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

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**Date:** January 13, 2004  
**File No.:** (3360-20) **Z99-1025/OCP99-009**  
**To:** City Manager  
**From:** Planning & Corporate Services Department  
**Subject:**

APPLICATION NO. Z99-1025 / OWNER: 454979 BC LTD.  
OCP99-009

AT: 1570 KLO RD APPLICANT: FWS CONSTRUCTION  
LTD

PURPOSE: TO AMEND THE OFFICIAL COMMUNITY PLAN BY CHANGING  
THE FUTURE LAND USE DESIGNATION OF A PORTION OF  
THE SUBJECT PROPERTY FROM THE CURRENT MULTIPLE  
UNIT RESIDENTIAL – LOW DENSITY DESIGNATION TO THE  
PROPOSED MULTIPLE UNIT RESIDENTIAL – LOW DENSITY  
TRANSITION DESIGNATION

TO REZONE A PORTION OF THE SUBJECT PROPERTY FROM  
THE EXISTING A1 – AGRICULTURE 1 ZONE TO THE  
PROPOSED RM4 – TRANSITIONAL LOW DENSITY HOUSING  
ZONE TO PERMIT THE DEVELOPMENT OF A CONGREGATE  
HOUSING FACILITY

EXISTING ZONE: A1 – AGRICULTURE 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 OCP Bylaw Amendment No. OCP99-009 to amend Map 19.1 of the Kelowna Official Community Plan (1994 - 2013) Bylaw No. 7600 by changing the Future Land Use designation of a portion of Lot B, DL 131, O.D.Y.D., Plan KAP70104, located on KLO Road, Kelowna, B.C., from the Multiple Unit Residential – Low Density designation to the Multiple Unit Residential – Low Density Transitional designation, as shown on Map “A” attached to the report of Planning & Development Services Department, dated January 13, 2004, be considered by Council;

AND THAT Rezoning Application No. Z99-1025 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of part of Lot B, DL 131, O.D.Y.D., Plan KAP70104, located on KLO Road, Kelowna, B.C., from the A1 – Agriculture 1 zone to the RM4 – Transitional Low Density Housing zone as shown on Map "B" attached to the report of Planning & Development Services Department, dated January 13, 2004, be considered by Council;

AND THAT the OCP Bylaw Amendment No. OCP99-009 and 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 issuance of Preliminary Layout Review Letter by the Approving Officer;

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

The applicant proposes to rezone a portion of the subject property from the existing A1 – Agricultural 1 zone to the RM4 – Transitional Low Density Housing zone in order to permit development of a portion of the property with a new 192 unit congregate housing development on the subject property, as well as a 59 unit addition to the recently constructed 105 unit "Mountainview Village" congregate housing and care facility.

### 2.1 Advisory Planning Commission

The above-noted application was reviewed by the Advisory Planning Commission at the meeting of May 11, 1999 and the following recommendation was passed:

THAT the Advisory Planning Commission supports Official Community Plan amendment No. 99-009 and Rezoning Application No. 99-1025 (Porter Ramsay – 1570 KLO Road) to rezone the property west of the proposed Burtch Road extension and to retain the property to the east as agricultural land, and that the applicant provide to City Council a conceptual level of design of the property to establish the validity of the property as an RM4 – Transitional Low Density Housing zone.

The Advisory Planning Commission also suggests that the Burtch Road location be moved further to the east so there is adequate buffering of the properties on the east side of St. Amand road to minimize the impact of the proposed road on the residential lots.

Note: The road alignment of the Burtch Road extension has been shifted to align with the east property lines of the eastern lots fronting onto St. Amand Road.

The associated Development Permit application (DP03-0164) was reviewed by the Advisory Planning Commission at the meeting of December 9, 2003 and the following recommendation was passed:

THAT the Advisory Planning Commission support Development Permit Application No. DP03-0164, 1570 KLO Road, Lot B, Plan 70104, Secs. 17 & 18, Twp. 26, ODYD to obtain a Development Permit to authorize construction of a 69 unit congregate housing and licensed care development to tie into the existing Good Samaritan “Mountainview Village”, and a 192 unit congregate housing care facility adjacent to the future Burtch Road extension.

### 3.0 BACKGROUND

#### 3.1 The Proposal

The subject property was originally the subject of an application in 1995 (Z95-1054) to rezone the subject property (1570 KLO Rd.) and the adjacent property to the west (1540 KLO Rd.) to the RM4 – Transitional Low Density Housing zone in order to permit the development of a seniors housing project on both properties. That application was reviewed by the APC, but it never proceeded to Council. The file was withdrawn in September 1996.

A new application (Z96-1049) was made in December 1996 to rezone only 1540 KLO Road to the RM4 zone to permit the development of a seniors care facility. The rezoning was adopted on that site in August 1998. The associated DP96-10,098 was issued in April 1999. However the construction authorized by that development permit never commenced.

In January 2000, a new Development Permit application (DP00-10,001) was made to seek permission to construct a seniors care and congregate housing project on the property located at 1540 KLO Road. This project was built as a 105 unit, 3 ½ storey congregate housing and care home, known as “Mountainview Village”. The 3 ½ storey building height was dealt with through a previously issued development variance permit (DVP97-10,024).

In April 1999, there were applications (Z99-1025/OCP99-009) made for an OCP amendment and to rezone the subject property (1570 KLO Rd.) to the RM4 zone. Those applications were presented to the Advisory Planning Commission on May 11, 1999. However, the applications never progressed for Council consideration, as the applicant of the day was unable to conclude a required land deal necessary to satisfy the requirements of the Agricultural Land Reserve Commission regarding the location of the future Burtch Road extension and the consolidation of that portion of the subject property that is located east of the Burtch Road extension with the property located adjacent to KLO Road (1650 KLO Rd.).

The new applicant, FWS Construction Ltd., has been working with the City of Kelowna’s Land Department and the current owners of 1650 KLO Road, in order to conclude a land transaction required to secure that property so that the remnant portion of 1570 KLO Road located to the east of the Burtch Road extension can be added to 1650 KLO Road and the new alignment for the Burtch Road extension can be dedicated as road right of way. The resulting “L” shaped development lot is anticipated to be subdivided such that the short leg of the “L” will be added to the existing “Mountainview Village” lot located at 1540 KLO Rd. in order to facilitate a 59 unit addition to the existing “Mountainview Village” development. The remaining portion of the subject property that is located between the existing “Mountainview Village” development and the future Burtch Road extension is anticipated to be developed with a 192 unit congregate housing

development. While the two developments will be located on two separate lots, it is anticipated that they will operate as complementary uses, and will share a common access driveway from KLO Road and a driveway from the future Burtch Road extension.

The proposed 59 unit addition to the existing "Mountainview Village" development is designed to replicate the form and character of the first phase of development. It is anticipated that the existing "White House" will be redeveloped to provide amenity space to both the first and second phases of the "Mountainview Village" development. The building addition is designed to have 3 storeys of congregate housing constructed above an underbuilding parking garage for 30 vehicles. This second phase of development is designed to be connected to the "White House" amenity building, which is proposed to be modified to provide space for a large kitchen and dining facility for the residents of "Mountainview Village".

The second phase of development on the subject property proposed by this application anticipates the construction of a 3 storey, 192 unit congregate housing development adjacent to the future Burtch Road extension frontage. The development is designed with a similar form and character of the "Mountainview Village" development. The proposed development is designed as a central, 2 storey amenity building with two "L" shaped residential wings, located north and south of the amenity building. The residential wings are connected to the amenity building by enclosed glazed corridors. Each of the residential wings are designed as 3 storey buildings, a portion of which are constructed above garage structures located adjacent to the main shared driveway, which then step down to 3 storey buildings on concrete slab foundations adjacent to the future Burtch Road Extension.

The congregate housing units are designed as a grouping of 6 bedroom "pods" connected to a common amenity space for each of the pods. The main and 2<sup>nd</sup> storey levels of the building each has 5 pods on either side of the amenity area. The 3<sup>rd</sup> storey level has 2 pods on each side of the amenity space. The basement level has 3 pods on either side of the amenity area, and 2 additional pods in the basement level of the amenity building. This totals 32 pods serving 192 bedrooms. Each of the living levels of congregate housing areas has common lounge areas to provide a more communal meeting and gathering space for the residents of the adjacent pods. The main level of the amenity building has a large commercial kitchen which will provide meal service to all of the residents of each of the pods. As well, this area of the amenity building provides space for a multi-purpose room, crafts room and a lounge and lobby area.

The basement level is also developed with 2 under building parking garages for 31 vehicles each, again located on each side of the amenity building.

The main level of the amenity building provides a main pedestrian drop-off area and pedestrian entrance to the facility. This pedestrian entrance is identified by a "Port Cochere" feature which also provides protection from the weather. There is also a circular driveway that is accessed from the existing driveway from KLO Road that runs along the east side of the existing "Mountainview Village" phase 1 development. The site plan also indicates an access driveway from the future Burtch Road extension to provide access to the north end of the proposed building and the underbuilding parking.

The proposal for proposed Phase 2 of Mountainview Village added to existing as compared to the RM4 zone requirements is as follows:

CRITERIA	PROPOSAL	RM4 ZONE REQUIREMENTS
Site Area (m <sup>2</sup> )	12,994 m <sup>2</sup>	900 m <sup>2</sup>
Site Width (m)	79.5 m	30.0 m
Site Coverage (%)	44% 58%	50% buildings max. 60% buildings & pavement max.
Total Floor Area (m <sup>2</sup> )	11,045 m <sup>2</sup>	FAR (0.65 + 0.20) 0.85 11,045 m <sup>2</sup> max.
F.A.R.	0.85	
Storeys (#)	3 storeys	3 storeys max.
Setbacks (m)		
- Front	6.0 m	6.0m min.
- Rear	9.0 m	9.0m min.
- West Side	4.5 m	4.5m over 2 storeys 2.3m 2 storeys
- East Side	15.9 m	4.5m over 2 storeys 2.3m 2 storeys
Parking Stalls (#)	121 stalls provided (91 stalls Ph 1) (30 stalls Ph 2)	1 stall per 3 beds (208 beds) 1 stall per staff (6 staff) 80 stalls required
Private open space	1,568 m <sup>2</sup>	

**NOTE:**

The above noted site area is based on the pending lot line adjustment.

The resulting building floor area and parking is based on the resulting building size after the addition. 105 existing units, (139 beds) + 59 units (69 beds) = 169 units (208 beds)

The parking calculations will have to be reviewed to ensure compliance with bylaw requirements.

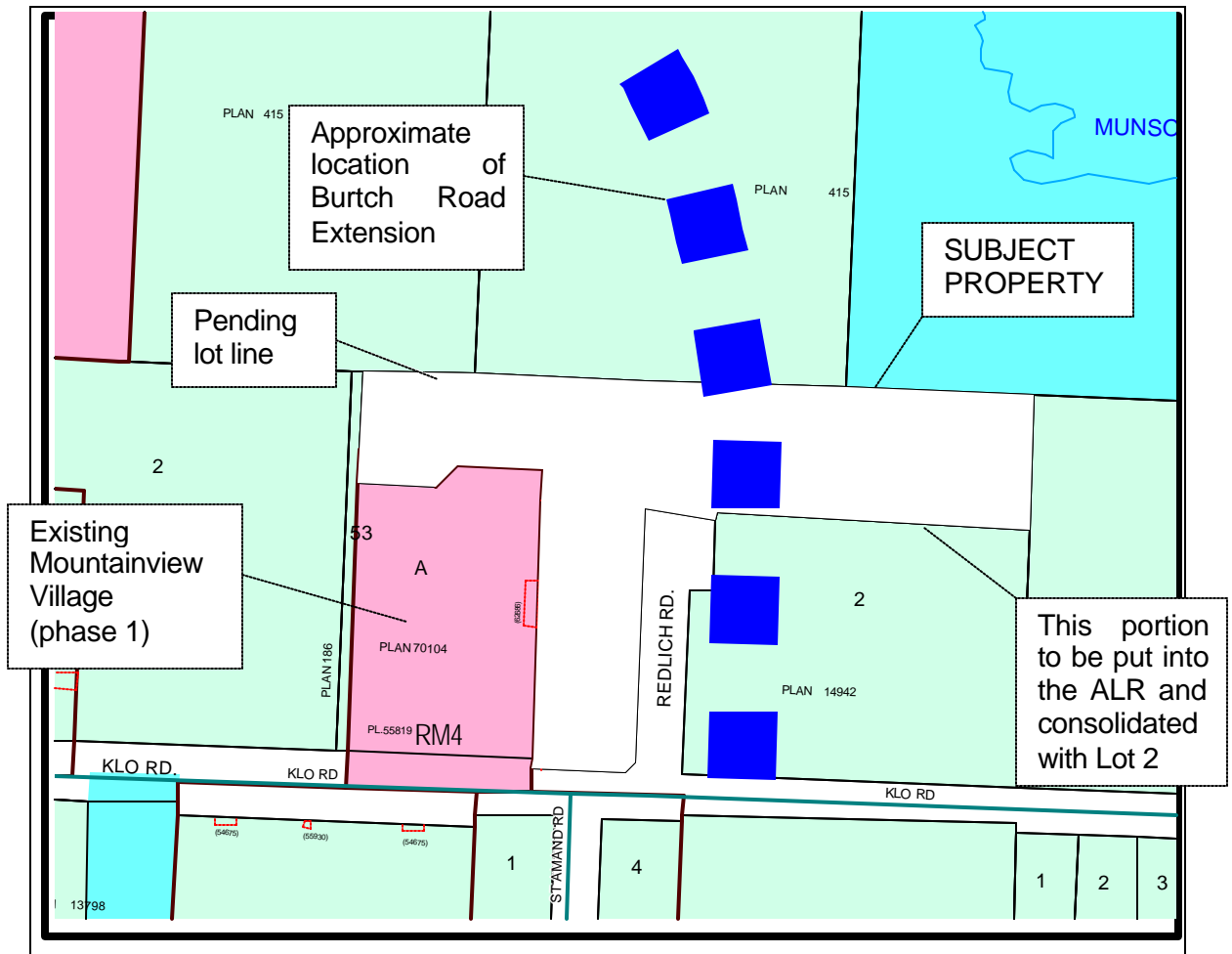
The proposal for the proposed 192 unit congregate housing development as compared to the RM4 zone requirements is as follows:

CRITERIA	PROPOSAL	RM4 ZONE REQUIREMENTS
Site Area (m <sup>2</sup> )	10,537 m <sup>2</sup>	900m <sup>2</sup>
Site Width (m)	64.1 m	30.0 m
Site Coverage (%)	47% 60%	50% buildings max. 60% buildings & pavement max.
Total Floor Area (m <sup>2</sup> )	21,177 m <sup>2</sup> gross 4,147 m <sup>2</sup> net	FAR 0.65 6,849.8m <sup>2</sup> max.
F.A.R.	0.39	
Storeys (#)	3 storeys	3 storeys max.
Setbacks (m)		
- Front	6.0 m	6.0m min.
- Rear	9.0 m	9.0m min.
- West Side	4.5 m	4.5m over 2 storeys 2.3m 2 storeys
- East Side	4.5 m	4.5m over 2 storeys 2.3m 2 storeys
Parking Stalls (#)	77 stalls provided	1 stall per 3 beds (192 beds) 1 per stall 67 stalls required
Private open space	1,440 m <sup>2</sup>	1,440 m <sup>2</sup>

**NOTE:**

The large difference between the gross and net floor area is the result of the large amount of common space provided both as part of the common lounge areas on each floor, and the common eating areas that are part of each “pod” of residential bedrooms

## SUBJECT PROPERTY MAP



### 3.2 Site Context

The subject property is a vacant lot which is located on the north side of KLO Road, to the west and north of Redlich Road. The neighbourhood is developed with existing single family residential uses south of KLO Road along St. Amand Road, and Agricultural uses on the lands to the north and east of the subject property. The property located to the west of the subject property has recently been rezoned to the RM4 – Transitional Low Density Housing zone which has permitted the development of a Congregate Care facility on that site.

- 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 and  
RM4 – Transitional Low Density Housing, Existing congregate housing  
and care facility (Mountainview Village Phase 1)

### 3.3 Existing Development Potential

The existing zone of A1 - Agricultural 1 allows for agriculture, animal clinics – major (in existence prior to July 1, 1998), aquaculture, greenhouses and plant nurseries, intensive agriculture, mobile homes, single detached housing, and utility services – minor impact as permitted principal uses. The zone also permits agricultural dwellings – additional, agri-tourism accommodation, animal clinics – major and minor, bed and breakfast homes, care centres major and minor, forestry, group homes- minor, home based businesses – minor, major, rural, kennels and stables, and wineries and cideries, second kitchen and secondary suite (A1s only) as permitted secondary uses.

### 3.4 Current Development Policy

#### 3.4.1 Kelowna Official Community Plan

The Kelowna Official Community Plan designates the portion of the subject property that is located west of the existing Redlich Road as “Multiple Family Residential (Low Density)” future land use, while the remaining portion of the subject property is designated as “Rural” future land use.

As the proposal to rezone the property to “Transitional Low Density Housing” use is not consistent with the current Kelowna Official Community Plan designation of “Multiple Family Residential (low density)”, an application for an OCP amendment has been made in conjunction with the original application to rezone.

#### 3.4.2 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...”

#### 3.4.3 South Pandosy/KLO Sector Plan

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



#### 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 Agricultural Advisory Committee

DP03-0164 Nov. 26, 2003

Recommended that a covenant be added to the property title to inform any potential buyers that the development is located adjacent to ALR lands and will be subject to noise, dust, etc. as agricultural activity occurs.

In the event that the Land Titles Office refused this request, a disclosure statement should be required from the developer.

Extensive buffering is recommended.

##### 4.2 Aquila Networks Canada

June 28, 1999

WKP will provide underground electrical service.

##### 4.3 Fire Department

May 21, 1999

Fire department access and fire hydrants will be required as per British Columbia Building Code regulations and City of Kelowna Subdivision Bylaw.

DP03-0164

Fire department access and hydrants as per the BC Building Code and City of Kelowna Subdivision By-law. Clarification of use and occupancy is required. The existing building shown is in violation of occupancy permit at time of these comments. It is a "C" (Residential) occupancy used as a "B" (Institutional) at this time. There is concern that the proposed development will be the same and as such this application cannot be supported until full clarification of use is attained. The policy of building to building equivalencies should be discouraged as there is a Building Code in place to deal with such issues. Not in favour of this application as submitted.

##### 4.4 Inspection Services Department

DP03-0164

1. The "care" component of this project will be a group home and designed as a B2 (Institutional) occupancy. The building will be non-combustible and sprinklered.
2. The lounge areas in each "cottage" shall be separated from the corridor used by the public.
3. Elevators shall accommodate a stretch as per article 3.5.4.1. of BCBC.

#### 4.5 Parks Manager

May 28, 1999

The following standards apply for boulevard landscape in ROW:

A. All plant material (trees, shrubs, ground covers, seed/sod, etc.) proposed for a BLVD will be reviewed by Parks Division. All materials specified to meet City standard for size and method of installation.

B. Plant material specifications are as follows:

- I/ DECIDUOUS TREE by calliper (CAL) @ 300 mm measured 60mm above the root ball.
- II/ DECIDUOUS SHRUB by spread (SP) @ 450 mm min.
- III/ CONIFEROUS TREE by height (HT) @ 2.5m min.
- IV) CONIFEROUS SHRUB by spread (SP) @ 450mm min.
- V) SEED/SOD MIX to proposed activity of the owner/occupant.

C. BLVD maintenance is responsibility of owner/occupant.

D. BLVD tree maintenance is responsibility of PARKS DIVISION

2. All construction drawings to include all u/g utility locations that affect landscape materials used in the BLVD.

3. BLVD to be irrigated or xeriscape landscape approved by PARKS DIVISION.

4. Agree in principle to the requested rezoning subject to review and approval of development landscape plans for the parcel. Planting plans should make extensive use of native trees/shrubs/ground covers/grasses.

#### 4.6 Public Health Inspector

April 26, 1999

Sanitary sewer must be utilized for this application.

#### 4.7 Shaw Cable

May 20, 1999

Owner/contractor to supply and install conduit system as per Shaw drawings & specifications.

#### 4.8 Telus

May 7, 1999

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

#### 4.9 Works and Utilities Department

The Works & Utilities Department has the following requirements associated with this development application:

##### 1. Domestic Water and Fire Protection

- (a) A water main was constructed on KLO Road fronting on this property in 1998. There is a latecomer charge for this water main registered against this property. However, at the time that the Latecomer Agreement was drafted, an error was made by the consulting engineer and this lot was presumed to be an agricultural zone. Consequently, this lot was only assessed to be one equivalent development unit. It will be necessary to amend the Latecomer Agreement to reflect the number of units that will be constructed on this site. At the time of application to connect to this system, the applicant must pay the amended assessed latecomer charges, which will be \$1,590.00 per residential unit. The actual cost will be determined when the number of residential units to be constructed is known.
- (b) The applicant will be required to install at his cost, a water service of sufficient size to provide the domestic and fire protection requirements of the proposed development, which may include a fire hydrant on the site.
- (c) A water meter is mandatory for this development which must be installed on the service inlet in the building in accordance with the City Water Regulation Bylaw and the City Plumbing Regulation Bylaw. The developer must pay the City for the water meter when applying for the water service and/or the building permit. The developer is then responsible for constructing the water meter setting at his cost in conformance with the meter installation regulations. When the meter setting is completed, and before the internal walls are covered in, the developer or builder must contact the City's meter installation contractor (Schlumberger) at 868-3339 to have the meter installed, and the remote device wired and installed.

If there is to be any landscape irrigation on the site, a sewer credit meter must also be installed at the developer's cost as outlined above.

- (a) The developer's consulting mechanical engineer will determine the domestic and fire flow requirements of this proposed development.
- (b) Site servicing issues will be reviewed and comments related to site servicing will be addressed when a detailed site plan or building permit application is received
- (c) The boulevard landscape irrigation system is to be connected to the on the site irrigation system.

2. Sanitary Sewer

- (a) The developer must engage a consulting mechanical engineer to determine the requirements of this development. Site servicing issues will be reviewed and comments related to site servicing will be addressed when a detailed site plan is provided.
- (b) Construct a 300mm sanitary main extension on KLO Road fronting this development. The extension of this sanitary sewer will necessitate a relocation of existing Utility Power poles, which are in direct conflict with the sewer main alignment. The estimated cost of this work in 2004 dollars not including the cost of Utility Power Pole relocation, for bonding purposes is \$36,800.00
- (c) Register a Latecomer Protection Agreement for the sanitary sewer main construction

3. Storm Drainage

- (a) Extend the existing storm drainage facility on KLO Road east, to connect with the proposed storm main on Burtch Road. The estimated cost for frontage drainage facility improvements for bonding purposes, in 2004 dollars is \$43,800.00
- (b) Construct storm drainage facilities on Burtch Road fronting this development to accommodate road drainage. The estimated cost for frontage drainage facility improvements for bonding purposes, in 2004 dollars is \$30,700.00
- (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 drainage study should indicate the size and location of detention and treatment facilities. An overflow to the municipal storm drainage system can be provided when the service to the property is installed.
- (d) Register a Latecomer Protection Agreement for the storm sewer main construction
- (e) The requirements of the irrigation channel along the rear lot boundary will need to be addressed.

4. Road Improvements

- (a) KLO Road must be upgraded to a full urban standard including the extension of the curb and gutter to partway around the curb return at Burtch Road intersection, to just beyond the proposed wheelchair ramp. Construction of a separate sidewalk, extension of the piped storm drainage system, fillet pavement, landscaped boulevard complete with underground irrigation system, street lights, and adjustment and/or relocation of existing utility poles and appurtenance to accommodate this construction. The estimated cost for frontage KLO Road improvements (not including drainage facilities ) for bonding purposes, in 2004 dollars is \$44,300.00

- (b) Burtch Road fronting this development must be constructed to a minimum one – half road at a full urban standard including curb and gutter, construction of a separate sidewalk, piped storm drainage system, fillet pavement, landscaped boulevard complete with underground irrigation system, street lights, and adjustment and/or re-location of existing utility appurtenance if required to accommodate this construction. The estimated cost for frontage Burtch Road improvements (not including drainage facilities ) for bonding purposes, in 2004 dollars is \$114,700.00

5. Subdivision By registered plan to provide the following:

- (a) Dedicate approximately 4.38 m widening of KLO Road fronting on this property, or to be confirmed by a legal surveyor, sufficient widening of KLO Road to provide a 15.0 m wide half road measured from road centreline as determined immediately to the west of the subject property.
- (b) By road exchange (Redlich Road right-of-way), dedicate a 25 m wide right-of-way of the approved Burtch Road extension alignment through the Tee section of this lot.
- (c) By land exchange agreement with the owner of Lot 2, Plan 14942 to the east, procure a 25 m wide right-of-way to complete the extension of Burtch Road to KLO Road including 6.0 m radii corner rounding at the KLO Road intersection.
- (d) Create the desired parcels designating the RM4 lot and the A1 lot as indicated by the OCP which indicates the easterly portion of the TEE parcel as agricultural land.
- (e) Grant statutory rights-of-way if required for utility services.
- (f) Register cross-access agreements

6. Electric Power and Telecommunication Services

The electrical and telecommunication services to this building as well as the local distribution wiring must be installed in an underground duct system, and the building must be connected by an underground service. 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

Street lighting including underground ducts has been installed on all roads fronting on the proposed development. It may be necessary to relocate or add new light standards. 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 and lot grading, 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.

A lot-grading plan is to be submitted prior to construction and adhered to during the construction of this development. The Burtch Road grade fronting this development will need to be established to set the sidewalk and driveway access elevations.

9. Development Cost Charge Reduction Consideration

The KLO Road upgrading only is eligible to receive a DCC credit for a portion of the pavement road work. The total maximum DCC credit based on construction cost estimates is \$8,085.00, but the DCC credit shall not exceed the actual DCC for roads as calculated by the Inspection Services Department, nor should it exceed the actual cost of construction as substantiated by the construction contract.

10. Latecomer Protection

1. Sanitary sewer construction on KLO Road.
2. Storm drainage construction on KLO Road and Burtch Road.

11. Geotechnical Report

GEOTECHNICAL REPORT

As a requirement of this application and building permit approval 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, including water sources on the site.
- (b) Site suitability for development; i.e. unstable soils, foundation requirements 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, analyse 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.
- (e) Additional geotechnical survey may be necessary for building foundations, etc.

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 & Levy Summary

(a) Bonding

Sanitary main extension	KLO	\$ 36,800.00
Storm main extension	KLO	\$ 43,800.00
Road frontage Improvements	KLO	\$ 44,300.00
Road frontage Improvements one half	Burtch	\$114,700.00
Storm main	Burtch	\$ 30,700.00

**Total Bonding**

**\$270,300.00**

NOTE: The bonding amounts shown above are comprised of estimated construction costs escalated 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 also 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 issuance of a building permit.

The additional cost for oversize works required by the City may be reimbursed to the owner subject to availability of funds. The oversize cost must be verified by actual construction tender or invoice.

14. Development Permit & Site Related Issues

- (a) 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.
- (b) A lot-grading plan, erosion and sediment control plan are to be submitted prior to construction and adhered to during the construction of this development.
- (c) A bike rack must be provided in accordance with current bylaws and policies.
- (d) Access and Manoeuvrability

The site plan should illustrate the ability of an SU-9 standard size vehicle to manoeuvre onto and off the 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.

KLO Road driveway accesses will ultimately be restricted to right-in and right-out only by the erection of a median along the center of KLO Road at some point in the future.

Any revised site access and egress designs onto Burtch and KLO Roads as well as the parking lot configuration must be submitted for approval by the City Works & Utilities Department before issuance of the development permit. This is required to guarantee that the requirements and the limitations of access and egress required by the City have been addressed to the City's satisfaction.

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.

5.0 PLANNING AND CORPORATE SERVICES DEPARTMENT COMMENTS

The subject property has been the subject of numerous development inquiries and a previous application for development of a senior citizens housing project.

There was an application to the Land Reserve Commission made in July 2000 as part of the Z99-1025 rezoning application, which approved a location for the future Burtch Road Extension. This approval for the road alignment was conditional on the applicant returning that portion of the subject property which is located east of the Burtch Road right of way to the Agricultural Land Reserve, and consolidation of that portion of the property with the property to the south (1650 KLO Road). The applicant has been able to secure this property (1650 KLO Rd.), and has been able to make arrangements to provide the required lot consolidation and road dedications for the closure of the unconstructed Redlich Road, as well as the required right of way for the future Burtch Road extension.

There has been a new application for a Development Permit (DP03-0164) made to provide a conceptual development plan to accompany this existing Rezoning application. Now that the road exchange and dedication issues appear to have been resolved, it is now appropriate for this Rezoning application to move ahead for Council consideration and if supported by Council, an upcoming Public Hearing.

This new Development Permit application represents an ambitious development proposal for the subject property, and the resulting larger "Mountainview Village" site. The form and character of the proposed building is similar to the existing building development on 1540 KLO RD. and should complement the existing development. Should Council support this application, there will be an opportunity to consider this Development Permit application prior to final adoption of the zone amending bylaw.

The proposed site grading will be critical to the proposed building height. In the configuration proposed, the slab elevation of the proposed 192 unit congregate housing development and the existing "Mountainview Village" development will be the same. However, the shared driveway between the two buildings will remain built up from the



existing elevation of the KLO Road frontage. This will then substantially bury parking structure for the 192 unit congregate housing development and provide a level driveway access to the Porte Cochere drop off area of the 192 unit congregate housing development. There will also need to be attention paid to the rear yard setback for both of the lots in order to ensure that the ALR buffering requirements are met for the proposed developments. There will be an opportunity to address these issues as part of the Development Permit application.

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

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Andrew Bruce  
Manager of Development Services

Approved for inclusion

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R.L. (Ron) Mattiussi, ACP, MCIP  
Director of Community and Corporate Services

PMc/pmc  
Attach.

**FACT SHEET**

- |   |   |
|---|---|
| <b>1. APPLICATION NO.:</b>                  | Z00-1025 /<br>DP03-0164                         |
| <b>2. APPLICATION TYPE:</b>                 | Rezoning/<br>Development Permit                 |
| <b>3. OWNER:</b>                            | 454979 BC Ltd (Inc. No.454979)                  |
| · <b>ADDRESS</b>                            | #17 - 2220 Northridge Dr.                       |
| · <b>CITY</b>                               | Saskatoon Sk.                                   |
| · <b>POSTAL CODE</b>                        | S7L 6X7   |
| <b>4. APPLICANT/CONTACT PERSON:</b>         | FWS Construction Ltd.                           |
| · <b>ADDRESS</b>                            | Brian Harrison                                  |
| · <b>CITY</b>                               | #6 – 3419 12 <sup>th</sup> St.                  |
| · <b>POSTAL CODE</b>                        | Calgary AB                                      |
| · <b>TELEPHONE/FAX NO.:</b>                 | T2B 6S6<br>(403)717-0422/(403)717-0442          |
| <b>5. APPLICATION PROGRESS:</b>             |   |
| Date of Application:                        | April 12, 1999                                  |
| Date Application Complete:                  | April 12, 1999                                  |
| Servicing Agreement Forwarded to Applicant: | January 9, 2004                                 |
| Servicing Agreement Concluded:              |   |
| Staff Report to Council:                    | January 13, 2004                                |
| <b>6. LEGAL DESCRIPTION:</b>                | Lot B, DL 131, O.D.Y.D., Plan<br>KAP70104       |
| <b>7. SITE LOCATION:</b>                    | North side of KLO Road, west of<br>Redlich Road |
| <b>8. CIVIC ADDRESS:</b>                    | 1570 KLO Rd.                                    |
| <b>9. AREA OF SUBJECT PROPERTY:</b>         | 20326 m2  |
| <b>10. AREA OF PROPOSED REZONING:</b>       | 20326 m2  |
| <b>11. EXISTING ZONE CATEGORY:</b>          | A1 – Agricultural 1                             |
| <b>12. PROPOSED ZONE:</b>                   | RM4 – Transitional Low Density<br>Housing       |

**13. PURPOSE OF THE APPLICATION:**

To Amend The Official Community Plan By Changing The Future Land Use Designation Of A Portion Of The Subject Property From The Current Multiple Unit Residential – Low Density Designation To The Proposed Multiple Unit Residential – Low Density Transition Designation

To Rezone A Portion Of The Subject Property From The Existing A1 – Agricultural 1 Zone To The Proposed RM4 – Transitional Low Density Housing Zone To Permit The Development Of A Congregate Housing Facility  
N/A

**14. MIN. OF TRANS./HIGHWAYS FILES NO.:  
NOTE: IF LANDS ARE WITHIN 800 m OF A  
CONTROLLED ACCESS HIGHWAY**

**15. DEVELOPMENT PERMIT MAP 6.2  
IMPLICATIONS**

General Multi-Family; notify GIS of addition

Attachments

Subject Property Map  
OCP Amendment Map "A"  
Rezoning Boundary Map "B"  
8 pages of site plans, elevations / diagrams