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## CITY OF KELOWNA

# MEMORANDUM

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**Date:** March 6, 2002  
**File No.:** (3060-20/3090-20) **DP01-10,094**

**To:** City Manager

**From:** Planning & Development Services Department

**Subject:**

DEVELOPMENT PERMIT APPLICATION OWNER: THE GOOD SAMARITAN  
NO. DP01-10,094 SOCIETY

AT: 1540 KLO ROAD

APPLICANT: FWS COMMUNITY  
PARTNERS INC.

PURPOSE: TO SEEK A DEVELOPMENT PERMIT TO GIVE PERMISSION  
TO USE THE RELOCATED SINGLE FAMILY DWELLING ON  
SUBJECT PROPERTY AS A GROUP HOME TO BE OPERATED  
IN ASSOCIATION WITH CONGREGATE HOUSING AND  
GROUP HOME FACILITY CURRENTLY UNDER  
CONSTRUCTION ON SAME PROPERTY

EXISTING ZONE: A1 – AGRICULTURAL 1

PROPOSED ZONE: RM4 – TRANSITIONAL LOW DENSITY 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 Final Adoption of Zone Amending Bylaw No. 8812 be considered by the Municipal Council;

THAT Municipal Council authorize the issuance of Development Permit No. DP01-10,094; for Lot A, DL131, O.D.Y.D., Plan KAP70104, located on KLO Road, 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. 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. 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 subject property currently has a 3 storey, 105 unit, multiple family residential building under construction on it as authorized by Development Permit DP00-10,001, which was issued on September 13<sup>th</sup>, 2001. Rezoning application Z01-1064 seeks to rezone a portion of the subject property that was added to the development site to facilitate the relocation of the single family dwelling that was originally located in the centre of the subject property in order that the RM4 – Transitional Low Density Housing zone is applied to the entire property. This Development Permit application seeks permission to use the relocated building as a group home for patients with various forms of dementia.

### 2.1 Advisory Planning Commission

The above-noted application was reviewed by the Advisory Planning Commission at the meeting of January 15, 2002 and the following recommendations were passed:

THAT the Advisory Planning Commission supports Development Permit Application No. DP01-10,094, Lot A, DL131, Sec 17, Twp 26, O.D.Y.D., Plan KAP70104 by FWS Partners Inc. (Delbert Juba) to seek permission to convert the relocated manor house into a care facility as part of the adjacent congregate housing project.

## 3.0 BACKGROUND

### 3.1 The Proposal

The subject property has been the subject of a number of development proposals over the years.

The first application to develop the site was made in November 1995, and involved both 1540 KLO Rd. and 1570 KLO Rd., and anticipated development of a congregate housing project. This application was closed in September 1996.

In December 1996 a new application was made, this time involving only 1540 KLO Rd. That application anticipated the inclusion of the existing "Manor House" as a common facility for the residents of the proposed building. That application proceeded through due process and the zone amending bylaw was adopted on Aug 25, 1998, and the associated Development Permit was issued on June 22, 1999.

On January 18, 2000, a new Development Permit application (DP00-10,001) was made for a 104 unit, assisted living (congregate housing) facility. That proposal anticipated the removal of the "Manor House" from the property, and the siting of the new multi-family residential congregate housing building constructed over the previously existing orchard area adjacent to the road and the former location of the "Manor House". DP00-10,001 was reviewed by Council on April 17, 2000, and finally issued on September 13, 2001

after the authorization for issuance had been extended several times to keep the application active.

There has been an application made to rezone the portion of the subject property that was added to the lot by means of a lot line adjustment with the adjacent property to the north. This area was added to the subject property when it became apparent to the applicant that it was not going to be economically feasible to move the “Manor House” off of the site owing to the height of the building and the proximity of major electrical transmission lines. Rather than demolish the building to make way to start construction of the recently approved congregate housing facility, the “Manor House” building was moved within the property on to the newly acquired land. As part of the lot line adjustment, the existing irrigation ditch operated by the Mission Creek Water User’s Community was relocated to allow for the new lot line configuration. In order to facilitate this building move in a timely manner, it was determined that it would be necessary to rezone this area of the lot to the appropriate RM4 – Transitional Low Density Housing zone.

This Development Permit application has been made to deal with such site related issues as vehicle access and landscaping. The subdivision application for the lot line adjustment was processed on the basis that there would be applications forthcoming for both Rezoning and Development Permit for the affected portion of the property. At this time the applicant proposes the renovation of the “Manor House” into a group home for the care of patients with various forms of dementia. As the larger building on site is being developed as a congregate housing development and anticipated to include a number of care units, the inclusion of the “Manor House” as an additional care component to the main building development on site appears to be a reasonable complementary use. There are no changes proposed to the exterior of the relocated dwelling.

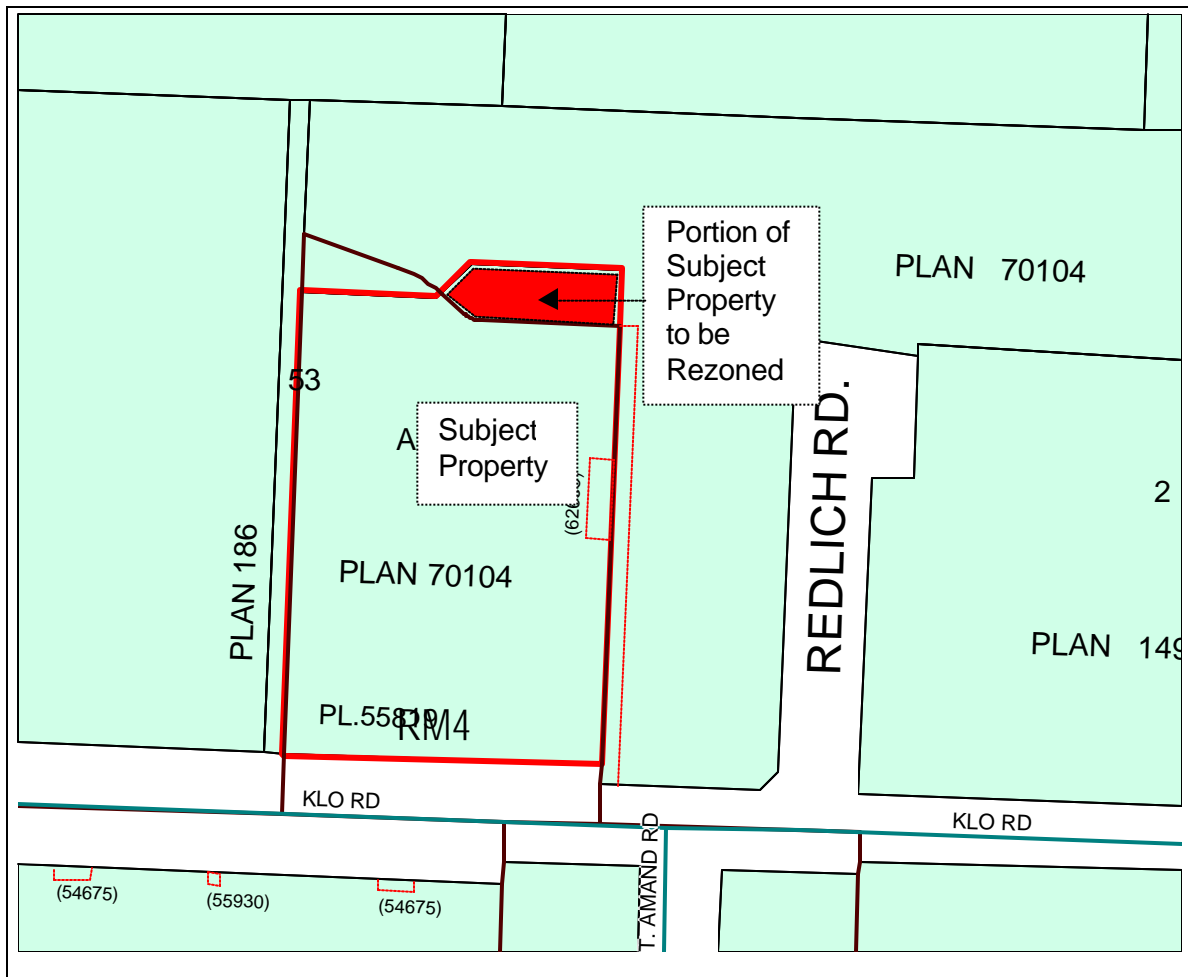
The proposal as compared to the RM4 zone requirements is as follows:

CRITERIA	PROPOSAL	RM4 ZONE REQUIREMENTS
Site Area (m <sup>2</sup> )	9,521m <sup>2</sup>	900m <sup>2</sup>
Site Width (m)	79.53m	
Site Coverage (%)	60%	50% buildings max. 60% buildings & pavement max.
Total Floor Area (m <sup>2</sup> )	6704.8 m <sup>2</sup> (net)	
F.A.R.	FAR = 0.70	FAR 0.65 + max 0.2 bonus for U/G parking Max BLDG FAR 0.75 permitted (7,140.75 m <sup>2</sup> max.)
Storeys (#)	3 storeys	3 storeys max.
Setbacks (m)		
- Front	10.5 m to prin. bld	6.0m min.
- Rear	14 m to prin. bld 7.5 m to accessory bld	9.0m min. 1.5 m to accessory building
- West Side	4.5 m to prin. bld	4.5m over 2 storeys 2.3m 2 storeys
- East Side	8.5 m to accessory bld	4.5m over 2 storeys 2.3m 2 storeys

Parking calculations;

Type of unit	No. of units	Parking Required
One bedroom Congregate Hsg	34 units	@ 1/3 = 11.33
Two bedroom	34 units	@ 1.50 = 51
Care units	37 beds	@ 1/3 = 12
SubTotal	105 units	
Dementia Care (Manor House)	10 beds	@ 1/3 = 3.3
Staff	6 Staff	1/staff = 6
	77 stalls underbuilding 22 surface stalls 99 stalls provided	84 stalls required

Subject Property Map



### 3.2 Site Context

The subject property is located on the north side of KLO Road west of Redlich Road, is generally level, and is developed with a single family dwelling (“Southfork” Manor House), and agricultural uses.

Adjacent zones and uses are, to the:

- North - A1 – Agricultural 1, vacant
- East - A1 – Agricultural 1, vacant
- South - P2 – Education and Minor Institutional / Immaculata High School  
RU1 – Large Lot Housing, SFD uses / St. Amand Rd.
- West - A1 – Agricultural 1, CORD playing fields

### 3.3 Current Development Policy

#### 3.3.1 Kelowna Official Community Plan

The proposal is consistent with the “Multiple Family Residential (Low Density)” designation of the Official Community Plan.

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

The proposal is consistent with the urban form objectives of the Kelowna Strategic Plan which encourages “a more compact urban form by increasing densities through infill and re-development within existing urban areas...”

#### 3.3.3 South Pandosy/KLO Sector Plan

The proposal is consistent with the “Multiple Family Residential (Low Density)” designation of the South Pandosy/KLO Sector Plan.

#### 3.3.4 Crime Prevention Through Environmental Design

The proposal is consistent with the Multiple Unit Residential Building guidelines of the Crime Prevention Through Environmental Design (CPTED) Guidelines for the City of Kelowna, which supports;

- Ground oriented units to enable surveillance over outdoor activity,
- Building entrances and exterior doors are clearly visible from the street or by neighbours,
- Parking areas are visible from building windows and doors,
- Recreation areas are visible from a number of windows and doors,
- All four facades of the building have windows,
- The property lines are well defined by landscaping to provide Territorial Reinforcement,
- The entrance to the parking lot is defined by landscaping,

#### 4.0 TECHNICAL COMMENTS

The application has been circulated to various technical agencies as part of the Rezoning Application Z01-1064 and the relevant comments addressed through that application.

#### 5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT COMMENTS

The Planning and Development Services Department does not have concerns with this proposal. The developers have successfully negotiated a land exchange to change the configuration of the rear lot line of the subject property in order to provide a suitable location for the “Manor House” that had previously been located in the centre of the lot. The applicant had attempted to have the “Manor House” moved off of the property, but found that the cost of the move was not economically feasible owing to the height of the building and the proximity of major electrical transmission lines along KLO Road.

As a means to retain the building on site, the north property line was amended to add a portion of the neighbouring lot to provide a suitable area to site the relocated “Manor House” building. The building was moved to the new location, on the understanding that the applicant would make applications to rezone this portion of the lot, and for a Development Permit to address the site planning issues created by adding this building into the overall site development. It is anticipated that the former single family dwelling will be renovated for use as a “group home” for people with various forms of dementia, which will operate in conjunction with the congregate housing use of the adjacent development. This is a use that is complementary with the use of the principal building, which is Congregate Housing and Apartment Housing.

The addition of the “Manor House” to the proposed site development does not impact the proposed Floor Area Ratio (density) of the development proposal. The RM4 zone has a base density of 0.65, and the provision of underbuilding parking permits a density bonus of a maximum of 0.20 multiplied by the ratio of the of such parking spaces to the total required parking. In this case, 62% of the required parking is provided under the main building, which provides for a 0.124 bonus to the base density. The zone provides for a maximum density of 0.75.

The addition of the “Manor House” to the site development has reduced the amount of surface parking possible from the original 37 stalls proposed down to 22. As a result of the inclusion of the “Manor House” for a group home use, the amount of required parking has increased by 4 stalls to permit the additional of the 10 bedrooms for care use. However, during the building permit application process, there are 34 one bedroom units that no longer contain kitchens. Because of this change in use, these 34 units now become Congregate housing units which require parking to be provided at 1 stall per 3 beds. As a result of this change in use, the revised required parking becomes 84 parking stalls. As well, the level of available parking is not anticipated to be a problem as it is anticipated that there will be a shuttle bus service available for building residents.

There are no changes proposed to the exterior of the former dwelling. It is anticipated that the building will retain it's white siding and black asphalt shingled roof. The existing form and character of the “Manor House” contains sufficient similar design elements that the retention of this building will form a complementary addition to the larger apartment building currently under construction on the subject property. As well, the location of the relocate “Manor House” at the rear of the development parcel will have little impact on the KLO Road frontage.

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

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Andrew Bruce  
Current Planning Manager

Approved for inclusion

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

PMc/pmc  
Attach.

### **FACT SHEET**

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|---|--|
| 1. APPLICATION NO.:                             | DP01-10,094  |
| 2. APPLICATION TYPE:                            | Development Permit   |
| 3. OWNER:                                       | The Good Samaritans Society (A<br>Lutheran Social Service Organization)<br>Inc. No. XS40709  |
| . ADDRESS                                       | #200 – 9405 50 <sup>th</sup> St.   |
| . CITY/POSTAL CODE                              | Edmonton AB T6B 2T4  |
| 4. APPLICANT/CONTACT PERSON:                    | FWS Community Partners Inc. /<br>Del Juba  |
| . ADDRESS                                       | 1540 KLO Road  |
| . CITY/POSTAL CODE                              | Kelowna, BC V1W 3P6  |
| . TELEPHONE/FAX NO.:                            | 717-3918/717-3948  |
| 5. APPLICATION PROGRESS:                        |  |
| Date of Application:                            | December 4, 2001   |
| Date Application Complete:                      | December 5, 2001   |
| Servicing Agreement Forwarded to Applicant:     | N/A  |
| Servicing Agreement Concluded:                  | N/A  |
| Staff Report to Council:                        | March 6, 2002  |
| 6. LEGAL DESCRIPTION:                           | Lot A, DL131, O.D.Y.D.,<br>Plan KAP70104   |
| 7. SITE LOCATION:                               | North side of KLO Road, west of<br>Redlich Road  |
| 8. CIVIC ADDRESS:                               | 1540 KLO Road  |
| 9. AREA OF SUBJECT PROPERTY:                    | 9521 M <sup>2</sup>  |
| 10. TYPE OF DEVELOPMENT PERMIT AREA:            | General Multi-Family   |
| 11. EXISTING ZONE CATEGORY:                     | A1 – Agricultural 1  |
| 12. PROPOSED ZONE:                              | RM4 – Transitional Low Density<br>Housing  |
| 13. PURPOSE OF THE APPLICATION:                 | To Seek A Development Permit To<br>Give Permission To Use The<br>Relocated Single Family Dwelling On<br>Subject Property As A Group Home<br>To Be Operated In Association With<br>Congregate Housing And Group<br>Home Facility Currently Under<br>Construction On Same Property |
| 14. DEVELOPMENT PERMIT MAP 13.2<br>IMPLICATIONS | N/A  |



Attachments

Subject Property Map  
Schedule A, B & C (3pages)