
CITY OF KELOWNA

MEMORANDUM

DATE: June 13, 2007
FILE NO.: **DP07-0137**

TO: City Manager

FROM: Planning & Development Services Department

DEVELOPMENT PERMIT APPLICATION NO. DP07-0137 OWNER: INTERIOR HEALTH AUTHORITY

AT: 2035 ETHEL ST. APPLICANT: IHA – FACILITIES MANAGEMENT

PURPOSE: TO SEEK PERMISSION TO CONSTRUCT A 24 BED HOSPICE FACILITY

EXISTING ZONE: CD 1 – COMPREHENSIVE ONE ZONE

PROPOSED ZONE: P1 – MAJOR INSTITUTIONAL

REPORT PREPARED BY: PAUL McVEY

1.0 RECOMMENDATION

THAT Final Adoption of OCP Amending Bylaw No. 9780 be considered by Council;

THAT Final Adoption of Text Amending and Zone Amending Bylaw No. 9781 be considered by Council;

AND THAT Council authorize the issuance of Development Permit No. DP07-0137 for part of Lot B, DL 138 & Sec. 19, Twp. 26, O.D.Y.D., Plan KAP60415, located on Ethel Street, 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";

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 permission to construct a new 24 bed hospice facility on a portion of the subject property.

3.0 BACKGROUND

The subject property was part of the original W.A.C. Bennett estate. In 2006, there had been applications made for an OCP amendment to change the future land use designation to "Education and Major Institutional", Text Amendment to remove the portion of the former "Bennett Estate" located south of Mill creek from the CD 1 – Comprehensive One zone, and application to rezone the subject property to the P1 – Major Institutional zone permit the use of the property for a Hospice facility. All three applications were considered by Council after a successful Public Hearing on May 15, 2007, and received second and third readings that same night.

The applicant has continued to work with the Community Development and Real Estate division on a real estate deal to sell that portion of the subject property adjacent to Mill Creek which was required to be provided for Riparian Management Area to the City of Kelowna, in addition to the land that had previously been dedicated to the City for park use along Mill Creek in 1997. This additional land requirement is the result in changes to the regulations regarding development near fish bearing creeks that have occurred since the CD1 zone was originally created and the land dedicated along Mill Creek in 1997.

3.1 The Proposal

Interior Health Authority is seeking permission to develop a portion of the subject property with an "extended medical treatment services", which will take the form of a 24 bed hospice facility for the terminally ill. The building is proposed as a 2,400 m², single storey building that is designed in a "Z" configuration. This configuration was adopted in order best fit the property while following the top-of-bank of Mill Creek, which forms the north boundary of the subject property.

The site plan indicates access driveways from Ethel Street located near the south property line, and the north side of the property near Mill Creek. These driveways provide access to a parking lot and a drop off area adjacent to the main entry lobby. There is also a loading area located adjacent to the south west corner of the proposed building. The site plan also indicates a potential area for future building expansion located to the east of the proposed building.

The building is designed as a single storey structure with a low slope roof element, which provides for substantial eave overhangs to provide shade to the walls and windows. There is a lounge area in the centre of the north building face opening on to Mill Creek. There are also several outdoor covered deck areas that are adjacent to the rear yard or Mill Creek. The main building entrance faces Ethel Street, in the approximate centre of the building. The building is laid out with the support and office functions in the centre of the building, while the bedrooms are located within the arms located to the north and the south of the building.

The exterior of the proposed building is designed to be finished with horizontal siding in a medium green colour that is applied up to the level of the windows. The wall area above the horizontal siding is finished with acrylic stucco in a light yellow colour. The

windows provided to each of the bedrooms extend above the eave line to provide the potential to admit additional daylight and exterior views into the rooms. There are flat roof projections over the windows to provide some control of solar heat gain.

The main building entrance facing Ethel Street is identified by a wood timber structure supporting glazing over the main entrance area. There is also a roof gable structure located above the entrance to highlight the entrance area. This roof area is located above an internal gallery which provides a public area, as well as access to the bedroom wings.

There has been an Environmental Development Permit issued to address the environmental issues associated with the planned Mill Creek trail network as well as the site preparation for the proposed Hospice facility. The applicant has engaged the services of EBA Engineering Consultants to act as an Environmental Consultant. They have provided a comprehensive Environmental Impact Assessment report to address the potential environmental impacts of the pending development, to provide direction for mitigation during and after the construction process, and to provide recommendations for the enhancement of the riparian management area.

3.1 The Proposal

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

CRITERIA	PROPOSAL	P1 ZONE REQUIREMENTS
Site Area (m ²)	1.05 ha	460 m ²
Site Width (m)	112.9 m	13 m
Site Coverage (%)	22.8%	Max 50%
Total Floor Area (m ²)	2,400 m ²	
F.A.R.	0.22	Max FAR = 2.0
Storeys (#)	1 storey	22 m or 6 storeys
Setbacks (m)		
- Front (Ethel Street)	25.5 m	6.0 m
- Rear	89 m	7.5 m
- North Side (Mill Creek)	4.5 m to PL 15.0 to TOB	4.5 m 15.0 m from Top of Bank
- South Side	4.5 m	4.5 m
Parking Stalls (#)	44 stalls provided	

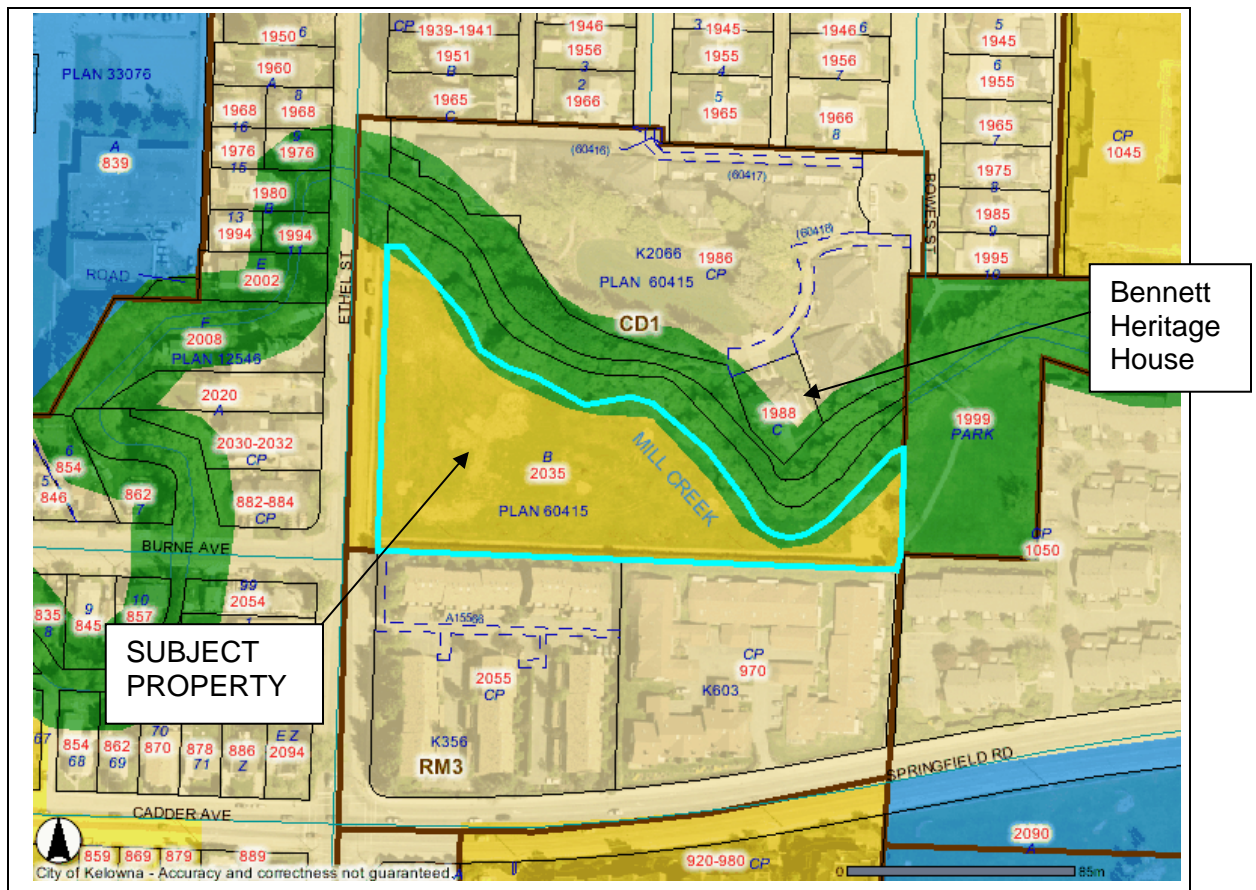
3.2 Site Context

The subject property is located on the east side of Ethel Street, north of Burne Avenue. The property is currently vacant, and is generally level in grade. There is an existing driveway located along the south property line. Mill Creek forms the north boundary of the property. There is substantial natural growth along Mill Creek. This property was at one time a portion of the W.A.C. Bennett Estate. The W.A.C. Bennett heritage house is located on the north side of Mill Creek, and was part of the 16 unit townhouse development which was constructed in the mid 1990's.

Adjacent zones and uses are, to the:

- North - CD1 – Comprehensive Development One / Mill Ck, Townhouse units
- East - LUC78 -1030 / Park and Townhouse uses
- South - RM3 – Low Density Multiple Housing / Townhouse units
- West - RU6 – Two Dwelling Housing / Ethel St., Single and Two unit housing

SUBJECT PROPERTY MAP



3.3 Current Development Policy

3.3.1 Kelowna Official Community Plan

The subject property is located within the Capri Village Centre Development Permit area. This Development Permit application has been made to address the form and character of the proposed hospice development.

There has also been an OCP amendment application OCP06-0022 made to amend the OCP future land use designation from the existing Multiple unit Residential (medium density) to the proposed Education and Major Institutional future land use.

3.3.2 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 technical comments associated with this application has dealt with through the associated rezoning application Z06-0062

5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT COMMENTS

The Planning and Development Services Department does not have concerns with the proposed land use, as the proposed form of development is designed to have a much lower building mass (proposed 1 storey building height) from the previously approved 4 storey high apartment building. The development of a hospice facility within the City of Kelowna has been proposed for years, and is a much needed addition to the community.

The applicant has worked with City staff to review the siting of the proposed development in order to move the building out of the 15m Riparian Management Area adjacent to Mill Creek, and eliminate the necessity of a Development Variance Permit as was originally contemplated. The applicant has also worked on further development of the form and character of the proposed building, to a standard which is acceptable to City staff.

The applicant has been in discussions with City of Kelowna staff regarding a real estate agreement to purchase a portion of the subject property for park purposes. The funds generated by the sale of this land are to be applied to the frontage improvements, as well as the Mill Creek mitigation and restoration works, and linear trail system.

Now that this deal is concluded, it is appropriate for Council to consider final adoption of the OCP amending bylaw, the text amending bylaw, and the zone amending bylaw, in addition to consideration of this Development Permit application.

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

Shelley Gambacort
Current Planning Supervisor

Approved for inclusion

Mary Pynenburg, MRAIC MCIP
Director of Planning & Development Services

PMc/pmc
Attach.