131  
DRAWING NO.: A1.0



REV	DATE	DESCRIPTION
1.	APR 12/11	ISSUED FOR REVIEW
2.	MAY 17/11	ISSUED FOR REVIEW
3.	MAY 26/11	REVISED ELEVATIONS
4.	SEP 04/11	REVISED PLANS
5.	OCT 30/11	REVISED PLANS
6.	DEC 06/11	REVISED PLANS
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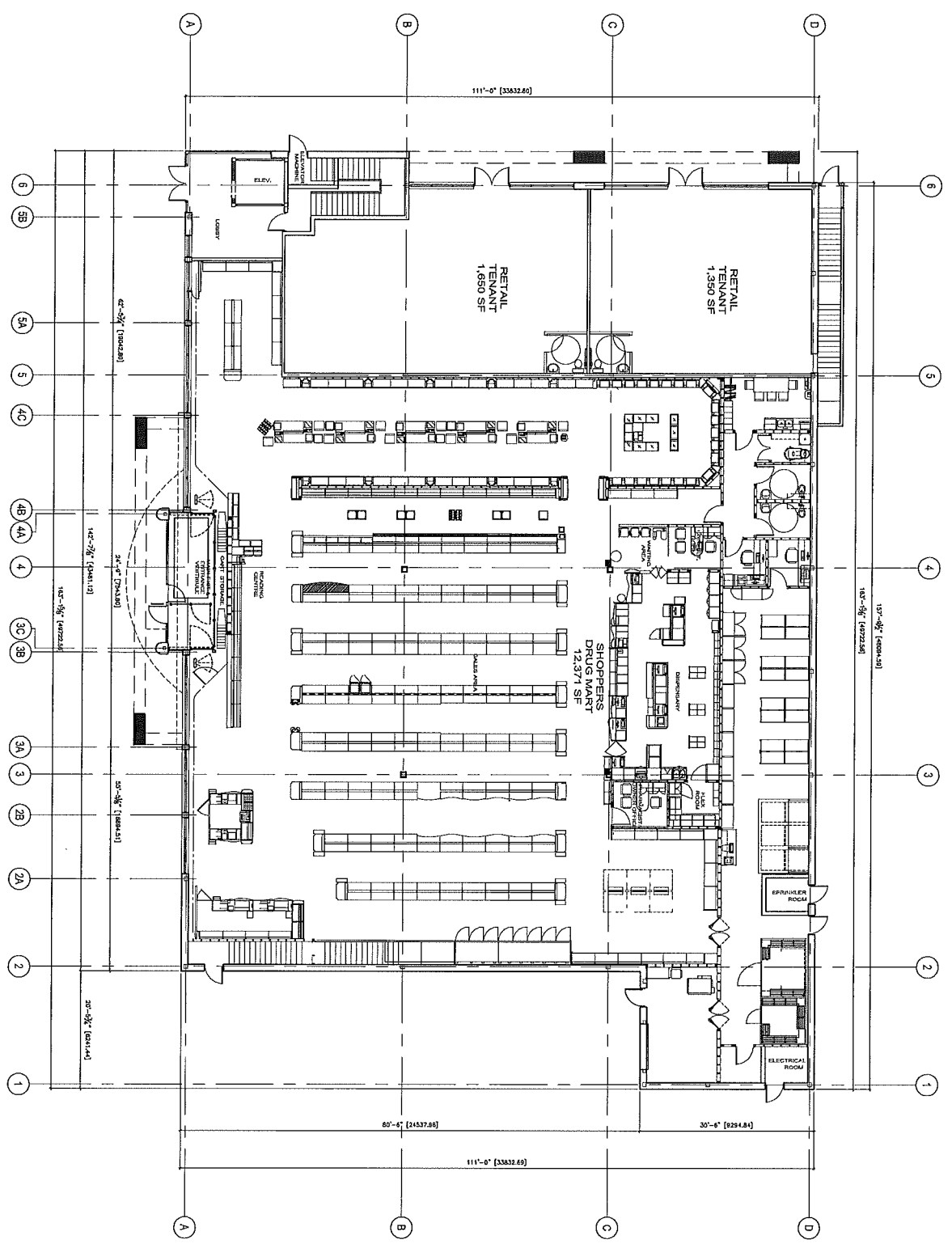
**SHOPPER'S  
DRUG MART**  
DESIGN & CONSTRUCTION

3327 LAKESHORE ROAD  
KELOWNA, BC

**MAIN  
FLOOR PLAN**

DESIGNED BY: AIA  
DRAWN BY: AIA  
SCALE: AS NOTED  
DATE: APR. 2011  
SHEET NO.: 2131  
PROJECT NO.: A2.0

**1 MAIN FLOOR PLAN**  
SCALE: 1/8" = 1'-0"



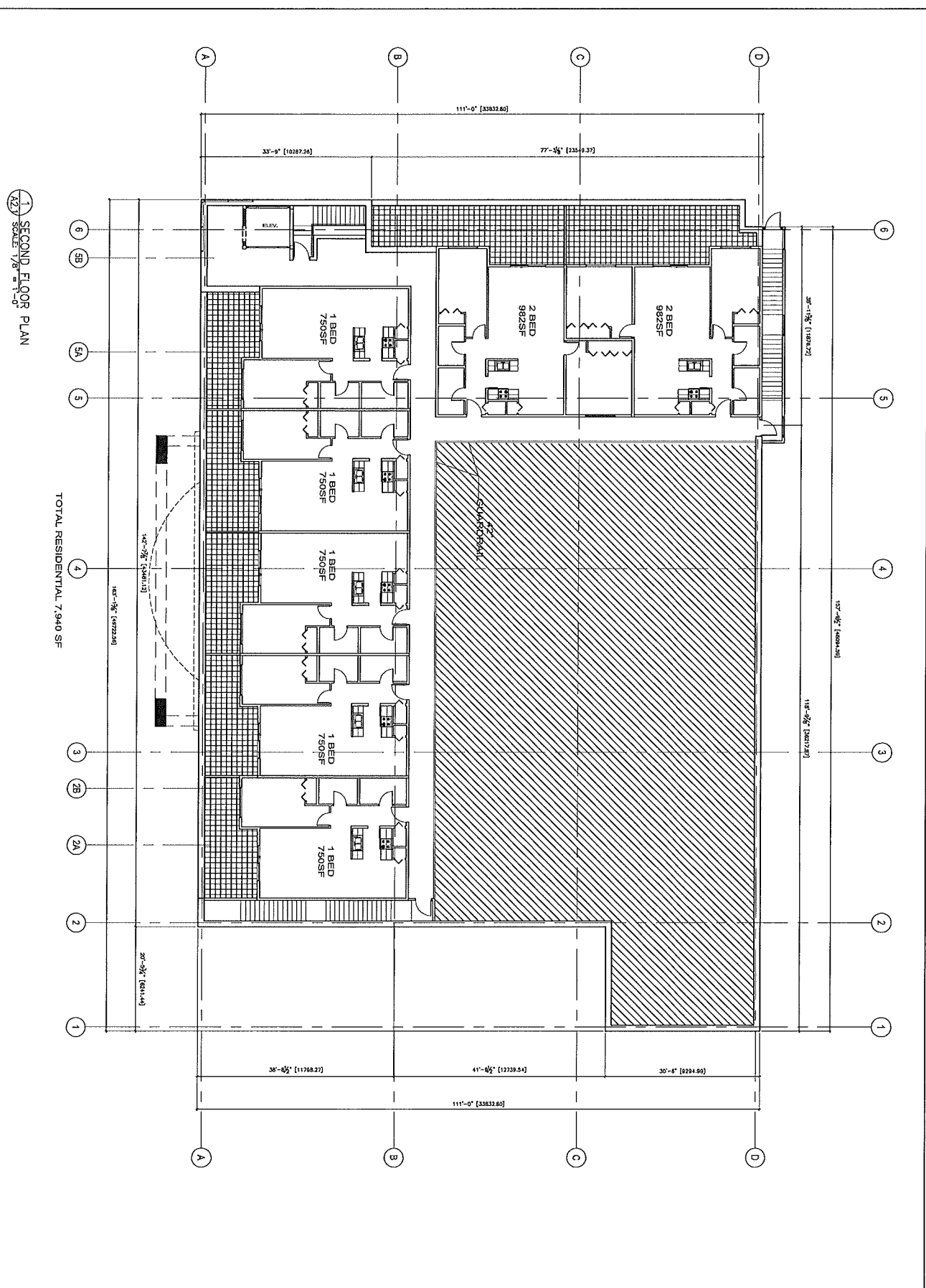
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**SHOPPERS DRUG MART**  
DESIGN & CONSTRUCTION  
3327 LAKE SHORE ROAD  
KELOWNA, BC

**SECOND FLOOR PLAN**  
SHEET TITLE

CHECKED BY: AA  
DRAWN BY: AA  
START DATE: APR 1, 2011  
SCALE: AS NOTED  
CON. DRAWING REF: PERIOD  
PROJECT NO: 2131  
DRAWING NO: A2.1





200 - 1587 WEST BROADWAY  
VANCOUVER, B.C. V6J 1X2  
TEL: 736-3720 FAX: 736-3723

GENERAL NOTES: 1. THIS SET OF DRAWINGS IS THE PROPERTY OF ANDERSEN TIPPET ARCHITECT. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. 2. THE USER OF THESE DRAWINGS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AUTHORITIES. 3. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INFORMATION FROM THE APPROPRIATE AUTHORITIES AND OTHER AGENCIES. 4. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INFORMATION FROM THE APPROPRIATE AUTHORITIES AND OTHER AGENCIES. 5. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INFORMATION FROM THE APPROPRIATE AUTHORITIES AND OTHER AGENCIES.

REVISIONS:

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1.	APR 12/11	ISSUED FOR REVIEW
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3.	MAY 26/11	REVISED ELEVATIONS
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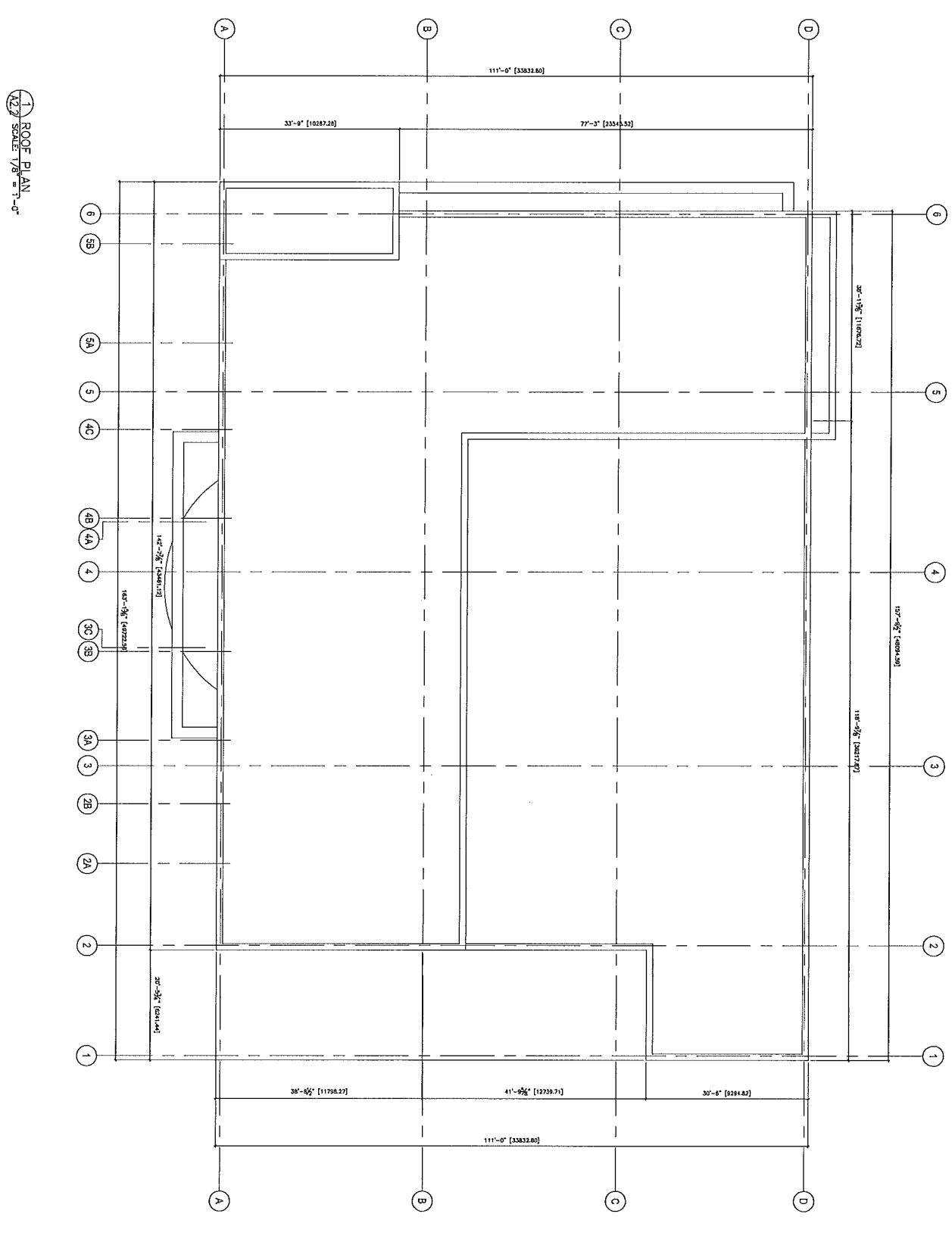


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PROJECT NO.: 2131  
DRAWING NO.: A2.2

3327 LAKESHORE ROAD  
KELOWNA, BC

SHoppers  
DRUG MART  
DESIGN & CONSTRUCTION

ROOF PLAN



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

REVISIONS:

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1.	APR 12/11	ISSUED FOR PERMITS
2.	MAY 17/11	ISSUED FOR PERMITS
3.	MAY 24/11	REVISED ELEVATIONS
4.	SEP 04/11	REVISED PLANS
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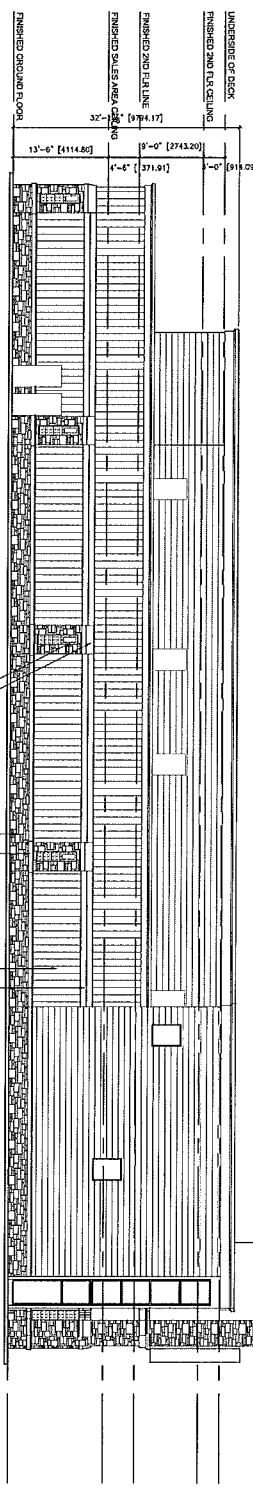
4030 UNIVERSITY DRIVE  
VANCOUVER, B.C. V6S 1C6  
Tel: 604-273-4444  
Fax: 604-273-4444

**SHOPPERS  
DRUG MART**  
DESIGN & CONSTRUCTION

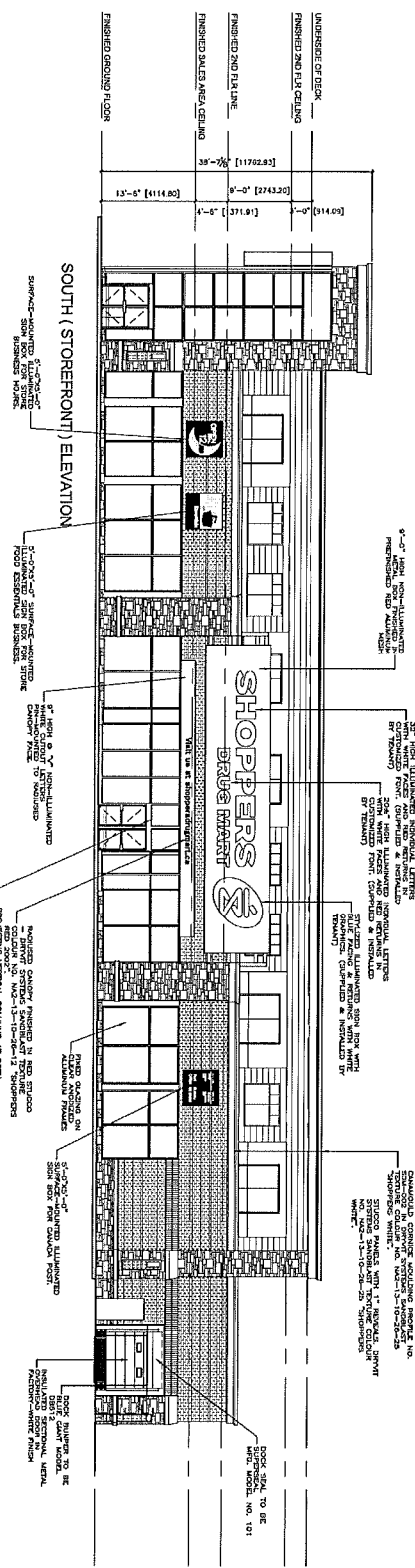
PROJECT:  
3327 LAKESHORE ROAD  
KELOWNA, BC

SHEET TITLE:  
**ELEVATIONS**

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DRAWN BY: *AM*  
START DATE: APR. 2011  
SCALE: AS NOTED  
S&M LAYOUT REF: P2560A  
PROJECT NO.: 2131  
DRAWING NO.: A3.0



1 NORTH ELEVATION  
SCALE 1/8" = 1'-0"

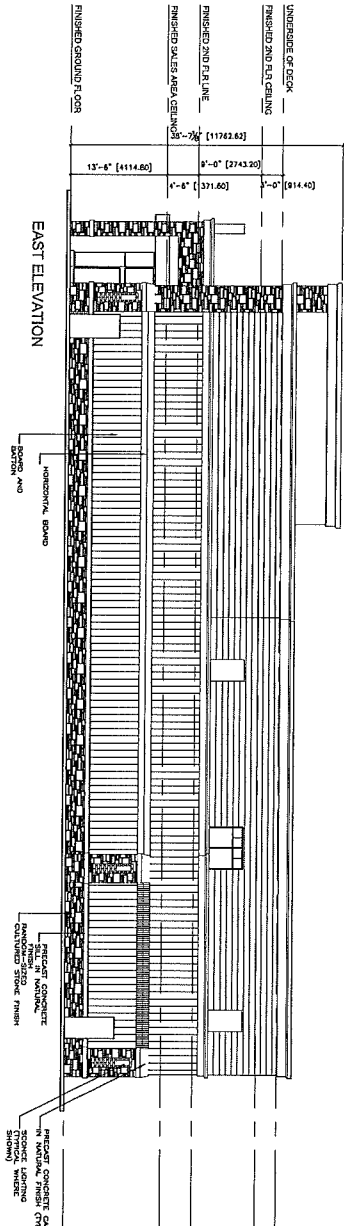


2 SOUTH ELEVATION  
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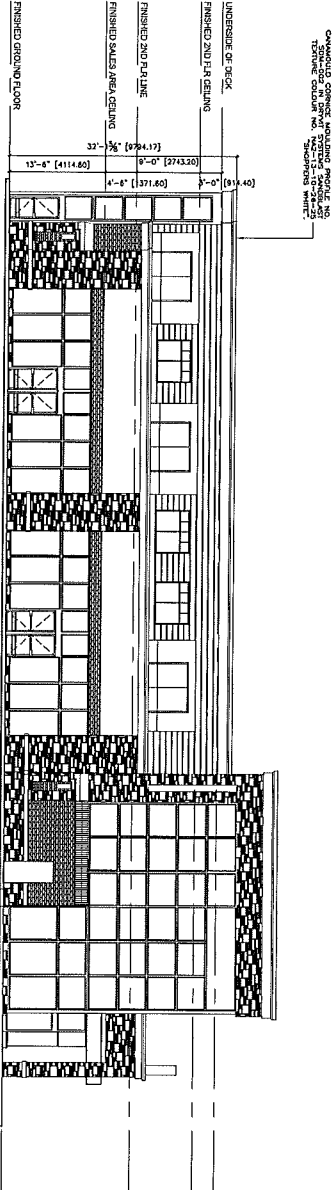
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**1** EAST ELEVATION  
SCALE: 1/8" = 1'-0"



**2** WEST ELEVATION  
(FACING LAKESHORE ROAD)  
SCALE: 1/8" = 1'-0"

CONCRETE SHALL BE FINISHED WITH A  
SMOOTH, HARD, AND NON-POROUS SURFACE  
AND SHALL BE PROTECTED FROM DAMAGE  
UNTIL READY TO RECEIVE FINISH.

PRECAST CONCRETE  
SUPPORT SHALL BE  
FINISHED WITH A  
CULTURED STONE FINISH

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**SHOPPERS**  
DRUG MART  
DESIGN & CONSTRUCTION

**3327 LAKESHORE ROAD  
KELOWNA, BC**

SHEET TITLE: ELEVATIONS

CHECKED BY: AA

DRAWN BY: AA

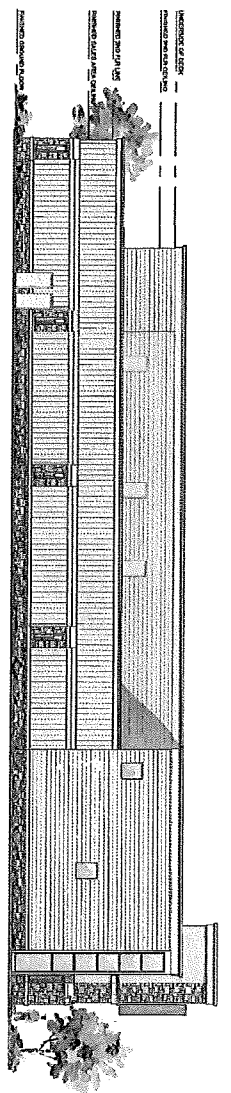
START DATE: APR. 2011

SCALE: AS NOTED

SOIL LAYOUT (REF): PD000

PROJECT NO.: 2131

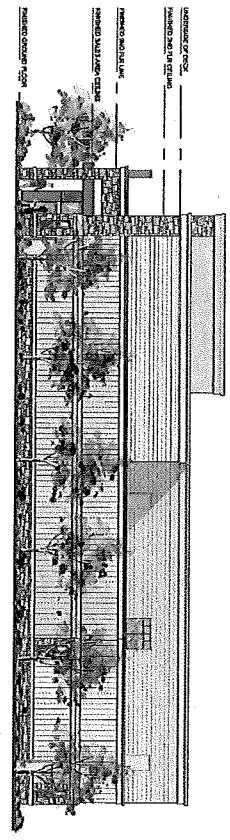
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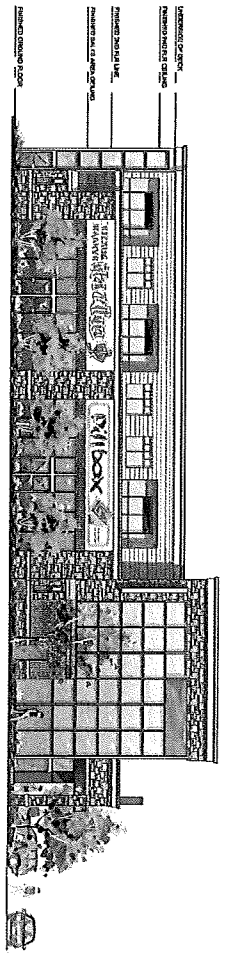
NORTH ELEVATION (FACING ADJACENT BUILDING)



SOUTH (STOREFRONT) ELEVATION



EAST ELEVATION



WEST ELEVATION (FACING LAKESHORE ROAD)

**ATA**  
ANDREW T. BRETHERTON ARCHITECT

200 - 1567 WEST BROADWAY  
VANCOUVER, B.C. V6J 1Y2  
TEL. 604-736-3730  
FAX: 604-736-2771

PROJECT NO. 2131  
DRAWING NO. A3.2

REVISIONS:

rev. no.	description
1.	APR 12.11 ISSUED FOR REVIEW
2.	MAY 17.11 ISSUED FOR REVIEW
3.	MAY 24.11 REVISED DRAWINGS
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NO.	DESCRIPTION
1.	ISSUED FOR REVIEW
2.	ISSUED FOR REVIEW
3.	REVISED DRAWINGS
4.	REVISED PLANS
5.	REVISED PLANS
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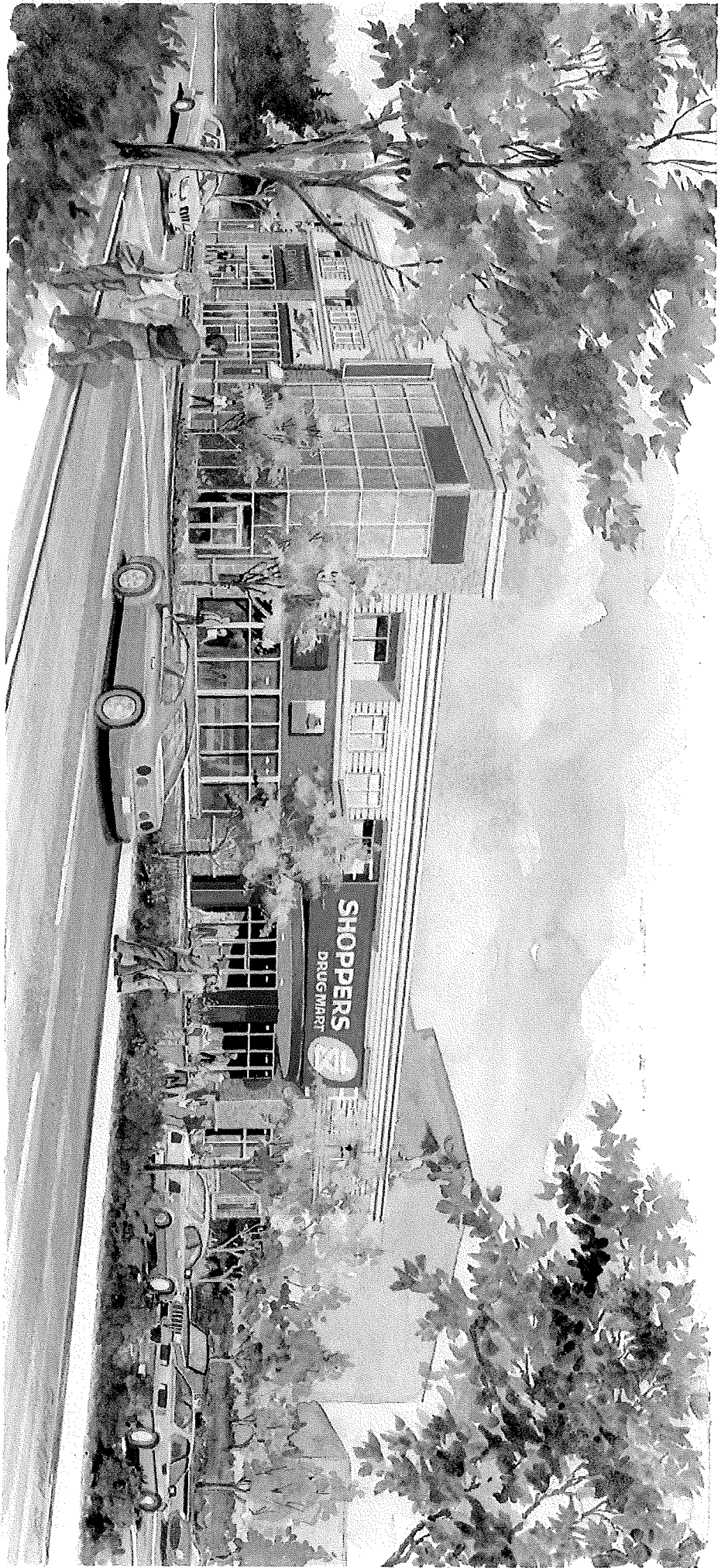
ANDREW T. BRETHERTON ARCHITECT  
200 - 1567 WEST BROADWAY  
VANCOUVER, B.C. V6J 1Y2  
TEL: 604-736-3730  
FAX: 604-736-2771

**SHOPPERS DRUG MART**  
DESIGN & CONSTRUCTION

3327 LAKESHORE ROAD  
KELOWNA, BC

SHEET TITLE  
**COLOURED ELEVATIONS**

DESIGNED BY: AYA  
DRAWN BY: AYA  
START DATE: APR. 2011  
SCALE: AS NOTED  
SHEET NO.: 15 OF 15  
PROJECT NO.: 2131  
DRAWING NO.: A3.2







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CITY OF KELOWNA  
MEMORANDUM

FILE COPY

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**Date:** August 23, 2011  
**File No.:** Z11-0058  
**To:** Land Use Management Department (AW)  
**From:** Development Engineering Manager  
**Subject:** 3327 Lakeshore Road Lot CP Plan K533  
Shoppers Drug Mart Proposed Two Storey Retail / Office Building

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Development Engineering has the following comments and requirements associated with these applications. 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

1. Domestic Water and Fire Protection

- (a) The developer's consulting mechanical engineer will determine the domestic and fire protection requirements of this proposed development and establish hydrant requirements and service needs.
- (b) The proposed development site is currently serviced with a 100mm diameter water service. Only one service will be permitted for this development. The applicant, at his cost, will arrange for the disconnection of the existing service at the main and the installation of one new larger water service. The estimated cost of this construction for bonding purposes is **\$40,000.00**

2. Sanitary Sewer

- (a) The developer's consulting mechanical engineer will determine the development requirements of this development and establish the service needs.
- (b) Our records indicate that this proposed development site is connected with a 150mm diameter sewer service. It is anticipated that the existing service will be utilised for this development.
- (c) Only one service will be permitted for this development. Service upgrades, if required will be at the applicant's cost and additional bonding will be required.

3. Storm Drainage

- (a) It will be necessary to construct storm drainage facilities within Lakeshore Road to accommodate road drainage fronting the proposed development site. The cost is included in the Road Improvements Item.
- (b) Our records indicate that this proposed development site is not connected with a storm sewer service. It is anticipated that an overflow service will be required for this development.. The estimated cost of this construction for bonding purposes is **\$15,000.00**

4. Road Improvements

- a) The Widening of Lakeshore Road will require the frontage upgrading to a full urban standard including a separate 2.35m concrete sidewalk, barrier curb and gutter, storm drainage system including catch basins, commercial driveway , pavement widening, a 1.85m hard surface landscape boulevard complete with tree wells and underground irrigation and re-location or adjustment of existing utility appurtenances if required to accommodate the upgrading construction. The estimated cost of this construction for bonding purposes is **\$160,000.00**
- (a) The decommissioning of existing services and the installation of new services will require road cuts. The extent of pavement restoration will be at the discretion of the City development engineer. The estimated cost of road restoration work including a pavement overlay to the road centerline for bonding purposes is **\$25,000.00**

5. Road Dedication and Subdivision Requirements

- (a) Provide a highway allowance widening of 2.88m along the full frontage of Lakeshore Road.
- (b) If any road dedication or closer affects lands encumbered by a Utility right-of-way (such as Gas, etc.) please obtain the approval of the utility prior to application for final subdivision approval. Any works required by the utility as a consequence of the road dedication or closer must be incorporated in the construction drawings submitted to the City's Development Manager.
- (c) Provide all necessary Statutory Rights-of-Way for any utility corridors required, including those on proposed or existing City Lands.

6. Electric Power and Telecommunication Services

The electrical and telecommunication services to this building must be installed in an underground duct system, and the building must be connected by an underground service. 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. Street Lighting

Street lighting including underground ducts must be installed on Lakeshore Road fronting on the proposed development. The cost of this requirement is included in the roads upgrading item.

8. 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.

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. Bonding and Levy Summary(a) Bonding

Service upgrades	\$ 55,000.00
Road frontage Improvements	\$185,000.00

Total Bonding	<b>\$ 240,000.00</b>
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NOTE: The bonding amounts shown above are comprised of estimated construction costs escalated by 130% 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.

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 HST)  
**\$6,202.56** (\$5,538.00 + \$664.56)

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

