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

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**DATE:** February 27, 2007  
**FILE NO.:** Z06-0057

**TO:** City Manager

**FROM:** Planning & Development Services Department

**APPLICATION NO.** Z06-0057                      **OWNER:** PACIFIC SUN  
ENTERPRISES LTD.

**AT:** 1849 CHANDLER ST.                      **APPLICANT:** PACIFIC SUN  
ENTERPRISES LTD.  
(Mr. Greg Kornell)

**PURPOSE:** TO REZONE THE SUBJECT PROPERTY TO THE P1 – MAJOR  
INSTITUTIONAL ZONE TO AUTHORIZE INSTITUTIONAL USES  
ON THE SUBJECT PROPERTY

**EXISTING ZONE:** RU6 – TWO DWELLING HOUSING

**PROPOSED ZONE:** P1 – MAJOR INSTITUTIONAL

**REPORT PREPARED BY:** PAUL McVEY

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**1.0    RECOMMENDATION**

THAT Rezoning Application No. Z06-0057 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 38, DL 137, O.D.Y.D., Plan 10011, located on Chandler Street, Kelowna, B.C. from the existing RU6 – Two Dwelling Housing zone to the proposed P1 – Major Institutional zone be considered by Council;

AND THAT the zone amending bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Works & Utilities Department being completed to their satisfaction;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the registration of a plan of subdivision to consolidate properties into one title.

**2.0    SUMMARY**

The applicant wishes to rezone the subject property from the existing RU6 – Two Dwelling Housing zone to the P1 – Major Institutional zone in order to develop the property with additional parking for the adjacent Still Waters seniors housing and care facility. The proposed land use is consistent with the current Future Land use designation of "Institutional".

## 2.1 Advisory Planning Commission

The above noted application (Z06-0057) was reviewed by the Advisory Planning Commission at the meeting of October 24, 2006 and the following recommendation was passed:

THAT the Advisory Planning Commission supports Rezoning Application No. Z06-0057, for 1849 Chandler Street, Lot 38, Plan 10011, Sec. 19, Twp. 26, ODYD, by Pacific Sun Ent. Ltd. (D. Kornell), to rezone from the RU6-Two Dwelling Housing zone to the P1-Major Institutional zone for use as parking for Still Waters Private hospital.

## 3.0 BACKGROUND

The "Still Waters" seniors residence and care facility has been progressing through a major rebuilding program, which commenced in 2003. Phase I was the addition of two storeys to the "Joseph Benjamin" residence building, and Phase II was the renovation and expansion of the "Still Waters" care facility. Phase III will be the final demolition of the original "Still Waters" building and replacement of that building with new construction.

### 3.1 The Proposal

This current application seeks to rezone the subject property from the existing RU6 – Two Dwelling Housing zone to the proposed P1 – Major Institutional zone in order that the this property will have the same zone as the adjacent "Still Waters" development.

The applicant intends to develop this portion of the property with surface parking and landscaping to serve the resulting seniors care facility after the development program is completed.

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

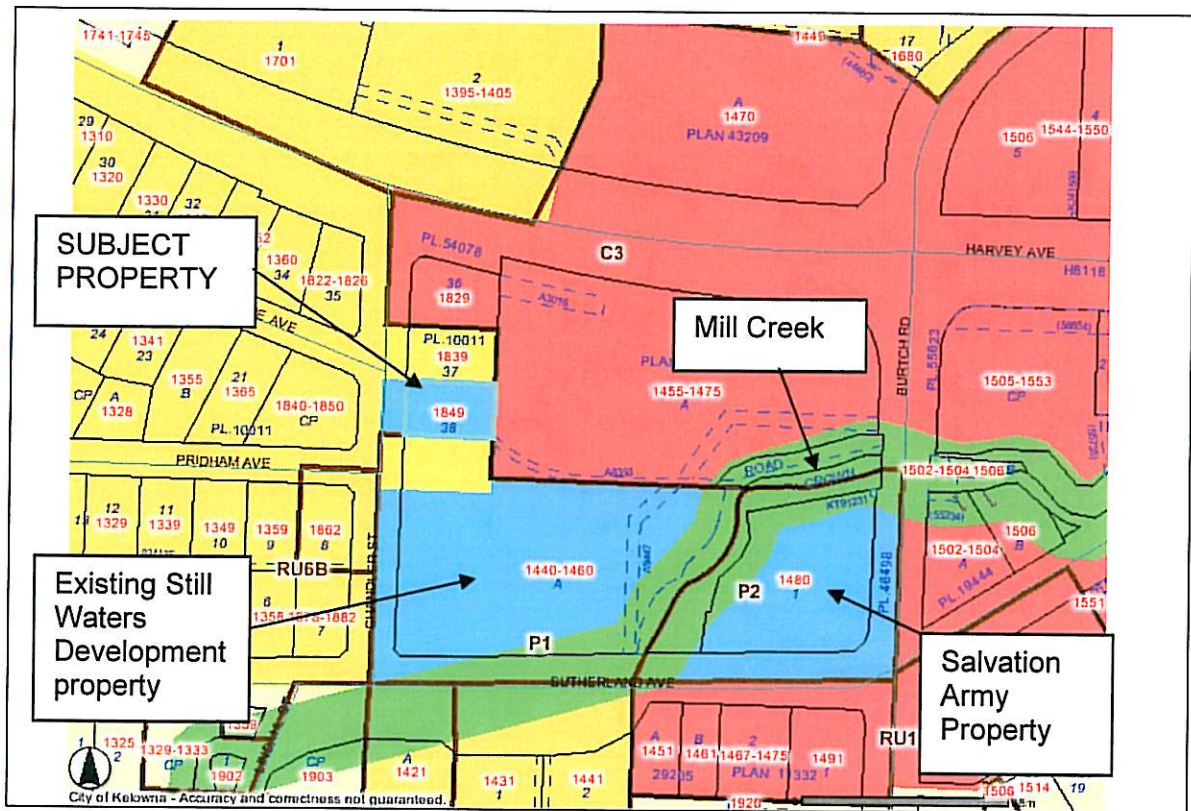
CRITERIA	PROPOSAL	P1 ZONE REQUIREMENTS
Site Area (m <sup>2</sup> )	10387 m <sup>2</sup>	460
Site Width (m)		13.0
Site Coverage (%)	35%	50%
Total Floor Area (m <sup>2</sup> )	3621.9 m <sup>2</sup>	
F.A.R.	0.35	Max FAR = 2.0
Storeys (#)	4 storeys	22.0 M (6 storeys)
Setbacks (m)		
- Front (Chandler St.)	6.0m	6.0 m
- Rear	2.6m (variance issued)	7.5 m
- North Side	4.5m	4.5 m
- South Side (Sutherland)	6.0m	6.0 m to flanking street
Parking Stalls (#)	61 stall proposed	56 stalls required

Parking required; Congregate Housing - 166 beds @ 1 stall per 3 beds = 56 stalls req'd



### 3.2 Site Context

#### SUBJECT PROPERTY MAP



The subject property is located on the east side of Chandler Street, north of Pridham Avenue. The subject property is flat and level, and is currently vacant.

Adjacent zones and uses are, to the:

- North - RU6 – Two Dwelling Housing – Two unit residential uses
- East - C3 – Community Commercial – retail uses
- South - P1 – Major Institutional – Still Waters care facility
- West - RU6 – Two Dwelling Housing – Two unit residential uses

### 3.3 Proposed Development Potential

The proposed P1 – Major Institutional zone permits; community recreation services, detention and correction services, emergency and protective Services, exhibition and convention facilities, government services, health services, participant recreation services – indoor, private clubs, public libraries and cultural exhibits, recycled materials drop-off centres, religious assemblies, spectator entertainment establishments, temporary shelter services, utility services – minor impact as principal permitted uses. This zone also permits care centre – major, congregate housing, food primary establishment, group homes – major, liquor primary establishment – major (P1lp only),

liquor primary establishment – minor, public parks, retail stores – general and permitted secondary uses.

### 3.4 Current Development Policy

#### 3.4.1 Kelowna Official Community Plan

The Kelowna Official Community Plan identifies the subject property as an "Institutional" designated future land use. The proposed development is consistent with that future land use designation.

#### 3.4.2 City of Kelowna Strategic Plan (2004)

The City of Kelowna Strategic Plan 2004 describes a vision of what residents hope Kelowna will be like in the future and has identified as one of the themes that overall, residents aspire to live in a community that:

- embraces the **social, cultural and physical well-being** of its residents through the delivery of quality services at a reasonable price, the development and maintenance of quality infrastructure and built forms, and meaningful opportunities to be involved in major decisions made by the City.

### 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 Ministry of Transportation

After a review of the above noted rezoning referral we note that the ministry has no objections. Kindly forward two copies of the bylaw forms for our signature at your earliest convenience.

#### 4.2 Works and Utilities Department

The Works & Utilities Department has the following requirements associated with this application to rezone from RU-6 to P1. The road and utility upgrading requirements outlined in this report will be a requirement of the subdivision approval, (lot consolidation) but are outlined in this report for information only.

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

- (a) The existing lot is serviced with a small diameter copper water service. The proposed institution expansion shall be serviced with domestic water and fire protection from the existing on-site facilities. Disconnection of the existing water service will be at the applicant's cost.

##### 2. Sanitary Sewer

- (a) The existing lot is serviced with a 100mm diameter sanitary service. The proposed institution expansion shall be serviced with sanitary sewer from the existing on-site facilities. Decommissioning and removal of the existing sanitary service will be at the applicant's cost.



3. Storm Drainage

- (a) The proposed institution expansion shall be serviced with the storm sewer from the existing on-site facilities.
- (b) The developer's consulting civil engineer must revise the submitted storm water management plan for the parent site and include Lot 39 in the lot grading plan, site servicing plan and on-site drainage containment and disposal system design.

4. Road Improvements

- (a) Chandler Street upgrade requirements to a full urban standard including curb and gutter, monolithic sidewalk, piped storm drainage system, pavement widening, landscaped boulevard and street lighting was included in frontage improvement requirements for Chandler Street under City File Z01-1029. Bonding and a Servicing Agreement is in place.
- (b) Remove unused driveway curb letdowns and extend curb and proposed boulevard landscaping and underground irrigation system across the full frontage of Lot 39.
- (c) The developer's consulting civil engineer must revise the submitted General Layout Plan (G-01) and Chandler Street Road Improvements Drawing (C-02) to include frontage improvements to Lot 39 and on-site grading, drainage containment and disposal system design.

5. Road Dedication and Subdivision Requirements

By registered plan to provide the following:

- (a) Register statutory rights-of-way for utility services.
- (b) Consolidate the lots with the parent parcel.

Please note that under rezoning application Z01-1029, that there was a servicing agreement and associated bonding secured to address road works for Chandler Street. That agreement and bonding is still in place.

5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT COMMENTS

The original redevelopment commenced in 2003 and triggered a number of variances to the siting of the Phase I location (Joseph Benjamin residence) as well as an environmental Development Permit to deal with the adjacent Mill Creek. The site plan, that was part of that proposal at that time, indicated surface parking in the northwest corner of the development site.

Since that application in 2003, the site development plan has been revised to increase the size of the care portion of the development, and has resulted in the parking area moving further north to include the subject property. This lot (Lot 38) will be consolidated with the Lot A to create one legal parcel for the Still Waters facility.

Staff have no concerns with this application to rezone the subject property to the P1 – Major Institutional zone in order to permit the use of the property for parking associated with the redevelopment of the "Still Waters" care facility, as long as the Level 3 landscaping requirements of "a minimum 3.0.m landscape buffer is required to separate uses from adjacent properties and will consist of a vegetative buffer or a continuous opaque barrier" are met.

In conclusion, the Planning and Development Services Department supports this application, and recommends for positive consideration by Council.

  
Shelley Gambacort  
Acting Manager of Development Services

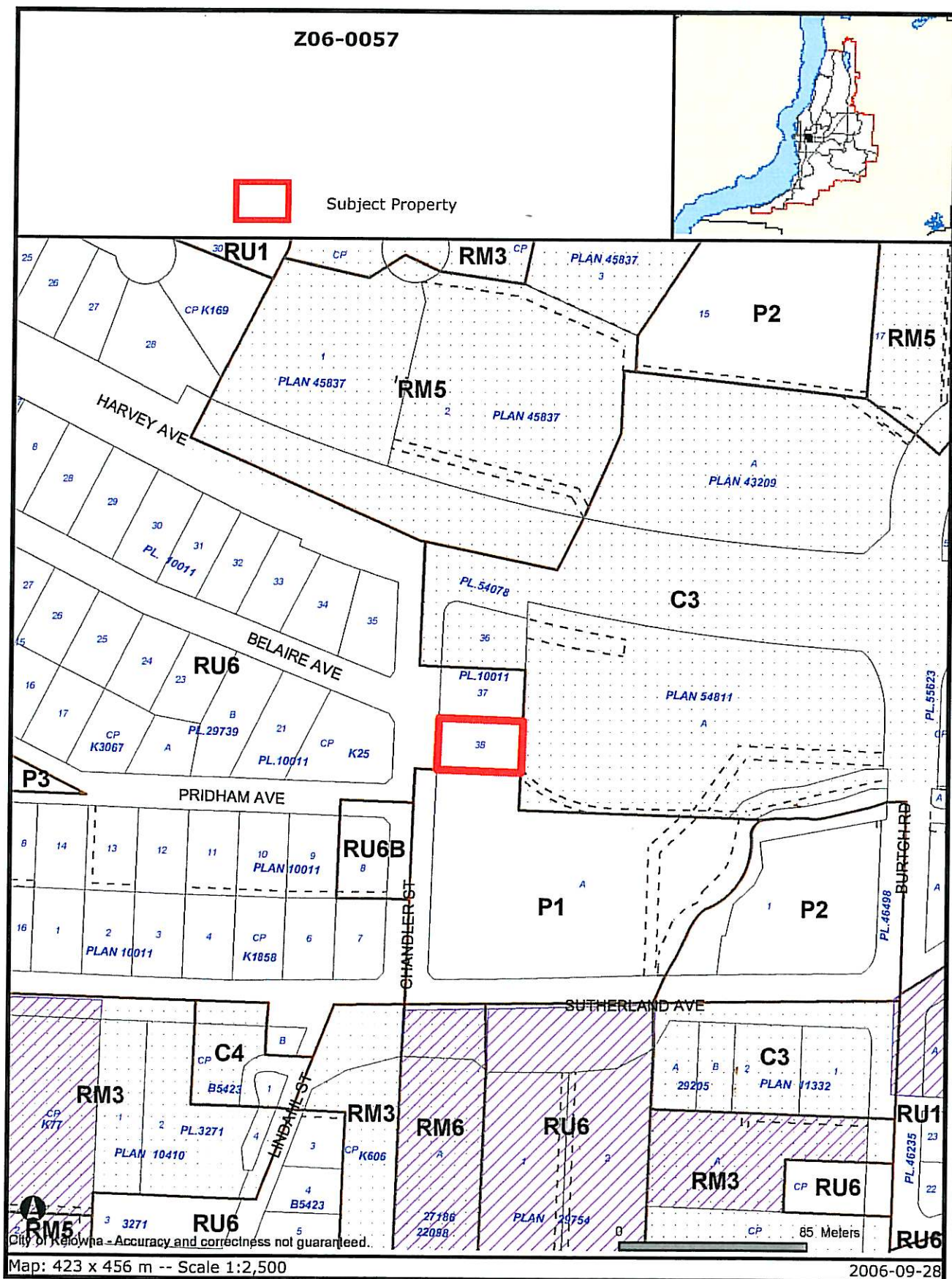
Approved for inclusion



Mary Pynenburg, MRAIC MCIP  
Director of Planning & Development Services

PMc/pmc  
Attach.





Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.  
The City of Kelowna does not guarantee its accuracy. All information should be verified.

MIN. 1.5 M SETBACK  
TO EXISTING PRESIDENTIAL

SUBJECT  
PROPERTY

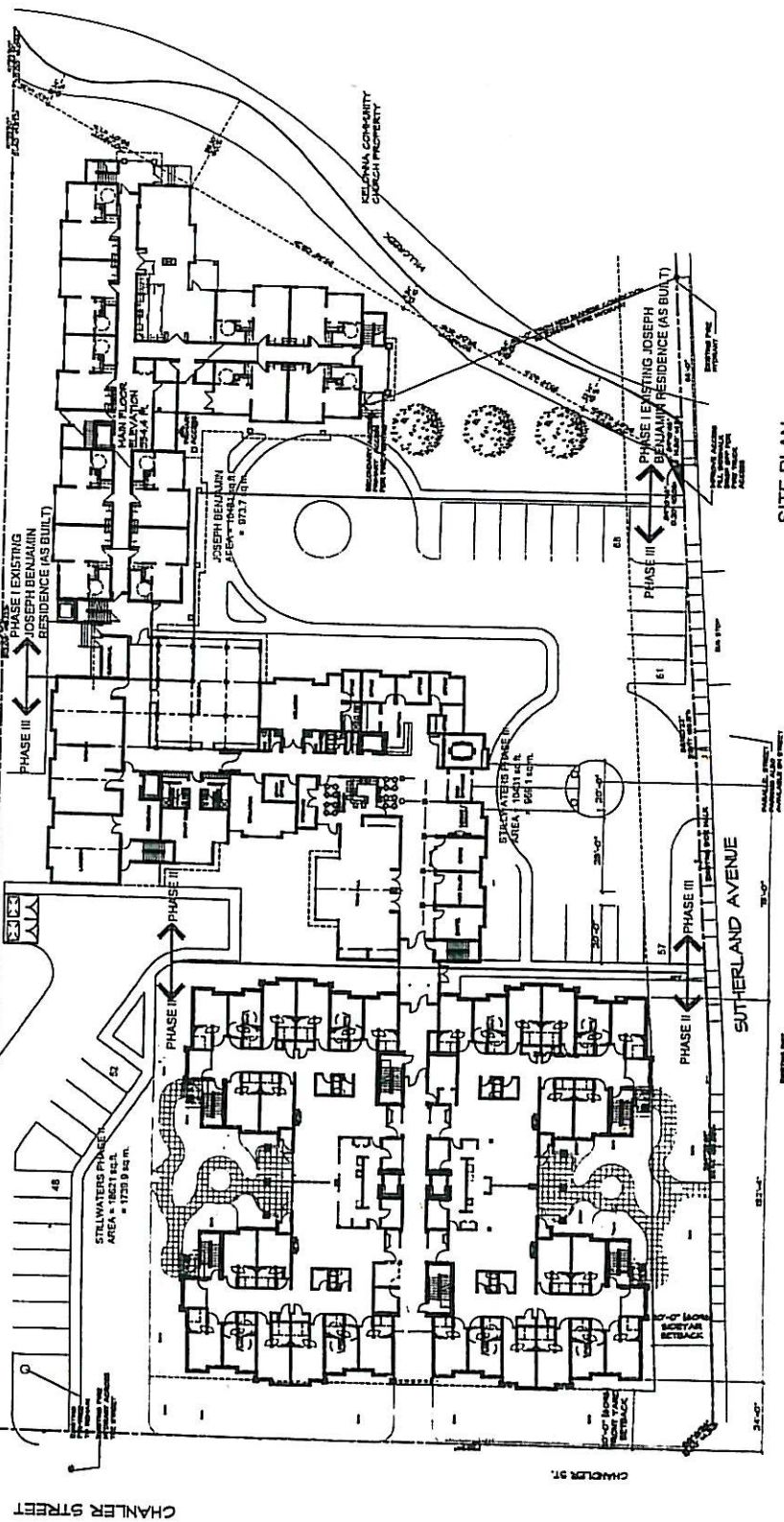
Stillwaters - Joseph Benjamin Residences

DESCRIPTION	AREA sq.ft.	AREA sq.m.	TOTALS
Site Area	111803 sq.ft.	10387 sq.m.	
Building Area	30998 sq.ft.	2871.9 sq.m.	35 %
Open Space / Parking	28509 sq.ft.	2648.6 sq.m.	25 %
TOTAL Site Coverage	59507 sq.ft.	5520.5 sq.m.	60 %

PHASE I	PHASE II	PHASE III	TOTAL
# of beds	50	96	146
# of beds	96	184	280
# of beds	20	10576	10596
TOTAL	166	30996	31162

PARKING	STALLS
Parking Required 166x173	55
Parking Provided	61

Rezones from existing RUS  
to proposed P1 - Major  
Institutional Zone



SITE PLAN  
Legal Description  
Lot A Plan 10510 O.D.Y.D.

NO.	REVISION NO.	DATE
1	FOR CONSTRUCTION	10-22-03
2		
3		
4		

DRG 10510  
WEST TOWN DEVELOPMENT INC.  
10510 WEST TOWN DRIVE  
SUITE 100  
VANCOUVER, BC V6P 1A1  
TEL: 604-271-1111  
FAX: 604-271-1112

PROJECT:  
STILL WATERS  
PHASE II

DRAWING TITLE:  
SITE PLAN FUTURE  
DEVELOPMENT  
(PHASE III)

DESIGNED BY P3	CHECKED BY DL
DATE NOV 2003	SCALE 1" = 20'-0"
PROJECT NO. 2003-PH	DRAWING NO.
	A1.1



MIN. 10' W/ SETBACK  
TO EXISTING PRESIDENTIAL

SUBJECT  
PROPERTY

Stillwaters - Joseph Benjamin Residences

DESCRIPTION	AREA sq.ft.	AREA sq.m.	TOTALS
Site Area	1,100 sq.ft.	102.7 sq.m.	35 %
Building Area	1,100 sq.ft.	102.7 sq.m.	35 %
Driveway / Parking	26,500 sq.ft.	2,458 sq.m.	25 %
TOTAL Site Coverage	27,600 sq.ft.	2,560 sq.m.	60 %

PHASE	# Beds	sq.ft.	sq.m.
PHASE I	50	5,927	552.21
PHASE II	96	10,482	971.14
PHASE III	20	1,057	98.54
TOTAL	166	17,466	1,621.89

PARKING	STALLS
Required	166/163
Provided	163

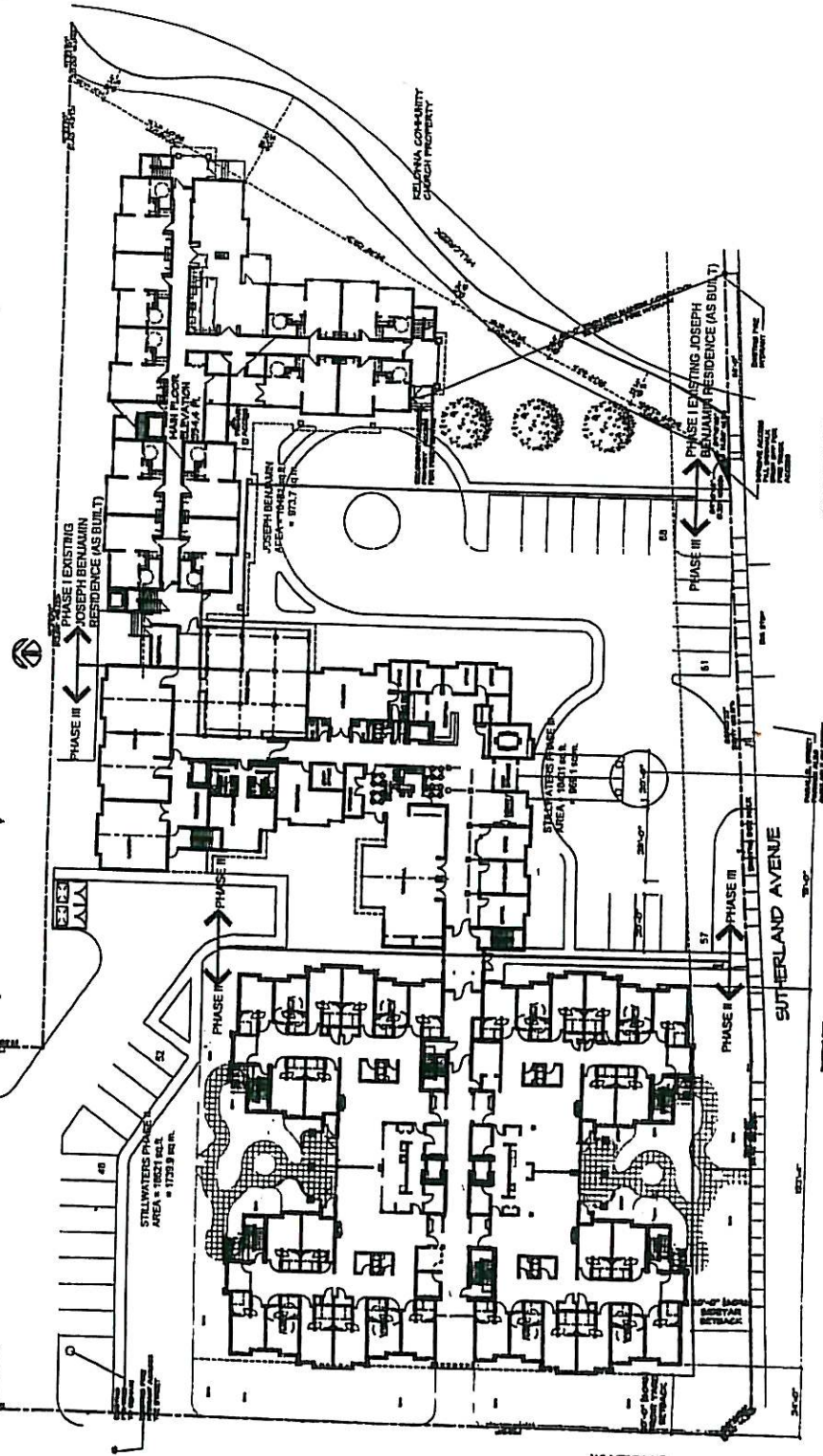
Rezone from existing RUS  
to proposed P1 - Major  
Institutional Zone

CHAMLER STREET

CHAMLER ST.

SUTHERLAND AVENUE

SITE PLAN  
Legal Description  
Lot A Plan 10510 O.D.Y.D.



NO.	FOR CONSTRUCTION	REVISION NO.	DATE
1			
2			
3			
4			
5			

DRUG LENS  
WEST STATE RESIDUAL INC.  
10000 100th Ave S, Suite 100, Edina, MN 55425  
Phone: 763-551-1111 • Fax: 763-551-1112  
www.weststateinc.com

PROJECT:  
STILL WATERS  
PHASE II

DRAWING TITLE:  
SITE PLAN FUTURE  
DEVELOPMENT  
(PHASE III)

DRAWN BY P3	CHECKED BY DL
DATE NOV. 2009	SCALE 1" = 30'-0"
PROJECT NO. 2009-794	DRAWING NO. A1.1

MIN. 1.5 M SETBACK  
TO EXISTING PRESIDENTIAL

SUBJECT  
PROPERTY

Stillwaters - Joseph Benjamin Residences

PHASE	# of Beds	sq. ft.	sq. m.
PHASE I	50	9927	922.21
PHASE II	96	18483	1717.14
PHASE III	20	10576	982.54
TOTAL	166	38986	3621.89

DESCRIPTION	AREA sq. ft.	AREA sq. m.	TOTALS
Site Area	111803 sq. ft.	10387 sq. m.	35 %
Building Area	38986 sq. ft.	3621.9 sq. m.	25 %
Driveways / Parking	29509 sq. ft.	2848.6 sq. m.	60 %
TOTAL Site Coverage	67495 sq. ft.	6270 sq. m.	

Rezone from existing RUG  
to proposed P1 - Major  
Institutional Zone

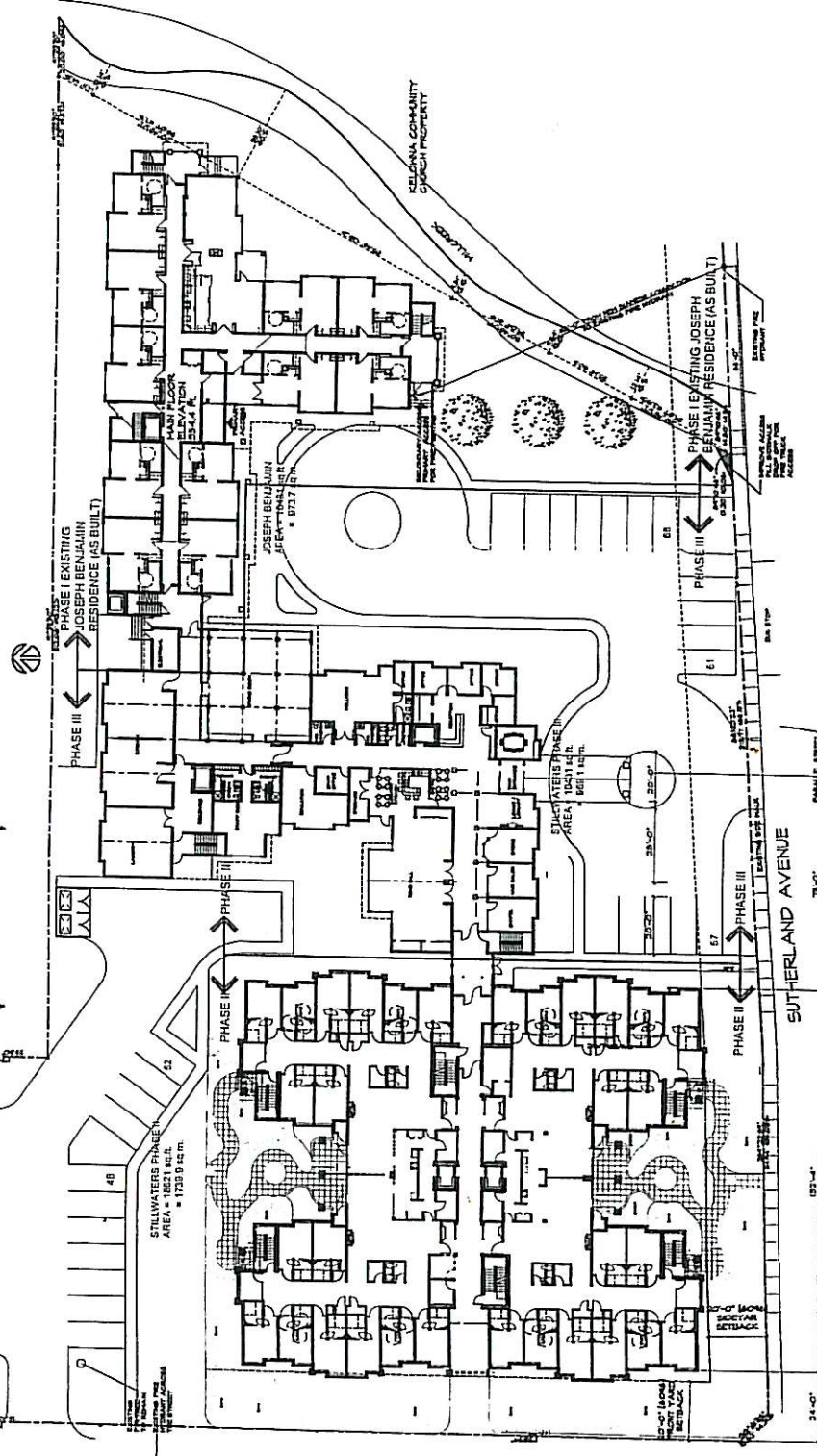
CHANDLER STREET

COLUMBIA ST.

SUTHERLAND AVENUE

MIN. 1.5 M SETBACK  
TO EXISTING PRESIDENTIAL

SITE PLAN  
Legal Description  
Lot A Plan 10510 O.D.Y.D.



NO.	FOR CONSTRUCTION	REVISION NO.	DATE
1			
2			
3			
4			
5			

DRUG LANE  
1000 10th Street  
1000 10th Street  
1000 10th Street

PROJECT:  
STILL WATERS  
PHASE II

DRAWING TITLE:  
SITE PLAN FUTURE  
DEVELOPMENT  
(PHASE III)

DRAWN BY: P. J.	CHECKED BY: P. J.
DATE: 11/11/11	SCALE: 1" = 20'-0"
PROJECT NO: 3009-114	DRAWING NO: A1.1