

ATTACHMENT **A**

This forms part of application

OCP20-0005/Z20-0011

Planner
Initials

WN



2090 BYRNS ROAD DEVELOPMENT PROPOSAL

September 30,2020

DiStefano Jaud **Architecture**

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2090 Byrns Road Development Proposal

Table of Contents	Page
Cover Letter	1-3
Letter of Rationale	4-7
Kanata Hotel Reservation	8
Neighbour Consultation form	9
Attendee Sign in sheet	10
Attendee Comment Sheet	11
Appendix	
PetroCan Letter	
Research Group	
Email correspondence	
Illustrations	

September 24, 2020

Dear Mayor and Councilors

**Re: Property Development Proposal
2090 Byrns Road Kelowna BC**

Dear Sir/Madam

DiStefano Jaud Architecture inc.
Carlo DiStefano Architect AIBC, AAA
Neil Jaud Architect AIBC, AAA, MRAIC, LEED
AP

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We respectfully submit to you the description of our process of Community engagement. As well we include the initial letter of rationale, letter to the residents within the catchment area and the rendered images of our proposal for development.

Letters to 117 residents and Owners were sent by mail on July 24, 2020 to describe our proposal for the development of the property 2090 Byrns Road at the intersection of Benvoulin and Byrns roads.

Our goal is to reinforce the attributes of this neighborhood by creating a quality “edge” development to frame and reinforce the boundary to the existing farmlands.

We are requesting a rezoning and OCP amendment to accommodate this commercial development. The low-rise project is intended to consist of retail shops, offices, liquor store, fast food outlet, gas bar and premium car wash.

The site plan shows the landscaped perimeter edge which will follow the “Guide to Edge Planning” forming a dense green boundary to the adjacent cropland. The overall site plan organization of small-scale buildings distributed over the site. Ample open space between the proposed building components as well as between the buildings and the adjacent croplands relates well to the farm building context.

Access to the site will be located at distance from the intersection at the extreme ends of the site frontage along Benvoulin and Byrns roads. Access will be right in and right out on Benvoulin and we anticipate right and left in-out on Byrns. See Attached site plan drawing.

The project site is designed to give street expression to the buildings which has the advantage of internally locating parking and drive-aisles out of direct view from the roadways.

Landscaping will front the buildings and provide a “green” setting presented to the view of passers-by while the interior property line will incorporate a landscaped transition to the adjacent properties.

Our public information session was held at the Kanata hotel on Saturday August 08, 2020 and was attended by 12 residents, some of whom reside on Bryns Road and others on Benvoulin Road. As well we received emails from a residents at 2409 Benvoulin Road, 2979 Bryns Road, 2300 Benvoulin Road and the Arboretum at 2288-2300 Benvoulin Road

The points raised by those who attended were:

1. Traffic on Bryns and Benvoulin and potential congestion
 - a. Developer providing intersection lane modifications
 - b. Access from Benvoulin is right-in and Right-out only
 - c. Access from Bryns is right-in and right-out only with lane addition to alleviate congestion
2. Traffic light installation at Benvoulin and Cooper intersection
 - a. City jurisdiction
3. Potential noise from carwash dryer
 - a. Developer offers to work with manufacturer on noise mitigation measures
4. Hours of operation and noise generation
 - a. Developer traditionally closes operations at 12 midnight
To respect privacy of adjacent residents
 - b. Carwash will close at 10pm.
5. Safety of sidewalks, bike lanes
 - a. Sidewalk to be added to Benvoulin and Bryns Roads
 - b. Lane addition on Bryns Road to alleviate
 - c. Existing bike lane on Benvoulin not affected
6. Provision of chain link fence along interior property lines to protect farmland
 - a. Developer offers an upgraded fence to accompany landscaped separation strip
7. Speed of traffic on Bryns and Benvoulin Roads
 - a. City jurisdiction

8. Existing service stations and carwash facilities

- a. Developer has had a feasibility study prepared which supports the project type
- b. Currently no service station or carwash exists on West side of Benvoulin Road
- c. The two existing stations within one kilometer are at KLO and Springfield. One is located for opposite traffic direction and one is out of the way for Benvoulin traffic.

It is our view that the concerns noted can be satisfactorily be addressed by the developer through good design and quality business operations.

The local benefits for this project include:

- 50 plus new steady jobs
- Property tax increase
- Convenient new structure

As well the current property value and BC Assessment is very high under the current zoning which makes it very difficult to have income and return sufficient to support the property value.

In the words of one supporter of this proposal “It will clean up the corner”.

We look forward to your consideration and trust a positive view of this rezoning will be the result.

Respectfully

Neil Jaud

On Behalf of 0966447 BC LTD

Attachments:

Email responses



December 20, 2019

Planning Department
City of Kelowna
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Re: **Letter of Rationale**
Application for OCP Amendment and Rezoning
2090 Byrns Road Kelowna BC

Forming part of the Submission to Amend the City of Kelowna Official Community Plan and Rezoning to Permit Convenience Commercial and Gas Station/Car Wash

1. Justification to accommodate C-Zone at this site (Convenience grocery/gas/car wash)

The subject property has been zoned A1 and never subjected to the ALR designation from inception of the Provincial legislation in 1973. The large lot has contained a single-family home for several decades and in recent years has fallen into a state of disrepair. The property is located along Benvoulin Road that has been upgraded to a major road which has experienced significant growth in traffic volumes. The four-lane roadway is a main arterial carrying traffic between the growing south sector of Kelowna and major employment hubs, a large commercial precinct and the Highway 97 corridor which is recognized as a regional, Provincial and international route for trade and tourism. The strategic location at the intersection of Byrns Road and Benvoulin Road warrants consideration for a 'higher and better use', namely convenience commercial and community auto service. A mixture of convenience uses will require a C3r1s Zone as per Bylaw #8000.

Convenience community commercial uses are lacking along this road. Commercial convenience retail is also severely lacking further along Benvoulin south bound and along KLO into southeast Kelowna beyond the Hall Road area. The minor commercial that currently exists at the corner of KLO and Benvoulin Roads is compromised with access and egress, making turning movements unsafe and often congested especially for the return-home traffic. The *Shell Gas Station* on the southeast corner is the only fueling station for several kilometers causing motorists to cross over and then return to Benvoulin to proceed southbound after fueling up. Similarly, the *Williams Auto Centre* on the other side of Benvoulin is severely compromised with both access and egress. All three corner convenience locations, including *KLO Crossing*, contain minor retail and are restricted for any expansion. (Also See # 5)

2. Justification to re-designate from Agriculture/Resource Protection to Commercial

The subject property is currently designated Resource Protection and outside of the Permanent Growth Boundary, essentially adopted by the City to protect the integrity of the ALR and to contain urban growth from spreading. Nevertheless, it is noted that the City has been instrumental in widening the Benvoulin Road corridor, upgrading the intersection at Cooper and Benvoulin and continuing to permit multi-family development in the vicinity of the subject property, further enhancing urban opportunities. Although the Benvoulin-KLO ALR block continues to maintain a rural character, it is proven much of the land has been fallow for years, under farmed or even abandoned for farm use. The A1, RU6 and RM3 zoned lands, including the subject property, along Benvoulin Road and especially concentrated near Byrns to Cooper Roads, are all out of the ALR. The subject property is one of the largest lots that remains in the A1 zone and out of the ALR. Its use as commercial convenience/gas service would not impinge on the agricultural community nor the potential of the adjacent ALR for future farm use. This proximate relationship between convenience commercial/gas service and agriculture use exists throughout BC.

3. Transition of the Benvoulin Road Corridor – Byrns Rd to Springfield Rd

In recent years, the Benvoulin corridor from Byrns to Springfield has transformed with respect to land use and roadway changes. This involved dramatic changes including exclusion/land exchanges with ALR to permit the rerouting of Benvoulin and connections with Cooper Road. The former Westwind Nursery parcel was rezoned to permit a significant amount of high density residential and social housing apartments. Complementary to that transformation was a major upgrade to Benvoulin Road into a four-lane arterial. New multi-family developments have continued to occur along Benvoulin Road south towards the Byrns Rd intersection, which was also upgraded with traffic lights and turning lanes. There are currently four remaining lots between the existing multi-family (RM3) and the subject property, all on same side of the road and all outside of the ALR. This urbanization lends credibility to a complementary commercial use in this strategic location.

4. Upgrade of Byrns-Benvoulin intersection

Subsequent to the upgrades of Benvoulin Road, the City also upgraded Byrns Road into a two-lane arterial between Benvoulin and Burtch Roads, as well as the intersection at Byrns and Benvoulin Roads. The three-way intersection includes traffic lights, crosswalks and turning lanes to accommodate traffic and pedestrian movement between the Guisachan Road area and Benvoulin Road, as well as along the Benvoulin corridor. It is recognized that the addition of a convenience commercial development at this corner location would necessitate frontage improvements to address access/egress movements and landscaping. (See # 9)

5. Justification of Supporting Market (Gas and Convenience)

The commitment to pursue a development that would accommodate a gas station, convenience commercial and associated uses for this location was not made lightly. Important aspects were considered in defense of a sufficient market especially related to the traffic volume and patterns along Benvoulin, trip destinations and competition from similar facilities in the area.

The gas station/car wash opportunity investigated the availability of similar facilities especially on the south side of Highway 97 and towards KLO Road. There are currently 5 stations (3 Shells, 1 Esso and 1 Chevron). Only the Chevron at Guisachan contains associated convenience groceries in adjacent stores; the others have limited convenience items and coffee at the station. The Shell at KLO and Benvoulin is the only combination gas/car wash in the vicinity until you reach the Esso way out on Lakeshore Road beyond Mission Creek. As there is no further service for southbound traffic beyond KLO or along Gordon Drive for several kilometers, the drive home trip for the south and southeast residential lacks opportunity for access to basic goods and services, or must deviate off their direct route and/or risk movements at various intersections including the KLO-Benvoulin corner

Small grocery, liquor or other convenience retail and services are also limited along this corridor. The relatively new liquor store at KLO Crossing will serve part of the pass-through traffic, but it is in a disaggregated location far enough away from typical grocery convenience. For southeast Kelowna residents, the KLO Super Mart and McCulloch Cold Beer/Wine Store near the corner of K.L.O. and East Kelowna Roads, is a convenient aggregated commercial location, as is Guisachan Village for residents travelling home along Gordon Drive. Otherwise, access to such goods and services are limited or one must deviate off their direct route.

6. Current Zoning is Limiting Potential of the Site

The subject property consists of just over 2 acres of land with an old single-family house as principle use. The current zoning of A1 is considered limiting for future uses other than continuing residential or agricultural purposes. Opportunities to pursue a higher and better use would necessitate rezoning. Building a new single-family home on a busy arterial would not make sense from a lifestyle or economic perspective. Pursuing agriculture is also considered limited opportunity at this corner of two main roads. Discussion has included possibilities of agri-tourism or market garden/fruit stand. The latter is considered challenged due to lot size for agricultural production and the numerous markets that already serve the area. A commercial zoning would translate into considerable benefit to the area, increased tax base to the city and employment opportunities. Sensitive design and a mix of uses could ensure integration with the nearby agriculture and a growing residential area along Benvoulin.

7. Opportunity to Buffer adjacent to ALR

The City of Kelowna and the Agricultural Land Commission require a buffer along the western edge of the site. The site is large enough to accommodate a sufficient setback and planted buffer to protect the integrity of the adjacent agricultural operation. Commercial land uses as proposed are very compatible with farmland especially where the commercial activity does not impinge on soil quality, release air emissions, or cause any other negative externalities for production of farm product. Other controls can be introduced through the Development Permit, if required.

8. Byrns Road Redevelopment

There is a similar block of A1 properties across the road from the subject property. The City of Kelowna has recently approved duplex and townhouse developments (RU6) along Byrns Road in the vicinity of the subject property. There are more A1 properties (outside of the ALR) that may be subject to redevelopment.

9. Convenient access/egress

Preliminary site planning has determined that access and egress for vehicles using this commercial area will be safe and controlled. It is expected that a right-in/ right out off Benvoulin Road south bound, along with in/out movements on the existing Byrns right-of-way (with extra left in turning lane) will achieve the necessary upgrades. Further traffic impact assessment and design will confirm exact location of driveways, length of turning lane and signage. The site itself has been designed for gas station, car wash and convenience retail/service to be used simultaneously without compromising turning movements of delivery vehicles into and through the site. Further design of the buildings and the site will also consider aesthetics, off-site sidewalks and landscape treatment to help achieve safety, and address form and character guidelines.

SUNCOR ENERGY INC.

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www.petro-canada.ca



17, October 2018

Attention: To whom it may concern

RE: 2090 Byrns Rd Kelowna, BC

Please except this letter as a Letter of Intent with Suncor/Petro-Canada interest in the included development of 2090 Byrns Rd Kelowna, BC. We have a letter of intent to be the branding and fuel supplier for the development presented at 2090 Byrns Rd Kelowna, BC by Gary Johal.

If you have any questions I can be reached at the below.

Sincerely,

Tye Coldwell
Dealer Development Representative
Suncor Energy Products Partnership
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Fuel/Convenience Sales Potential Study

KELOWNA DATA – Benvoulin Rd and Bryns Rd

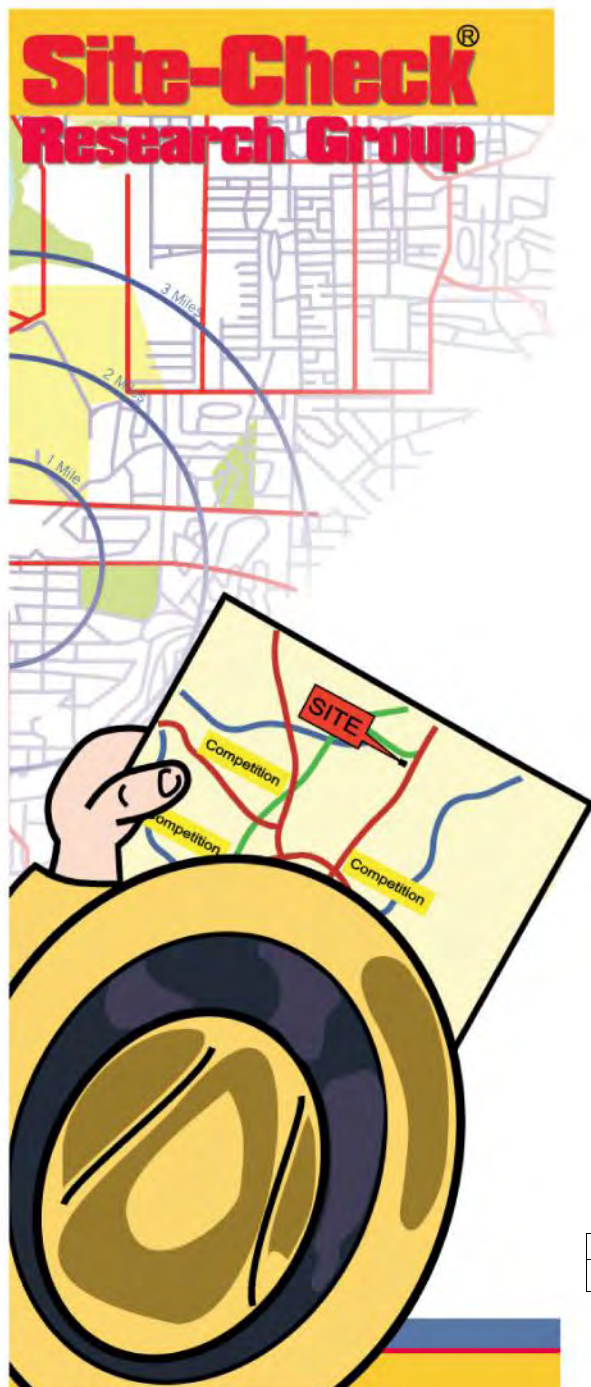
Kelowna, BC

May 2019

Table of Contents

Executive Summary	3
Document Control	5
Projection Assumptions.....	6
Map(s)	7
Demographics	11
Simulation and Projection Models	14
Appendix: Characteristics of Competition	18
Appendix: Source Documentation.....	39





May 31, 2019

Gary Johal
C/O 0966447 BC Ltd

Attn: Mr. Gary Johal

Dear Mr. Johal

Attached you will find a “Fuel/C-Store” sales potential evaluation for a new “Petro-Canada” Fuel/C-Store/Car Wash on Benvoulin Rd and Bryns Rd in Kelowna, BC.

The base case was evaluated to include five (Gasoline/Diesel) Multi-Product Dispensers (MPD's). The gasoline fueling forecourt will have 10 fueling positions with a bypass lane on the outside of each island within a starting gate fueling layout configuration. The retail store size will be approx. 1,875 retail square feet with a strong selection of soft drinks, salty snacks, coffee, sweet pre-packaged baked goods and a fountain area. There will be a soft cloth tunnel car wash in a separate building within a strip centre containing 30,000 sq. ft of office and retail space. The fuel pricing model has been set to competitive which was based on the current pricing in the trade area. (Additional details are shown on the projection assumption page).

Projection	Description	Year 1	Year 2	Year 3	Year 4	Year 5
One	Fuel	5,186	5,881	5,999	6,177	6,355
One	C-Store	999	1,161	1,210	1,264	1,317

Summary of Projections

-) Fuel projections are expressed in annual litres (000's)
-) C-Store projections are expressed in annual \$ (000's)
-) C-Store sales do not include lottery sales
-) C-Store sales assume cigarette pricing is competitive with other outlets in the trade area
-) C-Store sales do not include any branded partner sales

Population	Age	Daytime Pop	Ave Income	Index	Ltr/Per	Index	Cstore/Per	Index	FastFood/Per	Index
7,497	53	0	\$65,984	67	.902	97	\$132	59	\$431	89

1.5 Kilometer Summary

Know Your Options!



(Executive Summary Continued...)

There are 18 fuel competitors in the trade area with an average annual outlet volume of 5.578 (million litres). The “Fuel Scores” range from a low of 67 to a high of 132.

There are 9 C-Store competitors with an estimated average annual volume of \$1.456 (million). The “C-Store Scores” range from a low of 79 to a high of 124.

The traffic count on Benvoulin Rd is 43,145 (AADT) with easy access, slightly hindered visibility and an intersection break for the northbound cross over traffic.

The traffic count on Bryns Rd is an estimated 7,500 (AADT) with easy access, slightly hindered visibility and a legal barrier for the eastbound cross over traffic.

The weakness of the site is the limited population in the immediate trade area.

The strength of the site is the high traffic count and the PM site positioning on Benvoulin Rd which serves as arterial feeder into the East Kelowna and South Kelowna areas.

After reviewing the site plan, caution should be used when setting up the layout of this site. Restricted visibility and ingress/egress points may hinder the sales of this location.

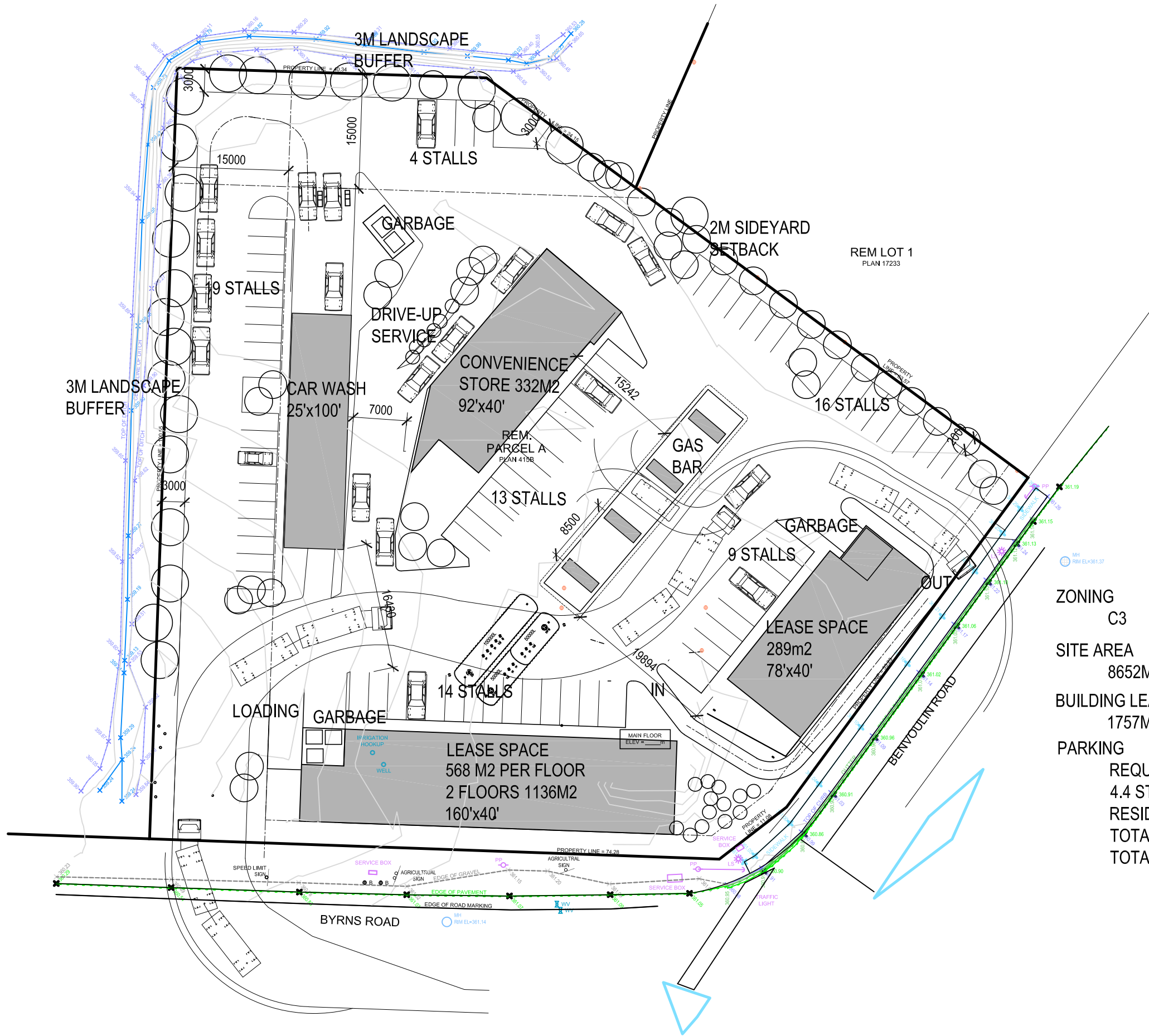
The sales were adjusted in the first year of operation to account for consumer shopping patterns to change post grand opening

Sincerely,

Ron Conlin

SITE-CHECK RESEARCH GROUP

Please note that the attached volume projections are based on the conditions as they are outlined in this report. If there are any changes in the trade area or changes to the competition, there could be significant variation between projected and actual sales. This possibility increases with the passing of time.



ZONING
C3

SITE AREA
8652M2

BUILDING LEASE AREA
1757M2

PARKING

REQUIRED:

4.4 STALLS PER GROSS LEASE AREA 100M2 =

RESIDENT ATTENDANTS & GAS BAR =

TOTAL REQUIRED

TOTAL PROVIDED:

PARKING STALLS 75 STALLS

PUMP STALLS 8 STALLS

TOTAL 83 STALLS

78 STALLS

3 STALLS

81 STALLS









