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**CITY OF KELOWNA**  
**MEMORANDUM**

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**Date:** April 18, 2001  
**File No.:** (3360-20) **Z01-1021**

**To:** City Manager

**From:** Planning & Development Services Department

**Subject:**

APPLICATION NO. Z01-1021

OWNER: 482627 BC LTD,  
ENVIROTECH REAL  
ESTATE INC.,  
GORDON A, & EMELIE D.  
WALLACE,  
DOROTHY & ELIZABETH  
HOWE  
W & S BERNARD  
INVESTMENTS LTD.

AT: 1681, 1983, 1659, & 1667 ETHEL ST., 931 & 941 LEON AVENUE,  
& 932 & 942 HARVEY AVENUE

APPLICANT: ENVIROTECH REAL  
ESTATE INC.

PURPOSE: TO REZONE SUBJECT PROPERTIES TO THE RM6 – HIGH  
RISE APARTMENT HOUSING ZONE TO PERMIT THE  
DEVELOPMENT OF A 9,220 M<sup>2</sup> (NET FLOOR AREA), 12  
STOREY BUILDING FOR USE AS A SENIORS CONGREGATE  
HOUSING FACILITY

EXISTING ZONE: RU6 – TWO DWELLING HOUSING

PROPOSED ZONE: RM6 – HIGH RISE APARTMENT HOUSING

REPORT PREPARED BY: PAUL McVEY

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

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**1.0 RECOMMENDATION**

THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 1, DL 138, O.D.Y.D., Plan 3133, Lot 2, DL 138, O.D.Y.D., Plan 3133 Exc. Plan 36604, Lots 1,2,3, & 4, DL 138, O.D.Y.D., Plan 6535, and Lots 1 & 2, DL 138, O.D.Y.D., Plan 3007 Exc. Plan 36604, located on Harvey Avenue, Ellis Street, & Leon Avenue, Kelowna, B.C., from the RU6 – Two Dwelling Housing zone to the RM6 – High Rise Apartment Housing zone;

AND THAT the zone amending bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the zone amending bylaw be considered in conjunction with Council's consideration of a Development Permit on the subject property;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Works & Utilities Department and the Ministry of Highways being completed to their satisfaction;

AND FURTHER THAT final adoption of the zone amending bylaw be withheld until the owner has executed a Servicing Agreement acceptable to the City of Kelowna, and has registered a plan of subdivision for road exchange, road reserve and lot consolidation.

## 2.0 SUMMARY

The applicant wishes to rezone the subject properties to the RM6 – High Rise Apartment Housing zone in order to permit the development of a 9,222 m<sup>2</sup>, 12 storey high rise multi-family residential building proposed to be used as a congregate housing facility for seniors. An application for a Development Permit has been made concurrently with the application to rezone. The proposal is consistent with the Official Community Plan designation of "Multiple Family Residential – High Density".

The original application (Z00-1039) was made to rezone 7 lots, and proposed the development of a 16 storey highrise building. Subject to concerns raised at the associated public hearing on October 17, 2000, the public hearing for that application was closed, and the applicant was advised that the building should be redesigned. As a result of the public hearing being closed and a new building design being contemplated, the City of Kelowna Clerk's Department has advised that the best way to deal with the application would be to close the original application and defeat the associated bylaw at second reading, and amend the current application to include all 8 properties. The original bylaw was subsequently defeated by Council on April 9, 2001.

## 2.1 Advisory Planning Commission

The original application Z00-1039 was reviewed by the Advisory Planning Commission at the meeting of July 18, 2000 and the following recommendation was passed:

THAT the Advisory Planning Commission supports Rezoning Application No.Z00-1039 by Envirotech Real Estate Inc. (Tor Camren), for Lots 1, 2, 3 & 4, Plan 6535, Lots 1 & 2, Plan 3133 and Lot 1, Plan 3007, all of ODYD, Sec. 19, Twp. 26, 1659, 1667, 1681, 1683 Ethel Street, 932 Harvey Avenue, 931 and 941 Leon Avenue.

The revised application (Z01-1021) was reviewed by the Advisory Planning Commission at the meeting of April 3, 2001 and the following recommendation was passed:

THAT the Advisory Planning Commission supports Rezoning Application No.Z01-1021 by Envirotech Real Estate Inc. (Tor Camren), for the subject property from the RU6 – Two Family Dwelling zone to the RM6 – High Rise Apartment zone in order to add Lot 1, Plan 3007 (942 Harvey Avenue) to the development site to permit development of a 9220 m<sup>2</sup> 140 unit, 12 storey congregate housing complex.

### 3.0 BACKGROUND

#### 3.1 The Proposal

The applicant has assembled 8 properties in order to develop a high rise building to be used as congregate housing for seniors in a multiple family form. This current application seeks to rezone the subject properties from the existing RU6 – Two Dwelling Housing zone to the RM6 – High Rise Apartment Housing zone. The RM6 zone permits Congregate Housing as a principal permitted use.

The subject properties are located within an area of the “North Central Area Plan” which is identified as “High Density Residential”. The proposal is also consistent with the future land use designation of “Multiple Family Residential (High Density)” of the Official Community Plan.

The original development application proposed the construction of a 16 storey high rise building on 7 of the subject lots. At the time of the public hearing, there was substantial opposition to the proposed building form, and the applicant was advised to redesign the proposed building to include more residential design elements, and to reduce the building height to 12 storeys.

The revised development is designed as a 12 storey high rise building constructed over a parking structure set partially into the ground. The first two floors of the proposed building are designed for as common amenity areas for use by the residents of the building. These areas provide for kitchen and common dining room facilities, lobby area, and a reception area. The second floor is designed to provide additional common amenity areas to provide space for such uses as a library, chapel, exercise room and spa, games lounge, crafts lounge, and a guest suite. The remaining 10 floors provide for residential accommodation. The 3<sup>d</sup> through 10<sup>th</sup> floors are designed to have 14 one bedroom units. The 11<sup>th</sup> and 12<sup>th</sup> floors each have 10 one bedroom units and 2 two bedroom units. This works out to a total of 140 bedrooms in 136 dwelling units. As the building is designed as a congregate housing facility, none of the dwelling units have complete kitchens, only a snack preparation area.

The density of the proposed site development is based on the density bonus provisions of the RM6 zone, which permit a density bonus of 0.2 for provision of required parking below the building or amenity spaces. The RM6 zone also provides for a density bonus of 0.1 for provision of each 10% increment of open space provided above the minimum provision of 50% open space. The bonuses are permitted to add up to a maximum density of FAR = 2.0. For this current application, the resulting FAR = 1.9 (Base FAR = 1.5, U/G parking +0.2, site coverage < 30% +0.2)

The exterior of the building is designed to be finished with a mixture of “buff” and “red” coloured brick. The walls are capped with a “light beige” coloured pre-cast cornice molding. This feature is also repeated at the third and fourth floor levels to break up the vertical massing of the building façade. As well, a number of the windows incorporate “light beige” coloured pre-cast window sills. There are “buff” coloured brick strips included to the floor level of the second storey which further break up the vertical massing of the building. The balcony areas for the residential units are designed to be

enclosed with “green” coloured glass curtain wall construction, which is arranged in such a manner to introduce complementary vertical elements into the building facades. The windows of the proposed building are also designed to be a “green” coloured glass set into “green” coloured metal window frames. The roof of the building includes a mechanical enclosure that is designed to be constructed of the same “red” coloured brick material used for the lower floors. The roof of the mechanical enclosure is finished with “grey” coloured concrete roof tiles. It is anticipated that there may be an area on the roof provided for outdoor patio seating and landscaping. The first floor of the proposed building is designed to be inset approximately 2m from the outside face of the west and south sides of the building and 3m from the north side of the proposed building to provide a sheltered landscaped area around the first floor level of the proposed building.

The site landscaping incorporated into the perimeter of the parking structure provides a heavily landscaped transition from the adjacent sidewalk level to the top of the parking structure. The top of the parking structure incorporates both glass guard railing and a screen fence constructed with brick columns and wood fence panels. The site plan shows vehicle access to the below building parking structure coming off of Leon Avenue, adjacent to the eastern property line. The below grade parking structure provides 56 parking stalls and storage lockers for the building residents. There are two vehicle access driveways to the building from Leon Street, which provides access to the 3 visitor parking stalls located on top of the parking structure, adjacent to the main entrance lobby. The vehicle access from Leon Avenue is arranged in a loop configuration to provide access to the parking adjacent to the main building entrance under the entrance canopy (Porte Cochere), and also to provide access to the loading area located on the east side of the building. The top of the parking structure is also designed to contain an outdoor patio area that includes a putting green and various walkways and sitting areas. The transition area from the top of the parking structure to the adjacent sidewalks has a number of retaining walls and sloped pathways to provide pedestrian access from the building to the surrounding neighbourhood. The main entrance to the building is further identified by the provision of a canopy feature (Porte Cochere) at the main pedestrian entrance which provides a covered area for protection of occupants while they wait for pickup or drop off.

The form and character issues associated with the proposed development will be addressed through Council's consideration of an associated Development Permit Application at the time of final adoption of the zone amending bylaw. It is anticipated that a revised landscape plan which is proposed to include additional garden planting areas will be available at that time.

The revised subject property is now comprised of 8 lots and the future closed lane. It is anticipated that the lane closure can be facilitated by means of a road exchange for required road widenings along both Harvey Avenue and Ethel Street.

The proposal as compared to the RM6 zone requirements is as follows:

CRITERIA	PROPOSAL	RM6 ZONE REQUIREMENTS
Site Area (m <sup>2</sup> )	5,396.42 m <sup>2</sup>	1,700.0 m <sup>2</sup>
Site Width (m)	59.2 m	30.0 m
Site Coverage (%)	28.94%	50%
Total Floor Area (m <sup>2</sup> )	13,778.79 m <sup>2</sup> (Gross) 9,220 m <sup>2</sup> (Net)	
F.A.R.	1.7*	Base FAR = 1.5, Max 2.0 Current proposal includes bonuses up to a max. FAR = 1.9
Storeys (#)	12 Storeys, 37.9m	16 storeys, 55.0m
Setbacks (m) after road widenings		
- Front (Ethel Street)	17.5 m	6.0 m
- Rear	23.4 m	9.0 m
- North Side (Leon Ave.)	19.78 m	4.5 m, 6.0 m Flanking Street
- South Side (Harvey Ave.)	14.8 m	4.5 m, 6.0 m Flanking Street
Parking Stalls (#)	59 stalls provided**	49 stalls required
Bicycle parking	5 stalls required	5 per building entrance
Private Open Space	791.8 m <sup>2</sup> (balconies) 1,771 m <sup>2</sup> (outdoor) 1,978 m <sup>2</sup> (indoor)	7.0 m <sup>2</sup> per congregate hsg room 136 units x 7.0 m <sup>2</sup> = 952 m <sup>2</sup> private open space required

Note;

\* Density; Base FAR of 1.5 has provision for bonuses of; 0.2 for parking beneath the building or amenity areas, and 0.1 for each 10% increment of open space above the minimum 50% open space, up to a maximum FAR = 2.0  
(Net Floor area 9,220 m<sup>2</sup> FAR 9220/5396.42 = 1.7)

\*\*Parking; Parking is based upon the Congregate Housing requirement of 1 stall per 3 beds. 140 beds in 136 units / 3 = 47 stalls  
Plus, 1 per bldg, & 1 per guest ste = total 49 stalls required  
56 stalls provided below building, 3 at front entrance for a total 59 stalls provided (49 x 125% = 62 stalls maximum permitted)

## Subject Property Map

### 3.4 Current Development Policy

#### 3.4.1 Kelowna Official Community Plan

The proposal is consistent with the “Multiple Family Residential (High Density)” designation of the Official Community Plan. Conformity with general design guidelines will be addressed through the associated Development Permit application.

#### 3.4.2 City of Kelowna Strategic Plan (1992)

The project is consistent with the Urban Form objectives of the Strategic Plan which encourages a “more compact urban form by increasing densities through infill and redevelopment within existing urban areas...”. The project is also consistent with Objective 7.1 of the City of Kelowna Strategic Plan (1992) which states “To encourage the provision of an adequate supply of housing for families and seniors who require assistance”.

#### 3.4.3 North Central Area Plan

The proposal is consistent with the “High Density Residential” designation of the North Central Area Plan.

### 4.0 TECHNICAL COMMENTS

The application has been circulated to various technical agencies and City departments and the following relevant comments associated with the original application (Z00-1039) have been submitted. Additional requirements associated with the inclusion of the 8<sup>th</sup> lot will be noted and addressed prior to public hearing:

#### 4.1 B.C. Gas

Gas services to any existing homes will require an abandonment application and cut off by BC Gas before demolition may occur.

#### 4.2 B.C. Telephone (Telus)

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

Telus will require an easement for communication equipment installation.

#### 4.3 Electrical Department

This complex will require a new power line and transformer, the transformer is 14 weeks lead time to order - please submit loading ASAP.

#### 4.4 Fire Department

Fire Department access and hydrants as per the BC Building Code and City of Kelowna Subdivision Bylaw. Engineered fire flows should determine hydrant requirements. Contact Fire Prevention Officer for preferred location(s) of hydrant(s).

#### 4.5 Inspection Services Department

1. A coordination professional is required to be involved with the design,
2. An additional exit is required from the parking garage directly to the exterior,
3. The lobby shall be separated from the tuck shop to protect the exit thorough the lobby,
4. A fire hydrant shall be located within 45 m of the fire department connection.

#### 4.6 Ministry of Transportation and Highways

The ministry would be prepared to accept protection of the additional highway right-of-way width by restrictive covenant. A minimum width of 20.5 m from the existing mean centreline must be established however, by legal survey plan. The remaining 3.5 m width could then be protected by restrictive covenant for a total width of 24 m from centreline.

It is our understanding that the restrictive covenant would be in favour of the City of Kelowna and would be registered in priority over any financial charges. It is our further understanding that the document would enable the City to assume immediate ownership of the property at the time it is required for highway improvements.

The Ministry will not permit any direct access onto Harvey Avenue, or Ethel Street.

#### 4.7 Shaw Cable

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

#### 4.8 Works and Utilities Department

The Works & Utilities Department has the following requirements associated with this development application. The road and utility upgrading requirements outlined in this report will be a requirement of the issuance of a building permit or subdivision approval, but are outlined in this report for information only.



1.0 Domestic Water and Fire Protection

- (a) The existing water distribution and fire protection systems within Ethel St. and Harvey Avenue are of sufficient capacity to support the proposed development without further upgrading.
- (b) The water main and fire hydrants on Leon Ave. are not sufficient to provide adequate fire flow capacity at present. It is necessary for the applicant to upgrade the water main on Leon Ave. from Ethel St. to the east property line of the subject development and install a new fire hydrant on Leon Ave. The cost of this construction for bonding purposes is \$42,000.00
- (c) It will be necessary to disconnect all existing small diameter water services presently provided for the existing lots. A cash levy of \$3,500.00 is required for the city to disconnect those services.
- (d) A new water service of sufficient capacity to supply the domestic and fire protection requirements of the proposed building is required. This service can be installed by the developer's contractor at the developer's cost, during replacement of the Leon Ave. water main.
- (e) A water meter is mandatory for this development and must be installed inside the building on the water service inlet as required by the City Plumbing Regulation and Water Regulation bylaws. The developer or building contractor must purchase the meter from the City at the time of application for a building permit from the Inspection Services Department, and prepare the meter setter at his cost.

The developer must also purchase an irrigation sewer credit meter from the City and prepare a meter setter at his cost, to measure all of the landscape irrigation on and off the site for sewer user charge credit.

2. Sanitary Sewer

- (a) Existing sanitary sewer systems in Ethel St and Harvey Ave. are sufficient to support the proposed development. No system upgrading is necessary in those fronting streets.
- (b) The sanitary sewer main within Leon Ave. has been identified in the North Central Neighbourhood plan to be upgraded. It will be necessary for the subject developer to upgrade the sewer system from Ethel St. to the east property line of the proposed development. The cost of this construction for bonding purposes is \$43,200.00
- (c) Collect \$4,900.00 for the city to disconnect existing small diameter sanitary sewer services.
- (d) The city has pre-serviced this site with a 250mm-diameter sanitary sewer service in anticipation of future development. Collect \$6,000.00 for this sanitary sewer service.

3. Storm Drainage

- (a) Storm drainage mains exist in Ethel St and in Harvey Ave. No additional mains are required in those two streets, but catch basin leads may be required on Ethel St.
- (b) There is no storm drainage collection system in Leon Ave. in front of this proposed development. It will be necessary for the developer to install storm drainage. The cost of this is included in the Leon Ave. frontage-upgrading estimate.
- (c) The developer must engage a consulting civil engineer to provide a storm water management plan for this site which meets the requirements of the City Storm Water Management Policy and Design Manual. The plan must accommodate the requirements to contain a 1 in 10-year storm event within pipes and identify overland drainage routes for a 100-year storm event with consideration for upstream water sources and downstream facility upgrading and / or provision of storm water retention facilities. The storm water management plan must also include provision of lot grading plan, minimum basement elevations (MBE), storm water service and on-site drainage containment and disposal systems. The on-site drainage system may be connected to the street drainage system with an overflow service at the developer's cost, with approval from the City drainage engineer.

4. Road Improvements

- (a) Ethel Street in front of this development must be upgraded to a full urban standard including concrete curb and gutter, monolithic sidewalk, piped storm drainage system including catch basins, manholes/ drywells, pavement widening, landscaped boulevard complete with underground irrigation system, ornamental street lights as required and re-location or adjustment of existing utility appurtenances if required to accommodate the upgrading construction. the cost of this construction for bonding purposes is \$37,000.00.
- (b) Leon Ave. in front of this development must be upgraded to a full urban standard including concrete curb and gutter, monolithic sidewalk, piped storm drainage system including catch basins and leads, manholes, pavement widening and refurbishment, landscaped boulevard complete with underground irrigation system, ornamental street lights and adjustment or relocation of existing utility appurtenances if required to accommodate the required construction on Leon Ave. The cost of this construction for bonding purposes is \$75,000.00.
- (c) Harvey Avenue is presently constructed to an urban standard, but it will be necessary to relocate the curb return and sidewalk at the corner of Ethel St. and Harvey Ave. to accommodate a larger radius curb return in the curb lane. The cost of that construction including relocation of the traffic signal and electric signal system for bonding purposes is \$43,000.00.

- (d) The existing lane will be closed so its upgrading is not required, but there are some existing underground electric facilities located in this lane. It will be necessary for the developer to pay the City Electric Utility to remove the existing electric facilities from the lane. This can be achieved as a part of provision of a new electric service for the proposed development.

5. Road Dedication and Subdivision Requirements

By registered plan to provide the following:

- (a) Dedicate sufficient widening along Harvey Ave. to provide a 12.0-meter wide half highway right of way measured from the existing road centreline. This is a requirement of the Ministry of Transportation & Highways.
- (b) Dedicate 2.5m widening of Ethel St along the subject development property. This can be achieved by road exchange.
- (c) Close the existing lane by road exchange.
- (d) Grant statutory rights of way if required for utility services, transformers or other appurtenances.

6. Electric Power and Telecommunication Services

The electrical and telecommunication services to this development must be installed in an underground duct system. It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services which would be at the applicant's cost.

7. Street Lighting

Ornamental street lighting including underground ducts must be installed on all roads fronting on the proposed development. The cost of this requirement is included in the roads upgrading item.

8. Engineering

Road and utility construction design, construction supervision, and quality control supervision of all off-site and site services including on-site ground recharge drainage collection and disposal systems, must be performed by an approved consulting civil engineer. Designs must be submitted to the City Engineering Department for review and marked "issued for construction" by the City Engineer before construction may begin.

9. Development Cost Charge Reduction Consideration

The proposed construction Ethel St. is eligible to receive a DCC credit for a portion of the pavement widening. The amount of the DCC credit will be determined when construction tender costs have been submitted by the design engineer. DCC credit cannot exceed the actual DCC assessed by the City, nor shall it exceed the actual cost of construction as is substantiated by the actual construction cost.

10. Latecomer Protection

Under provisions of Section 990 of the BC Municipal Act, and in conformance with the City of Kelowna Subdivision Development & Servicing Bylaw No. 7900, the owner is eligible to apply for latecomer protection for the following:

- (a) Storm Drainage system on Leon Ave.
- (b) Water main construction on Leon Ave.
- (c) Sanitary Sewer Main upgrading on Leon Ave.

11. Geotechnical Report

As a requirement of this application the applicant must provide a comprehensive geotechnical report prepared by a Professional Engineer qualified in the field of hydro-geotechnical survey to address the following:

- (a) Area ground water characteristics.
- (b) Site suitability for development; i.e. unstable soils, fill, etc.
- (c) Drill and/or excavate test holes on the site and install piezometers if necessary. Log test hole data to identify soil characteristics, identify areas of fill if any. Identify unacceptable fill material, analyze soil sulphate content, identify unsuitable underlying soils such as peat, etc. and make recommendations for remediation if necessary.
- (d) List extraordinary requirements that may be required to accommodate construction of roads and underground utilities as well as building foundation designs.

12. Survey Monuments and Iron Pins

If any legal survey monuments or property iron pins are removed or disturbed during construction, the developer will be invoiced a flat sum of \$1,200.00 per incident to cover the cost of replacement and legal registration. Security bonding will not be released until restitution is made.

13. Bonding and Levy Summary

(a) Bonding

Sanitary Sewer Main Construction on Leon Ave.	\$34,500.00
Water Main construction on Leon Ave.	\$42,000.00
Leon Ave. Urban Upgrade	\$75,000.00
Ethel St. Urban Upgrade	\$37,000.00
Harvey Ave. Upgrade Modifications	<u>\$43,000.00</u>

Total Bonding

**\$231,500.00**

NOTE: The bonding amounts shown above are comprised of estimated construction costs escalated by 140% to include engineering design and contingency protection and are provided for information purposes only. The owner should engage a consulting civil engineer to provide detailed designs and obtain actual tendered construction costs if he wishes to do so. Bonding for required off-site construction must be provided as a condition of subdivision approval or building permit issuance, and may be in the form of cash or an irrevocable letter of credit, in an approved format.

The owner must enter into a servicing agreement in a form provided by the City prior to 4<sup>th</sup> reading of the zone amending bylaw or prior issuance of a building permit, or before designs of any off-site improvements are issued for construction by the city. The City will draft a servicing agreement for execution by the owner of the land.

Levies

Disconnect Existing Small Diameter Water Services	\$3,500.00
Disconnect Small Diameter Sanitary Services	\$4,900.00
New Sanitary Sewer Service	<u>\$6,000.00</u>

Total Levies

**\$14,400.00**

NOTE: The foregoing levies if over \$5,000.00 may at the applicant's option be temporarily secured by the provision of a separate irrevocable letter of credit to cover the amount of the levy, with the understanding that the City will convert the letter of credit to cash upon final adoption of the zone amending bylaw or prior to issue of a building permit.

If the applicant elects to secure the levies by an irrevocable letter of credit rather than cash, a \$50.00 non-refundable processing fee must be paid to the City upon provision of the letter of credit.

14. Development Permit and Site Related Issues

- (a) The developer must obtain the necessary permits and have all existing utility services disconnected prior to removing or demolishing the existing structures.
- (b) The development will be required to contain and dispose of site generated storm water on the site by installing a ground recharge system consisting of drywells and perforated pipe bedded in drain rock as determined by the geotechnical survey and designed by a consulting civil engineer.
- (c) Access and Manoeuvrability  
  
The site plan should illustrate the ability of an SU-9 standard size vehicle to manoeuvre onto and off-site without requiring a reverse movement onto public roadways. If the development plan intends to accommodate larger vehicles, the site plan should be modified and illustrated accordingly.
- (d) Where a vehicular access from a collector street is restricted by a locking gate or garage door, there shall be provided off the street carriageway sufficient space to turn an SU-9 standard size vehicle around to permit forward return to the street, if the vehicle is not able to gain access onto the site. Once on the site, an SU-9 and WB-15 vehicle must be able to manoeuvre on site and exit to the street in a forward motion. The need for a turn-around at the entranceway is obviated if the applicant does not install a locking gate at the entrance. Ethel Street and Leon Ave. are collector roads and the foregoing would be applicable if a locking gate is to be installed.

15. Administration Charge

An administration charge will be assessed for processing of this application, review and approval of engineering designs and construction inspection. The administration charge is calculated as 3% of the total off-site construction costs, not including design. 7% GST will be added.

16. Development Permit Issues

Development Engineering does not have any requirements of the proposed form and character of the proposed building. Issues more specific to site servicing will be addressed at the building permit stage or when engineering designs of off-site construction and site services have been submitted to the city for review and construction approval.

5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT COMMENTS

The proposed development is consistent with both the future land use designation of Multiple Family Residential (High Density) and the permitted uses of the RM6 – High Rise Apartment Housing zone. The North Central Area Plan has identified the subject properties as future high density residential as well. The proposed use of the building is targeted to a limited high-end market. However, the applicant advises that he is in the business to serve this clientele, and that he has done his market study to suggest that there is a local market for this form of housing in Kelowna.

This site plan has been modified from the original application (Z00-1039) by the addition of Lot 2, DL 138, O.D.Y.D., Plan 3007. The proposed development has also been further modified by revising the proposed building to a 12 storey building height, and changing the exterior building finishes to introduce a higher level of residential associated finishes and details.

The zone under application is consistent with the future land uses identified in the Official Community Plan, and the proposed development proposes a building height that is less than the maximum permitted in the RM6 – High Rise Apartment Housing zone.

The Planning and Development Services Department supports this application, and recommends for Council's positive consideration of the application to rezone.

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Andrew Bruce  
Current Planning Manager

Approved for inclusion

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

PMc/pmc  
Attach.

**FACT SHEET**

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| <b>1. APPLICATION NO.:</b>   | Z01-1021   |
| <b>2. APPLICATION TYPE:</b>  | Rezoning   |
| <b>3a. OWNER:</b> <ul style="list-style-type: none"><li><b>. ADDRESS</b></li><li><b>. CITY</b></li><li><b>. POSTAL CODE</b></li></ul>  | 482627 BC Ltd.<br>3832 Capozzi Rd.<br>Kelowna, BC<br>V1W 3L2   |
| <b>3b. OWNER:</b> <ul style="list-style-type: none"><li><b>. ADDRESS</b></li><li><b>. CITY</b></li><li><b>. POSTAL CODE</b></li></ul>  | Envirotech Real Estate Inc.<br>#2302, 1100 8 <sup>th</sup> Ave. S.W.<br>Calgary, AB<br>T2P 3T9   |
| <b>3c. OWNER:</b> <ul style="list-style-type: none"><li><b>. ADDRESS</b></li><li><b>. CITY</b></li><li><b>. POSTAL CODE</b></li></ul>  | Gordon A. & Emilie D. Wallace<br>5013 Georgia Park Terrace<br>Victoria, BC<br>V8Y 2B9  |
| <b>3d. OWNER:</b> <ul style="list-style-type: none"><li><b>. ADDRESS</b></li><li><b>. CITY</b></li><li><b>. POSTAL CODE</b></li></ul>  | Dorothy & Elizabeth Howe<br>941 Leon Ave.<br>Kelowna, BC<br>V1Y 6K1  |
| <b>3e. OWNER:</b> <ul style="list-style-type: none"><li><b>. ADDRESS</b></li><li><b>. CITY</b></li><li><b>. POSTAL CODE</b></li></ul>  | W & S Bernard Investments Ltd.<br>Inc. No. 456828<br>2655 Ridgeway Rd.<br>Kelowna, BC<br>V1Z 1Y6   |
| <b>4. APPLICANT/CONTACT PERSON:</b> <ul style="list-style-type: none"><li><b>. ADDRESS</b></li><li><b>. CITY</b></li><li><b>. POSTAL CODE</b></li><li><b>. TELEPHONE/FAX NO.:</b></li></ul>  | Envirotech Real Estate Inc. /<br>Tor Camren<br>#2302, 1100 8 <sup>th</sup> Ave. S.W.<br>Calgary AB<br>T2P 3T9<br>(403)237-8008/(403)237-8016 |
| <b>5. APPLICATION PROGRESS:</b> <ul style="list-style-type: none"><li><b>Date of Application:</b></li><li><b>Date Application Complete:</b></li><li><b>Servicing Agreement Forwarded to Applicant:</b></li><li><b>Servicing Agreement Concluded:</b></li><li><b>Staff Report to Council:</b></li></ul> | June 27, 2000 & March 14, 2001<br><br>N/A<br>April 17, 2001  |



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| <b>6. LEGAL DESCRIPTION:</b>   | Lot 1, DL 138, O.D.Y.D., Plan 3133<br>Lot 2, DL 138, O.D.Y.D., Plan 3133<br>Exc. Plan 36604, Lots 1,2,3, & 4, DL<br>138, O.D.Y.D., Plan 6535, and Lot 1 &<br>2, DL 138, O.D.Y.D., Plan 3007 Exc.<br>Plan 36604           |
| <b>7. SITE LOCATION:</b>   | North east corner of Harvey Avenue,<br>Ethel Street and Leon Avenue  |
| <b>8. CIVIC ADDRESS:</b>   | 1681, 1983, 1659, & 1667 Ethel St.,<br>931 & 941 Leon Avenue, &<br>932 & 942 Harvey Avenue   |
| <b>9. AREA OF SUBJECT PROPERTY:</b>  | 5,396.42 m <sup>2</sup>  |
| <b>10. AREA OF PROPOSED REZONING:</b>  | 5,396.42 m <sup>2</sup>  |
| <b>11. EXISTING ZONE CATEGORY:</b>   | RU6 – Two Dwelling Housing   |
| <b>12. PROPOSED ZONE:</b>  | RM6 – High Rise Apartment Housing  |
| <b>13. PURPOSE OF THE APPLICATION:</b>   | To rezone subject properties to the<br>RM6 – High Rise Apartment Housing<br>zone to permit the development of a<br>9,222 m <sup>2</sup> (net), 12 storey building for<br>use as a Seniors Congregate housing<br>facility |
| <b>14. MIN. OF TRANS./HIGHWAYS FILES NO.:<br/>NOTE: IF LANDS ARE WITHIN 800 m OF A<br/>CONTROLLED ACCESS HIGHWAY</b> | 02-081-18278   |
| <b>15. DEVELOPMENT PERMIT MAP 13.2<br/>IMPLICATIONS</b>  | General Multi-Family; notify GIS of<br>addition  |