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**CITY OF KELOWNA**

**MEMORANDUM**

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**Date:** November 15, 2004  
**File No.:** (3060-20) **DP03-0164**

**To:** City Manager

**From:** Planning & Corporate Services Department

**Subject:**

DEVELOPMENT PERMIT APPLICATION NO. DP03-0164      OWNER: SUNSTONE RESORT COMMUNITIES CORP.

AT: 1570 KLO ROAD      APPLICANT: FWS CONSTRUCTION LTD

PURPOSE: TO SEEK A DEVELOPMENT PERMIT TO AUTHORIZE CONSTRUCTION OF A 67 UNIT ADDITION TO THE EXISTING 105 UNIT "MOUNTAINVIEW VILLAGE" CONGREGATE HOUSING FACILITY, AND TO AUTHORIZE A 192 UNIT CONGREGATE HOUSING FACILITY ADJACENT TO THE PROPOSED BURTCH ROAD EXTENSION.

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 Final Adoption of Official Community Plan Amending Bylaw No. 9159 and Zone Amending Bylaw No. 9160 considered by Council;

AND THAT Council authorize the issuance of Development Permit No. DP03-0164, 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 applicant wishes to construct a new 192 unit congregate housing development on the subject property, as well as a 67 unit addition to the recently constructed 105 unit "Mountainview Village" congregate housing and care facility.

### 2.1 Advisory Planning Commission

The above-noted 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 67 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 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. That file was withdrawn in September 1996.

Another application (Z96-1049) was made in December 1996 to rezone only 1540 KLO Road to the RM4 zone in order to permit the development of a seniors care facility. That rezoning was adopted on that site in August 1998. The associated DP96-10,098 was issued in April 1999. However the construction that was 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. That 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, those applications never progressed, 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 which 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 in order to conclude the 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 67 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 as a second development phase. 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 67 unit addition to the existing "Mountainview Village" development is designed to replicate the form and character of the first phase of development, as was authorized by DP00-10,0001. This new building addition is designed to have 3 storeys of congregate housing constructed above an underbuilding parking garage for 32 vehicles. This second phase of development is designed to be connected to the existing "Mountainview Village" development by a connecting link which will replace the existing "White House" amenity building. This connecting link is designed to provide space for a large kitchen and dining facility for the residents of "Mountainview Village". There had been an Development Permit application (DP01-10,094) to relocate the existing "White House" in order that the building could be redeveloped to provide amenity space to both the first and second phases of the "Mountainview Village" development. Unfortunately, the necessary upgrades for this proposed conversion has proven to not be economically viable, and the development proposal has been redesigned to utilize new construction to create a better solution.

The second phase of development on the subject property for the portion of the property that is located between the existing "Mountainview Village" and the proposed Burtch Road Extension as 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 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 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 top of the parking garage structure is exposed at the north and south ends of the 192 unit congregate housing building, and provides an elevated landscaped patio area for the residents of the development.

The exterior of the 192 unit congregate housing building is designed to be finished with horizontal vinyl siding in both a grey “Clay” colour, and white “Irish Linen” colour. The base storey is designed to be finished with a “Red” coloured brick veneer. The roof is designed with a number of dormers and shingled gable areas to provide some visual interest to the roof area. These colour and material choices are very complementary to the colours and materials used on the phase one building for the “Mountainview Village” building.

Now that the outstanding issues related to the Rezoning application dealing with the Agriculture Land Reserve, the servicing agreement, and the subdivision application for the road widenings and dedication have been dealt with, it is now appropriate for Council to consider this Development Permit application and the final adoption of the OCP amendment and Zone amending bylaws.

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> )	11,032 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 (#)	122 stalls provided (86 stalls Ph 1) (32 stalls Ph 2)	1 stall per 3 beds (219 beds) 1 stall per staff
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) + 67 units (80 beds) = 172 units (219 beds)

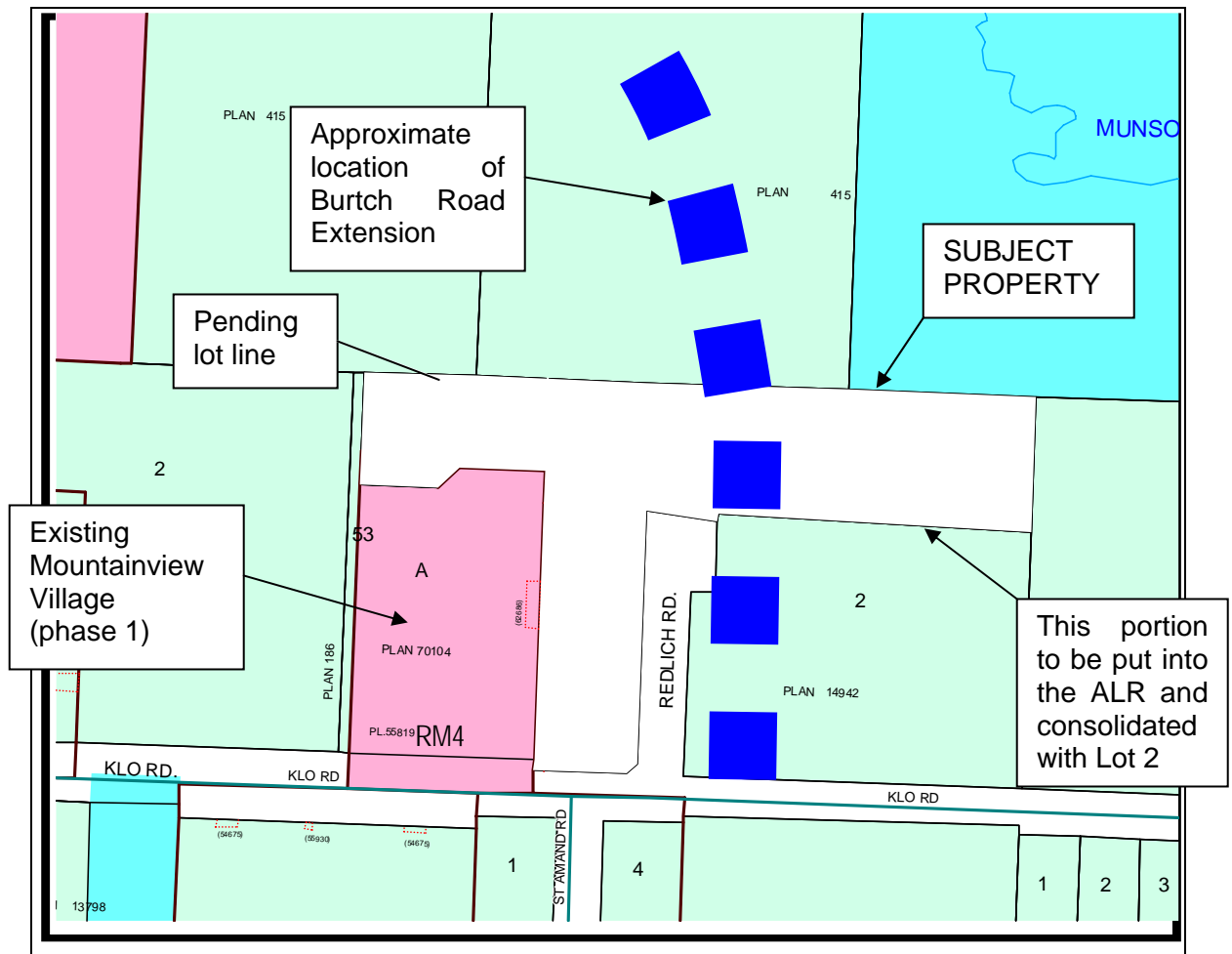
The proposal for the proposed 192 unit congregate housing development as compared to the RM4 zone requirements is as follows:

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.

The adjacent zone uses are as follows:

- North - A1 – Agricultural 1, vacant – agricultural uses
- East - A1 – Agricultural 1, vacant – agricultural uses
- 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  
("Mountainview Village" Phase 1)

### 3.3 Current Development Policy

#### 3.3.1 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 considered a "Multiple Unit Residential – Medium Density" future land use, the proposed RM4 zone 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.

The Official Community Plan also contains the following statements;

#### **Objectives for Multiple Unit Residential Development**

- All development should be an appropriate response to its physical context, or anticipated future context where an area is designated for increased density or land use transition in the OCP.
- All development should facilitate access by, and minimize conflicts among pedestrian, bicycle, and vehicular modes of transportation (access, mobility).
- All development should promote safety and security of persons and property within the urban environment (CPTED).

#### **Guidelines for Multiple Unit Development**

In issuing conditions relating to a development permit the City will specify how development permit objectives can be satisfied. This should include consideration of the following guidelines, as examples of how to meet the objectives:

#### **Landscaping**

Landscaping should:

- screen parking areas from view (with vegetation, berms, low walls, fences etc.)



- provide colour
- retain required sight distances (from roadways)
- contribute to a sense of personal safety and security
- facilitate access, enjoyment and social activities for all authorized users
- provide equal access for mobility-challenged individuals

**Relationship to the Street**

- The principle front entranceway should be clearly identified and in scale with the development.

**Building Massing**

- Sub-roofs, dormers, balconies, and bay windows should be encouraged.

**Walls**

- End walls visible from a public street or residential lot should be finished to provide an attractive appearance. Blank or solid walls (without glazing) should not be longer than 5 m. Walls longer than 5 m should incorporate wall detailing that will provide visual interest.

**Crime Prevention**

- Guidelines for Crime Prevention Through Environmental Design Guidelines (CPTED) should be followed.

**Ancillary Services/Utilities**

- Loading, garbage and other ancillary services should be located at the rear of buildings.

**Amenities**

- Appropriate high quality public spaces, which provide links to surrounding areas and open space relief within the development should be encouraged.

**Access**

- Vehicle access and on-site circulation shall minimize interference with pedestrian movement.

**Parking**

- Underground parking is encouraged.

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...” as well as

Objective 7.3...

“To ensure that there is a range of housing types and sizes, including socially assisted housing in all major sectors of Kelowna to meet the changing needs of current and future residents.”

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

#### **Natural Surveillance**

- building entrances and exterior doors should be clearly visible from the street or by neighbours;
- all doors that open to the outside should be well-lit;
- all four facades of a building should have windows;
- visitor parking should be designated;
- the lower branches of existing trees should be kept at least ten feet (3 metres) off the ground;
- dumpsters should not create blind spots or hiding areas;
- shrubbery should be no more than three feet (one metre) high for clear visibility;

#### **Territorial Reinforcement**

- property lines should be defined by landscaping or fencing which does not create a visual barrier;
- low shrubbery and fencing should allow visibility from the street;
- 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;
- hallways should be well-lit;
- where feasible, no more than four apartments should share the same entrance;
- elevators and stairwells should be centrally located;
- 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;
- common doorways should have windows and be key-controlled by residents;
- door hinges should be located on the interior side of the door;
- door knobs should be 40 inches (1 m.) from window panes;
- sliding glass doors should have one permanent door on the outside and on the inside moving door should have a lock device and a pin.

### 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

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.

Extensive buffering is recommended.

#### 4.2 Fire Department

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.

Note: There is correspondence on file that indicates that the proposed use of this building falls within the Group "C" occupancy classification of the BC Building Code, based on information provided by Interior Health Authority.

#### 4.3 FortisBC (Aquila Networks Canada)

Underground service will provided to this development.

#### 4.4 Inspection Services Department

1. The "care" component of this project will be a group home and designed as a B2 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.

Note; These comments relate more to the proposed Care building proposed for the east side of the property adjacent to the Burtch Road extension

#### 4.5 Land Agent

The developer has worked with the Land Department. They have an option on Lot 2, Plan 14942 and they are working with Land to meet all the ALR requirements. They have agreed to exchange Redlich Road for Burtch Road. In addition, the KLO widening will come off on both properties.

#### 4.6 Shaw Cable

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

#### 4.7 Telus

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

#### 4.8 Works and Utilities Department

The Works and Utilities requirements for off-site works for this development site were addressed in our report under file Z99-1025. These requirements have been satisfied.

##### 1. Development Permit and 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.

#### 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 had been an application to the Land Reserve Commission as part of the Z99-1025 rezoning application, which has 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 un-constructed Redlich Road, as well as dedication of the required right of way for the future Burtch Road extension.

This new application for a Development Permit has been made to provide a conceptual development plan to accompany the existing Rezoning application. Now that the road exchange and dedication issues have been resolved, it is now appropriate for this Rezoning application to move ahead adoption consideration in conjunction with Council's review of the associated Development Permit application.

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.

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.

The original development proposal for the second phase of the “Mountainview Village” Development contemplated the retention of the existing manor “White House” that was located on the site. However, it has become apparent that it is not economically feasible to modify the building in order to retain and attach it to the new construction proposed for the site. This latest development proposal indicates that the “White House” is to be demolished, and replaced with new construction that will provide space for the amenity uses that had been proposed for the renovated “White House”.

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 Planning and Corporate Services

PMc/pmc  
Attach.

**FACT SHEET**

- |   |   |
|---|---|
| 1. APPLICATION NO.:   | DP03-0164   |
| 2. APPLICATION TYPE:  | Development Permit  |
| 3. OWNER:   | Sunstone Resort Communities Corp.<br>(Inc.No. A62632)   |
| <ul style="list-style-type: none"> <li>• ADDRESS</li> <li>• CITY/POSTAL CODE</li> </ul>   | 475 Dovercourt Dr<br>Winnipeg MB R3Y 1G4  |
| 4. APPLICANT/CONTACT PERSON:  | FWS Construction Ltd.<br>Brian Harrison   |
| <ul style="list-style-type: none"> <li>• ADDRESS</li> <li>• CITY/POSTAL CODE</li> <li>• TELEPHONE/FAX NO.:</li> </ul>   | #6 – 3419 12 <sup>th</sup> St.<br>Calgary AB T2B 6S6<br>(403)717-0422/(403)717-0442   |
| 5. APPLICATION PROGRESS:  |   |
| <ul style="list-style-type: none"> <li>Date of Application:</li> <li>Date Application Complete:</li> <li>Servicing Agreement Forwarded to Applicant:</li> <li>Servicing Agreement Concluded:</li> <li>Staff Report to Council:</li> </ul> | November 21, 2003<br>November 21, 2003<br>July 5, 2004<br>August 3, 2004<br>November, 15, 2004  |
| 6. LEGAL DESCRIPTION:   | Lot B, DL 131, O.D.Y.D., Plan KAP70104  |
| 7. SITE LOCATION:   | North side of KLO Road, west of Redlich Road  |
| 8. CIVIC ADDRESS:   | 1570 KLO Rd.  |
| 9. AREA OF SUBJECT PROPERTY:  | 20326 m2  |
| 10. TYPE OF DEVELOPMENT PERMIT AREA:  | General Multiple Unit Residential   |
| 11. EXISTING ZONE CATEGORY:   | A1 – Agricultural 1   |
| 12. PROPOSED ZONE:  | RM4 – Transitional Low Density Housing  |
| 13. PURPOSE OF THE APPLICATION:   | To Seek A Development Permit To Authorize Construction Of A 67 Unit Addition To The Existing 105 Unit “Mountainview Village” Congregate Housing Facility, and To Authorize A 192 Unit Congregate Housing Facility Adjacent To The Proposed Burtch Road Extension. |
| 14. DEVELOPMENT VARIANCE PERMIT VARIANCES:  | N/A   |
| 15. DEVELOPMENT PERMIT MAP 6.2 IMPLICATIONS   | General Multiple Unit Residential; notify GIS of addition   |

Attachments

Subject Property Map  
Schedule A, B & C (8 pages)  
14 pages of site elevations / diagrams