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**CITY OF KELOWNA**

**MEMORANDUM**

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**DATE:** December 12, 2006  
**FILE NO.:** **DP06-0174**

**TO:** City Manager

**FROM:** Planning & Development Services Department

DEVELOPMENT PERMIT APPLICATION OWNER: SSC VENTURES (No. 61)  
NO. DP06-0174 LTD.

AT: 2575 HWY 97 N. APPLICANT: SSC VENTURES (No. 61)  
(DAVE RICHARDSON)

**PURPOSE:** TO SEEK PERMISSION TO CONSTRUCT A 1,727 M<sup>2</sup>  
COMMERCIAL BUILDING TO PROVIDE SPACE FOR AN  
INDOOR PARTICIPANT RECREATION OPERATION (PLANET  
SPACEWALKER) AND RENTAL SPACE

**EXISTING ZONE:** C10 – SERVICE COMMERCIAL

**REPORT PREPARED BY:** PAUL McVEY

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**1.0 RECOMMENDATION**

THAT Council authorize the issuance of Development Permit No. DP06-0174 for Lot 8, DL 125, O.D.Y.D., Plan 3246, Except Plans H8110 & KAP63668, located on Highway 97 N., 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 FURTHER THAT the applicant be required to complete the above-noted conditions within 180 days of Council approval of the development permit application in order for the permit to be issued.

## 2.0 SUMMARY

The applicants are proposing the development of a 1,727 m<sup>2</sup>, 7.9 m high building on the subject property to be operated as participant recreation services - indoor use for the new "Planet Spacewalker" location. There will also be a 715 m<sup>2</sup> area of the proposed building available to lease for other permitted uses in the C10 zone.

### 2.1 Advisory Planning Commission

The above noted application (DP06-0174) was reviewed by the Advisory Planning Commission at the meeting of October 24, 2006 and the following recommendation was passed:

THAT the Advisory Planning Commission supports Development Permit Application No. DP06-0174, for 2575 Hwy 97 N/Lot 8, Plan 3246, Sec. 27, Twp. 26, ODYD, by SSC Ventures (David Richardson), to obtain a Development Permit to authorize construction of a 1492 m<sup>2</sup> commercial building.

Note, The applicant has revised the size of the building up to 1727 m<sup>2</sup>

## 3.0 BACKGROUND

The subject property was rezoned to the C10 – Service Commercial zone in 1996. Since that time, the property has been used as a car sales lot and an RV sales lot. The applicants purchased the property in September 2006.

### 3.1 The Proposal

The applicants are proposing the development of the subject property with a 1,726.9 m<sup>2</sup> building. The building is designed as a single storey building, with 1,011 m<sup>2</sup> designated for a participant recreation services – indoor use (Planet Spacewalkers), and the remaining 715 m<sup>2</sup> to be available for lease for other permitted uses in the C10 zone.

The proposed building is a metal building package with external dimensions of 33.5 m wide by 51.5 m long, and a 6.5 m eave height. The roof system is a "Stone Grey" coloured prefinished metal panel system. The north, east and south walls of the metal building are designed to be also finished with a "Stone Grey" coloured prefinished metal wall panel system installed above a painted concrete wall which is 2.4 m high for the south and east wall, and 0.60 m high on the north side. The gutter and gable trims are constructed of a "Slate Blue" coloured prefinished metal material.

The west side of the building facing Highway 97 is designed to be finished with a conventional stucco finish in a background colour of "white" and an accent colour of "medium grey". There are column features spaced at regular intervals along the entire building façade, which are finished in a "charcoal grey" colour. There are two canopy features located above the door and window header level on either side of the entrances. There are two sets of entrance doors located at grade level, and a row of windows at the building eave level. There are two gable end details added to the west elevations located above the entrance door locations. These wall finish details are continued onto a portion of the north building elevation.

The site plan indicates access to the parking lot located near the centre of the Highway 97 frontage. The proposed building is located in the south east corner of the property. There is a row of 15 parking stalls located along the front of the building. There are also 6 parallel parking stalls located at the north end of the property, designated for staff parking. There is a parking area located between the building and highway frontage for an additional 20 stalls, as well as a landscaped island located in front of the building.

The landscape plan indicates landscaping along the property lines adjacent to the parking area, and substantial plantings on the island, as well in the north west and south west corners of the property. The landscaped area to the east and the south of the proposed building is finished with a landscape rock material.

The proposal as compared to the C10 zone requirements is as follows:

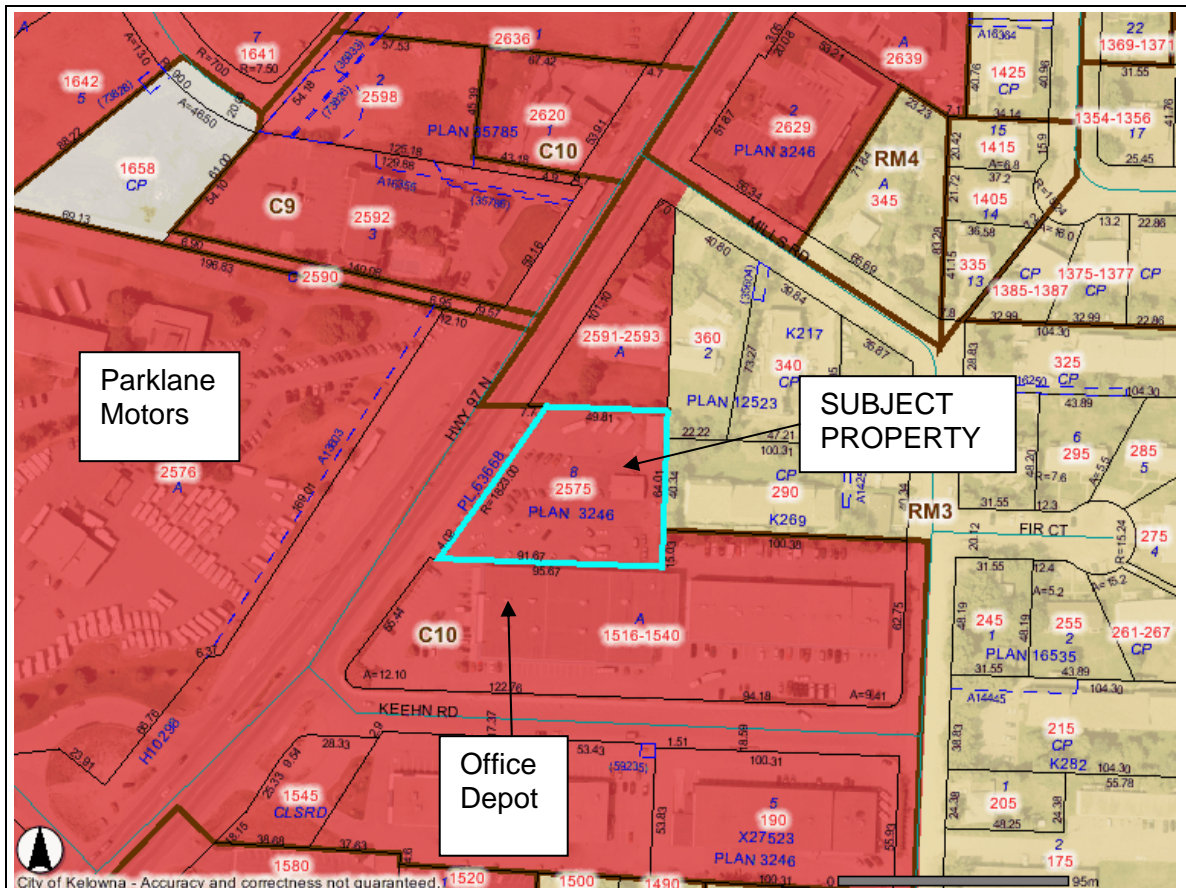
CRITERIA	PROPOSAL	C10 ZONE REQUIREMENTS
Site Area (m <sup>2</sup> )	4,514 m <sup>2</sup>	1,000.0 m <sup>2</sup>
Site Width (m)	76.4 m	40.0 m if no lane
Site Coverage (%)	38%	60% max
Total Floor Area (m <sup>2</sup> )	1,727 m <sup>2</sup>	Max 2,934 m <sup>2</sup> @ FAR = 0.65
F.A.R.	0.38	0.65 max FAR
Storeys (#)	1 storey (7.9 m)	3 storeys (12.0m)
Setbacks (m)		
- Front (HWY 97 N)	18 m	2.0 m
- Rear	2.0 m	0.0m
- North Side	11.0 m	4.5 m abutting residential
- South Side	1.5 m	0.0
Parking Stalls (#)	41 stalls provided	2.2 stall per 100 m <sup>2</sup> GFA 35 stalls required
Loading Stalls (#)	1 stall provided	1 stall per 1,900 m <sup>2</sup>

Adjacent zones and uses are, to the:

- North - RM3 – Low Density Multiple Housing – rental units
- East - RM3 – Low Density Multiple Housing – town House units
- C10 – Service Commercial / service commercial uses
- South - C10 – Service Commercial / service commercial uses
- West - C10 – Service Commercial – Hwy 97 / Auto sales yard

### 3.2 Site Context

#### SUBJECT PROPERTY MAP



### 3.3 Current Development Policy

#### 3.3.1 Kelowna Official Community Plan

The proposed zone is consistent with the “Commercial” Future Land Use designation of the City of Kelowna Official Community Plan.

The proposed building form and character are consistent with the Official Community Plan which also includes general Commercial Development Permit Guidelines. The proposal is generally consistent with the following guidelines;

- All buildings, structures, and additions thereto shall be designed in a manner which gives consideration to the relationship with adjacent building and open areas, the efficiency of the circulation system, and the design and siting compatibility with surrounding development,

- All facades of commercial buildings shall be designed in a manner which appropriately addresses adjacent uses and structures,
- External lighting shall enhance the safety of persons on the site after dark but shall not be of an intensity or cast in such a way which would interfere with nearby residential properties.

### 3.3.2 City of Kelowna Strategic Plan (2004)

The City of Kelowna Strategic Plan 2004 describes a vision of what residents hope Kelowna will be like in the future and has identified as one of the themes that overall, residents aspire to live in a community that:

- works to develop and maintain a strong, diversified local economy that offers residents opportunities for high-paying jobs

The City of Kelowna Strategic Plan 2004 also states as an Objective:

- Aid it the growth and progress of Kelowna as a desirable place to do business.

### 3.3.3 Crime Prevention Through Environmental Design

#### **CPTED Guidelines - Commercial Natural Surveillance**

- dumpsters should not create blind spots or hiding areas, particularly when located in lanes;
- recessed doorways, alcoves or other dark niches should be not be created or should be removed to eliminate hiding places for potential assailants, vandals or other criminal activity;
- lighting should be even to avoid casting shadows where people can hide; using numerous low wattage lights accomplishes this better than a few high wattage lights;
- loading areas should not create hiding places;
- signs placed within windows should cover no more than 15% of the window area, to ensure that natural surveillance of the street is maintained;
- interior shelving and displays should be no higher than five feet (1.5 metres) for increased visibility;
- the lower branches of existing trees should be kept at least ten feet (3 metres) off the ground;
- parking areas should be clearly visible from the building or street;
- paths in commercial areas should be provided in locations with good surveillance, not blocked in by blank walls and dense landscaping;
- exterior of buildings should be well-lit;
- wherever it is appropriate, a mix of uses should be encouraged to increase natural surveillance at different times of the day; placement of residential uses above commercial is a good example of this;
- windows should face rear parking lots for increased visibility;
- clear visibility should be maintained from the store to the street, sidewalk, parking areas and passing vehicles;
- lanes should be well-lit and should have windows overlooking them;
- all entrances should be under visual surveillance or monitored electronically.

### **Territorial Reinforcement**

- public events, such as festivals and outdoor concerts help to increase activity and community ownership, thereby reducing the opportunities for crime;
- property boundaries, where possible, should be marked with hedges, low fences or gates;
- private and semi-private areas should be easily distinguishable from public areas;
- shops should be identified by wall signs for those parking in the rear;
- awnings should be installed over rear doors and windows;
- lanes should be well-maintained with pavement treatment and landscaping, wherever possible;
- entrances onto lanes and use of the space in the lane (e.g. shopping entrances or outdoor cafes), increases public ownership and safety of the lane;
- blank walls should be avoided, but can be improved by the installation of windows, vertical landscaping (e.g. ivy), non-paint-able surfaces, or the use of mural art; which all discourage graffiti;
- all public and semi-private areas should be well-maintained to convey pride and ownership, which discourage negative activity;
- benches should be placed in public spaces and along paths or sidewalks to provide a resting place, particularly for seniors or those with disabilities; elevated seating positions allow for broad observation and give users a greater sense of control.

### **Natural Access Control**

- cash registers should be located in front of the store, near the main entrance;
- public paths should be clearly marked;
- signs should direct patrons to parking and entrances;
- there should be no easy access to the roof;
- entrances to dwellings within a commercial building should be separate from the commercial entrance to enable distinction of residential visitors from those frequenting businesses;
- wall treatments, such as climbing plants or trellises, should not provide a means to climb the wall;
- rear access to shops should be provided from rear parking lots.

### **Management**

- operating hours should coincide with those of other neighbouring businesses;
- pay phones should be call-out only and under surveillance at all times;
- interior space should be well-lit.

## **4.0 TECHNICAL COMMENTS**

The application has been circulated to various technical agencies and City departments and the following relevant comments have been submitted:

### **4.1 Fire Department**

Fire department access, hydrants and fire flows as per the BC Building Code and City of Kelowna Subdivision Bylaw. Engineered fire flows should determine hydrant requirements.

#### 4.2 Inspection Services Department

East and south elevations require 1 hr. fire resistance rating as per BCBC 1998. Fire separation wall required between Planet Spacewalkers and rental tenant space, to be determined by rental space use(1 or 2 hr wall). Code analysis required for building code review.

#### 4.3 Parks Manager

1. The City of Kelowna Boulevard Maintenance By-Law No. 5708-84 requires the residents to be responsible to weed, water and mow the boulevards adjacent to their properties. They will also be responsible for maintaining the boulevard in a reasonably tidy condition, free and clear of garbage, litter or debris.
2. All proposed plant material (trees, shrubs, ground covers and sod) within the roadway boulevard will need to be reviewed and approved by Parks Staff prior to application approval.
3. A landscape plan for the boulevard area will be required to be submitted to the Parks Division with the following standard information and requirements:
  - A. Planting plan will include a plant materials list:
    - i) Latin name
    - ii) common name
    - iii) size at planting
    - iv) plant symbol key
    - v) indicate existing trees
    - vi) indicate existing trees to be removed
  - B. Minimum plant material specifications for the boulevards as follows:
    - i) Deciduous Trees minimum calliper 60mm @ 300mm above rootball
    - ii) Deciduous Shrub - minimum spread 450mm
    - iii) Evergreen Trees - minimum height 2500mm
    - iv) Evergreen Shrub minimum spread 450mm
    - v) Seed/Sod Mix according to location and proposed activity use
  - C. Trees in boulevards less than 3.0m in width shall be installed with root barriers such as "Deep Root" brand, or City-approved equal, installed per the manufacturer's instructions.
  - D. Scale of plan and north arrow clearly indicated on plan.
  - E. Planting plan to include all underground and overhead utility locations in the boulevard.
  - F. In an effort to conserve water, all automated irrigation systems will be design to minimize overspraying on non-landscaped areas including City sidewalks, courtyards, parking areas, roadways, etc.

#### 4.4 Shaw Cable

Owner/Contractor to supply and install an underground conduit system as per Shaw Cable drawings and specifications.

#### 4.5 Telus

TELUS will provide underground facilities to this development. Developer will be required to supply and install conduit as per TELUS policy.

#### 4.6 Works and Utilities Department

The Works & utilities Department comments and requirements regarding this application are as follows:

1. General.

- a) Provide easements as may be required.
- b) The frontage upgrading, wastewater connection and all other off-site issues were addressed in file Z96-1044. The equivalent value of the works has been provided to the City.

2. Geotechnical Study.

A comprehensive Geotechnical Study has been provided in support of the rezoning application and the subdivision. Any changes to the grade of the property (major fill or cut) created after the rezoning geotechnical report must be investigated and assessed by a geotechnical engineer.

3. Domestic water and fire protection.

This development is within the service area of the Rutland Waterworks District. The developer is required to make satisfactory arrangements with the RWD for these items. All charges for service connection and upgrading costs are to be paid directly to the RWD.

4. Sanitary Sewer.

The subject property is currently serviced by the Municipal wastewater collection system.

5. Drainage.

A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual will be a requirement of the building permit.

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.

#### 5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT COMMENTS

The proposed development is deemed as a reasonable form of building development for the subject property. The proposed development is consistent with the C10 – Service Commercial zone, and does not require any variances to make the proposal work.



In response to comments received from the Advisory Planning Commission and Planning staff, the applicant has worked with his architect to refine the architectural design of the façade of the proposed building in order to improve on the visual quality of the façade facing Highway 97. Staff are pleased with the considerable progress achieved.

In conclusion, the Planning and Development Services Department supports this application and recommends for positive consideration by Council.

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Shelley Gambacort  
Acting Manager of Development Services

Approved for inclusion

Mary Pynenburg, MRAIC MCIP  
Director of Planning & Development Services

PMc/pmc  
Attach.