

REPORT TO COUNCIL



Date: June 10, 2018

RIM No. 0940-00

To: City Manager

From: Community Planning Department (AJ)

Application: DP19-0018

Owner: Canadian Tire Real Estate
Limited, Inc. No. A0090473

Address: 1655 Leckie Road

Applicant: Associated Engineering (BC)
Ltd.

Subject: Development Permit

Existing OCP Designation: MXR – Mixed Use (Residential / Commercial)
SC – Service Commercial

Existing Zone: C10 – Service Commercial

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP19-0018 for Lot A District Lots 125 and 532 ODYD Plan EPP51237, located at 1655 Leckie Road, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land be in accordance with Schedule "B";
3. Landscaping be provided on the land in 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 Registered Landscape Architect;

AND FURTHER THAT this Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

2.0 Purpose

To consider the form and character of a food primary establishment.

3.0 Community Planning

Community Planning staff are supportive of the development permit for form and character of the proposed food primary establishment with drive-in food services. The proposed Tim Hortons' restaurant is

in general accordance with the City of Kelowna's Comprehensive Development Permit Area Design Guidelines, as indicated in Attachment A.

This application proposes a food primary establishment with indoor and outdoor seating areas as well as drive-in food services. The proposed building design is typical of the Tim Hortons' corporate brand. Overall, the design is modern with visual interest added through variation in materials and architectural articulation. Materials include aluminum siding, porcelain tile, and brick, along with an accent colour used for signage and trim. Architectural definition is provided through awnings as well as accents around the entrance and the drive-through window. Signage is proposed on the front and side elevations of the building, and menu boards and directional signage are also proposed for the site. Screened garbage and recycling are located behind the proposed building.

Regarding landscaping, the applicant is proposing landscaping on the north, east, and west perimeter of the site, as well as within the site around the drive-through. The landscaping plan indicates that 20 trees will be planted, as well as a variety of shrubs and grasses. Landscaping fronting Highway 97 N is to be planted on a raised berm to add extra screening for the drive-through, and some existing trees and shrubs are to be retained north east of the proposed building. Overall, the proposal is compliant with the Zoning Bylaw as per the Zoning Analysis table below. A painted pathway is provided as a pedestrian safety measure and to link the proposed Tim Hortons to the existing Canadian Tire in the same complex. The proposal also includes an outdoor patio area with a bicycle rack.

4.0 Proposal

4.1 Background

The site for the proposed development is currently a surface parking lot serving the existing Canadian Tire on the subject property. The property is zoned C10, Service Commercial, which permits drive-in food services.

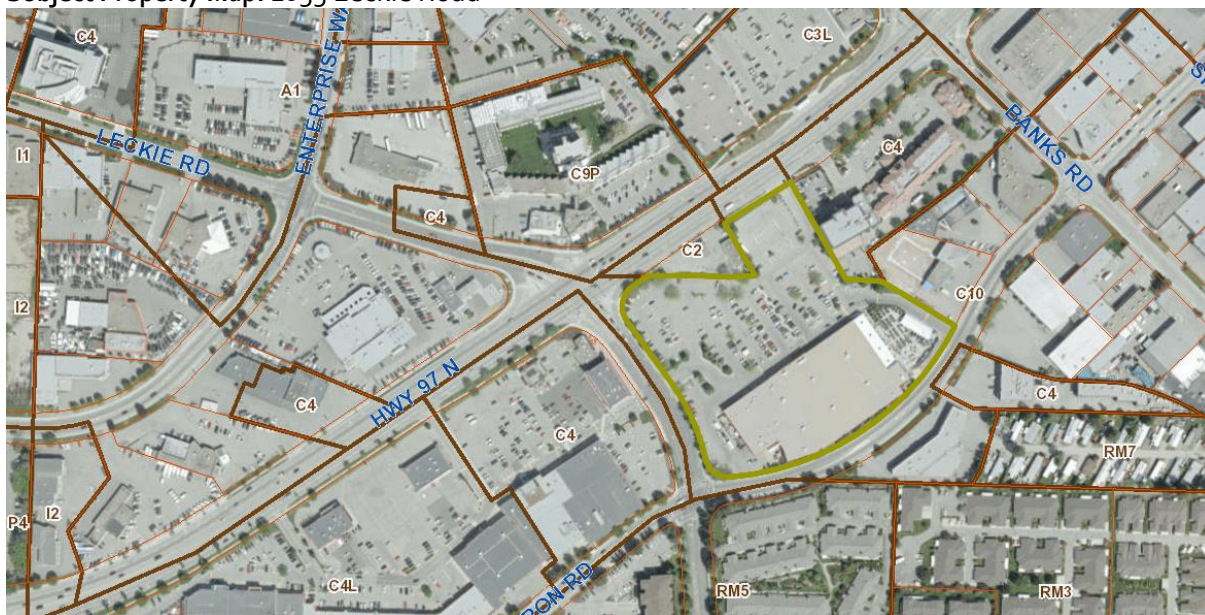
4.2 Project Description

The proposed food primary establishment is 250.4m², and is intended to be located on the north-eastern portion of the subject property fronting Highway 97 N. The proposed establishment will be accessed mainly from Highway 97 N; a Traffic Impact Analysis was conducted and accepted by the Ministry of Transportation and Infrastructure.

4.3 Site Context

The subject property is located on the South side of the Highway 97 N corridor in the Midtown Urban Centre. Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C3rls – Community Commercial (Retail Liquor Sales)	Retail Stores, General
East	C4 – Urban Centre Commercial	Hotel
South	RM5 – Medium Density Multiple Housing	Multiple Dwelling Housing
West	C4 – Urban Centre Commercial	Retail Stores, General

Subject Property Map: 1655 Leckie Road**4.4 Zoning Analysis Table**

Zoning Analysis Table		
CRITERIA	C10 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	1000.0 m ²	30801.0 m ²
Lot Width	40.0 m	> 40.0 m
Lot Depth	30.0 m	>30.0 m
Development Regulations		
Floor Area Ratio	0.65	0.28
Height	12.0 m / 3 storeys	5.79 m / 1 storey
Front Yard	2.0 m	12.98 m
Side Yard (west)	4.5 m	7.92 m
Side Yard (east)	0.0 m	41.59 m
Rear Yard	0.0 m	153.96 m
Other Regulations		
Minimum Parking Requirements	383	391
Bicycle Parking	2	2

5.0 Current Development Policies**5.1 Kelowna Official Community Plan (OCP)****Development Process****Comprehensive Development Permit Area Objectives.¹**

- Convey a strong sense of authenticity through urban design that is distinctive for Kelowna;

¹ City of Kelowna Official Community Plan, Chapter 14 A. Comprehensive Development Permit Area.

- Promote a high urban design standard and quality of construction for future development that is coordinated with existing structures;
- Integrate new development with existing site conditions and preserve the character amenities of the surrounding area;
- Promote interesting, pedestrian friendly streetscape design and pedestrian linkages;
- Provide for a scale and massing of commercial buildings that promotes a safe, enjoyable living, pedestrian, working, shopping and service experience;
- Incorporate architectural features and detailing of buildings and landscapes that define an area's character; and
- Promote alternative transportation with enhanced streetscapes and multimodal linkages.

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. 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.
3. HPO (Home Protection Office) approval or release is required at time of Building Permit application.
4. A Hoarding permit is required and protection of the public from the staging area and the new building area during construction.
5. 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):
 - i. Any alternative solution must be accepted by the Chief Building Inspector prior to the release of the Building Permit.
 - ii. Location, Heights, Colors of mechanical systems and the required screening are to be determined at time of DP
 - iii. Any security system that limits access to exiting needs to be addressed in the code analysis by the architect.
 - iv. Hard surface exit paths should be defined as part of the Development Permit from the exit stairwells.
 - v. Access to the roofs are required per NFPA and guard rails may be required and should be reflected in the plans if required.
6. A Geotechnical report is required to address the sub soil conditions and site drainage at time of building permit application. Minimum building elevations are required to be established prior to the release of the Development Permit. If a soil removal or deposit permit is required, this must be provided at time of Development Permit application.
7. We strongly recommend that the developer have his professional consultants review and prepare solutions for potential impact of this development on adjacent properties. Any damage to adjacent properties is a civil action which does not involve the city directly. The items of potential damage claims by adjacent properties are items like settlement of foundations (preload), damage to the structure during construction, undermining & underpinning of

existing foundation, additional snow drift on neighbour roofs, excessive noise from mechanical units, vibration damage during foundation preparation work, water infiltration systems, etc.

8. 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 and NAFS are being applied to this complex at time of permit application.

7.0 Application Chronology

Date of Application Received: November 11, 2018

Report prepared by: Arlene Janousek, Planner

Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments:

Attachment A: Comprehensive Development Permit Area Design Guidelines Checklist

Attachment B: Draft Development Permit No. DP19-0081

Schedule A: Site Plan

Schedule B: Conceptual Elevations & Materials

Schedule C: Landscape Plan

Conceptual Renderings