

REPORT TO COUNCIL



Date: June 17, 2019

RIM No. 0940-00

To: City Manager

From: Community Planning Department (AJ)

Application: DP19-0079

Owner: Dilworth Shopping Centre Ltd.,
Inc.No. 319846

Address: 2339-2397 Highway 97 North

Applicant: Eric Ching

Subject: Development Permit Application

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

Existing Zone: C4 – Urban Centre Commercial
C4rls – Urban Centre Commercial (Liquor Retail Sales)

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP19-0079 for Lot A, District Lots 126 and 532, ODYD, Plan 40108 located at 2339-2397 Highway 97 North, 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 to be provided on the land be 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 service. The proposed Starbucks 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 a drive-through for food services. Regarding form and character, the proposed building is modern in design and typical of the Starbucks corporate brand. Visual interest is added through architectural articulation including awnings and roofline variation. The building's most prominent corner, fronting both Highway 97 N and Leckie Road, is to be constructed with wooden siding that contrasts the finishes found on the rest of the façade and provides additional definition. Other materials include metal panels, white trim, and paint in neutral tones.

Signage is proposed for the front and side elevations of the building, as well as directional and menu board signage within the site. Landscaping is provided throughout the site, and includes fourteen trees and a variety of shrubs and grasses. Additionally, one existing tree is to remain on site. Garbage and recycling bins are to be located within a screening enclosure, stamped concrete is proposed for portions of site, and a bike rack is also provided. Overall, the proposal is compliant with the Zoning Bylaw as per the Zoning Analysis Table (see page 3).

4.0 Proposal

4.1 Background

The site for the proposed development is located at the northeastern corner of an established shopping complex along the Highway 97 N corridor. The property is split zoned C₄ and C₄lrs. The portion pertaining to the proposal is zoned C₄ – Urban Centre Commercial, which permits drive-in food services on properties fronting a provincial highway.

4.2 Project Description

The proposal is to renovate the existing 213.7m² building that is on the site, which is currently a Taco Time restaurant with drive-in food service. The site has access from both Highway 97 N and Leckie Road.

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	C ₉ P – Tourist Commercial (Liquor Primary)	Hotels
East	C ₁₀ – Service Commercial	Retail Stores
South	RM ₅ – Medium Density Multiple Housing	Multiple Dwelling Housing
West	C ₁₀ – Service Commercial	Automotive and Minor Recreation Vehicle Sales/Rentals, Gas Bars

Subject Property Map: 2339-2397 Highway 97 North**4.4 Zoning Analysis Table**

Zoning Analysis Table		
CRITERIA	C4 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	1300m ²	56559m ²
Lot Width	40.0m	482m
Lot Depth	30.0m	159m
Development Regulations		
Floor Area Ratio	1.0	0.28
Height	15m / 4 storeys	7.0m / 1 storey
Front Yard	0.0m	11.6m
Side Yard (east)	0.0m	1.8m
Side Yard (west)	0.0m	>0.0m
Rear Yard	6.0m	>6.0m
Other Regulations		
Minimum Parking Requirements	4	8 parking, 1 loading
Bicycle Parking	2	2

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

- Convey a strong sense of authenticity through urban design that is distinctive for Kelowna;
- Promote a high urban design standard and quality of construction for future development that is coordinated with existing structures;

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

- 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.o Application Chronology

Date of Application Received: April 1, 2019

Report prepared by: Arlene Janousek, Planner

Reviewed by: Laura Bentley, Urban Planning & Development Policy Manager

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. DP19-0079

Attachment C: Conceptual Renderings