



DEVELOPMENT SERVICES COUNCIL REPORT

To: Mayor and Council

Date: July 11, 2023

From: Paul Gipps, CAO

File No: DP 22-28

Subject: **DP 22-28, Commercial Development Permit, 2961 Gorman Road**

Report Prepared By: Cam Graham, Planner I

RECOMMENDATION to Consider and Resolve:

THAT Council authorize the issuance of the proposed Commercial Development Permit (DP 22-28) to allow for an addition located at 2691 Gorman Road, subject to the conditions outlined in the attached Development Permit;

THAT staff issuance of the Development Permit is withheld pending receipt of landscape security in the amount of \$31,640, 125% of the landscape cost estimate; and

THAT if the Development Permit has not been issued within one year from approval, the Development Permit shall be deemed to have been refused and the file will be closed.

STRATEGIC AREA(S) OF FOCUS

Pursue Economic Growth and Prosperity

We will work with stakeholders throughout the region to advocate for and support efforts aimed at helping West Kelowna businesses prosper. With a focus on the future, we will advance opportunities to expand our economy, increase employment, and develop the community in ways that contribute towards prosperity for all.

BACKGROUND

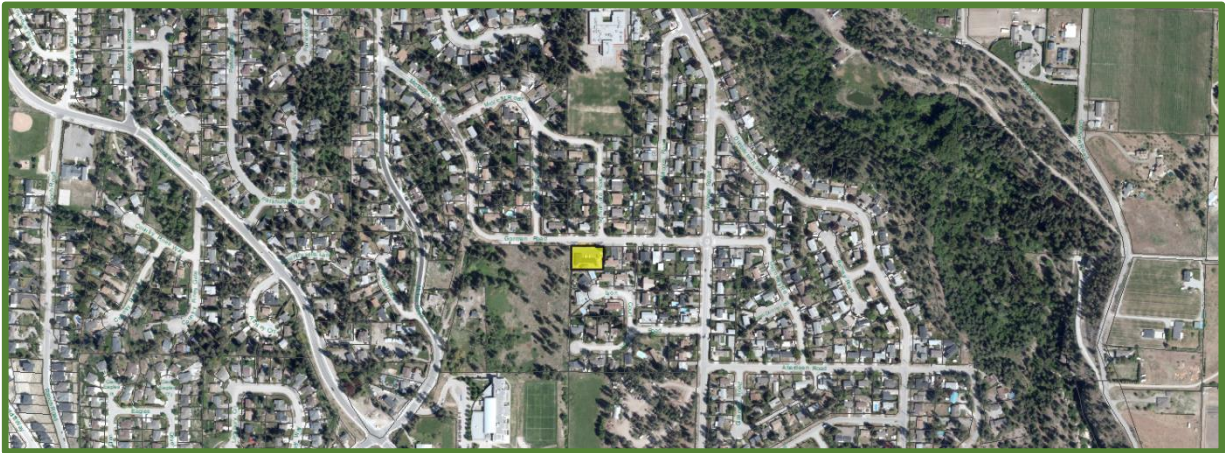
The subject property is in the Glenrosa neighbourhood and is surrounded by single family dwellings. The existing liquor and convenience store serves as a neighbourhood amenity for Glenrosa residents. The western portion acts as a liquor store, and the eastern side of the building is currently operating as a convenience store.

PROPERTY DETAILS			
Address	2961 Gorman Road		
PID	003-820-955		
Folio	36414626.398		
Lot Size	1967 m ²		
Owner	1210736BC Ltd	Agent	Ron Alvord
Current Zoning	C2 - Neighbourhood Commercial Zone	Proposed Zoning	N/A
Current OCP	Commercial	Proposed OCP	N/A
Current Use	Store and Service (C)	Proposed Use	N/A

ADJACENT ZONING & LAND USES

North	^	R1 – Single Family Residential
East	>	R1 – Single Family Residential
West	<	RU2 – Rural Residential Small Parcel Zone
South	v	R1 – Single Family Residential

NEIGHBOURHOOD MAP



PROPERTY MAP



Legislative Requirements

Council has the authority under s.490 of the *Local Government Act* to issue Development Permits.

Proposal

The applicant is proposing to construct an addition to the existing retail building that will extend the existing convenience store portion of the building by approximately 123 m² (1,324 ft²) to the East. The addition will be used to increase the size of the convenience store portion of the building to provide additional services (Figure 1). The addition will increase the overall gross floor area of the building to 478 m² (5145 ft²).



Figure 1: Rendering: East Access

DISCUSSION

Policy and Bylaw Review

Official Community Plan No.0100

The subject property is located in DPA-1 Commercial Development Permit Area. The purpose of this Development Permit Area is to ensure that the building and site design of the commercial redevelopment is attractive, incorporates a pedestrian scale, and protects the natural environment. The proposal is not in any other development permit areas.

This proposed development generally complies with both the general and commercial development permit guidelines, key guidelines include:

General Development Permit Guidelines

- Development should be carefully designed and sited to mitigate the impact of traffic, noise, lighting, and other environmental conditions, particularly where the development is located adjacent to residential areas (Guideline 2);
- Every effort should be made to ensure loading areas, recycling containers, garbage storage and most parking areas are contained within, or at the rear of building(s) and are suitably screened or located out of public view to reduce negative visual impacts (Guideline 22).

Garbage and recycling containers will be screened in an enclosure with black vinyl fencing. These enclosures will be located at the rear of the property on both sides of the development at the end of the adjacent loading bays on either side of the building. While the enclosures meet the applicable OCP guidelines, they are adjacent to existing and planned residential dwellings. As the convenience store is not anticipated to produce a high volume of food waste and is managed by one operator, the impacts should be lesser than other high-intensity commercial uses.

The applicant has worked with staff in initiating a redesign of boulevard plantings and providing additional pedestrian access and seating for Glenrosa residents to enjoy the space (Figure 2).

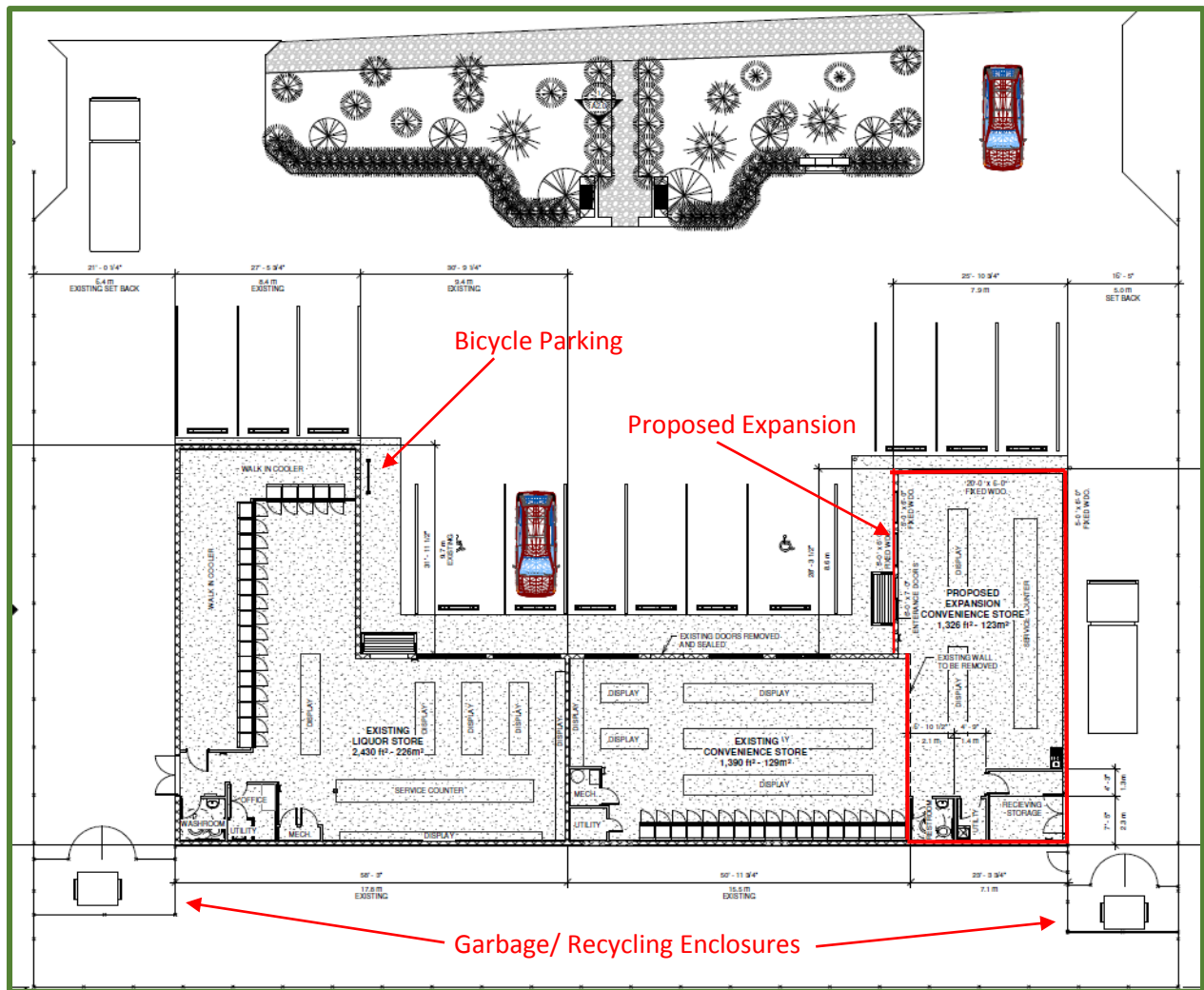


Figure 2: Site Plan

Form and Character Development Permit Guidelines

- Building design should include pedestrian-scale variations in height and massing. Long or tall facades should be well articulated (Guideline 6);

- Where applicable, incorporate exterior spaces that encourage use by both businesses and the public such as outdoor cafes, gathering places and public art displays (Guideline 7);
- Outdoor bicycle parking should be provided for clients and visitors, and should be located near building entrances where surveillance is possible (Guideline 12);

The applicant has also proposed a mural to improve the façade on the western portion of the building. Due to that portion of the building being used as a cooler for the liquor store, a mural will act as a public art display without limiting the use of the area (Figures 3 &4).



Figure 3: Rendering: West Access with Mural Location



Figure 4: Rendering: Outdoor Gathering Place

Zoning Bylaw No.0265

The proposal conforms to the regulations in Zoning Bylaw No.0265 and the Neighbourhood Commercial zone (C2) including but not limited to, parcel coverage, loading spaces, accessible parking, building height, and setbacks.

Parking

As per Zoning Bylaw No.0265, Table 4.1, Each use would be calculated separately as per section 4.2.5, both uses fall under retail, requiring units less than 1000 m² (10,764 ft²) GFA: 2.0 per 100 m² (1,076 ft²). The Liquor store's GFA is 226 m² = 4 spaces, the overall GFA of the convenience store is 252 m² = 6 spaces, therefore 10 spaces are required for the proposed addition. The applicant designed 12 parking spaces that meet our requirements including two accessible parking stalls at the front of the unit and four bicycle parking spaces.

Landscaping

The applicant has proposed a variety of landscaping on the site in accordance with the OCP guidelines. An emphasis has been placed along the road frontage.

A security of 125% of the quoted amount (\$31,639) will be required as a condition of Development Permit issuance to ensure that permit conditions are met.

CONCLUSION

The recommended motion is based on the following considerations:

Development Permit

- Proposal is consistent with the General and DPA-1 Commercial Development Permit Guidelines;
- Technical review concerns have been addressed to our standards for the development permit stage;
- Conforms to the primary uses and regulations in Zoning Bylaw No.0265 and C2 Neighborhood Commercial Zone; and
- The proposal will allow a business in the Glenrosa Neighbourhood to expand and continue to support the surrounding area.

Alternate Recommendation to Consider and Resolve:

THAT Council postpone the issuance of Development Permit (DP 22-28).

Council may wish to postpone the issuance of the Development Permit and require the Applicant to redesign components of the proposal in accordance with the City's Zoning Bylaw. If the proposal were revised to avoid the variances, the proposed buildings would have to be redesigned and the Development Permit would require further consideration from Council.

REVIEWED BY

Chris Oliver, Planning Manager

APPROVED FOR THE AGENDA BY

Paul Gipps, CAO

Powerpoint: Yes No

Attachments:

1. DP 22-28