

REPORT TO COUNCIL DEVELOPMENT PERMIT & DEVELOPMENT VARIANCE PERMIT



Date: September 12, 2023
To: Council
From: City Manager
Address: 6320 Lapointe Drive
File No.: DP23-0091 DVP23-0092
Zone: CD12 - Airport

1.0 Recommendation

THAT final adoption of Zoning Bylaw Text Amendment Bylaw No. 12544 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP23-0091 and Development Variance Permit No. DVP23-0092 for Lot 1 District Lot 120 ODYD Plan EPP65593, located at 6320 Lapointe Drive, 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 amount of 125% of the estimated value of the Landscape Plan, as determined by a Registered Landscape Architect;

AND THAT variances to the following sections of Sign Bylaw No. 11530 be granted:

Section 8.3(a)a.: Local Commercial Zones, Signage Regulations

To vary the maximum size of Fascia Signs from 4.0 m² permitted to 6.0 m² proposed.

Section 8.3(a)b.i.: Local Commercial Zones, Signage Regulations

To vary the maximum size of a Free-Standing Sign from 3.0 m² permitted to 6.0 m² proposed.

Section 8.3(a)b.ii.: Local Commercial Zones, Signage Regulations

To vary the maximum height of a Free-Standing Sign from 3.0 m permitted to 5.0 m proposed.

Section 8.3(b)a.i.: Local Commercial Zones, Signage Regulations

To vary the maximum number of non-illuminated Fascia Signs from two (2) permitted to three (3) proposed.

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit and Development Variance Permit Applications 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 issue a Development Permit for the form and character of a heavy duty truck sales, service, and repair building and a Development Variance Permit to vary the maximum size, height, and number of signs.

3.0 Development Planning

Staff support the proposed Development Permit for the form and character of a new heavy duty truck sales, service, and repair building on the subject property. The proposal generally aligns with the OCP Form and Character Design Guidelines for Industrial and Service Commercial Development. Key guidelines that are met include:

- Avoiding blank walls adjacent to highways, streets, walkways, and parks;
- Avoiding facing unarticulated facades to the street and using projections, recesses, arcades, awnings, colour, and texture to reduce the visual impact of any unglazed walls; and
- Distributing trees and landscaping throughout the site to soften property edges facing the street, and screening parking, loading, services and utility areas.

The subject site is unique in that it is surrounded by Highway 97 N, Lapointe Drive, and the Rail Trail. The proposed materials include primarily black metal cladding accented by red metal panels, and wall mounted vertical lighting to provide a visually interesting façade to each adjacent public space. Substantial glazing and a large canopy serve to highlight the main building entry.

74 new trees are proposed along the perimeter of the site. These will serve to soften the edges of the site and provide screening for the surface parking area. In the long-term, if a trail corridor is developed within the Rail Trail Corridor, trees along the eastern perimeter will also serve to provide shade.

Variances

The Sign Bylaw requires that a comprehensive sign plan be submitted as part of an application which, where signage that exceeds the regulations, can be considered by Council as a Development Variance Permit. The Sign Bylaw sets out the following criteria that should be considered:

- Signs are designed to be compatible with the existing or proposed buildings;
- Signs are suitable for the building, lot, and zone in which they are located; and
- There would be a greater degree of visual harmony than through the application of the specific sign regulations.

The applicant proposes variances to the City’s Sign Bylaw with respect to the maximum size and number of fascia signs and the maximum size and height of a Free-Standing Sign. Proposed fascia signage has been architecturally integrated into the overall design of the building and does not dominate any of the facades.

The Sign Bylaw specifies that all Comprehensive Development (CD) Zones fall under the Local Commercial Zone Signage Regulations. These are primarily urban residential, commercial, or institutional developments (ex: Centuria, UBCO, Central Green, Capri) and therefore the sign regulations for these zones are restrictive.

In contrast, this development is an industrial development within the CD12 – Airport zone. The variances would allow free-standing and fascia signage on the subject site that would be permitted if the development was located within an Industrial zone (ex: I1 – Light Industrial, I2 – General Industrial). As such, staff consider the proposed variances to be reasonable.

	Proposed	Local Commercial Signage Regulations (including Comprehensive Development Zones)	Industrial Signage Regulations
Number of fascia signs	3 ①	2	3

Maximum size of non-illuminated fascia signs	6.0 m ² ②	4.0 m ²	20% of the wall area
Maximum size of a free-standing sign	6.0 m ² ③	3.0 m ²	10.0 m ²
Maximum height of a free-standing sign	5.0 m ④	3.0 m	5.0 m
<p>① Indicates a requested variance to the maximum number of non-illuminated fascia signs. ② Indicates a requested variance to the maximum size of non-illuminated fascia signs. ③ Indicates a requested variance to the maximum size of a free-standing sign. ④ Indicates a requested variance to the maximum height of a free-standing sign.</p>			

4.0 Subject Property & Background

4.1 Subject Property Map



The subject property is located on Lapointe Drive, at the airport, between Airport Way and Highway 97N. The Rail Trail Corridor runs along the eastern property line of the subject property. Transit stops are located adjacent to Airport Way. The surrounding properties include Kelowna International Airport, agricultural land across Highway 97 N to the west and across Old Vernon Road to the north, and vacant future industrial land to the south.

5.0 Zoning Bylaw Regulations Summary

AREA & UNIT STATISTICS	
Gross Lot Area	16,061 m ²
Net Industrial Floor Area	3819 m ²

DEVELOPMENT REGULATIONS		
CRITERIA	CD12 ZONE	PROPOSAL
Total Maximum Floor Area Ratio	0.65	0.24
Max. Site Coverage (buildings)	60%	18%
Max. Site Coverage (buildings, parking, driveways)	85%	78%
Max. Height	9.0 m and 2 storeys	9.0 m and 2 storeys
Setbacks		
Min. Front Yard (south)	3.0 m	25.0 m
Min. Side Yard (west)	4.5 m	10.7 m
Min. Side Yard (east)	4.5 m	20.6 m
Min. Rear Yard (north)	3.0 m	> 100 m
Landscaping		
Min. Number of Trees	69 trees	69 trees
Min. Large Trees	35 trees	35 trees

PARKING REGULATIONS		
CRITERIA	CD12 ZONE REQUIREMENTS	PROPOSAL
Total Required Vehicle Parking	40 stalls	88 stalls
Automotive & Equipment, Industrial Warehousing	28 12	
Ratio of Regular to Small Stalls	Min. 50% Regular Max. 50% Small	100% Regular 0% Small
Min. Loading Stalls	2 stalls	2 stalls
Bicycle Stalls Long-Term	2 stalls	6 stalls

6.0 Application Chronology

Application Accepted: May 2, 2023
 Neighbour Notification Received: May 24, 2023

Report prepared by: Mark Tanner, Planner II
Reviewed by: Lydia Korolchuk, Planner Specialist
Reviewed by: Jocelyn Black, Urban Planning Manager
Approved for Inclusion: Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

Attachment A: Draft Development Permit DP23-0091 & Development Variance Permit DVP23-0092
 Schedule A: Site Plan & Floor Plans
 Schedule B: Elevations & Sections
 Schedule C: Landscape Plan
 Attachment B: OCP Form and Character Development Permit Guidelines
 Attachment C: Renderings