

REPORT TO COUNCIL



Date: January 21, 2019

To: Council

From: City Manager

Department: Development Planning

Application: DP19-0191/DVP19-0192 **Owner:** Carolco Developments Ltd.,
Inc. No. BC0291464

Address: 532 – 538 Yates Road **Applicant:** Curtis Johnson Morrison

Subject: Development Permit and Development Variance Permit Applications

Existing OCP Designation: COMM – Commercial

Existing Zone: C2 – Neighbourhood Commercial

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP19-0191 for Lot 1 Section 32 Township 26 ODYD Plan KAP77456, located at 532-528 Yates 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 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 THAT Council authorizes the issuance of Development Variance Permit No. DVP19-0192 for Lot 1 Section 32 Township 26 ODYD Plan KAP77456, located at 532-538 Yates Road, Kelowna, BC;

AND THAT variances to the following section of Zoning Bylaw No. 8000 be granted:

Section 14.2.6(g): C2 – Neighbourhood Commercial Other Regulations

To permit drive-in food services as a form of development.

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit Application in order for the permits to be issued;

AND FURTHER THAT this Development Permit and Development Variance 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 façade updates to a commercial building with a variance to allow drive-in food services as a form of development.

3.0 Development Planning

Development Planning Staff are supportive of the Development Permit and Development Variance Permit proposed in this application. The proposed façade updates are in general accordance with the City of Kelowna's Comprehensive Development Permit Area Design Guidelines as indicated in Attachment B.

3.1 Form and Character

This application proposes updates to the façade of an existing commercial building. Siding and trim are to be updated with neutral colours including grey, black, and white. Deep blue and green will be used as accent colours. The roofline, roof material, and other architectural features of the existing building will be maintained. Overall, the proposed alterations respect the existing architecture while providing modern updates that are consistent with Starbucks branding. Mature landscaping on-site is to be maintained, and the applicant has also proposed supplementary landscaping, a new patio area, and an enclosure to screen garbage and recycling bins.

3.2 Variance

The applicant is requesting a variance to allow drive in food services as a form of development on the subject property. While new drive in food services are not typically encouraged, the existing building was formerly used as a bank with drive-through services, so there is existing drive-through infrastructure in place. A variance is required to use the existing drive-through for a food primary establishment. The applicant has worked to reduce the impact of the proposed drive in a number of ways including locating the Starbucks on the southern portion of the property furthest away from residential neighbours, providing a sound attenuation wall on the north side of the property to mitigate noise, and by not proposing any illuminated fascia signage on the north side of the building. Adequate space has been provided for vehicle queueing.

4.0 Proposal

4.1 Project Description

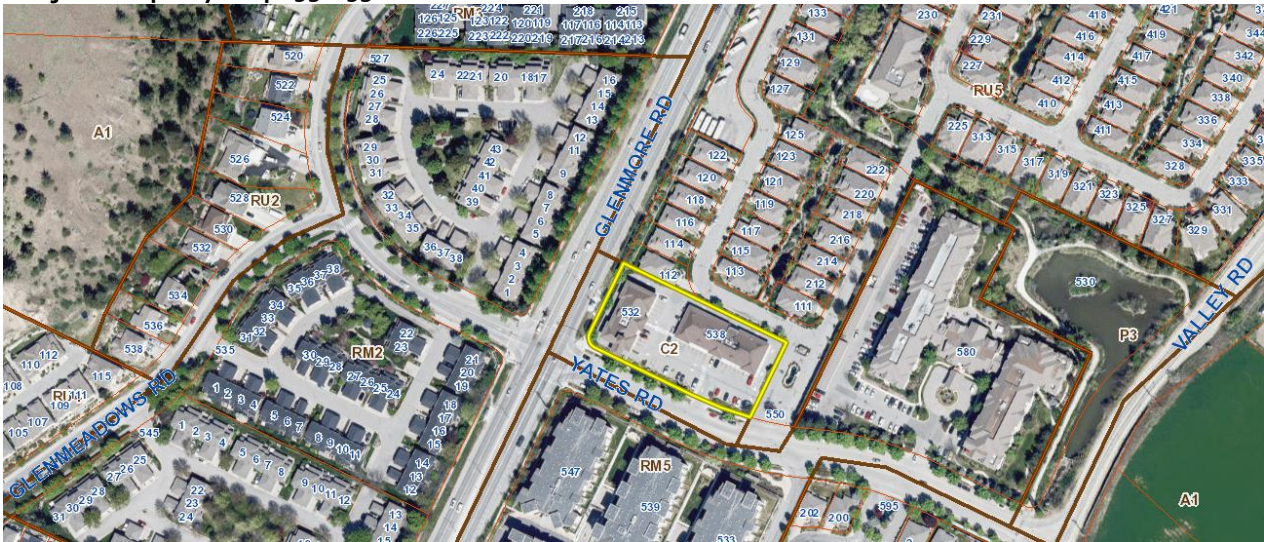
The applicant is proposing façade updates to an existing 478 m² commercial building and are seeking approval to use the existing drive-through infrastructure for a food primary establishment. The existing building is proposed to be divided into two units, with the drive-through Starbucks proposed in the south unit and office space proposed in the north unit. Parking in accordance with Zoning Bylaw 8000 is provided with a surface parking lot, and access to the subject property is from Yates Road. Council Policy No. 367 with respect to neighbourhood notification was undertaken by the applicant.

4.2 Site Context

The subject property is located on the northeast corner of Yates Road and Glenmore Road. The subject property is located within the Glenmore – Clifton – Dilworth City Sector south of the Glenmore Valley Village Centre. Adjacent land uses are residential, as outlined below:

Orientation	Zoning	Land Use
North	RU5 – Bareland Strata Housing	Single Dwelling Housing
East	RM5 – Medium Density Multiple Housing	Apartment Housing
South	RM5 – Medium Density Multiple Housing	Apartment Housing
West	RM2 – Low Density Row Housing	Multiple Dwelling Housing

Subject Property Map: 532-538 Yates Road



4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	C2 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Min. Lot Area	1500 m ²	4682 m ²
Min. Lot Width	40.0 m	±47 m
Min. Lot Depth	30.0 m	±97 m
Development Regulations		
Max. Floor Area Ratio	0.3	0.26
Max. Site Coverage (buildings)	40%	26%
Max. Height	10.5 m / 2.5 storeys	6.1 m / 1 storey
Min. Front Yard (west)	4.5 m	7.5 m
Min. Side Yard (south)	4.5 m	7.6 m
Min. Side Yard (north)	2.0 m	7.1 m
Min. Rear Yard (west)	3.0 m	7.6 m
Other Regulations		
Parking Spaces	47	51

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 5: Development Process

Objective 5.3 Focus development to designated growth areas

Policy .2 Compact Urban Form. Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 – 100 people and/or jobs per ha located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

Chapter 14: Urban Design Development Permit Areas

Comprehensive Development Permit Area Objectives

- 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;
- 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;
- Promote alternative transportation with enhanced streetscapes and multimodal linkages; and
- Highlight the significance of community institutional and heritage buildings.

6.0 Application Chronology

Date of Application Received: September 8, 2019
Date Public Consultation Completed: November 29, 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: Draft Development Permit DP19-0191 & DVP19-0192

Attachment B: Urban Design Guidelines Checklist

Conceptual Renderings