

REPORT TO COUNCIL DEVELOPMENT PERMIT



Date: April 8, 2024
To: Council
From: City Manager
Address: 940 – 1070 Frost Rd
File No.: DP24-0019
Zone: VC1 – Village Centre

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP24-0019 for Lot A District Lot 579 SDYD Plan EPP127116, located at 940 – 1070 Frost Rd, 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 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 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 commercial development.

3.0 Development Planning

Development Planning recommends support for the Development Permit of a commercial building located in the Ponds Village Centre. The proposal is consistent with key form and character design guidelines in the 2040 Official Community Plan (OCP) and Village Centre, including:

- Design buildings such that their form and architectural character reflect the building's internal function and use;
- Design the façade of buildings with multiple storefronts so that each is defined through individual signage, entrances, canopies and/or materiality; and
- Base new development on an internal circulation pattern that allows logical movement throughout the site and that will accommodate, and not preclude, intensification over time.

This proposal is for phase three of the Ponds Village Centre containing a single commercial building that would contain roughly 513 m² of commercial space. Parking is provided in previous phases which exceeds bylaw requirements for the overall site. The Landscape Plan indicates that there will be three large on-site trees along the public street, complemented by shrubs and grasses. The primary building finish includes a variety of materials and colours honoring the earthy tones of the hillside and the trestles in the area.

4.0 Subject Property & Background

4.1 Subject Property Map



The subject property is part of The Ponds neighbourhood in the Upper Mission. It is located on the north side of Frost Rd between Gordon Dr and Steele Rd. Canyon Falls Middle School is 300 m to the east. Transit stops are located on Gordon Dr approximately 300 m to the west.

Background

On August 22, 2022, Council authorized a Form & Character Development Permit for Phase One of the commercial development on the same parcel. Phase One included 7,773 m² of commercial space. On May 8, 2023, Phase Two was authorized by Council which included an additional 3340 m² of commercial space.

Zoning Bylaw Regulations Summary

| AREA & UNIT STATISTICS | |
|-------------------------------------|-----------------------|
| Gross Lot Area | 46,160 m ² |
| Gross Lot Area (Phase 3) | 763 m ² |
| Net Commercial Floor Area (Phase 3) | 513 m ² |

| DEVELOPMENT REGULATIONS | | |
|--|----------|----------|
| CRITERIA | VC1 ZONE | PROPOSAL |
| Maximum Floor Area Ratio | 1.5 | 0.2 |
| Max. Site Coverage (buildings) | 75% | 31% |
| Max. Site Coverage (buildings, parking, driveways) | 85% | 76% |
| Maximum Height (Phase 3) | 18 m | 7.6 m |
| Setbacks | | |
| Min. Front Yard | 3.0 m | 3.0 m |
| Min. Side Yard | 3.0 m | > 3.0 m |
| Min. Side Yard | 3.0 m | > 3.0 m |
| Min. Rear Yard | 3.0 m | > 3.0 m |
| Landscaping | | |
| Min. Number of Trees (Phase 3) | 3 trees | 3 trees |
| Min. Large Trees (Phase 3) | 2 trees | 3 trees |

| PARKING REGULATIONS | | |
|---------------------------------------|------------------------------------|--------------------------|
| CRITERIA | VC1 ZONE REQUIREMENTS | PROPOSAL |
| Total Required Vehicle Parking | 271 stalls | 342 stalls |
| Ratio of Regular to Small Stalls | Min. 70% Regular Max. 30% Small | 100% Regular 0% Small |
| Min. Loading Stalls | 5 stalls | 7 stalls |
| Bicycle Stalls Short-Term | 26 stalls | 26 stalls |
| Bicycle Stalls Long-Term | 19 stalls | 20 stalls |

5.0 Application Chronology

Application Accepted: January 16, 2024

Report prepared by: Jason Issler, Planner I
Reviewed by: Jocelyn Black, Urban Planning Manager
Reviewed by: Nola Kilmartin, Development Planning Department Manager
Approved for Inclusion: Ryan Smith, Divisional Director, Planning, Climate Action & Development Services

Attachments:

- Attachment A: Draft Development Permit DP24-0019
 - 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: Applicant’s Letter of Rationale

For additional information, please visit our Current Developments online at www.kelowna.ca/currentdevelopments.