

# REPORT TO COUNCIL



**Date:** May 4<sup>th</sup>, 2012  
**To:** City Manager  
**From:** Land Use Management, Community Sustainability (AW)  
**Application:** Z12-0019                      **Owner:** Victor Projects Ltd., Inc. No. 593426  
**Address:** 1850 Underhill Street              **Applicant:** CEI Architecture  
**Subject:** Rezoning Application  
**Existing OCP Designation:** Commercial  
**Existing Zone:** A1 - Agriculture 1  
**Proposed Zone:** C3 - Community Commercial

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## 1.0 Recommendation

THAT Rezoning Application No. Z12-0019 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 3, D.L. 127, ODYD, Plan KAP59534 located at 1850 Underhill Street, Kelowna, B.C. from A1 - Agriculture 1 to C3 - Community Commercial be considered by Council;

AND 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 property;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Development Engineering Branch being completed to their satisfaction.

AND FURTHER THAT final adoption of the zone amending bylaw be considered subsequent to the registration of access easements on the adjacent parcels to accommodate the proposed vehicular movements.

## 2.0 Purpose

This application seeks to rezone the subject properties from A1 - Agriculture 1 to C3 - Community Commercial in order to permit an express oil change operation. A Development Permit for the form and character of the proposed Mr. Lube will be considered by Council at a later date.

### 3.0 Land Use Management

The subject property is designated Commercial in the OCP and as such the proposed oil change outlet would be in compliance with the future land use designation. In order to accommodate the proposed use the applicant is seeking to rezone the subject property from A1 - Agriculture 1 to C3 - Community Commercial. As the subject property falls within the Midtown Urban Centre the C3 zone is the appropriate zone as it allows a Service Station Minor. Although this is not the highest and most efficient use of this urban centre 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 north and from Underhill Street.

A Development Permit for the form and character of the proposed oil change facility will be considered at a later date. While corporate branding is typical for these types of franchises, the applicant has made modest elevation changes and has incorporated appropriate streetscape landscaping to buffer the proposed development.

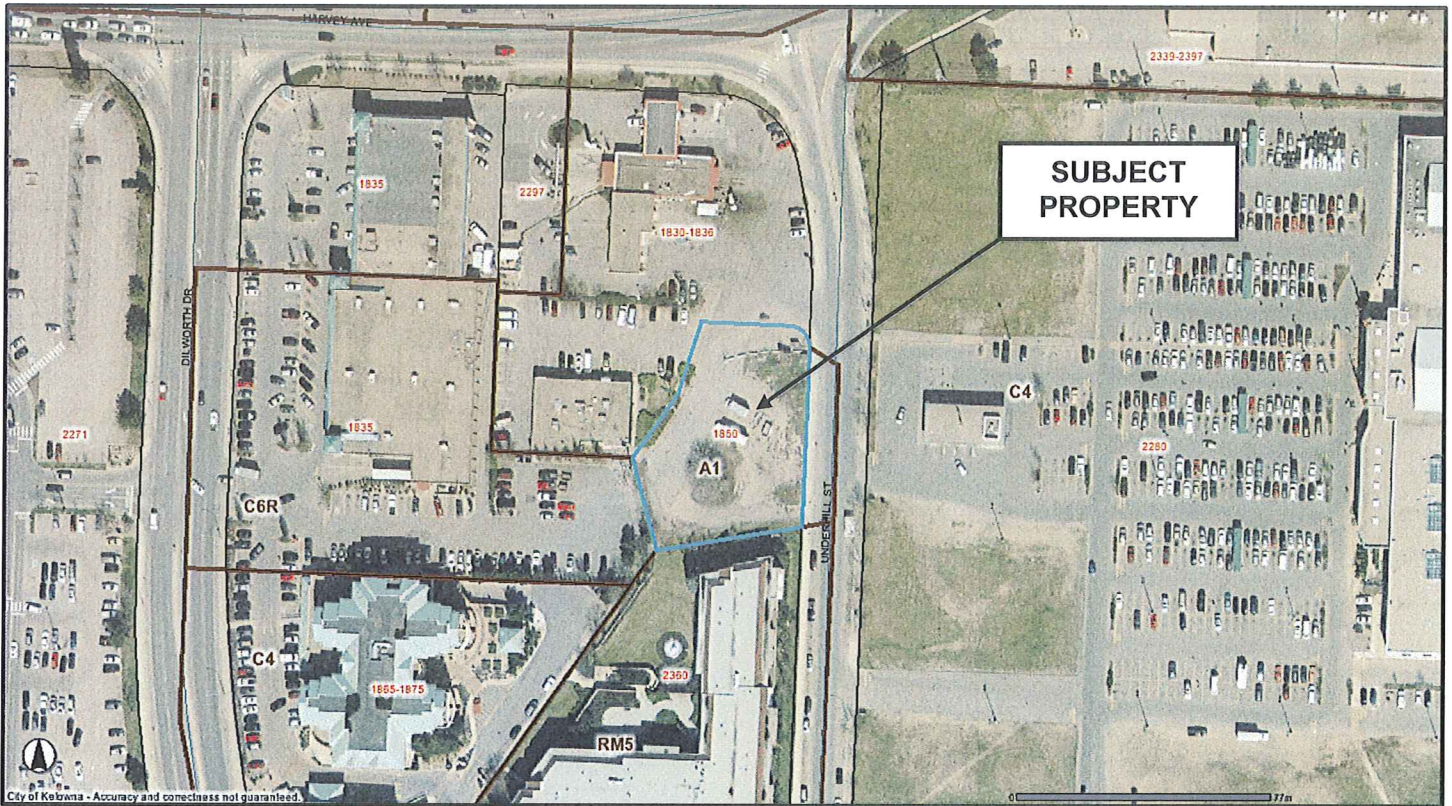
### 4.0 Proposal

The purpose of this application is to rezone the subject property from A1 - Agriculture 1 to C3 - Community Commercial in order to accommodate the proposed oil change outlet. The proposed building includes three indoor service bays. As part of the Development Permit process the developer will be addressing the site landscaping and the buildings aesthetic details, images of the proposals are attached.

The application compares to the requirements of Zoning Bylaw No. 8000 as follows:

<b>Zoning Bylaw No. 8000</b>		
<b>Criteria</b>	<b>Proposed</b>	<b>C3 Zone Requirements</b>
<b>Development Regulations</b>		
Floor Area Ratio (FAR)	0.07	1.0
Site Coverage (buildings)	13.74%	50%
Height	6.7m	15m/ 4 storeys
Front yard	7.15m	3.0m
Side yard (N)	7.09m	0.0m
Side Yard (S)	35.92m	2.0m
Rear yard	1.5 m	0.0m
<b>Other Regulations</b>		
Vehicle Parking	7 Stalls	7 stalls required
Bicycle Parking	Class I: 1 Class II: 2	Class I: 1 Class II: 2
Loading stalls	1 stall	1 stall
Queuing stalls	To be addressed for DP	3 stalls per wash bay

4.1 SUBJECT PROPERTY MAP:



The adjacent land uses are as follows:

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

5.0 **Current Development**

5.1 Kelowna Official Community Plan (OCP)

5.2 Development Process (Chapter 5)

Streetscaping (Objective 5.8). Urban Centre roads should be considered as part of public space and streetscaped with full amenities (i.e. sidewalks, trees and other planting, furniture, bike facilities, boulevards, etc.)

6.0 **Technical Comments**

6.1 Building & Permitting Department

1. Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permit(s).

2. Code analysis is required for the structure at time of building permit applications, but the following items may affect the form and character of the building.
3. A second rated exit from the interconnected floor space (main floor & Basement is required or an alternative solution in place that is acceptable to the City of Kelowna Chief Building Inspector prior to the release of the DP
4. This second exit from the basement may affect the number of on site parking stalls
5. The building code analysis provided with this application is to be based on the British Columbia Building Code. Fire separations are to be established between the 2nd floor office space and the garage area. These are required at the time of building permit application.
6. Size and location of all signage to be clearly defined as part of the development permit
7. Full Plan check for Building Code related issues will be done at time of Building Permit

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. Flammable liquids are not to be stored in the basement or pit area. Additional comments will be required when detailed plans are submitted for the building permit application.

6.4 Fortis BC

FortisBC has reviewed the attached referral. In conjunction with provision of electrical servicing to the property, the property owner is required provide all necessary rights of ways to FortisBC prior to dispatch of construction.

7.0 Application Chronology

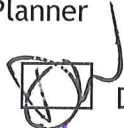
Date of Application Received: March 15, 2012

Report prepared by:



Alec Warrender, Land Use Planner

Reviewed by:



Danielle Noble, Manager of Urban Land Use

Approved for Inclusion:



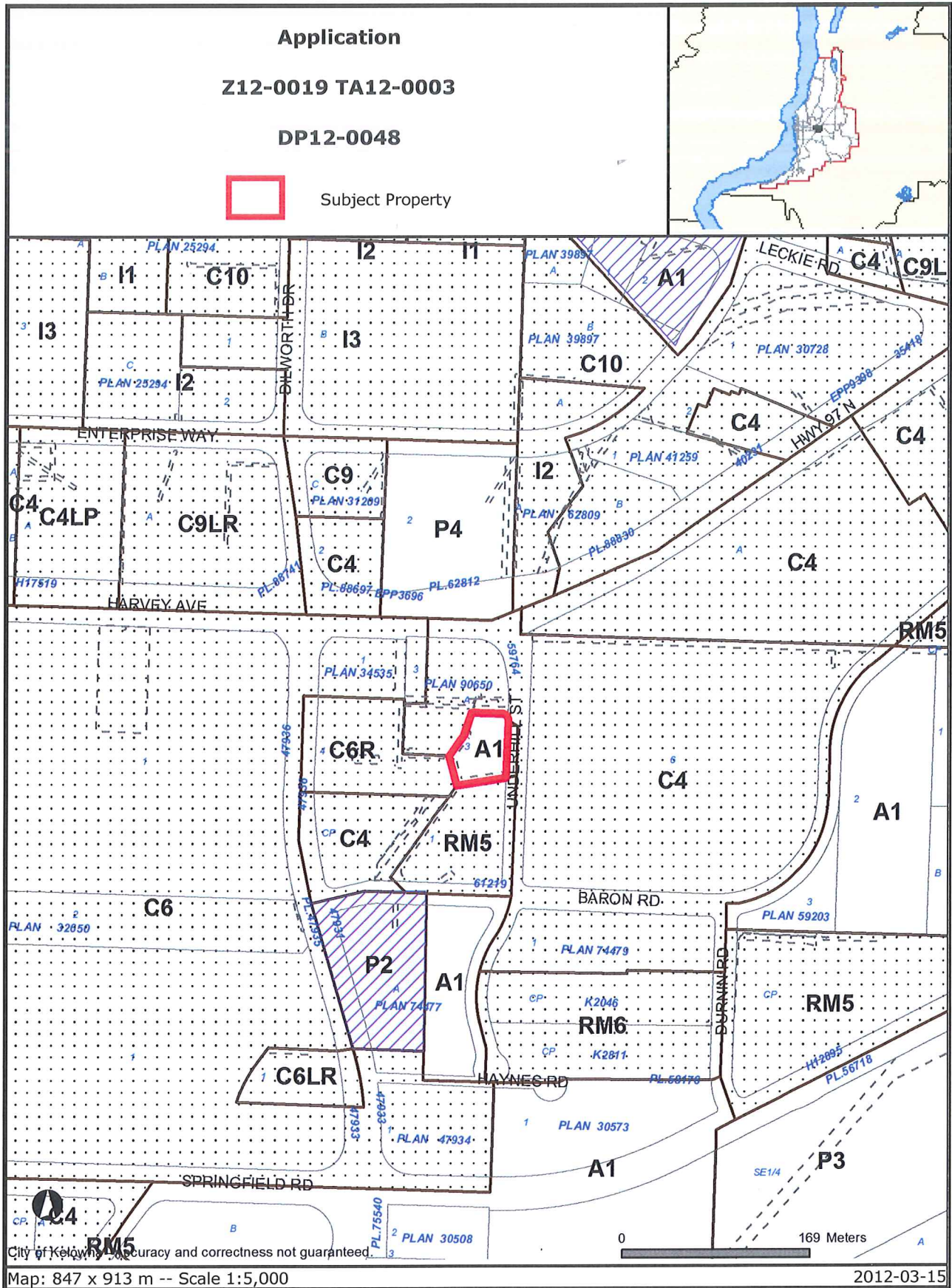
Shelley Gambacort, Director of Land Use Management

Attachments:

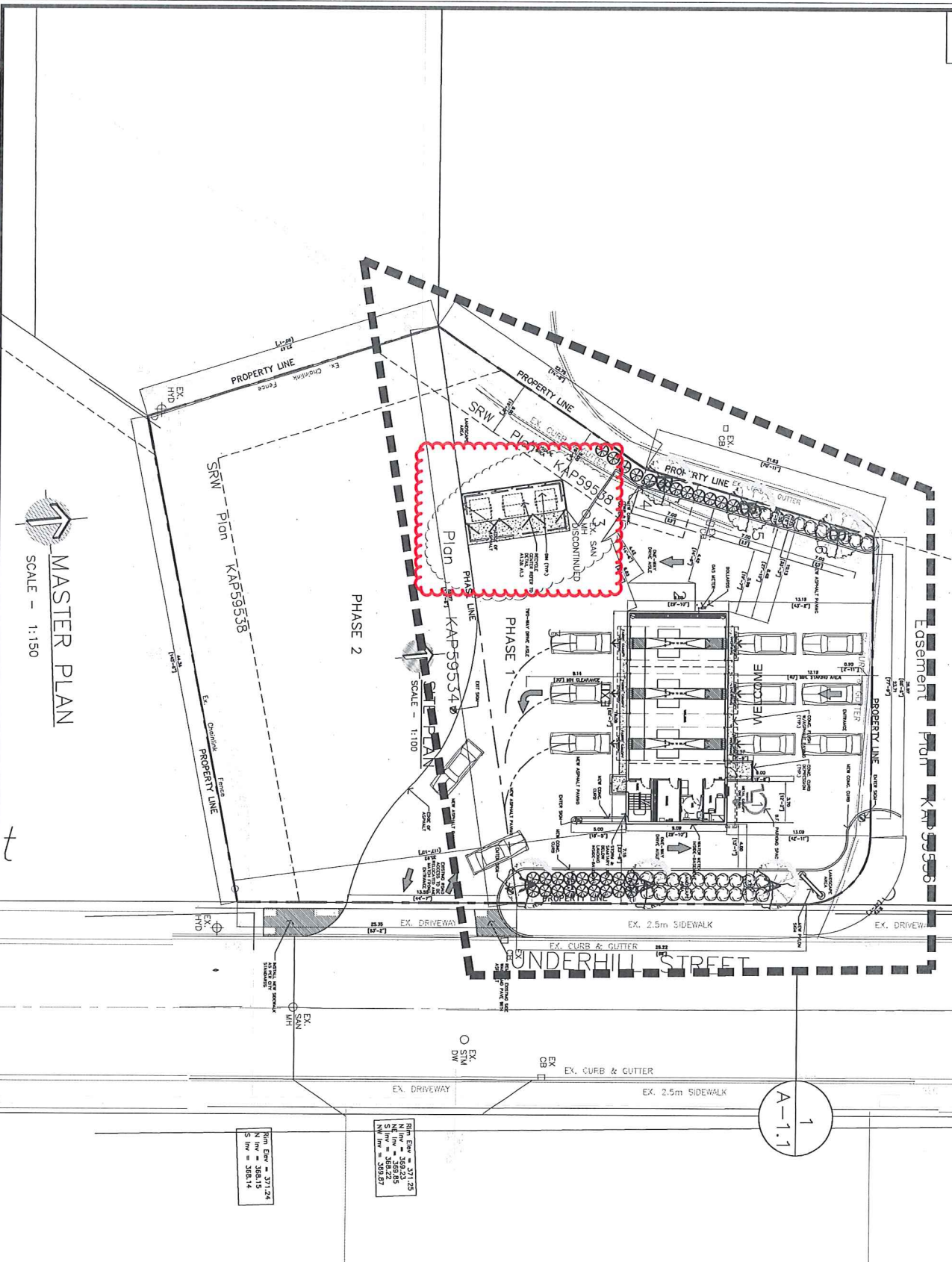
Site Plan

Conceptual Elevations

Development Engineering Requirements

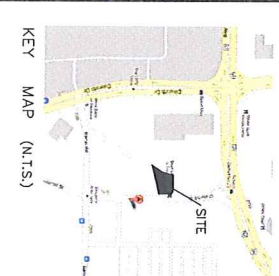


Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.  
 The City of Kelowna does not guarantee its accuracy. All information should be verified.




  
**MASTER PLAN**
  
 SCALE - 1:150

1
   
 A-1.1



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**DRAWINGS NOT TO BE SCALED**

NO.	REVISION	DATE
C1	ISSUED FOR PRELIMINARY REVIEW	JAN. 16, 2012
C2	REVISION TO SITE PLAN AND ACCESS	FEB. 02, 2012
C3	REVISION TO SITE PLAN AND ACCESS	FEB. 02, 2012
C4	SHOW PART ON THE OTHER PROPERTY	FEB. 02, 2012
C5	REVISED FOR LANDSCAPE APPROVAL	FEB. 17, 2012
C6	REVISED AS PER PRELIMINARY MEETING WITH CITY	FEB. 20, 2012
C7	REVISED FOR ONE WAY ASILE	MAR. 01, 2012

Point Elev = 371.24  
 N Elev = 368.15  
 S Elev = 368.14

Point Elev = 371.23  
 N Elev = 368.25  
 S Elev = 368.25

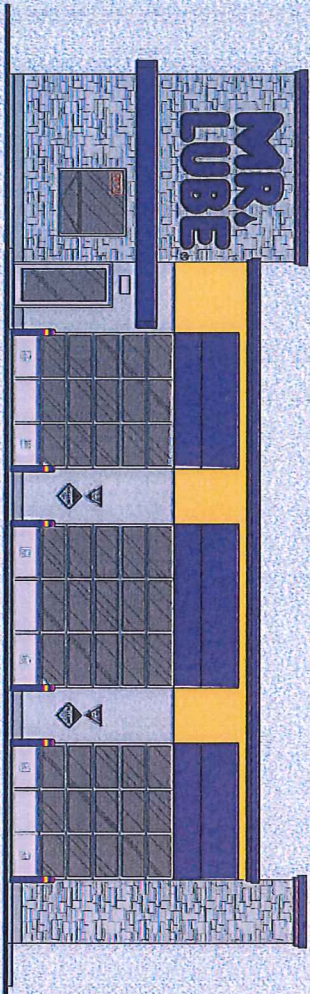
© COPYRIGHT  
**CANTAM**  
*Group Ltd*  
 PLANNING & BUILDING CONSULTANTS  
 830 HURONTARIO RD. UNIT # 510 TORONTO ON M1K 1L4  
 TEL: (416) 593-5533 FAX: (416) 593-5540 TEL: (416) 593-5545

PROJECT:  
**PROPOSED MR. LUBE**  
**AT 1850 UNDERHILL STREET,**  
**KELOWNA,**  
**BRITISH COLUMBIA.**

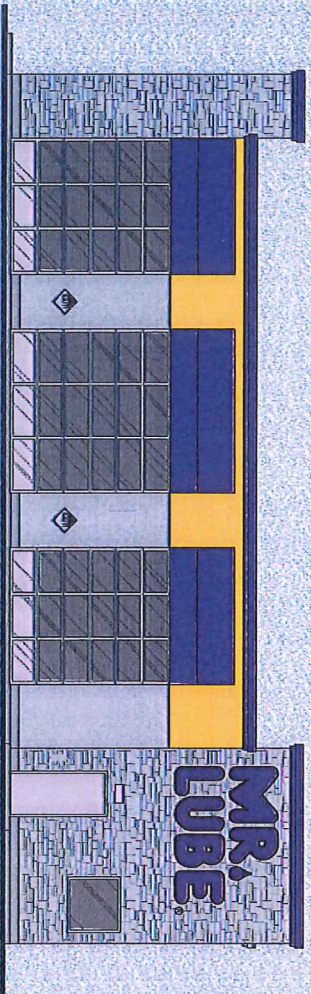
DRAWING:  
**MASTER PLAN**

DATE: JAN. 09, 2012  
 SCALE: 1:150  
 PLOT DATE: CDS, VARD

DRAWING NO.  
**A1**



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



SOUTH ELEVATION - EXIT SIDE  
SCALE 1/8" = 1'-0"

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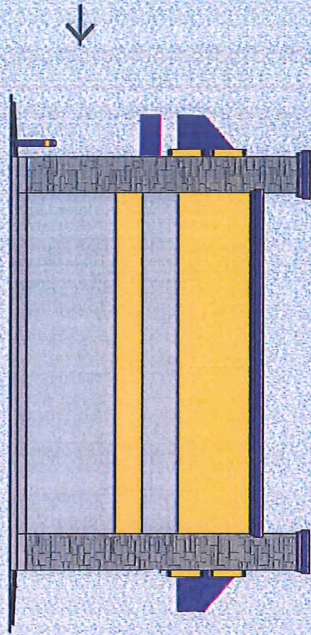
NO.	REVISIONS	DATE
01	ISSUED FOR PERMISSABLE REVIEW	JUNE 04, 2012
02	REVISION TO GET PLAN REVIEW APPROVED	FEB. 02, 2012
03	REVISION TO GET PLAN REVIEW APPROVED	FEB. 02, 2012
04	REVISION TO GET PLAN REVIEW APPROVED	FEB. 02, 2012
05	ISSUED FOR LANDSCAPE APPROVAL	FEB. 11, 2012
06	REVISION TO GET PERMISSABLE REVIEW APPROVED	FEB. 28, 2012
07	ISSUED FOR ONE WAY AHEAD	MAR. 01, 2012

PROJECT COORDINATOR  
**CANTAM**  
*Group Ltd.*  
 PLANNING & BUILDING CONSULTANTS  
 405 HURONTARIO ST. SUITE #1100 TORONTO, ONT. M5H 1A4  
 TEL: (416) 593-2121 • FAX: (416) 593-7762 • CELL: (416) 593-5145

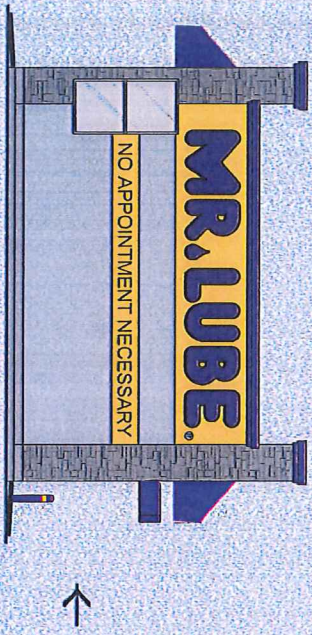
PROJECT  
 PROPOSED MR. LUBE  
 AT UNDERHILL ST., KELLOWNA  
 BRITISH COLUMBIA

DRAWING  
 NORTH & SOUTH ELEV.

DATE: MAY 08, 2012  
 SCALE: AS NOTED  
 DRAWING NO: **A5**  
 DWG. CLERK: [ ]  
 SEC. MGR: [ ]



WEST ELEVATION  
Scale: 1/8"



EAST ELEVATION-FACING UNDERHILLS STREET  
Scale: 1/8"

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NO.	REVISION	DATE
01	ISSUED FOR REGULATORY REVIEW	JAN. 15, 2012
02	REVISION TO SET BACK HEIGHT	FEB. 02, 2012
03	REVISION TO SET BACK SET FRONT SETBACK	FEB. 02, 2012
04	SHOW LOT ON THE OTHER HEIGHT	FEB. 06, 2012
05	ISSUED FOR LANDSCAPE APPROVAL	FEB. 17, 2012
06	REVISED AS PER MECHANICAL MEETING WITH CITY	FEB. 28, 2012
07	REVISED FOR ONE WAY SIGN	MAR. 01, 2012
08	REVISION	MAR. 01, 2012

PRODUCT DEVELOPMENT

**CANTAM**  
*Group Ltd.*

PLANNING & BUILDING CONSULTANTS  
850 BAYVIEW RD. SUITE # 510 TORONTO ON M2H 1Y4  
TEL: (416) 525-5151 FAX: (416) 525-5151 TEL: (416) 525-5146

PROJECT:

PROPOSED MR. LUBE  
AT UNDERHILL ST. KELOWNA  
BRITISH COLUMBIA.

DRAWING:

EAST & WEST ELEV.

DATE: JAN. 08, 2012

DRAWING NO. **A6**

DATE: 01/08/12

DATE: 01/08/12



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**CITY OF KELOWNA**  
**MEMORANDUM**

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**Date:** May 1, 2012  
**File No.:** Z12-0019  
**To:** Planning & Development Services Department (AW)  
**From:** Development Engineer Manager (SM)  
**Subject:** 1850 Underhill Street. Victor Projects Ltd, Lot 3, plan 59534 Sec. 26 Twp 21 ODYD

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Development servicing issues and requirements regarding this development to rezone the subject property from A1 to C3 are as follows:

**These are Development Engineering initial comments and they may be subject to MOT requirements**

1. General.

Provide easements and right of ways as may be required.

2. Sanitary Sewer System.

The subject property is serviced by the Municipal wastewater collection system and an inspection chamber has been installed at the property line

3. Water Servicing Requirements.

The subject property is serviced by the Municipal domestic water system.

4. Stormwater Management plan.

- a) A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual, is a requirement of the building permit.
- b) The subject property does not have a storm sewer service; the drainage study must indicate the size and location of an on-site retention facility.

5. Road and access

The development plan submitted in support of this application indicates removal of the sidewalk to accommodate the driveway. The sidewalk must remain in place and the driveway must be in accordance with the City of Kelowna standard driveway crossing as per drawing SS-C7 of the Subdivision, Development and Servicing Bylaw.

6. Power and Telecommunication Services.

The services to 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. Landscaping and irrigation

The proposed landscaping and irrigation within the road right of way is subject to the City of Kelowna Park approval as per Bylaw 7900. Detailed drawings must be provided prior to the planting and irrigation installation.

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Steve Muenz, P. Eng.  
Development Engineering Manager

BB