
CITY OF KELOWNA

MEMORANDUM

Date: August 17, 2004

File No.: DP03-0136

To: CITY MANAGER

From: PLANNING AND CORPORATE SERVICES DEPARTMENT

Subject:

APPLICATION NO. DP03-0136

OWNER: 687497 BC Ltd. &
687510 BC Ltd.

AT: 1835 Leckie Road

APPLICANT: Maclean Homes Ltd.

PURPOSE: TO OBTAIN A DEVELOPMENT PERMIT TO ALLOW 31 UNITS OF ROW HOUSING.

TO OBTAIN A DEVELOPMENT PERMIT TO ALLOW 103 UNITS OF CONGREGATE CARE HOUSING.

EXISTING ZONE: A1 – AGRICULTURAL 1

PROPOSED ZONE: RM5- MEDIUM DENSITY MULTIPLE HOUSING
RM4 –TRANSITIONAL LOW DENSITY HOUSING

REPORT PREPARED BY: KEIKO NITTEL

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT Final Adoption of Zoning Bylaw No.9157 be considered by Council;

AND THAT Council authorize the issuance of Development Permit No. DP03-0136 for Lot C, Plan KAP56817, DL 126, ODYD, located on Parkview Crescent, 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;

5. The registration of a plan of subdivision creating separate titles for the RM4 – Low Density Transitional Housing zone and RM5- Medium Density Multiple Housing zone portions of the subject property.
6. The applicant be required to fulfill the requirements of Terasen Gas to their satisfaction;

AND FURTHER 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 applicant is seeking to rezone the subject property from the existing A1- Agricultural 1 to RM5- Medium Density Multiple Housing and RM4- Low Density Transitional Housing zones. The portion of the lot fronting Leckie Road is proposed to be rezoned RM5 – Medium Density Multiple Housing to allow for the construction of 103 units of congregate care housing. The remainder of the lot is proposed to be rezoned to the RM4- Transitional Low Density Housing zone to allow for the construction of 31 townhouse units.

3.0 ADVISORY PLANNING COMMISSION

The above-noted applications were reviewed by the Advisory Planning Commission at the meeting of November 25, 2003, and the following recommendation was passed:

THAT the Advisory Planning Commission supports Development Permit Application No. DP03-0136, 1835 Leckie Road; Lot C, Plan 56817, Sec. 21, Twp. 26, ODYD, Pelman Architecture Inc.; to obtain a Development Permit to allow for 103 units of senior assisted care housing (93 apartment units and 11 garden suite units) on the RM5- Medium Density Multiple Housing portion of the lot; and to obtain a Development Permit to allow for a 30 unit townhouse development on the RM4- Transitional Low Density Multiple Housing portion of the lot.

The Advisory Planning Commission initially had several concerns with the proposed development. The applicant, however, revised the proposal to address APC's concerns and meet the requirements of the Zoning Bylaw. Subsequently, the Advisory Planning Commission supported the Development Permit.

4.0 BACKGROUND

4.1 The Proposal

RM5 – Medium Density Multiple Housing Development

The applicant is seeking to rezone the southwest portion of the subject property, fronting Leckie Road and Parkview Crescent, to the RM5 – Medium Density Multiple Housing zone to allow for the construction of an assisted care living facility for seniors. The proposed development, to be called Parkview Place, is to provide housing in one apartment style building and three small row house style buildings. Access to the development will be provided via both Leckie Road and Parkview Crescent.

The proposed apartment style building is to be three storeys in height. The main level will contain the common space for the building including a dining hall and activities room. Additional communal lounges will also be located on each floor at the end of each main corridor. The dwelling units will consist of studio units as well as one or two bedroom unit. In addition to the sleeping area(s), each unit contains a living room/dining area, bathroom, kitchenette, and balcony. Three smaller one storey buildings provided an additional 11 units. Each of these

units, called “garden suites”, has its own private entrance at grade and contains 2 bedrooms, 2 bathrooms, a living room, and a kitchen/dining room.

The proposed buildings have good architectural detailing and character. The buildings have sub roofs above the entrances and balconies. The buildings are to be faced with beige horizontal cream colour hardiboard siding and rust coloured siding at both the base of the building and within the gables. The proposed trim is to be white. Columns along the main floor are to be textured with stone veneer. In addition, decorative brackets above the front entry and cupola at the peak of the buildings provide further architectural detail to the buildings. The proposed roofing will consist of black asphalt shingles.

Significant landscaping is integrated throughout the development. At the corner of Leckie Road and Parkview Crescent, a small plaza with a seating area is proposed. At the south west corner of the property, a bocce/lawn activity area provides outdoor activity space for the residents. The proposed outdoor amenity space also includes a communal patio area at the rear of the main building as well as a rose garden. The areas adjacent to the buildings will be grassed with shrub beds. Numerous trees are to be planted along the property lines buffering the development from adjacent properties and streets. Throughout the development, walkways are also proposed linking the garden suites to the main building as well as providing access to parking areas and the adjacent streets. A water feature is to be located adjacent to the front entrance to the main building creating a circular driveway.

The application meets the subdivision regulations for lot size in the RM5- Medium Density Multiple Dwelling Housing as follows:

CRITERIA	PROPOSAL	RM5 ZONE REQUIREMENTS
Site Area (m ²)	14,921.8m ²	1400m ²
Site Width (m)	117.8m	30.0m
Site Depth (m)	113.54 m	35.0m
Site Coverage (%)	26 35%	40% or 60% including buildings, driveways, and parking
F.A.R.	0.55	1.1 or 1.2 with housing agreement
Height (m)	10.7m	16.5 m
Storeys (#)	3	4 storeys
Setbacks (m)		
- Front (north)	6.0m	6.0m
- Rear (south)	9.0m	9.0m except 7.5 metres where there is a rear lane
- Side (east)	11.6m	4.5m up to 2.5 storeys\ 7.5 m for over 2.5 storeys or to a flanking street
- Side (west)	4.5m	4.5m up to 2.5 storeys
Separation between principal buildings	20+ m	3.0m
Parking Stalls (#)	48	1 stall per three bed spaces and 1 per resident staff member 42 stalls (124 beds) + 6 staff 48 stalls total
Driveway Width	7.32m	7.0m
Bicycle Stalls (#)	7	1 per 25 employees 5 per building public entrance 7 minimum

RM4 –Transitional Low Density Development

The remaining portion of the lot is proposed as an RM4 –Transitional Low Density Housing development comprising of 31 townhouse units within 8 buildings. At the ground floor level each unit will have a garage that provides two parking stalls. The larger end units will also have a rec room on this level. The second floor level will contain a living room, dining room, kitchen with breakfast nook, a half-bathroom, and laundry facilities. The third floor level consists of three bedrooms and two full bathrooms. In order to mitigate the impact of the development on the adjacent townhouse development located east of the property, the applicant has stepped down the end units adjacent to the east property

Both ground level patios and decks accessible from the second storey provide private open space for residents. In addition, a small playground is to be provided on site. An additional ten surface parking spaces are provided on site. Bicycle parking will be provided within the proposed garages.

The proposed building design of the townhouses is complementary to the adjacent congregate care development. The buildings will have gabled roofs with each unit defined by a sub roof and different size windows. The buildings will be faced with horizontal siding. The proposed roofing will consist of asphalt shingles.

Significant landscaping is proposed on the subject property. The areas adjacent to the buildings will be grassed with shrub beds located at the end of each building. Trees are to be planted along the property lines buffering the development from adjacent properties and streets. A perimeter fence is to encircle the property.

The application meets the requirements of the proposed RM4- Low Density Transitional Housing zone as follows:

CRITERIA	PROPOSAL	RM4 ZONE REQUIREMENTS
Site Area (m ²)	7786.2m ²	900m ²
Site Width (m)	68.58m	30.0m
Site Depth (m)	113.54m	30.0m
Site Coverage (%)	23% or 47.7% including buildings, driveways, & parking	50% or 60% including buildings, driveways, and parking
F.A.R.	0.69	0.65 (plus bonus 0.2) = 0.85
Height (m)		13.0m
Storeys (#)	3 storeys	3 storeys
Setbacks (m)		
- Front (north)	6.0m	6.0m
- Rear (south)	9.0m	9.0m
- Side (east)	6.1m	4.5m (one sideyard 3.0m)
- Side (west)	4.5m	4.5m
Separation between principal buildings	3.0+m	3.0m
Parking Stalls (#)	62 stalls	57 stalls (2 per 3 bedroom dwelling unit = 48 & 1.25 per 2 bedroom unit = 9) 8 visitor stalls
Driveway Width	7.0m	7.0m
Bicycle Stalls (#)	19	19 (.5 per dwelling unit Class I, 0.1 per dwelling unit Class II)

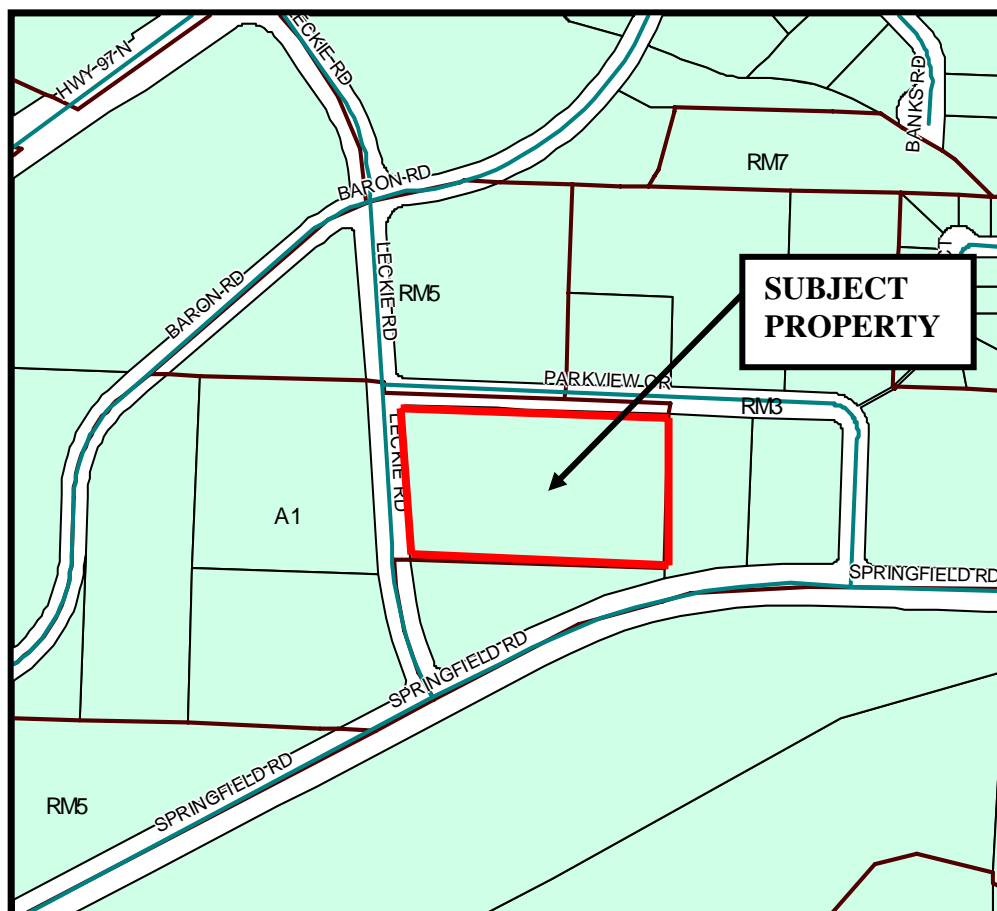
4.2 Site Context

The subject property is located on at the southwest corner of Leckie Road and Parkview Crescent.

Adjacent zones and uses are:

- North - RM5- Medium Density Multiple Housing
- East - RM3- Low Density Multiple Housing
- South - RM3- Low Density Multiple Housing
- West - A1 – Agricultural 1

Site Location Map



4.3 Development Potential

The applicant has a concurrent rezoning application for the RM5 – Medium Density Multiple Housing and RM4 – Transitional Low Density Multiple Housing Zone. The purpose is to provide a zone primarily for low rise low density apartment housing with urban services as a transition between low and medium density development. The purpose is to provide a zone primarily for medium density apartments.

4.4 Current Development Policy

4.4.1 City of Kelowna Strategic Plan (1992)

One of the objectives of the Strategic Plan is “to develop a more compact urban form by increasing densities through infill and re-development within existing urban areas and to provide for higher densities within future urban areas” (Objective 1.1). The proposal is consistent with these objectives and with their accompanying strategies.

4.4.2 Kelowna Official Community Plan (OCP)

The subject property is designated as a potential ASP / Mixed Use area in the OCP (Table 19.1 – Baron Road). The potential components for consideration as per Table 19.1 are public open space, general commercial, multiple unit residential – low density, multiple unit residential – medium density and multiple unit residential – high density for that block of land between Dilworth Drive and Parkview Place, between Highway 97 and Springfield Road. These components were over the whole area, not necessarily on this specific parcel. This overall land use mix was based on a Baron Road Outline Plan.

The uses proposed for this specific parcel were a mix of Multiple Unit Residential – low and medium density. The project outlined in this referral does include a mix of Multiple Unit Residential densities and as such could be considered to be in compliance with the OCP.

4.4.4 Crime Prevention Through Environmental Design (1999)

The City of Kelowna Crime Prevention Through Environmental Design guidelines include the following suggestions for Multiple Unit Residential Developments;

Natural Surveillance

- building entrances and exterior doors should be clearly visible from the street or by neighbours;
- all four facades of a building should have windows;
- visitor parking should be designated;
- parking areas should be visible from windows and doors;
- parking areas and pedestrian walkways should be well-lit;
- dumpsters should not create blind spots or hiding areas;
- elevators and stairwells should be clearly visible from windows and doors;
- buildings should be sited so that the windows and doors of one unit are visible from another;

Territorial Reinforcement

- property lines should be defined by landscaping or fencing which does not create a visual barrier;
- building entrances should create a strong sense of identity and presence on the street with the use of architectural elements, lighting and /or landscaping;
- balconies should be large enough to provide a useable activity area for residents, thereby increasing influence over the adjacent neighbourhood;

Natural Access Control

- balcony railings should never be a solid opaque material;
- entrances into parking lots should be defined by landscaping, or architectural design;
- access to the building should be limited to no more than two points.

Target Hardening

- cylinder dead bolt locks should be installed on all exterior doors;

5.0 TECHNICAL COMMENTS

5.1 Agricultural Advisory Committee

No concerns.

5.2 Aquila Networks Services

Will provide electrical service.

5.3 Fire Department

Fire department access and hydrants as per the BC Building Code and City of Kelowna Subdivision By-law. Engineered fire flows will be required. Please note that the building code does not permit 3 story combustible care facilities. This building is assisted living which will require explicit definitions of persons to be located within at time.

5.4 Inspections Services

5.4.1 Townhouse

a) A hydrant shall be located on site 90 m from the furthest suite main entrance.

b) The exiting from the units shall comply with 9.9.9.1.(2)

5.4.2 Congregate Housing

a) Not enough information. More information required to determine if facility meets code requirements.

b) The occupancies of this building must be established. There is no category in the code for “assisted care” ;an equivalency report may be required to ensure this will meet the life safety intent of the code.

5.5 Parks Manager

In accordance with the Noxious Insect Control Bylaw No. 8564 and the Sterile Insect Release Program administer by the Ministry of Agriculture, it is City Policy not to plant malus and prunus tree species. The applicant has revised the landscaping plant to remove the fruit trees.

Boulevard maintenance (irrigation, shrubs, ground cover, sod, and seeded areas) is the responsibility of owner/occupant.

Boulevard tree maintenance is the responsibility of Parks Division. However, the adjacent owner is responsible for watering and replacement of trees during the establishment period, for at least two years after planting.

All trees in grass boulevard to use root shield barriers, min 18 inch depth beside City concrete infrastructure.

All entry feature signs for the proposed development to be located on private property and not on City Boulevard.

5.6 Interior Health

No comment.

5.7 RCMP

No comment.

5.8 School District No.23

No response.

5.9 Shaw Cable

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

5.10 Telus

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

5.11 Terasen Utility Services

5.11.1 The basic layout concept as it impacts the Terasen right of way is acceptable.

5.12 Works & Utilities

Works and Utilities comments and requirements associated with this development application to rezone the subject property from A1 to RM5 – Medium Density Residential and RM4 – Transitional Low Density Housing are as follows:

5.12.1 Subdivision.

a) Provide easements as may be required.

5.12.2 Geotechnical Study

i) Provide a comprehensive geotechnical report (3 copies), prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below:

ii) The Geotechnical report must be submitted to the Planning and Development Services Department (Planning & Development Officer) for

distribution to the Works & Utilities Department and Inspection Services Division prior to submission of Engineering drawings or application for subdivision approval.

Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.

- (i) Site suitability for development.
- (ii) Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
- (iii) Any special requirements for construction of roads, utilities and building structures.
- (iv) Suitability of on-site disposal of storm water, including effects upon adjoining lands.
- (v) Slope stability, rock fall hazard and slippage including the effects of drainage on the site.
- viii) Recommendations for items that should be included in a Restrictive Covenant.
- ix) Any items required in other sections of this document.
- x) Recommendations for roof drains and perimeter drains.

5.12.3 Domestic Water and Fire protection.

- a) The subject property is located within the City of Kelowna Water Service Area. All charges for service connection will be determined based on the size of the service and be payable at the time of the request for a water service. .
- b) The applicant is to confirm with the City of Kelowna water division that the supply of domestic water and fire protection of 160 l/s. is achievable in accordance with the City standards and current policies.
- c) 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 the 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

5.12.4. Sanitary Sewer.

The subject property is located within the City of Kelowna Service Area. All charges for service connection will be determined based on the size of the service and be payable at the time of the request for a sewer service.

5.12.5 Drainage

- a) A comprehensive detailed site drainage management plan and design to comply with the City's drainage and policy manual is a requirement of this application.
- b) The subject property may require a storm sewer overflow connection. All charges for the storm sewer connection will be determined based on the size of the service and be payable at the time of the request for a storm service.

5.12.6 Road improvements.

a) Parkview Crescent.

The frontage of the property must be upgraded to an urban standard to the same standard as the existing section to the east of the proposed development. The improvement includes curb, gutter, sidewalk, storm drainage, landscaped boulevard and the removal and/or the relocation of existing utilities as may be required. The estimated cost for this work, for bonding purpose, would be **\$83,700.00**, inclusive of a bonding escalation.

b) Leckie Road

The frontage of the property is urbanized to a level consistent with the current Development and Servicing Bylaw. The proposed development requires the construction of a new driveway on Leckie Road. The estimated cost for this work, for bonding purpose, would be **\$5,200.00**, inclusive of a bonding escalation.

5.12.7 Power and Telecommunication services.

The services to and within this development are to be installed underground. It is the developer's responsibility to make an application to the respective utilities companies. The utility companies are then required to obtain the City's approval before commencing their works.

5.12.8 Street Lights

Street lights must be installed on all roads in accordance as per Bylaws requirements. Design drawings to include level of illumination plan.

6.0 PLANNING AND CORPORATE SERVICES DEPARTMENT

The subject property is designated as a potential ASP / Mixed Use area in the Official Community Plan. The potential components for consideration are public open space, general commercial, multiple unit residential – low density, multiple unit residential – medium density and multiple unit residential – high density for that block of land between Dilworth Drive and Parkview Place, between Highway 97 and Springfield Road. These components were over the whole area, not necessarily on this specific parcel. The proposal for the RM5- Medium Density Multiple Housing & RM4 – Transitional Low Density Housing zoning therefore conforms to the Official Community Plan.

With regards to the form and character of the congregate care and row house development, the Department is supportive of the integrated development approach.. The proposed development is generally consistent with many of the guidelines on building placement and form and character as outlined in the OCP. Significant architectural detailing is provided with the use of various window types, and several different building materials. The applicant has also stepped down the end units along the eastern property line in order to provide a good transition to the existing one storey townhouse development to the east of the site.

Significant landscaping treatment is proposed throughout the developments screening parking areas from the streets and adjacent properties. In addition, both developments provided common amenity space including the bocci/lawn activity area for the congregate care facility and the children's play area on the townhouse site. Each unit also has its own patio and/or deck as well as access to the pathways and grassed areas throughout the site.

Andrew Bruce
Development Services Manager

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

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Attach.

FACT SHEET

- | | |
|--|--|
| 1. APPLICATION NO.: | DP03-0136 |
| 2. APPLICATION TYPE: | Development Permit |
| 3. OWNER: | 687497 BC Ltd. & 687510 BC Ltd. |
| <ul style="list-style-type: none"> • ADDRESS • CITY • POSTAL CODE | #202-2403 Marine Drive
West Vancouver, BC
V7V 1L3 |
| 4. APPLICANT/CONTACT PERSON: | Macleam Homes Ltd.(Lyle Richards) |
| <ul style="list-style-type: none"> • ADDRESS • CITY • POSTAL CODE • TELEPHONE/FAX NO.: | #202-2403 Marine Drive
West Vancouver, BC
V7V 1L3
604.922.1622 / 60.4922.3584 |
- APPLICATION PROGRESS:**
- | | |
|---|-------------------|
| Date of Application: | October 23, 2003 |
| Date Application Complete: | August 11 2004 |
| Servicing Agreement Forwarded to Applicant: | n/a |
| Servicing Agreement Concluded: | n/a |
| Staff Report to APC: | November 12, 2003 |
| Staff Report to Council: | August 11, 2004 |
- | | |
|--|---|
| 6. LEGAL DESCRIPTION: | Lot C, Plan KAP56817, DL 126, ODYD |
| 7. SITE LOCATION: | at the southeast corner of Leckie Road and Parkview Crescent |
| 8. CIVIC ADDRESS: | 1835 Leckie Road |
| 9. AREA OF SUBJECT PROPERTY: | 14,921.8m ² /7786.2m ² |
| 10. AREA OF PROPOSED REZONING: | 14,921.8m ² /7786.2m ² |
| 11. EXISTING ZONE CATEGORY: | A1 – Agricultural 1 |
| 12. PROPOSED ZONE: | RM5- MEDIUM DENSITY MULTIPLE HOUSING
RM4 – LOW DENSITY TRANSITIONAL HOUSING |
| 13. PURPOSE OF THE APPLICATION: | TO OBTAIN A DEVELOPMENT PERMIT TO ALLOW 31 UNITS OF ROW HOUSING.
TO OBTAIN A DEVELOPMENT PERMIT TO ALLOW 103 UNITS OF CONGREGATE CARE HOUSING. |
| 14. MIN. OF TRANS./HIGHWAYS FILES NO.:
NOTE: IF LANDS ARE WITHIN 800 m OF A CONTROLLED ACCESS HIGHWAY | 2-81-20536
2-81-20537 |
| 15. DEVELOPMENT PERMIT MAP 13.2 IMPLICATIONS | Multi-Family Development |

DP03-0136

ATTACHMENTS

(not attached to the electronic version of the report)

- **Location of subject property**
- **Site plans**
- **Floor Plans**
- **Elevations**
- **Landscape Plans**