

---

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

---

**Date:** September 12, 2002  
**File No.:** (3360-20) **Z02-1026**

**To:** City Manager

**From:** Planning & Development Services Department

**Subject:**

APPLICATION NO. Z02-1026

OWNER: INTERIOR HEALTH  
AUTHORITY

AT: 135 DAVIE ROAD

APPLICANT: INTERIOR HEALTH  
AUTHORITY /  
NORM HATLEVIK

PURPOSE: TO REZONE THE SUBJECT PROPERTY TO ALLOW THE USE  
OF THE EXISTING BUILDING FOR OFFICE USES FOR  
COMMUNITY SUPPORT STAFF

EXISTING ZONE: P2 – EDUCATION AND MINOR INSTITUTIONAL

PROPOSED ZONE: P1 – MAJOR INSTITUTIONAL

REPORT PREPARED BY: PAUL McVEY

---

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

---

**1.0 RECOMMENDATION**

THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 14, Sec. 22, Twp. 26, O.D.Y.D., Plan 18085, located on Davie Road, Kelowna, B.C., from the P2 – Education and Minor Institutional zone to the P1 – Major Institutional 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 Variance 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 being completed to their satisfaction;

AND THAT final adoption of the zone amending bylaw be withheld until the owner has executed a Servicing Agreement acceptable to the City of Kelowna.

## 2.0 SUMMARY

This current application seeks to rezone the subject property from the existing P2 - Education and Minor Institutional zone to the P1 – Major Institutional zone in order to permit the conversion of the existing building to an office use for the Community Support Worker team. This rezoning is necessary as the proposed office use is not permitted in the existing P2 – Education and Minor Institutional zone.

### 2.1 Advisory Planning Commission

The above noted application (Z02-1026) was reviewed by the Advisory Planning Commission at the meeting of July 9, 2002 and the following recommendation was passed:

That the Advisory Planning Commission supports Rezoning Application No. Z02-1026, 135 Davie Road, Lot 14, Plan 18085, Sec. 22, Twp. 26, ODYD, Interior Health Authority (Martin Deheer) to rezone from the P2-Education and Minor Institutional zone to the P1-Major Institutional zone subject to the uses permitted being restricted, by way of a 219 Restrictive Covenant, to office space for the community support program.

## 3.0 BACKGROUND

### 3.1 The Proposal

The seniors care home located on the subject property was originally constructed in 1970's as a private care facility with 22 beds, and was operated as the "Mount View Manor". The original facility was developed at a time when the area was not part of the City of Kelowna, and was developed under the Regional District bylaws of the day. In the early 1980's, the facility was taken over by the Health Unit, and became known as the May Bennett Home.

The building located on the subject property has had several building additions over the years. However, it has become apparent that the existing facility no longer meets the facility standards required for the levels of care necessary for the growing elderly population of the community. As well, it has also been determined that the modifications required to bring the building up to current standards for operation as a care facility are not affordable.

At this time, the Interior Health Authority (formerly the Okanagan Similkameen Health Region) is undergoing substantial changes in operational structure, and is seeking to have the former May Bennett Home rezoned to permit the use of the building as an office building for the Community Health staff, while retaining the existing Adult Day Care Program that has been operating in the May Bennett Home.

It is anticipated that the programs to be run out of this facility will be;

#### 1. Adult Day Program

Adult Day Programs work to prevent premature facility placement by assisting clients to live in their own homes for as long as possible. These programs also familiarize waitlisted clients to a facility setting aiding the admission transition while providing respite and support to family members "care giving" role.

Each program offers a variety of services to include a wide range of personal care, hot meals, health monitoring/promotion, numerous social programs & caregiver respite/support – in some locations, century bathing.

2. Caregiver / Volunteer Program

A support program available to seniors and caregivers offering:

Volunteer Driver Service: transportation to and from health care & related activities for clients or patients who cannot use existing transportation services.

Caresitter Service: Relief for caregivers for up to 4 hours per week.

Support Sitter Service: Relief for caregivers of clients with a primary diagnosis of dementia. Volunteers also contact caregivers to offer support.

Volunteer Visitors: Companionship and support to mental health clients.

Clinic Volunteers: With direction by professional staff, volunteers provide assistance, direction and passive supervision to Mental Health Centre & Public Health clients.

3. Community Home support

Home Support Services are designed to help patients maintain independence, dignity and lifestyle in a healthy, safe home environment through the efficient delivery of in-home support services. Community Health Workers provide personal assistance with activities such as bathing, dressing, grooming, life skills, and rehab assistance.

4. Community Home Care Nursing

Home Care programs offering direct nursing care, nursing assessment, care coordination and planning, and health education for acute and palliative care needs.

5. Community Long Term Care Nursing

Community Nursing through Interior Health's Long Term Care programs provides a continuum of services to assist people in remaining independent in their own homes. In addition, this service will provide assessment and placement for facility care if necessary. Registered nurses provide care coordination, assessment, planning and arranging services, education, consultation monitoring and reassessment to ensure the client receives appropriate assistance and support.

6. Community Rehabilitation Program

Community Rehabilitation programs provide a continuum of physiotherapy and occupational therapy services in order to promote and maintain optimal functional independence in a safe, home environment. Physiotherapist and Occupational Therapists provide care coordination, assessment, education, clinical monitoring, direct care, consultation, and recommendations regarding equipment.

7. Community Social Worker

Social Work services provide emotional and social support to individuals and caregivers in their homes or residence. Counselling, behavioural therapies, palliative care, crisis management, grief and loss, adjustment, financial, group therapy, facilitation of caregivers groups.

**8. Meal Program**

Meal Programs provide nutritious meals at reasonable cost. These programs increase opportunities for socialization and networking with seniors in their communities while providing (frozen or hot) meals.

It is anticipated that the primary function of the office use proposed for this existing building will be limited to a space for the Community Health staff to maintain files for the elder clients still living at home. It is not anticipated that there will be a substantial number of client visits during the day. Most of the traffic will be generated by staff leaving in the morning and returning in the afternoon.

There are approximately 24 staff proposed to be operating out of the renovated building. The services provided would primarily occur during the day, Monday to Friday, with the possibility of some evening meetings as required.

The existing care facility consists of 22 bedrooms. These rooms are proposed to be converted to office uses. The existing kitchen will remain in place to provide meals to the adjacent dining room for the various adult day programs.

The site plan indicates 28 parking stalls currently existing on the subject property.

It has become apparent that the existing building is located less than the required 4.5 m setback from the east property line. There has been a Development Variance Permit application made to address this non-conforming setback.

The Interior Health Region acknowledges that this use of this facility as an office use is only an interim use, and that the City does not support a permanent expanded office use located on this property. It is anticipated that the applicant will be a restrictive covenant registered on title to indicate this.

The proposal as compared to the P1 zone requirements is as follows:

CRITERIA	PROPOSAL	P1 ZONE REQUIREMENTS
Site Area (m <sup>2</sup> )	5,870 m <sup>2</sup>	460 m <sup>2</sup>
Site Width (m)	62 m	13.0 m
Site Coverage (%)	20 %	50% max
Total Floor Area (m <sup>2</sup> )	1,200 m <sup>2</sup>	11,740 m <sup>2</sup> @ FAR = 2.0
F.A.R.	0.2	FAR = 2.0
Storeys (#)	1	13.5 m (3 storeys)
Setbacks (m)		
- Front (Highway 33)	13.4 m	6.0 m
- Front (Saskatoon Rd)	36 m	6.0 m
- Flanking Side	8.0 m	6.0 m for flanking
- East Side	1.5 m ❶	4.5 m
Parking Stalls (#) (office uses)	30 stalls required ❷ 28 stalls provided	2.5 per 100 m <sup>2</sup>
Loading Stalls (#)		1 per 2,800 m <sup>2</sup>

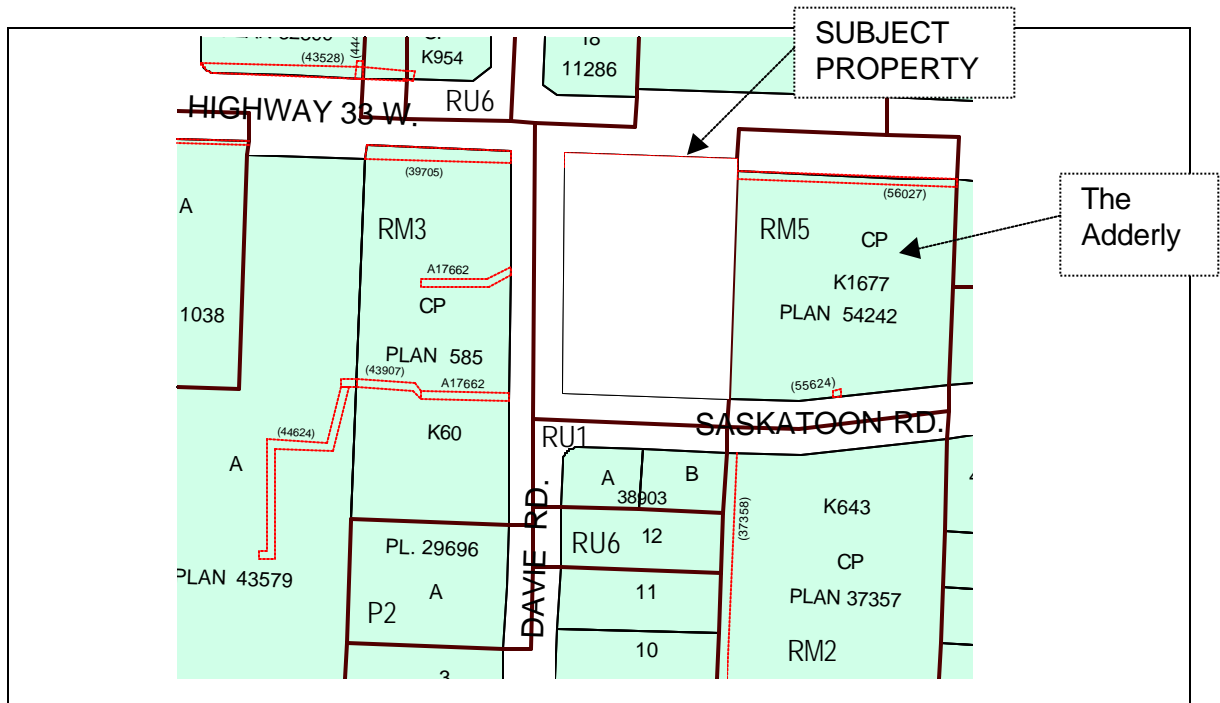
❶ Variance required to reduce side yard setback from 4.5 m required to 3.0 m existing.

❷ It will be necessary to increase the size of the existing parking lot to 30 stalls as part of the proposed building renovations

### 3.2 Site Context

The original seniors home built in 1970 and operated as the “Mount View Home”. There have been several additions to the original building constructed in 1979, and 1989. The site is bounded by Highway 33 to the north, Davie Road to the west, and Saskatoon Road to the south. The subject property is generally flat, and is located approximately .5 to 1.5 m below the sidewalk level adjacent to Highway 33.

# SUBJECT PROPERTY MAP



Adjacent zones and uses are, to the:

- North - RU1 – Large lot Housing / SFD uses  
P2 – Minor Institutional / Church uses  
East - RM5 – Medium Density Housing, (The Adderly)  
South - RU1 – Large lot Housing / SFD uses  
West - RM3 – Low Density Multiple Housing / townhouse uses

### 3.3 Existing Development Potential

The existing zoning of P2 – Education and Minor Institutional allows for care centres – intermediate & minor, community recreation services, emergency and protective services, private clubs, private education services, religious assemblies, utility services – minor impact as principal permitted uses, and public parks, and residential security/operator unit as permitted secondary uses.

### 3.4 Current Development Policy

#### 3.4.1 Kelowna Official Community Plan

The Official Community Plan designates the future land use of the subject property as “Education/Major Institutional”. The proposed use of the building is consistent with the “Education/Major Institutional” land use.

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

The City of Kelowna Strategic Plan contains the following;  
Primary Goal # 7; To grow at a pace that takes into account the ability of government agencies to provide and maintain important public services such as underground utilities, schools, parks and recreation, health facilities, roads and transit and emergency services.

#### 3.4.3 Rutland Sector Plan

The subject property is designated as “Education/Major Institutional” future land use. The subject property is located adjacent to the western boundary of the Rutland Urban Town Centre.

### 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 Aquila Networks Canada

ANC has no additional requirements.

#### 4.2 B.C. Gas

Gas presently exists on site.

#### 4.3 Fire Department

As the nearest hydrant is across Hwy 33w and five lanes of traffic including the turn lane, a new hydrant should be installed at the driveway entrance.

#### 4.4 Inspection Services Department

No concerns.

#### 4.5 Irrigation District (R.W.W.)

No apparent problem.

#### 4.6 Ministry of Transportation

In response to your referral dated June 12, 2002, I can advise that this Ministry has no objection to the proposed rezoning subject to the following;

- 1) No direct access to Highway 33,
- 2) Highway 33 to be established 15 m from existing centreline by legal survey plan including a 6 m x 6 m corner cut-off at the intersection of Highway 33 and Davie Road.

#### 4.7 Parks Manager

1. Please provide landscape plan for the development.
2. All entry feature signs for the proposed development to be located on private property and not on city Blvd. This includes any landscape treatment.

#### **Landscape Plan Requirements:**

3. The following applies for all boulevard (BLVD) landscape on city ROW and is standard information required on a landscape plan:
  - A. Planting plan to include a plant materials list:
    - i) Latin name
    - ii) common name
    - iii) size at planting
    - iv) plant symbol key
    - v) indicate existing trees
    - vi) indicate existing trees to be removed
  - B. Minimum plant material specifications for blvds. as follows:
    - i) Deciduous Tree – caliper @300mm above rootball (min. 60mm)
    - ii) Deciduous Shrub - spread (min. 450mm)
    - iii) Coniferous Tree - height (min. 2.5m)
    - iv) Coniferous Shrub - spread (min. 450mm)
    - v) Seed/Sod Mix according to location and proposed activity use.
  - C. Shrub beds require plastic edge beside all areas abutting a city sidewalk or city land to prevent migration of mulch.
  - D. Scale of plan and north arrow clearly indicated on plan.
  - E. Planting plan to include all u/g utility locations in BLVD.
4. 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.
5. **BLVD maintenance** (irrigation, shrubs, ground cover, sod, and seeded areas) is the responsibility of owner/occupant.
6. **BLVD tree maintenance** is responsibility of Parks Division.
7. Planting plan to include all u/g utility locations in BLVD.
8. All trees planted in sidewalk and not in grass Blvd will require a vault and grate and/or root shield barriers. All trees in grass Blvd to use root shield barriers beside concrete infrastructure.
9. 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.
10. Planting plan to include all u/g utility locations in BLVD.

#### 4.8 Public Health Inspector

Ensure provision of community sewer water.

4.9 Shaw Cable

Developer/contractor to supply/install conduit system as per Shaw drawings & specifications

4.10 Works and Utilities Department

The Works & Utilities Department comments and requirements regarding this application to rezone the subject property from P2 (Education and Minor Institutional) to P1 (Major Institutional) are as follows:

1. Subdivision

Provide easements as may be required. Dedicate approximately 5.0 m. along the frontage of Hwy 33. Dedicate a 6.0 m. corner rounding at the intersection of Davie Road and Hwy 33. Dedicate a 6.0 m. corner rounding at the intersection of Davie and Saskatoon Roads.

2. Geotechnical Study.

Prior to any building construction it is recommend that a comprehensive geotechnical study be undertaken over the entire site. The geotechnical study should be undertaken by a Professional Engineer or a Geoscientist competent in this field. This study should analyse the soil characteristics and suitability for development of the requested zoning. As well, the study should address drainage patterns including the identification of ground water and the presence of any surface springs and the suitability of the lands for disposal of site generated storm drainage. In addition this study must describe soil sulphate contents, the presence or absence of swelling clays,

3. Domestic water and fire protection.

This development is within the Black Mountain Irrigation District (BMID) water service area. All the charges for service connection, and upgrading costs are to be paid directly to BMID.

A watermeter is mandatory as well as a sewer credit meter to measure all the irrigation water. Watermeters must be housed in an above-ground, heated, accessible and secure building, either as part of the main site buildings or in a separate building. Remote readers units are also mandatory on all meters.

Provide a new fire hydrant near the driveway entrance, at a location approved by the City Of Kelowna Fire Department. The estimated cost for the new hydrant installation is **\$3,000.00** inclusive of a bonding escalation.

4. Sanitary Sewer.

The subject property currently serviced by the municipal sanitary sewer collection system. Any upgrade to the existing service, if required, would be at the developer's expense.

5. Drainage.

The existing storm water management appears adequate; any modification to the existing development that might affect the storm runoff will require a revised site drainage management plan and design to comply with the City's drainage design and policy manual, is a requirement of this application.

6. Power and Telecommunication Services.

The services to and fronting this development are to be installed underground. It is the developer's responsibility to make a servicing application to the respective utility companies. The utility companies are then required to obtain the city's approval before commencing their works.

7. Road improvements.

a) Hwy 33

Hwy 33 is under the jurisdiction of the Ministry of Transportation (MOT).

b) Saskatoon Road

The applicant is responsible for the upgrading of Saskatoon Road frontage to an urban standard complete with fillet paving, curb & gutter, sidewalk, storm drainage, removal and/or relocation of utilities as may be required. The estimated cost, for this work, for bonding purpose, is **\$52,000.00**, inclusive of a bonding escalation.

c) Davie Road

The applicant is responsible for the upgrading of Davie Road frontage to an urban standard complete with fillet paving, curb & gutter, sidewalk, storm drainage, removal and/or relocation of utilities as may be required. The estimated cost, for this work, for bonding purpose, is **\$71,000.00**, inclusive of a bonding escalation.

8. Street lights.

Street lights must be installed on all fronting roads as determined by the Manager of Electrical Utilities.

9. Engineering.

Design, construction, supervision and inspection of all off-site civil works and site servicing must be performed by a consulting civil Engineer and all such work is subject to the approval of the city engineer.

10. DCC Credits.

None of the required improvements qualify for DCC credit consideration, as these upgradings are not identified in the current DCC schedules.

11. Bonding and Levies Summary.

a) Performance Bonding

New Hydrant on Davie Road	\$ 3,000.00
---------------------------	-------------

Davie Road upgrading	\$ 71,000.00
----------------------	--------------

Saskatoon road upgrading	<u>\$ 52,000.00</u>
--------------------------	---------------------

<u>Total Bonding</u>	<u><b>\$126,000.00</b></u>
----------------------	----------------------------

b) Levies	N/A
-----------	-----

5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT COMMENTS

The Planning and Development Services Department has had meetings with planning staff of the Interior Health Authority regarding the conversion of the former May Bennett Home into an office facility for use by Community Support Worker staff. At this time, it has been recognized that the former use of the building as a nursing home is a legal non-conforming use in the P2 – Education/Minor Institutional zone. It was also noted that the P2 zone does not permit Health Services or Government Services uses as a permitted use.

In order to correct this situation, it has been determined that it would be necessary to rezone the subject property to the P1 – Major Institutional zone, a zone which permits Health Services and Government Services as principal permitted uses.

This change in zone is seen as an interim use of the property. In order to limit future uses of the subject property to the current use as office space for the community support program, the applicant has volunteered to register a section 219 restrictive covenant on title to state that the site will not be developed for major administrative uses in the future by the Interior Health Authority or its successors without prior review and approval by the City Planning Department and Council.

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.:                         | Z01-1026                               |
| 2. APPLICATION TYPE:                        | Rezoning                               |
| 3. OWNER:                                   | Interior Health Authority              |
| . ADDRESS                                   | 2180 Ethel St.                         |
| . CITY                                      | Kelowna, BC                            |
| . POSTAL CODE                               | V1Y 3A1                                |
| 4. APPLICANT/CONTACT PERSON:                | Interior Health Authority /            |
| . ADDRESS                                   | Norm Hatlevik                          |
| . CITY                                      | 1440 14 <sup>th</sup> Ave.             |
| . POSTAL CODE                               | Vernon, BC                             |
| . TELEPHONE/FAX NO.:                        | V1B 2T1                                |
|   | (250)549-5730 / (250)549-5763          |
| 5. APPLICATION PROGRESS:                    |  |
| Date of Application:                        | May 29, 2002                           |
| Date Application Complete:                  | May 29, 2002                           |
| Servicing Agreement Forwarded to Applicant: | August 29, 2002                        |
| Servicing Agreement Concluded:              | N/A                                    |
| Staff Report to Council:                    | September 12, 2002                     |
| 6. LEGAL DESCRIPTION:                       | Lot 14, Sec. 22, Twp. 26, O.D.Y.D.,    |
|   | Plan 18085                             |
| 7. SITE LOCATION:                           | East Side of Davie Road Between        |
|   | Hwy 33 and Saskatoon Road              |
| 8. CIVIC ADDRESS:                           | 135 Davie Road                         |
| 9. AREA OF SUBJECT PROPERTY:                | 5,870 m <sup>2</sup>                   |
| 10. AREA OF PROPOSED REZONING:              | 5,870 m <sup>2</sup>                   |
| 11. EXISTING ZONE CATEGORY:                 | P2 – Education and Minor Institutional |
| 12. PROPOSED ZONE:                          | P1 – Major Institutional               |
| 13. PURPOSE OF THE APPLICATION:             | To Rezone the Subject Property to      |
|   | Allow the Use of the Existing Building |
|   | for Office Uses for Community          |
|   | Support Staff                          |
|   | 2-81-19914                             |
| 14. MIN. OF TRANS./HIGHWAYS FILES NO.:      |  |
| NOTE: IF LANDS ARE WITHIN 800 m OF A        |  |
| CONTROLLED ACCESS HIGHWAY                   |  |
| 15. DEVELOPMENT PERMIT MAP 13.2             |  |
| IMPLICATIONS                                | N/A                                    |

Attachments

Subject Property Map

2 pages of site plan and floor plan diagrams