
CITY OF KELOWNA
MEMORANDUM

Date: February 13, 2002
File No.: (3060-20) **DP01-10,076**

To: City Manager

From: Planning & Development Services Department

Subject:

DEVELOPMENT PERMIT APPLICATION OWNER: JABS CONSTRUCTION
NO. DP01-10,076 LTD., JABS HOMES LTD.
AND H. BENSON
ELECTRIC LTD.

AT: 1260 BROOKSIDE AVE. APPLICANT: JABS CONSTRUCTION
(HARVEY BENSON)

PURPOSE: TO SEEK PERMISSION TO CONVERT THE LOUNGE AREA ON
THE GROUND FLOOR INTO A 1 BEDROOM PLUS DEN
DWELLING UNIT

EXISTING ZONE: RM5 – MEDIUM DENSITY MULTIPLE HOUSING

REPORT PREPARED BY: PAUL McVEY

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT Municipal Council authorize the issuance of Development Permit No. DP01-10,076; for Strata Lots 1 – 60, Sec. 19, Twp. 26, O.D.Y.D., Strata Plan KAS2310, located on Brookside Ave., Kelowna, B.C., 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. Landscaping to be provided on the land be in general accordance with Schedule "C";
3. 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 within 180 days of Council approval of the development permit application in order for the permit to be issued.

2.0 SUMMARY

The applicant has recently completed development of a 60 unit, 3½ storey, multiple family residential apartment building, as authorized by Development Permit DP99-10,045. This application proposes the conversion of the lounge area located on the same level as the under-building parking area into a 1 bedroom plus den dwelling unit.

3.0 BACKGROUND

3.1 The Proposal

The applicant originally received authorization for a 48 unit multiple family residential apartment building (DP94-10,045) which was authorized for issuance on September 14, 1998. This Development Permit application was processed in conjunction with the application to rezone the subject property (Z94-1034) to the R4 – Medium Density Multi-Family zone (now RM5 – Medium Density Multiple Housing). This zone amending bylaw was adopted September 14, 1998. In 1999, a new Development Permit (DP99-10,045) was authorized for issuance in July 1999 for a 60 unit multiple family residential building. This building was eventually constructed in 2000.

During building construction it was determined that it would be feasible to develop the area identified as the Lounge Area located on the same level as the below building parking level as a 1 bedroom plus den dwelling unit. There is still a common laundry room and a recreation room remaining on that level.

As the addition of another residential dwelling unit to the previously approved apartment building could potentially impact both the density of the development and the required parking, it has been necessary for the applicant to apply for a new Development Permit to authorize changes to the exterior landscaping to add more parking, and to review the density portion of the resulting building development.

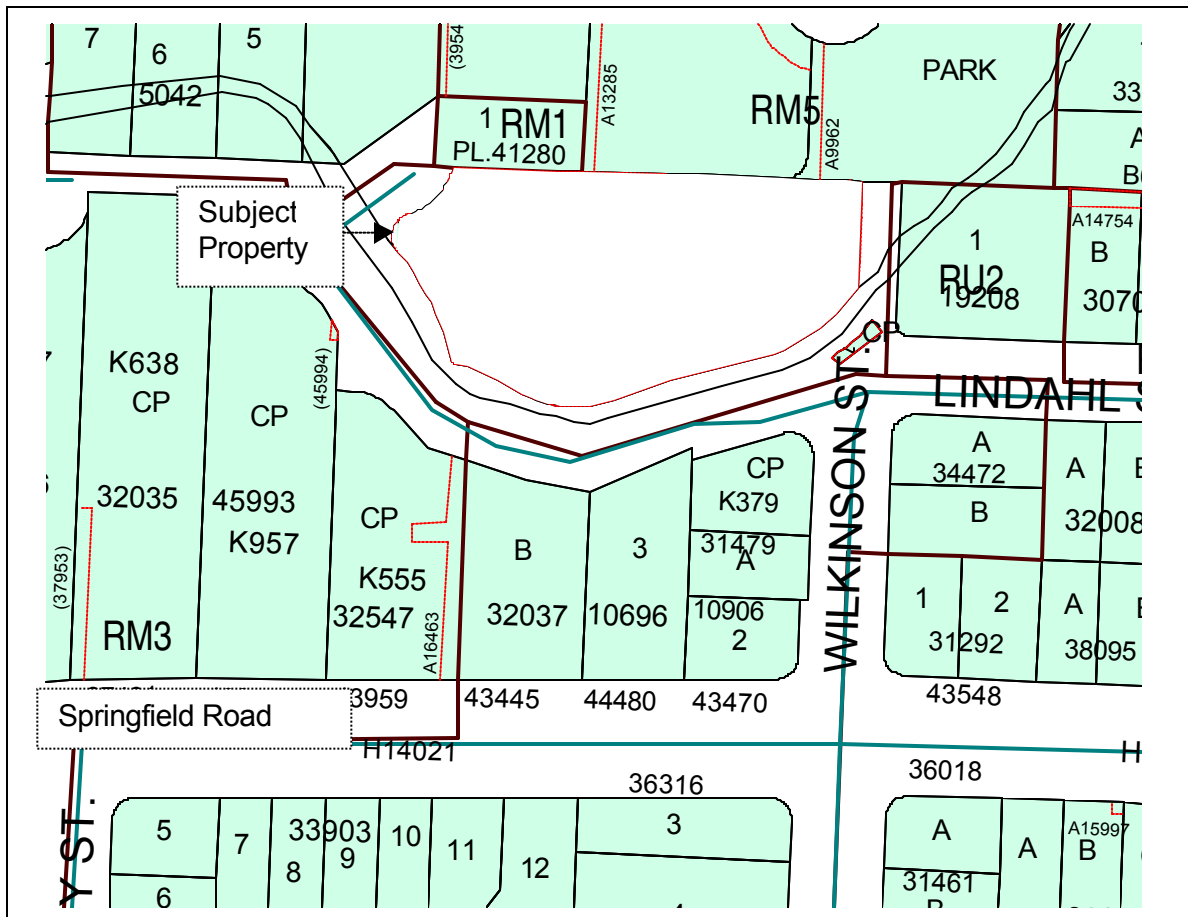
The resulting dwelling unit is approximately 69 m² in area, and is located adjacent to the laundry room facilities and recreation room area located on the lowest level (parking level). The one bedroom unit will require an additional 1.25 parking stalls be added to the multiple family residential development. There are no changes anticipated to the exterior to the building, other than to add the parking stall to the surface parking area adjacent to the westerly garage door.

This proposal as compared to the RM5 zone requirements, is as follows;

| CRITERIA | PROPOSAL | RM5 ZONE REQUIREMENTS |
|------------------------------------|--|---|
| Site Area (m ²) | 5,684 m ² | 1,400 M ² |
| Site Coverage (%) | 36.7% | Max 40% |
| Total Floor Area (m ²) | 7,825.7 m ² (gross) 5,385 m ² (net) | Base FAR = 1.1 Bonus = .13 Total FAR = 1.23 Max floor area = 6,991 m ² |
| Storeys (#) | 3 ½ storey | 4 Storey Max |
| Setbacks (m) | | |
| - Front | 10.5 m | 6.0 m min. |
| - Rear | 7.5 m ❶ | 9.0 m min. |
| - West Side | 9.47 m min. | 7.5 m min. |
| - East Side | 10.29 m min. | 4.5 m min. |
| Parking Stalls (#) | 79 stalls provided | 79 stalls required |

Note. ❶ A variance to reduce the rear yard setback to 7.5 m has been approved through DVP98-10,054

3.2 Site Context



The subject property is located in an area of the Five Bridges Neighbourhood Plan which is developed with a variety of low and medium density multi-family residential uses as well as single and two family residential uses.

The adjacent zone uses are as follows:

- North - RM1 – four-plex Housing and RM5 – Medium Density Multiple Housing (Land Use Contract area permitting development of apartment buildings)
- East - RU2 – Medium Lot Housing (Single Family Residential)
- South - RU6 – Two Dwelling Housing - various Single and Two Family Residential uses
- West - RM3 – Low Density Multiple Housing (Townhouse development)

3.3 Current Development Policy

3.3.1 Kelowna Official Community Plan

Kelowna Official Community Plan indicates the future land use of the subject property as Medium Density Multiple Family Residential. The proposed development is consistent with the OCP designation.

3.3.2 City of Kelowna Strategic Plan (1992)

The City of Kelowna Strategic Plan supports development to higher densities within existing urban areas.

4.0 TECHNICAL COMMENTS

The application has been circulated to various technical agencies and City departments and the following relevant comments have been submitted:

4.1 Fire Department

This department has no objection to this application.

4.2 Inspection Services Department

Ensure parking is correct - 1 additional DCC is required.
Concern for resulting density.

(Note; Review of application indicates that parking and density conforms to zone)

4.3 Works and Utilities Department

The proposed conversion of the existing lounge area into a residential unit does not compromise works and utilities servicing requirements.

5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT COMMENTS

The proposed conversion of the lounge area to a residential unit will not impact the form and character of the recently completed residential development. However, the addition of that dwelling unit will require provision of additional parking and may impact the developed density of the building as the net floor area of the building will increase from the previously approved development. A review of the proposed addition of the one residential dwelling unit to the existing apartment building meets the limits set by the zoning bylaw for the RM5 – Medium Density Multiple Housing zone.

The addition of a parking stall will not adversely impact the site landscaping as the additional stall is proposed to be located adjacent to the access to the western parking garage. This location will not impact the landscape work that has been done adjacent to the creek.

It should be noted that the additional residential unit replaces an area that was originally indicated as a common area. The Planning and Development Services Department feels that this common area was a good feature of the building. However, the building owners do not feel that losing this common area impacts the market appeal of this project.

In light of the above, the Planning and Development Services Department supports this application, and recommends for positive consideration by Council.

Andrew Bruce
Current Planning Manager

Approved for inclusion

R.L. (Ron) Mattiussi, ACP, MCIP
Director of Planning & Development Services

PMc/pmc
Attach.

FACT SHEET

| | |
|---|---|
| 1. APPLICATION NO.: | DP01-10,079 |
| 2. APPLICATION TYPE: | Development Permit |
| 3a. OWNER: | H. Benson Elec.(Inc No. 347936) |
| • ADDRESS | #200 – 1889 Springfield Rd |
| • CITY/POSTAL CODE | Kelowna, BC V1Y 5V5 |
| 3b. OWNER: | Jabs Construction Ltd. (Inc.No.60327) |
| • ADDRESS | #200 – 1889 Springfield Rd |
| • CITY/POSTAL CODE | Kelowna, BC V1Y 5V5 |
| 3c. OWNER: | Jabs Homes Ltd. (Inc. No. 145402) |
| • ADDRESS | #200 – 1889 Springfield Rd |
| • CITY/POSTAL CODE | Kelowna, BC V1Y 5V5 |
| 4. APPLICANT/CONTACT PERSON: | Jabs Construction Ltd. |
| • ADDRESS | #200 – 1889 Springfield Rd |
| • CITY/ POSTAL CODE | Kelowna, BC V1Y 5V5 |
| • TELEPHONE/FAX NO.: | 860-2252/860-2909 |
| 5. APPLICATION PROGRESS: | |
| Date of Application: | October 16, 2001 |
| Date Application Complete: | October 18, 2001 |
| Servicing Agreement Forwarded to Applicant: | N/A |
| Servicing Agreement Concluded: | N/A |
| Staff Report to Council: | February 13, 2002 |
| 6. LEGAL DESCRIPTION: | Strata Lots 1 – 60, Sec. 19, Twp. 26, O.D.Y.D., Strata Plan KAS2310 |
| 7. SITE LOCATION: | North Side of Mill Creek, West of Wilkinson Street |
| 8. CIVIC ADDRESS: | 1260 Brookside Ave. |
| 9. AREA OF SUBJECT PROPERTY: | 5,684 M ² |
| 10. TYPE OF DEVELOPMENT PERMIT AREA: | General Multiple Family Residential |
| 11. EXISTING ZONE CATEGORY: | RM5 – Medium Density Multiple Housing |
| 12. PURPOSE OF THE APPLICATION: | To Seek Permission to Convert the Lounge area on the Ground Floor Into a 1 Bedroom Plus Den Dwelling Unit |
| 13. DEVELOPMENT VARIANCE PERMIT VARIANCES: | N/A |
| 14. VARIANCE UNDER DEVELOPMENT PERMIT: | N/A |
| 15. DEVELOPMENT PERMIT MAP 13.2 IMPLICATIONS | N/A |

Attachments

Subject Property Map
Schedule A & C (pages)
2 pages of site diagrams & parkade plan