

REPORT TO COUNCIL



Date: 12/7/2015
RIM No. 0940-00
To: City Manager
From: Urban Planning Department (AC)
Application: DP15-0249 **Owner:** Simple Pursuits Ltd.
Address: 4624 Lakeshore Rd **Applicant:** Simple Pursuits Ltd.
Subject: Development Permit Application
Existing OCP Designation: COMM - Commercial
Existing Zone: C2 - Neighbourhood Commercial

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP15-0249 for Lot B, Section 25, Township 28, SDYD, Plan 25458, located on 4624 Lakeshore Rd, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land be in general accordance with Schedule "B";
3. Landscaping to be provided on the land be in general accordance with Schedule "C";
4. Prior to issuance of the Building Permit, the outstanding conditions identified in Attachment "A" associated with the report from the Community Planning Department dated November 6th 2015
5. That 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 professional landscaper;

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit Applications in order for the permit 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 consider a Development Permit for a 6,950 ft² commercial unit.

3.0 Urban Planning

Staff are supportive of the proposed Development Permit. A Development Permit is necessary in this case as the subject property is located within a designated Comprehensive Development Permit Area and the property is located adjacent to a residential parcel.

The project adds additional retail space to this relatively small commercial node along Lakeshore Road that is servicing an expanding population in the north Mission neighbourhood. The proposed development adheres to many of the OCP design guidelines. City Staff have been in numerous conversations with the proponent about the relationship of the project to the street. In combination with the future potential intersection improvements at Collett Road and Lakeshore Road the building will provide an effective street edge which will ultimately establish the desired streetscape rhythm. There will be a visual and physical connection between the public street (future Lakeshore Road multi-purpose pathway) and the private building that includes patios and spill out activities. Each building façade was given equal emphasis in terms of adequate openings, massing, materials, and landscaping. The choice of brick, metal canopy, and metal roofing materials conforms with the Development Permit guidelines recommending exterior building materials be selected for their functional and aesthetic qualities including quality workmanship, durability, longevity, and ease of maintenance.

Applicant was not required to perform any public notification as per Council Policy No. 367.

4.0 Proposal

4.1 Project Description

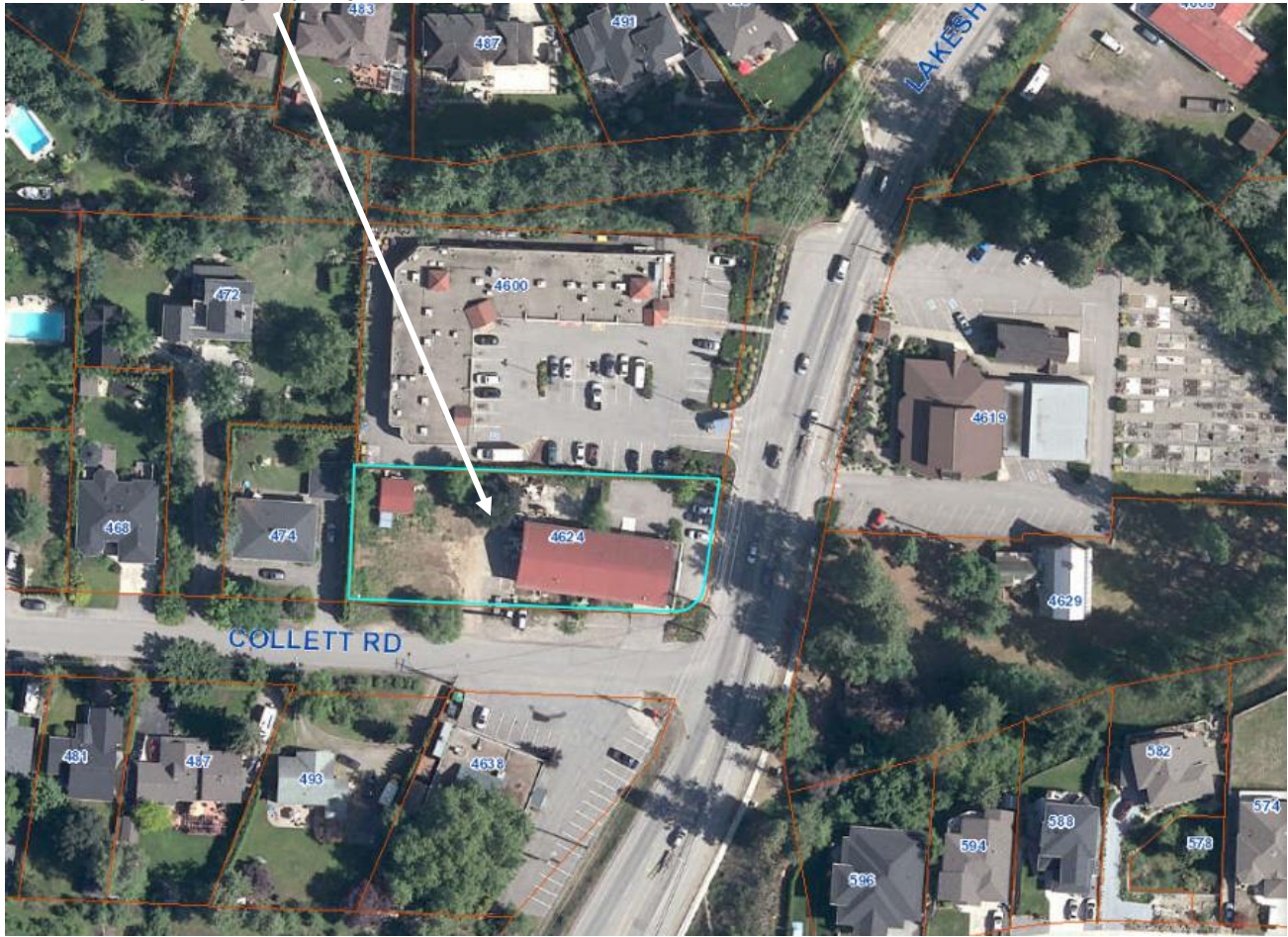
The existing building on the subject property has been demolished. This proposal is for a new single storey commercial building (6,950 ft²). There will be a vehicle entrance and exit on the west side of the property located on Collett Road. The on-street details shown on the developer's plan do not apply and those details will meet the City of Kelowna's servicing standards.

4.2 Site Context

The subject property is located just south of Bellevue Creek and the Future Land Use designation is COMM - Commercial in the Official Community Plan. Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C2LR - Neighbourhood Commercial (Retail Liquor Store)	Commercial
East	P3 - Parks and Open Space P2 - Education and Minor Institutional	Park / Heritage Home Institutional
South	C2 - Neighbourhood Commercial RU1 - Large Lot Housing	Commercial Residential
West	RU1 - Large Lot Housing	Residential

4.3 Subject Property Map: 4624 lakeshore Road



5.0 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	C2 ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
	Principal Bldgs	Principal Bldgs
Height	Max 10.5 m & 2.5 stories	7.35 m & 1.0 storey
Front Yard (Lakeshore Rd)	Min 4.5 m	4.5 m
Flanking Side Yard (Collet Rd)	Min 4.5 m	4.5 m
Side Yard (north)	Min 2.0 m	2.0 m
Rear Yard	Min 6.0 m	36.3 m
Site coverage of buildings	Max 40 %	31 %
Site coverage of buildings, driveways & parking	Max 60 %	56.7 %
FAR	0.3	0.3
Other Regulations		
Number of Units	n/a	52

Zoning Analysis Table				
CRITERIA	C2 ZONE REQUIREMENTS		PROPOSAL	
Min Parking Requirements	Animal Clinics = 33 spaces Health Services = 33 spaces Financial Services = 17 spaces Offices = 17 spaces Personal Service Establishments = 13 spaces Retail Store, Convenience = 13 spaces Food Primary Establishment = 1 space per 4 seats of capacity All other permitted Commercial Uses = 15 spaces		27 parking stalls ❶	
Min Bicycle Parking Requirements	Class 1: 0.2 per dwelling (2) Class 2: 0.6 per dwelling (4)		Class 1: (2) Class 2: (4)	
Landscape Requirements				
	Buffer	Treatment Level	Buffer	Treatment Level
Front (Lakeshore Rd)	3.0 m	2	3.0 m	2
Side (Collett Rd)	3.0 m	3	3.0 m *	3
Side (North)	3.0 m *	3	2.0 m *	3
Rear (west)	3.0 m *	3	1.5 M *	3
	* Or Opaque Fence			
❶ Parking does not require a variance but a note will be put on the property stating any business license application for an animal clinic or a health service establishment will need a parking variance prior to approval.				

6.0 Current Development Policies

6.5 Kelowna Official Community Plan (OCP)

Development Process

Compact Urban Form.¹ 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 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.

Relevant Development Permit Guidelines

Ch.14 / S.3.2 - Develop visual and physical connections between the public street and private buildings (e.g. patios and spill-out activity, views to and from active interior spaces, awnings and canopies);

Ch.14 / S.3.4 - Design buildings with multiple street frontages to give equal emphasis to each frontage with respect to building massing, materials, details, and landscaping.

Ch.14 / S.4.2 - Ensure developments are sensitive to and compatible with the massing of the established and/or future streetscape;

¹ City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

Ch.14 / S.4.2 - Design for human scale and visual interest in all building elevations. This can be achieved principally by giving emphasis to doors and windows and other signs of human habitation relative to walls and building structure;

Ch.14 / S.6.3 - Continue higher quality materials used on the principal façade around any building corner or edge which is visible to the public;

Ch.14 / S.8.8 - Locate parking areas to the rear of buildings, internal to the building, or below grade;

7.0 Technical Comments

Building & Permitting

- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permit(s)
- Placement permits are required for any sales or construction trailers that will be on site. The location(s) of these are to be shown at time of development permit application.
- A Building Code analysis is required for the structure at time of building permit applications, but the following items may affect the form and character of the building(s):
 - Any security system that limits access to exiting needs to be addressed in the code analysis by the architect.
 - Access to the roof is required per NFPA and guard rails may be required and should be reflected in the plans if required.
- A Geotechnical report is required to address the sub soil conditions and site drainage at time of building permit application.
- Fire resistance ratings are required for storage, janitor and/or garbage enclosure room(s). The drawings submitted for building permit is to clearly identify how this rating will be achieved and where these area(s) are located.
- An exit analysis is required as part of the code analysis at time of building permit application. The exit analysis is to address travel distances within the units, multiple parking areas (future), number of required exits per area, accessibility etc
- Size and location of all signage to be clearly defined as part of the development permit. This should include the signage required for the building addressing to be defined on the drawings per the bylaws on the permit application drawings.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications. Please indicate how the requirements of Radon mitigation are being applied to this structure.

Fortis BC Inc - Electric

- There are primary distribution facilities along Lakeshore and Collett Roads. The applicant is responsible for costs associated with any change to the subject property's existing service, if any, as well as the provision of appropriate land rights where required.
- Otherwise, FortisBC Inc. (Electric) has no concerns with this circulation.

Development Engineering

- See attached memorandum dated November 6th 2015.

IPLAN Parks & Public Spaces

- A proposed transformer on the private property is accessed off of the Collett Road right of way. These access doors should be reoriented to be off of the private parking lot in order to avoid potential conflicts with sidewalk users.

8.0 Application Chronology

Date of Application Received: October 13th 2015

Report prepared by:

Adam Cseke, Planner

Reviewed by:

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Terry Barton, Urban Planning Manager

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Ryan Smith, Community Planning Manager

Attachments:

Subject Property Map

Development Engineering Memo (Attachment 'A')

Draft Development Permit

- Schedule 'A'
 - Site Plan
 - Floor Plan
- Schedule 'B'
 - Elevations
 - Colour Board
- Schedule 'C'
 - Landscape Plan