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## CITY OF KELOWNA

### MEMORANDUM

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**Date:** October 15, 2004  
**File No.:** DVP04-0106

**To:** City Manager

**From:** Planning and Corporate Services Department

**Subject:**

APPLICATION NO. DVP04-0106                      OWNER: R.G.K.K.K. Holdings Ltd.

AT: 2643 Enterprise Way                      APPLICANT: R.G.K.K.K. Holdings Ltd.

PURPOSE: TO OBTAIN A DEVELOPMENT VARIANCE PERMIT TO ALLOW 38  
PARKING SPACES WHERE 40 SPACES ARE REQUIRED.

EXISTING ZONE: C10 – SERVICE COMMERCIAL

REPORT PREPARED BY: KEIKO NITTEL

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**SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS**

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#### 1.0 RECOMMENDATION

THAT Council authorize the issuance of Development Variance Permit No. DVP04-0106 for Lot 9, DL 125, ODYD, Plan KAP73025, located on Enterprise Way, Kelowna, B.C.;

AND THAT a variance to the following section of Zoning Bylaw No. 8000 be granted:

Section 8.0 – Parking & Loading: Table 8.1- Parking Schedule

- A VARIANCE TO ALLOW 38 PARKING SPACES WHERE 40 PARKING SPACES ARE REQUIRED.

#### 2.0 SUMMARY

The applicant is requesting a variance to allow for the provision of 38 parking spaces where 40 parking spaces are required. The form and character of the development will be addressed under a direct development permit application.

#### 3.0 BACKGROUND

##### 3.1 The Proposal

The applicant currently has a development permit application to allow for the construction of a new building for a warehouse sales store ("Homestyle Furniture & Mattresses"). The form & character of the proposed development is to be addressed under a Director of Planning & Corporate Services approved development permit. A development variance permit, however, is required to allow the applicant to provide 38 parking spaces where a total of 40 spaces are required.

The application compares to the requirements the City of Kelowna Zoning Bylaw No. 8000 for C10 – Service Commercial zones is as follows:

CRITERIA	PROPOSAL	C10- Service Commercial
Site Area	3770m <sup>2</sup>	1000.0 m <sup>2</sup>
Lot Width	37.44m	30.0 m or <b>40.0m</b> if no lane
Lot Depth	92.53	30.0m
Site Coverage	50%	60%
Total Floor Area	1911.9m <sup>2</sup>	
F.A.R.	0.51	.65
Height	9.5m / 1 storey	12.0m or 3 storeys
Setbacks		
- Front	4.5m	2.0 m
- Rear	19.0+m	0.0 m
- Side	0.0m	0.0 m
- Side	3.0m	2.0 m
Parking Spaces (#)	38❶	TOTAL 40 stalls Commercial space $2.5/100\text{m}^2 = 38$ Warehouse space $2.5/100\text{m}^2 = 2$
Loading Space	1	1 per 1900m <sup>2</sup> GFA ( space)
Bicycle Parking	6	5
Fascia Signage	2	2 fascia signs per business

Notes: ❶ A variance is required to allow 38 parking spaces where 40 spaces are required.

#### 4.2 Site Context

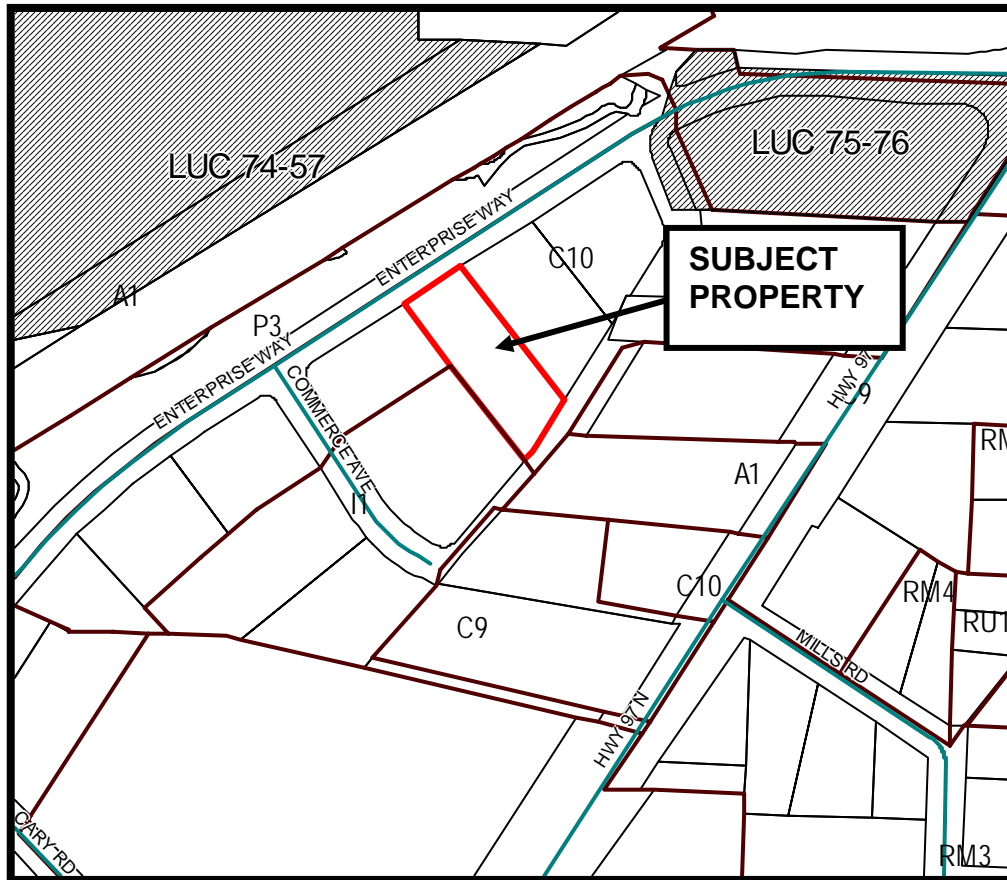
The site is located on Enterprise Way north of Commerce Avenue.

Adjacent zones and uses are:

- North - P3 – Parks & Open Space
- East - C10 – Service Commercial
- South - C10 – Service Commercial
- West - C10 – Service Commercial

#### 4.3 Location Map

Subject Property: 2643 Enterprise Way



#### 5.0 TECHNICAL COMMENTS

##### 5.1 Fire Department

Fire Dept. access and hydrant(s) as per BC Building Code. Fire flows as per City Of Kelowna Subdivision By-Law.

##### 5.2 FortisBC

Fortis BC will provide electrical underground service to this development.

##### 5.3 Inspection Services

South exterior wall required 2h non-Combustible construction with 0.00% unprotected opening. Provide wheel stops in front of entrance/exit (side walks are small). Submit registered documents of both easement agreements at BP stage.

##### 5.4 Parks Department

All plant material (trees, shrubs, ground covers and seed/sod) used in BLVD to be reviewed by City Parks Division. All materials located in BLVD to meet City standard for size and method of installation.

BLVD maintenance including watering (manual or automated irrigation), shrubs, ground cover, sod, and seeded areas will be the responsibility of owner/occupant.

Tree Planting to conform with Master Municipal Specifications (MMCD) Section 02950 and British Columbia Landscape Standards (1997) Section 9.3.

Shrub and flower beds will require plastic edging beside all areas abutting a City sidewalk, BLVD, or city land to prevent migration of mulch.

In an effort to conserve water, all automated irrigation systems will be design to minimize overspraying on non-landscaped areas including City sidewalks, courtyards, parking areas, roadways, etc.

Parks encourages the applicant/property owner to incorporate native plants and xeriscape vegetation into the landscape where practical.

5.5 RCMP, School District No. 23, Terasen  
No response.

5.6 Shaw Cable  
Owner/developer to supply and install an underground conduit system per Shaw Cable drawings and specifications.

5.7 Telus  
TELUS will provide underground facilities to this development. Developer will be required to supply and install conduit, as per TELUS policy.

5.8 Works & Utilities  
The requested variance to reduce the parking stalls requirement is not supported by Works and Utilities. Typically during major sales events or special days, the parking becomes insufficient and the clientele is forced to park their vehicles in other areas such as the public right of way which contributes to traffic congestion during peak retail periods.

## 6.0 PLANNING AND CORPORATE SERVICES DEPARTMENT

The Planning and Corporate Services Department has few concerns with the proposed variance to the parking requirement. The adjacent property owners have submitted letters of support for the variance. The form and character of the proposed development are to be addressed under the required Direct Development Permit. Until such time that Jenkins Street, to be located at the rear of the property is constructed, the applicant will block off the access at this location with a temporary curb.

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Andrew Bruce  
Development Services Manager

Approved for inclusion   
R.L. (Ron) Mattiussi, ACP, MCIP  
Director of Planning & Corporate Services

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Attach.

**FACT SHEET**

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|-----|---|--|
| 1.  | <b>APPLICATION NO.:</b>   | DVP04-0106                                 |
| 2.  | <b>APPLICATION TYPE:</b>  | Development Variance Permit                |
| 3.  | <b>OWNER:</b>   | R.G.K.K.K. Holdings Ltd.                   |
|     | • <b>ADDRESS</b>  | 758 Armstrong Drive                        |
|     | • <b>CITY</b>   | Penticton, BC                              |
|     | • <b>POSTAL CODE</b>  | V2A 7S6                                    |
| 4.  | <b>APPLICANT/CONTACT PERSON:</b>                                      | R.G.K.K.K. Holdings Ltd. (Joe Kondola)     |
|     | • <b>ADDRESS</b>  | 2549 Skaha Lake                            |
|     | • <b>CITY</b>   | Penticton, BC                              |
|     | • <b>POSTAL CODE</b>  | V2A 6E8                                    |
|     | • <b>TELEPHONE/FAX NO.:</b>   | (250) 492-0613                             |
| 5.  | <b>APPLICATION PROGRESS:</b>  |  |
|     | Date of Application:  | Aug. 16, 2004                              |
|     | Date Application Complete:  |  |
|     | Servicing Agreement Forwarded to Applicant:                           | n/a  |
|     | Servicing Agreement Concluded:  | n/a  |
|     | Staff Report to APC:  | n/a  |
| 6.  | <b>LEGAL DESCRIPTION:</b>   | Lot 9, DL 125, ODYD, Plan KAP73025         |
| 7.  | <b>SITE LOCATION:</b>   | On Enterprise Way north of Commerce Avenue |
| 8.  | <b>CIVIC ADDRESS:</b>   | 2643 Enterprise Way                        |
| 9.  | <b>AREA OF SUBJECT PROPERTY:</b>                                      | 3770 m <sup>2</sup>                        |
| 10. | <b>EXISTING ZONE CATEGORY:</b>  | n/a  |
| 11. | <b>PURPOSE OF THE APPLICATION:</b>                                    |  |
| 12. | <b>MIN. OF TRANS./HIGHWAYS FILES NO.:</b>                             | n/a  |
|     | <b>NOTE: IF LANDS ARE WITHIN 800 m OF A CONTROLLED ACCESS HIGHWAY</b> |  |
| 13. | <b>DEVELOPMENT PERMIT MAP 13.2 IMPLICATIONS</b>                       | n/a  |

**ATTACHMENTS**

**(not attached to the electronic version of the report)**

- Location of subject property
- Site plan
- Elevations
- Floor Plans