

REPORT TO COUNCIL



Date: January 25, 2016

RIM No. 1250-30

To: City Manager

From: Community Planning Department (LK)

Application: Z15-0052

Owner: Narish Kathpal

Address: 145 Dougall Road

Applicant: Urban Options

Subject: Rezoning Application

Existing OCP Designation: MXR - Mixed Use (Residential/Commercial)

Existing Zone: RU1 - large Lot Housing

Proposed Zone: C4- Urban Centre Commercial

1.0 Recommendation

THAT Rezoning Application No. Z15-0052 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 4 Section 26 Township 26 ODYD Plan 9924, located at 145 Dougall Road, Kelowna, BC from RU1 - Large Lot Housing zone to the C4 - Urban Centre Commercial zone, be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department date October 29, 2015;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered in conjunction with Council's consideration of a Development Permit and Development Variance Permit for the subject property.

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to approval of the Ministry of Transportation and Infrastructure.

2.0 Purpose

To rezone the subject property to facilitate the construction of a Carwash.

3.0 Community Planning

Community Planning Staff supports the proposed rezoning to allow for the construction of a new Carwash with additional secondary commercial units and one residential unit. The layout of the car wash and the area of the parcel is consistent with numerous other existing car washes within Kelowna's commercial districts. The parcel provides plenty of area for vehicle queuing prior to entry into the car wash bays. This is contained on the west side of the parcel, facing the roadway, with an existing commercial building on site that will provide screening visually and acoustically for the residential developments located across the east lane.

The proposal meets the Official Community Plan (OCP) Future Land Use of MXR - Mixed Used (Residential/Commercial) and is located within the Rutland Urban Centre. The project integrates a residential use at the second storey level with ground floor commercial development which is encouraged within Kelowna's various Urban Centres.

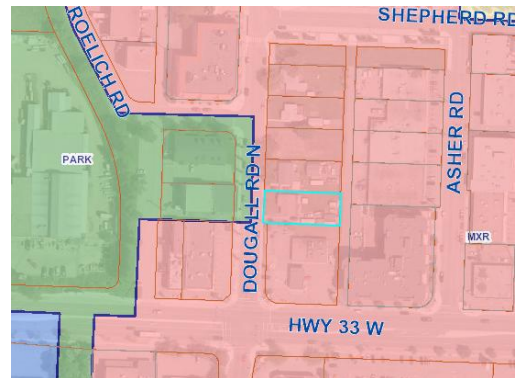
4.0 Proposal

4.1 Background

The corner parcel addressed as 340 Hwy 33 W is zoned C4 - Urban Centre Commercial and currently contains a gas bar, convenience store and restaurant. The subject parcel, 145 Dougall Road, currently has an existing Single Detached Dwelling. The applicant owns both parcels and as part of the Rezoning, is proposing to consolidate the two parcels into one larger commercial lot. Both parcels, along with many of the adjacent parcels, have a Future Land Use (FLU) designation of MXR - Mixed Used (Residential/Commercial) as indicated within the Future Land Use Map of the Official Community Plan (OCP).

The parcel is within both the Rutland Urban Centre Revitalization and Comprehensive Development Permit Areas. The proposed rezoning is consistent with many OCP policies, including:

- Integrating new development with existing site conditions and preserving the character of the surrounding area;
- Promoting a high urban design standard and quality of construction for future development that is coordinated with existing structures;
- Creating open, architecturally-pleasing and accessible building facades to the street.



4.2 Project Description

If the proposed rezoning is approved, the two subject parcels, 145 Dougall Rd and 340 Hwy 33 W will be consolidated into one C4 - Urban Centre Commercial parcel. The existing house will be removed to allow for the construction of a new carwash with one automatic wash bay and seven manual wash bays. With the proximity of the adjacent residential building across the east lane, the hours of operation of the carwash will be limited from 7am - 9pm. To minimize acoustic disturbance, the automatic carwash bay doors must be closed for the wash cycle to start and the manual wash bays will have auto close access doors for both the entry and exit at each end of the building. The concrete construction of the walls and ceiling has been designed to meet industry sound emission standards.

The proposal will require two variances, one for the rear setback of the building and the second variance is for the side setback landscape buffers. The first variance is to reduce the required rear setback from 6.0 m when adjacent to residential to 0.20 m. The adjacent parcels to the north are currently single dwelling housing uses, but have the same OCP future land use of MXR - Mixed Use (Residential/ Commercial) as the subject parcel. As the parcels redevelop from Highway 33 to the north, the adjacent parcel will likely be rezoned to Commercial zones as well, in which case, the required rear and side setbacks would be reduced to zero.

The second variance is for both the east and west 3.0 m landscape buffer requirement. The east side of the parcel backs onto a lane. The existing parking stalls for the commercial units are located along this setback and will remain unchanged. The new development area cannot provide the landscape buffer as it is used for vehicle access to the lane.

An existing retaining wall currently exists on City of Kelowna road widening area. This retaining wall will be removed and a new one constructed along the west property line. A roadway dedication will be taken from 145 Dougall Road N to ensure the west property line is consistent along the parcel length. This taking has narrowed the landscaping that is currently provided along the length of corner parcel. As the existing commercial portion is not being redeveloped, the landscaping that is proposed will match what currently exists on site.

Along the Dougall Street frontage will be three retail/office units with one residential unit located above. The residential unit is accessed via a door to a private stairwell. Private open space is provided with two balconies facing each street.

The site access along Hwy 33 W will remain unchanged. Dougall Road will be modified with painted lines to indicate a left turn lane. This will require the site access from Dougall



Road to be modified to right turn in and out access only. Signage will be erected at the parcel exit and paint lines and signage will be added to Dougall Road.

To access the carwash, vehicles will queue along the west side of the existing building. The Zoning Bylaw requirements for upstream vehicle storage have been met for both the auto wash and manual wash bays. Upon exiting the carwash, vehicles will be directed to the east side lane to exit the parcel. All traffic will be one way along the side and rear of the existing building to provide an escape lane for customers who may choose to forgo use of the carwash.

4.3 Site Context

The subject site is located at the intersection of Dougall Rd N and Hwy 33 W.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 - Large Lot Housing	Single Family Dwelling
East	C4 - Urban Centre Commercial	Retail Commercial (Strip Mall) Apartment Housing/Retail Commercial
South	C4 - Urban Centre Commercial	Gas Bar
West	C4 - Urban Centre Commercial	Retail Commercial (Strip Mall)

Subject Property Map: 145 Dougall Rd



4.4 Zoning Analysis Table

Zoning Analysis Table			
CRITERIA		C4 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations			
Minimum Lot Area		460 m ²	815.05 m ²
Minimum Lot Width		13 m	18.44 m
Minimum Lot Depth		30 m	44.20 m
Development Regulations			
Maximum Floor Area Ratio		1.3	0.33
Maximum Site Coverage		75%	33%
Maximum Height (lessor of)		15.0m or 4 storeys	6.5 m & 2 storeys
Minimum Front Yard (south)		0.0 m	8.58 m
Minimum Side Yard (east)		0.0 m	1.0 m
Minimum Side Yard (west)		0.0 m	0.0 m
Minimum Rear Yard		0.0 m, except 6.0 m (when abutting residential)	0.20 m ❶
Other Regulations			
Minimum Parking Requirements		16 stalls	16 stalls
Minimum Bicycle Parking		2	4
Minimum Private Open Space		15 m ²	24 m ²
Minimum Loading Space		1 space	1 space
Minimum Landscape Buffer	east	3.0 m	0.0 m ❷
	west	3.0 m	1.3 m ❷
❶ Indicates a requested variance to the rear setback. ❷ Indicates a requested variance to the landscape buffer for the side yard.			

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Context.¹ Address phasing when the area is designated for more intensive development and the development proposes to deviate from existing form and character (e.g. blank firewalls should be adequately detailed to provide visual interest in the interim).

Relationship to the Street.² Develop visual and physical connections between the Public Street and private buildings (e.g. patios and spill-out activity, views to and from active interior spaces, awnings and canopies).

Relationship to the Neighbourhood.³ Maintain the established or envisioned architectural character of the block or neighbourhood.

6.0 Technical Comments

6.1 Building & Permitting Department

- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permit(s)
- Placement permits are required for any sales or construction trailers that will be on site. The location(s) of these are to be shown at time of development permit application.
- A Hoarding permit may be required and protection of the public from the staging area and the new building area during construction. Location of the staging area and location of any cranes should be established at time of DP
- A Building 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(s):
 - Any security system that limits access to exiting needs to be addressed in the code analysis by the architect. An application for an alternative solution will be required if the security system is not prescriptive to code.
 - Access to the roof is required per NFPA and guard rails may be required and should be reflected in the plans if required.
- A Geotechnical report is required to address the sub soil conditions and site drainage at time of building permit application.
- Fire resistance ratings are required for storage, janitor and/or garbage enclosure room(s). The drawings submitted for building permit is to clearly identify how this rating will be achieved and where these area(s) are located.
- Size and location of all signage to be clearly defined as part of the development permit. This should include the signage required for the building addressing to be defined on the drawings per the bylaws on the permit application drawings.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications. Please indicate how the requirements of Radon mitigation are being applied to this structure.

¹ City of Kelowna Official Community Plan, Policy 14.3.2.2 (Urban Design DP Areas Chapter).

² City of Kelowna Official Community Plan, Policy 14.4.3.2 (Urban Design DP Areas Chapter).

³ City of Kelowna Official Community Plan, Policy 14.15.1.1 (Urban Design DP Areas Chapter).

6.2 Development Engineering Department

- See Attachment 'A'.

6.3 Rutland Waterworks District

- See Attachment 'B'

6.4 Fire Department

- Construction fire safety plan is required to be submitted and reviewed prior to construction and updated as required. Template available online at Kelowna.ca
- Engineered Fire Flow calculations are required to determine Fire Hydrant requirements as per the City of Kelowna Subdivision Bylaw #7900. A minimum of 150litres/sec is required. If a hydrant is required on this property it shall be deemed private and shall be operational prior to the start of construction.
- Fire Department access is to be met as per BCBC 3.2.5.6
- A visible address must be posted as per City of Kelowna By-Laws
- Should a fire alarm be required, A fire safety plan as per section 2.8 BCFC is required at occupancy. The fire safety plan and floor plans are to be submitted for approval in AutoCAD Drawing format on a CD and an Approved Fire Department steel lock box or key tube acceptable to the fire dept. is required by the fire dept. entrance.
- All requirements of the City of Kelowna Fire and Life Safety Bylaw 10760 shall be met.
- Contact Fire Prevention Branch for fire extinguisher requirements and placement.
- Dumpster/refuse container must be 3 meters from structures or overhangs

7.0 Application Chronology

Date of Application Received:	September 28, 2015
Date Public Consultation Completed:	October 18, 2015
Date Amended Plans Received:	October 19, 2015

Report prepared by:

Lydia Korolchuk, Planner

Reviewed by:

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Terry Barton, Urban Planning Manager

Approved for Inclusion:

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Ryan Smith, Community Planning Department Manager

Attachments:

Site Context Plan

Site Plan

Conceptual Elevations

Landscape Plan

Attachment A: Development Engineering Memorandum dated November 12, 2015

Attachment B: Rutland Waterworks District Memorandum dated December 15, 2015