

# City of Kelowna Public Hearing AGENDA



Tuesday, May 31, 2016  
6:00 pm  
Council Chamber  
City Hall, 1435 Water Street

Pages

## 1. Call to Order

THE CHAIR WILL CALL THE HEARING TO ORDER:

1. (a) The purpose of this Hearing is to consider certain bylaws which, if adopted, shall amend *Kelowna 2030* - Official Community Plan Bylaw No. 10500 and Zoning Bylaw No. 8000.

(b) All persons who believe that their interest in property is affected by the proposed bylaws shall be afforded a reason-able opportunity to be heard or to present written submissions respecting matters contained in the bylaws that are the subject of this hearing. This Hearing is open to the public and all representations to Council form part of the public record. A live audio feed may be broadcast and recorded by Castanet.

(c) All information, correspondence, petitions or reports that have been received concerning the subject bylaws have been made available to the public. The correspondence and petitions received after May 17, 2016 (date of notification) are available for inspection during the course of this hearing and are located on the information table in the foyer of the Council Chamber.

(d) Council debate on the proposed bylaws is scheduled to take place during the Regular Council meeting after the conclusion of this Hearing. It should be noted, however, that for some items a final decision may not be able to be reached tonight.

(e) It must be emphasized that Council will not receive any representation from the applicant or members of the public after conclusion of this Public Hearing.

## 2. Notification of Meeting

The City Clerk will provide information as to how the Hearing was publicized.

### 3. Individual Bylaw Submissions

#### 3.1 Regional Context Statement, BL11205 (OCP16-0002) - City of Kelowna 4 - 23

To amend the Official Community Plan to incorporate a new Regional Context Statement.

#### 3.2 894 Stremel Road, BL11244 (OCP16-0001) & BL11245 (Z16-0006) - McBeetle Holdings 24 - 38

To consider an OCP and Zoning Bylaw amendment application to rezone a portion of the subject property to facilitate the construction of an automobile dealer, and dedicate a portion of the property as parkland.

#### 3.3 820 Finns Road, BL11246 (OCP15-0016) & BL11247 (Z15-0053) - Raif Holdings Ltd. 39 - 48

To amend the Official Community Plan to change the future land use designation and rezone the subject property to allow the lands to be used for service commercial development.

### 4. Termination

### 5. Procedure on each Bylaw Submission

- (a) Brief description of the application by City Staff (Land Use Management);
- (b) The Chair will request that the City Clerk indicate all information, correspondence, petitions or reports received for the record.
- (c) The applicant is requested to make representation to Council regarding the project and is encouraged to limit their presentation to 15 minutes.
- (d) The Chair will call for representation from the public in attendance as follows:
  - (i) The microphone at the public podium has been provided for any person(s) wishing to make representation at the Hearing.
  - (ii) The Chair will recognize ONLY speakers at the podium.
  - (iii) Speakers are encouraged to limit their remarks to 5 minutes, however, if they have additional information they may address Council again after all other members of the public have been heard a first time.
- (e) Once the public has had an opportunity to comment, the applicant is given an opportunity to respond to any questions raised. The applicant is requested to keep the response to a total of 10 minutes maximum.
- (f) Questions by staff by members of Council must be asked before the Public

Hearing is closed and not during debate of the bylaw at the Regular Meeting, unless for clarification.

(g) Final calls for resrepresentation (ask three times). Unless Council directs that the Public Hearing on the bylaw in question be held open, the Chair shall state to the gallery that the Public Hearing on the Bylaw is closed.

Note: Any applicant or member of the public may use visual aids (e.g. photographs, sketches, slideshows, etc.) to assist in their presentation or questions. The computer and ELMO document camera at the public podium are available. Please ask staff for assistance prior to your item if required.

# Report to Council



**Date:** February 29, 2016  
**File:** 1250-20  
**To:** City Manager  
**From:** Laura Bentley, Planner II, Policy & Planning  
**Subject:** Regional Context Statement

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## **Recommendation:**

THAT Official Community Plan Bylaw Text Amendment Application No. OCP16-0002 to amend Kelowna 2030 - Official Community Plan Bylaw No. 10500 by replacing the Regional Context Statement as outlined in the Report from the Planner II dated February 29, 2016, be considered by Council;

AND THAT Council direct staff to submit the Official Community Plan Amending Bylaw to the Regional District of Central Okanagan for acceptance by the Regional Board;

AND THAT Council considers the public hearing process to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*, as outlined in the Report from the Planner II dated February 29, 2016;

AND FURTHER THAT the Official Community Plan Amending Bylaw be forwarded to a Public Hearing for further consideration once the Regional Board accepts the Regional Context Statement.

## **Purpose:**

To amend the Official Community Plan to incorporate a new Regional Context Statement.

## **Background:**

The City of Kelowna Official Community Plan (OCP) must include a Regional Context Statement that reflects the Regional District of Central Okanagan (RDCO) Regional Growth Strategy (RGS). The Regional Context Statement must demonstrate the relationship between the OCP and the required content of the RGS, including:

- A comprehensive statement on the future of the region;
- Population and employment projections;

- Regional matters to provide for the projected population, including housing, transportation, services, parks and natural areas, and economic development;
- Targets to reduce greenhouse gas emissions; and
- Other regional matters.

The City of Kelowna OCP currently includes a Regional Context Statement that refers to the now rescinded Regional District of Central Okanagan Growth Management Strategy Bylaw No. 851. The RGS has since been updated and Regional District of Central Okanagan Regional Growth Strategy Bylaw No. 1336 was adopted on June 23, 2014. The new Regional Context Statement will replace the existing one in the OCP to reflect the relationship with the new RGS.

The RDCO RGS establishes a vision for the region to grow in a manner that promotes economic, environmental and social health. It was developed in consultation with the area municipalities to direct and manage growth in a coordinated manner. The RGS discusses the following key issue areas with corresponding policies to support the regional vision: land, economy, water resources, health, food, housing, climate, ecosystems, transportation and governance.

The Regional Context Statement demonstrates how the policy direction of the OCP is consistent with the intent of the RGS. Several OCP objectives and policies are aligned with and support the goals for the RGS issue areas. Population and employment projections in the OCP are generally consistent with those in the RGS, recognizing the estimates in each document are based on data from different years. The OCP includes several policies to reduce greenhouse gas emissions and meet the targets identified in the OCP and the RGS.

The Regional Context Statement meets the requirements of Section 446 and 447 of the *Local Government Act*, outlining how the OCP is consistent with the content of the RGS.

#### **Legal/Statutory Authority:**

*Local Government Act* Part 13 - Regional Growth Strategies, Division 2 - Application and Content of Regional Growth Strategy, Sections 429-430

*Local Government Act* Part 13 - Regional Growth Strategies, Division 5 - Regional Context Statements, Sections 446-448

*Local Government Act* Part 14 - Planning and Land Use Management, Division 3 - Public Hearings on Planning and Land Use Bylaws

*Local Government Act* Part 14 - Planning and Land Use Management, Division 4 - Official Community Plans

#### **Legal/Statutory Procedural Requirements:**

In accordance with Section 446 of the *Local Government Act*, an OCP must include a Regional Context Statement where a RGS applies to the same area as the OCP. The Regional Context Statement is to identify the relationship between the OCP and the required content of the RGS.

Should Council give the Official Community Plan Amending Bylaw first reading, it will be

submitted to the RDCO Regional Board for acceptance, as per Section 448 of the *Local Government Act*. Once accepted by the Regional Board, Council will consider the OCP Amending Bylaw at a Public Hearing.

Notice of the Public Hearing will be placed in the newspaper in accordance with the requirements of the *Local Government Act*.

Staff have reviewed the amendment, and it may move forward without affecting either the City's Financial Plan or Waste Management Plan.

In accordance with Section 448 of the *Local Government Act*, staff will review the Regional Context Statement and either recommend that Council forward the Statement to the Regional Board for continued acceptance or propose amendments to ensure its ongoing consistency with the RGS.

**Existing Policy:**

*Kelowna 2030 - Official Community Plan Chapter 2: Regional Context*

**External Agency/Public Comments:**

The draft Regional Context Statement was referred to RDCO staff for preliminary review. The Regional Context Statement will be submitted to the RDCO for consideration and acceptance by the Regional Board.

**Considerations not applicable to this report:**

Internal Circulation:

Financial/Budgetary Considerations:

Personnel Implications:

Communications Comments:

Alternate Recommendation:

Submitted by:

L. Bentley, Planner II, Policy & Planning

Approved for inclusion:



D. Noble-Brandt, Policy & Planning Department Manager

cc:

Stephen Fleming, City Clerk

Doug Gilchrist, Divisional Director, Community Planning & Real Estate

James Moore, Long Range Policy Planning Manager, Policy & Planning

Janelle Taylor, Planner, Community Services, Regional District of Central Okanagan

# REGIONAL CONTEXT STATEMENT



## BACKGROUND

- ▶ OCP must include a Regional Context Statement
- ▶ RDCO's new Regional Growth Strategy (RGS) was adopted June 2014
- ▶ Regional Context Statement connects RGS issue areas to OCP objectives and policies



# RGS ISSUE AREA: OUR LAND

## Issue Area Goal

To manage the land base effectively to protect natural resources and limit urban sprawl.

5.1.3 Rutland & Downtown Revitalization Tax Exemption

5.2.3 Complete Suburbs

5.2.4 Complete Communities

5.2.5 Integrated Land Use

5.3.1 Permanent Growth Boundary

5.3.2 Compact Urban Form

5.33.3 Urban Uses

7.3.2 DCC Framework

7.4.1 Urban Centres and Densifying Neighbourhoods

**5.3.1 Permanent Growth Boundary...***The City of Kelowna will support development of property outside the Permanent Growth Boundary for more intensive use only to the extent permitted as per the OCP Future Land Use designations...*

# RGS ISSUE AREA: OUR ECONOMY

## Issue Area Goal

To develop and enhance a positive business environment in the region to achieve a dynamic, resilient and sustainable economy.

5.19.6 North End Industrial  
5.30.1 Industrial Supply Protection  
8.1.1 Sustainable Prosperity  
8.1.2 EDC  
8.4.2 Communication  
8.4.4 Business Improvement Areas  
8.4.5 Entrepreneurial Initiatives  
8.5.1 Monitor Costs

8.7.1 Highway 97  
8.7.2 Transportation Networks  
8.7.3 Mobility and Servicing  
8.7.4 Communications Infrastructure  
8.7.5 Airport  
8.9.1 Positive Image  
8.9.2 Downtown

**8.1.1 Sustainable Prosperity.** *Assign priority to supporting the retention, enhancement and expansion of existing businesses...and the attraction of new businesses and investment...*

# RGS ISSUE AREA: OUR WATER RESOURCES

## Issue Area Goal

To manage and protect water resources.

5.19.1 Development Over Lake Surface  
5.36.1 Hydro-Geologically Sensitive Areas  
7.17.2 Water Conservation  
7.20.1 Water Availability for Agriculture  
7.202. Irrigation District Boundaries and Standards  
7.20.3 Groundwater Protection  
7.21.1 Best Practices  
7.23.1 Run-off Volumes

7.23.2 Re-use of Stormwater  
7.23.3 Urban Run-off Impacts  
7.23.4 Surface Drainage / Detention Areas as Amenity Space  
*DP Guidelines*  
7.0 Erosion Control  
8.0 Water and Drainage  
9.0 Groundwater

**7.23.1 Run-off Volumes.** *Manage runoff volumes generated by urban development to minimize changes in water flow and impacts to watershed health.*

# RGS ISSUE AREA: OUR HEALTH

## Issue Area Goal

To contribute to the improvement of community health, safety and social well-being.

5.5.3 CPTED Guidelines  
5.6.1 Accessibility Measures  
5.14.2 Dedication of Linear Parks  
5.14.6 Beach Access Dedications  
5.32.10 Health Care Facilities  
5.32.13 Recreational Facilities  
5.36.3 Design for People and Nature  
7.2.4 Design Guidelines  
7.8.2 Active Transportation  
7.8.6 Signal Length / Wait Time

7.8.7 Pathway Configuration  
7.12.2 Natural Area Parks and Open Space  
7.12.3 Regional Parks  
7.12.5 Walking Radius  
7.12.6 Glenmore Recreation Park  
7.12.7 Alternative Park Space  
7.16.1 Design to Context  
7.16.2 Park Accessibility  
10.1.1 Distribution of Community Resources

**10.1.1 Distribution of Community Resources.** *Appropriately distribute and locate community resources...so that all neighbourhoods have convenient access.*

## RGS ISSUE AREA: OUR FOOD

### Issue Area Goal

To support a regional food system that is healthy, resilient and sustainable.

5.2.5 Integrated Land Use

5.13.1 Farmer's Markets

5.13.2 Edible Landscapes

5.13.3 Community Gardens

5.13.4 Multi-residential Shared Garden

5.33.1 Protect Agricultural Land

5.33.2 ALR Exclusions

5.33.7 Subdivision

5.34.1 Secondary Suites

5.34.2 Farm Help Housing

5.34.3 Homeplating

7.5.1 Service Corridors

**5.33.1 Protect Agricultural Land.** *Retain the agricultural land base by supporting the ALR and by protecting agricultural lands from development...Ensure the primary use of agricultural land is agriculture, regardless of parcel size.*

# RGS ISSUE AREA: OUR HOUSING

## Issue Area Goal

To improve the range of housing types and tenures to meet the social and economic needs of the region.

5.9.1 Conversion of Rental Dwellings

5.22.7 Healthy Communities

5.22.8 Embracing Diversity

5.22.10 Adaptable Housing

5.22.11 Housing Mix

5.22.12 Carriage Houses & Accessory Apartments

5.22.13 Family Housing

5.23.1 Ground-oriented Housing

7.3.1 Housing Mix

10.3.1 Housing Availability

10.3.2 City-owned Land

10.3.4 Use of the Housing Opportunities Reserve Fund

**10.3.1 Housing Availability.** *Support the provision of housing for all members of the community, including those in core housing need or requiring special needs housing...*

# RGS ISSUE AREA: OUR CLIMATE

## Issue Area Goal

To minimize regional greenhouse gas emissions and respond to the impacts of climate change.

5.2.2 Sustainability Incentives  
5.16.1 Heat Recovery  
5.16.2 Eco-industrial Network  
5.16.3 Variances for “Green” Features  
6.2.1 GHG Reduction Target and Actions  
7.1.3 Greenhouse Gas Reduction Criteria  
7.8.1 Sidewalk Funding

7.8.2 Active Transportation  
7.8.5 Walkability  
7.8.8 Bicycle Parking  
7.8.9 Utility and ROW Corridors  
7.19.2 Energy Reduction Priorities  
7.19.3 Renewable Energy

**7.19.2 Energy Reduction Priorities.** *In working to reduce greenhouse gas emissions, place a primary focus on reducing demand...*

# RGS ISSUE AREA: OUR ECOSYSTEMS

## Issue Area Goal

Be responsible stewards of natural ecosystems to protect, enhance and restore biodiversity in the region.

5.2.5 Integrated Land Use  
5.15.1 No Net Loss of Aquatic Habitat Productivity  
5.15.2 No Net Loss of Terrestrial Habitat  
5.15.3 Environmentally Sensitive Area Linkages  
5.15.7 Protection Measures  
5.15.11 Habitat Protection  
5.15.12 Steep Slopes  
5.22.1 Cluster Housing

5.35.1 Biodiversity  
6.1.1 Natural Ecosystem Management  
6.1.2 Species at Risk  
6.3.1 Tree Canopy Coverage  
6.3.2 Preferred Plant Species  
7.12.2 Natural Area Parks and Open Space  
7.12.3 Regional Parks

**6.1.1 Natural Ecosystem Management.** *Ensure the protection of biodiversity, the conservation of critical habitats and the sustainable use of biological resources...*



## POPULATION & EMPLOYMENT PROJECTIONS

- ▶ Project continued population growth
- ▶ Traditional employment generators and growth in other sectors expected
- ▶ RGS and OCP projections are generally consistent

## GREENHOUSE GAS EMISSIONS

- ▶ Provincial target to reduce GHG emissions by 33% in 2020 (from 2007 levels)
- ▶ Several OCP objectives and policies to support reduction in GHG emissions

## REGIONAL CONTEXT STATEMENT

- ▶ Regional Context Statement shows relationship between RGS and OCP
- ▶ Many OCP policies support the goals of RGS issue areas
- ▶ Projections and targets are generally consistent

## NEXT STEPS

- ▶ If supported, the Regional Context Statement Bylaw is submitted to the RDCO Regional Board for acceptance
- ▶ Once accepted, the Bylaw is considered by Council at a Public Hearing

# Report to Council



**Date:** May 9, 2016  
**File:** 1250-20  
**To:** City Manager  
**From:** Laura Bentley, Planner II, Policy & Planning  
**Subject:** Regional Context Statement

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## **Recommendation:**

THAT Council receives, for information, the Report from the Planner II dated May 9, 2016 with respect to a new Regional Context Statement;

AND FURTHER THAT Official Community Plan Text Amending Bylaw No. 11205 be forwarded to a Public Hearing for further consideration.

## **Purpose:**

To forward OCP Text Amending Bylaw No. 11205 to a Public Hearing in order to incorporate a new Regional Context Statement.

## **Background:**

The Official Community Plan (OCP) must include a Regional Context Statement that reflects the connection with the Regional District of Central Okanagan (RDCO) Regional Growth Strategy. The Regional Growth Strategy was adopted in June 2014 and the new Regional Context Statement will replace the existing one to demonstrate how the policy direction of the OCP is consistent with the intent of the Regional Growth Strategy.

On February 29, 2016, Council gave first reading to Bylaw No. 11205 to amend Chapter 2 of the Official Community Plan with a new Regional Context Statement. In accordance with Section 448 of the *Local Government Act*, the proposed Bylaw was submitted to the RDCO for consideration by the Regional Board. The Board accepted the proposed Bylaw at their meeting on April 14, 2016.

Staff are now recommending that Bylaw No. 11205 be moved forward to a Public Hearing for further consideration, as per the Report from the Planner II dated February 29, 2016.

**Legal/Statutory Authority:**

*Local Government Act* Part 13 - Regional Growth Strategies, Division 5 - Regional Context Statements, Sections 446-448

*Local Government Act* Part 14 - Planning and Land Use Management, Division 3 - Public Hearings on Planning and Land Use Bylaws

**Legal/Statutory Procedural Requirements:**

As per Section 448 of the *Local Government Act*, once the Official Community Plan Amending Bylaw is accepted by the Regional Board, Council will consider it at a Public Hearing.

Notice of the Public Hearing will be placed in the newspaper in accordance with the requirements of the *Local Government Act*.

**External Agency/Public Comments:**

The Regional Board passed the following resolution on April 14, 2016:

THAT the Regional Board accept the City of Kelowna's proposed Regional Context Statement in their Official Community Plan Amendment Bylaw No. 11205.

**Considerations not applicable to this report:**

Internal Circulation:

Existing Policy:

Financial/Budgetary Considerations:

Personnel Implications:

Communications Comments:

Alternate Recommendation:

Submitted by:

L. Bentley, Planner II, Policy & Planning

Approved for inclusion:



J. Moore, Acting Department Manager, Policy & Planning

cc:

Stephen Fleming, City Clerk

Doug Gilchrist, Divisional Director, Community Planning & Real Estate

James Moore, Acting Department Manager, Policy & Planning

Janelle Taylor, Planner, Community Services, Regional District of Central Okanagan

**Attachments:**

Regional Board Resolution #88/16



Community Services – Planning Section

1450 K.L.O. Road  
Kelowna, B.C. V1W 3Z4

Telephone: (250) 469-6227  
Fax: (250) 762-7011  
www.regionaldistrict.com

April 19, 2016  
RDCO File: 6430-02

**SENT VIA E-MAIL & MAIL**

City of Kelowna  
Att: Laura Bentley, Planner  
1435 Water Street  
Kelowna, BC V1Y 6V7

Dear Ms. Bentley:

Re: Official Community Plan Amendment Bylaw No. 11205

In accordance with the Local Government Act, Section 448, the Regional Board passed the following resolution on April 14, 2016:

#88/16      FINDLATER/BAKER

THAT the Regional Board accept the City of Kelowna's proposed Regional Context Statement in their Official Community Plan Amendment Bylaw No. 11205.

CARRIED Unanimously

Staff looks forward to continuing to work cooperatively with the City of Kelowna during the RGS Implementation and Monitoring process. If you have any questions or comments, please do not hesitate to contact the undersigned.

All the best,



Janelle Taylor  
Planner 1

:ky

cc: J. Moore, Long Range Policy Planning Manager  
R. Fralick, Manager of Planning

# REPORT TO COUNCIL



**Date:** May 2, 2016

**RIM No.** 1250-30

**To:** City Manager

**From:** Community Planning Department (RR)

**Application:** Z16-0006 **Owner:** McBeetle Holdings

**Address:** 894 Stremel Road **Applicant:** McBeetle Holdings

**Subject:** Rezoning Application

**Existing OCP Designation:** IND - Industrial

**Proposed OCP Designation:** COMM - Commercial / PARK - Major Park / Open Space

**Existing Zone:** RU1 - Large Lot Housing

**Proposed Zone:** C10 - Service Commercial / P3 - Parks and Open Space

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## 1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP16-0001 to amend Map 4.1 in the Kelowna 2030 - Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of portions of Lot A, Section 34, Township 26, ODYD Plan EPP53299 located at 894 Stremel Road, Kelowna, BC from the IND - Industrial designation to the SC - Service Commercial designation and the PARK - Major Park / Open Space designation, as shown on Map "A" attached to the Report from the Community Planning Department dated May 2, 2016 be considered by Council;

AND THAT Rezoning Application No. Z16-0006 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of portions of Lot A, Section 34, Township 26, ODYD Plan EPP53299 located at 894 Stremel Road Kelowna, BC from the RU1 - Large Lot Housing zone to the C-10 Service Commercial and P3 - Parks and Open Space zone as shown on Map "A" attached to the Report from the Community Planning Department dated May 2, 2016, be considered by Council;

AND THAT the OCP Amending Bylaw and Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT Council considers the Public Hearing process to be appropriate consultation for the Purpose of Section 475 of the *Local Government Act*;



AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated April 25<sup>th</sup>, 2016);

AND THAT final adoption of the Rezoning Bylaw be considered in conjunction with the issuance of an Environmental Development Permit for the subject property;

AND THAT prior to final adoption of the Rezoning Bylaw, that the Riparian Management Area be dedicated to the City as protected area;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered in conjunction with Council's consideration of a Form and Character Development Permit for the subject property.

## **2.0 Purpose**

To consider an OCP and Zoning Bylaw amendment application to rezone a portion of the subject property to facilitate the construction of an automobile dealer, and dedicate a portion of the property as parkland.

## **3.0 Community Planning**

Community Planning supports granting the bylaws first reading and advancing them to Public Hearing. The proposed use, a luxury car dealership, is not out of character for the area. There is already a car dealership directly to the south of the site and a proposal for another two dealerships to the north.

The rezoning will allow the City to acquire and protect land along Francis Brook Creek. The City will acquire 10 m to the north of the creek and the majority of the lands to the south, exceeding 15 m in depth. Francis Brook Creek is an important drainage corridor and habitat area, and the City will be able to protect it in perpetuity.

## **4.0 Proposal**

### **4.1 Background**

The subject property has been reconfigured as part of the Highway 97 six laning project. The City Real Estate group has worked closely with the owner and the Ministry of Transportation to realign roads in the area to best accommodate the highway and leave developable properties.

### **4.2 Project Description**

The applicant would like to construct an automobile dealership on the subject property. The first stages of the approvals process will require that the property be re-zoned and the OCP amended.

The OCP would be amended from Industrial to Service Commercial and Major Park/Open Space.



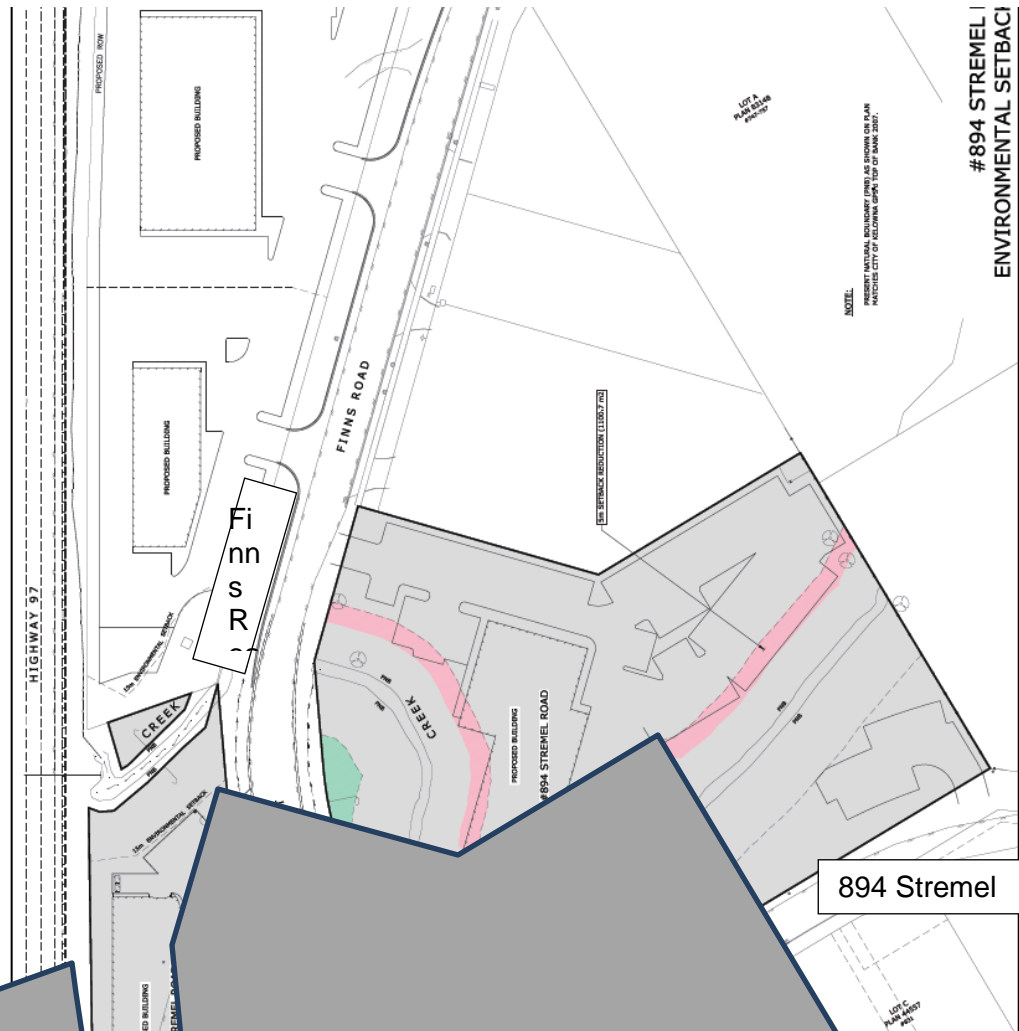
The proposed rezoning would amend the bylaw to zone the portion of land along Highway 97 to C10 - Service Commercial. Lands along the creek would be rezoned P3 - Park and Open Space. 10 m of property north of the creek will be dedicated to the City, and 15 m or more along the south will be dedicated. This flexible approach will maximize habitat protection on the south side of the creek, while leaving a viable development site to the north.

As part of the application, the applicant has submitted a further application for a Porsche dealership on the Highway 97 portion of the property. This application cannot be approved until such time as the property has been rezoned for commercial use.



#### 4.3 Site Context

The portion of the property to be developed is along Highway 97. It is north of the Orchard Ford dealership, in a light industrial and service commercial neighbourhood. The owner of the property has also applied to re-zone the parcel to the north to allow an additional automobile dealership.



#894 STREMEL  
ENVIRONMENTAL SETBACK

894 Stremel

Adjacent land use follows:

| Orientation | Zone            | Land Use          |
|-------------|-----------------|-------------------|
| North       | Mark Industrial | Industrial Rental |
| East        | Housing         | Residential       |
| South       | Commercial      | Dealer            |
| West        |                 |                   |

Subject Property

#### 4.4 Zoning Analysis

| Zoning Analysis Table                |                      |                      |
|--------------------------------------|----------------------|----------------------|
| CRITERIA                             | @ ZONE REQUIREMENTS  | PROPOSAL             |
| Existing Lot/Subdivision Regulations |                      |                      |
| Minimum Lot Area                     | 1,000 m <sup>2</sup> | 5,400 m <sup>2</sup> |
| Minimum Lot Width                    | 30 m                 | 35 m                 |

|                   |      |       |
|-------------------|------|-------|
| Minimum Lot Depth | 40 m | 125 m |
|-------------------|------|-------|

## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Service Commercial (SC)

Developments for the provision of business support services and other commercial uses requiring extensive on-site storage. Building densities would be consistent with the provision of the C10 zone of the Zoning Bylaw.

#### Riparian Management Area

Table 12.1 establishes a 15m Riparian Management Area around Francis Brook Creek.

#### Dedication of Linear Parks.

At subdivision and rezoning for all development types secure a minimum 10-metre wide linear corridor for public access as included in Table 5.1 Linear Park - Public Access and/or are shown on Map 5.9 - Linear Corridors / Paths. The 10-metre wide corridor may be in addition to, and outside, any riparian management area requirements imposed through the Environmental Development Permit (see Chapter 12) requirements of the OCP. On the private property side of the public access corridor, the City may, as necessary, consider stipulating additional "no disturb" zones. Lot line adjustments or other subdivision applications not resulting in the creation of new lots suitable for the construction of buildings permitted under the applicable zoning will be considered exempt from this policy.

### 5.2 Public Notification & Consultation for Development Applications Policy #367

The applicant has delivered notifications to surrounding property owners.

## 6.0 Technical Comments

### 6.1 Building & Permitting Department

- 1 Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permit(s) for new construction
- 2 This building may be required to be sprinklered throughout. It appears that this building has three major occupancies as per the building code . Any proposed deviance from this requirement of BCBC 12 requires an approved alternate solution report to be submitted and approved by the architect of record prior to the release of the Development Permit.
- 3 A Geotechnical report is required to address the sub soil conditions and site drainage at time of building permit application. This property falls within the Mill Creek flood plain bylaw area and compliance is required. Minimum building elevations are required to be established prior to the release of the Development Permit. This minimum Geodetic elevation is required for all habitable spaces. This building may be designed to low, which may affect the form and character of the building.
- 4 A Building Code analysis is required for the structure at time of building permit applications, but the following items may affect the form and character of the building(s):
  - 4.1 The British Columbia Building Code (BCBC 2012) may define this development as two separate buildings with possibly three separate major occupancies (D & E in building 1 and D & F2 in building #2). If a firewall is to be utilized, a complete building code analysis would be required to be reviewed prior to complete

comments (at time of building permit application) being provided for the spatial separation between the two buildings. Fire shutters would be a requirement and hooked to the fire alarm system to allow for the unprotected openings between buildings and a 900mm High non combustible fire wall must be constructed to separate the two structures. A 900mm high firewall parapet will affect the form and character of the building(s).

- 4.2 The exits from the building do not appear to meet minimum code requirements (number of exits, travel distance, etc). The code analysis is to contain a plan showing travel distances along with a code compliance analysis for the interconnected floors, 2nd stories, horizontal exits, convenience stairs and rated stairwell exits. This can be submitted at time of building permit application, but additional exterior doors may be required depending on the code analysis, which may affect the form and character of the building(s).
- 4.3 Any security system that limits access to exiting needs to be addressed in the code analysis by the architect
- 4.4 Access to the roof is required per NFPA and guard rails may be required and should be reflected in the plans if required.
- 4.5 Mechanical Ventilation inlet and exhausts vents are not clearly defined in these drawings. Screening of this equipment may be required and should be addressed as part of the Development permit.
- 4.6 Interior climbable guardrails are not code compliant as depicted in the illustrations and are required to be defined at time of permit application

5 Size and location of all signage to be clearly defined as part of the development permit

6 Fire resistance ratings are required for storage, janitor and/or garbage enclosure room(s). The drawings submitted for building permit is to clearly identify how this rating will be achieved and where these area(s) are located. Refer to fire department bylaws for placement of exterior garbage containers in relation to the building.

7 Full Plan check for Building Code related issues will be done at time of Building Permit applications. Please indicate how the requirements of Radon mitigation are being applied to this structure.

## 6.2 Development Engineering Department

See attached Memorandum dated April 8, 2016.

## 6.3 Fire Department

The Fire Department has no issues with the zoning change

## 7.0 Application Chronology

|                               |                  |
|-------------------------------|------------------|
| Date of Application Received: | January 15, 2016 |
| Date referrals completed:     | April 8, 2016    |

Report prepared by:

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Ryan Roycroft, Planner

**Reviewed by:**

☐

Terry Barton, Urban Planning Manager

**Approved for Inclusion:**

☐

Ryan Smith, Community Planning Department Manager

**Date:** April 12, 2016

**File No.:** Z16-0006

**To:** Urban Planning Management (RR)

**From:** Development Engineering Manager (SM)

**Subject:** 894 Stremel Road      Lot 11    Plan 3236                          Zone: RU1 to C10

The Development Engineering Technologist for this project is Jason Ough

- a) These are Development Engineering comments/requirements and are subject to the review and requirements from the Ministry of Transportation (MOTI) Infrastructure Branch.
- b) This proposed subdivision may require the installation of centralized mail delivery equipment. Please contact Rick Ould, Delivery Planning Officer, Canada Post Corporation, 530 Gaston Avenue, Kelowna, BC, V1Y 2K0 (250-763-3558 ext. 2008) to obtain further information and to determine suitable location(s) within the development.
- c) The 2030 OCP identifies a linear park project that must be included in the development plan. This public corridor will follow Francis Brook through the subject property.
- d) Where there is a possibility of a high water table or surcharging of storm drains during major storm events, non-basement homes may be required. This must be determined by the engineer and detailed on the Lot Grading Plan required in the drainage section.



**NOTE:** The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed subdivision.

- (i) Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
- (ii) Site suitability for development.
- (iii) Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
- (iv) Any special requirements for construction of roads, utilities and building structures.
- (v) Suitability of on-site disposal of storm water and sanitary waste, including effects upon adjoining lands.
- (vi) Recommendations for items that should be included in a Restrictive Covenant.
- (vii) Any items required in other sections of this document.
- (viii) Recommendations for erosion and sedimentation controls for water and wind.
- (ix) Recommendations for roof drains and perimeter drains.
- (x) Recommendations for construction of detention or infiltration ponds if applicable.

### **3. Domestic Water and Fire Protection**

- a) The property is located within Black Mountain Irrigation District (BMID) service area. The water system must be capable of supplying domestic and fire flow demands of the project in accordance with the Subdivision, Development & Servicing Bylaw. The developer is responsible, if necessary, to arrange with BMID staff for any service improvements and the decommissioning of existing services.
- b) Boulevard landscape irrigation system, must be integrated with the on-site irrigation system.

### **4. Sanitary Sewer**

The developer's consulting mechanical engineer will determine the development requirements of the proposed development and establish the service needs. The existing lot is serviced with a 150mm diameter sanitary service. Only one service per lot will be permitted for this development. If required, the applicant will arrange for the removal and disconnection of the existing service and the installation of one new larger service at the applicants cost.

## **5. Storm Drainage**

The developer must engage a consulting civil engineer to provide a storm water management plan for the site, which meets the requirements of the Subdivision, Development and Servicing Bylaw No. 7900. The storm water management plan must also include provision of lot grading plan, minimum basement elevation (MBE), if applicable, and provision of a storm drainage service for the development and / or recommendations for onsite drainage containment and disposal systems.

## **6. Road Improvements and Dedication**

- (a) Property frontage on Finns Road must be upgraded to a full urban standard (SS-R5).  
Design will include separate sidewalk, landscaped boulevard complete with street trees, curb and gutter, piped storm drainage system, fillet pavement, boulevard grading street lights, and adjustment and/or re-location of existing utility appurtenances, if required, to accommodate this construction.
- (b) Property frontage on Stremel Road must be upgraded to a full urban standard (SS-R5).  
Design will include separate sidewalk, landscaped boulevard complete with street trees, curb and gutter, piped storm drainage system, fillet pavement, boulevard grading street lights, and adjustment and/or re-location of existing utility appurtenances, if required, to accommodate this construction.
- (c) The estimated cost of required road improvement works, for bonding purpose, must be determined based upon a design provided by the developer to be reviewed by the City of Kelowna and MOTI.

## **7. Electric Power and Telecommunication Services**

The electrical and telecommunication services to this building 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.

## **8. Design and Construction**

- (a) Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.
- (b) Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.
- (c) Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).
- (d) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.

- (e) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Development Engineering Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

## **9. Servicing Agreements for Works and Services**

- (a) A Servicing Agreement is required for all offsite works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. The applicant's Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works. The Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.
- (b) Part 3, "Security for Works and Services", of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than \$5,000,000 and the City is to be named on the insurance policy as an additional insured.

## **10. Other Engineering Comments**

- (a) Provide all necessary Statutory Rights-of-Way for any utility corridors required, including those on proposed or existing City Lands.
- (b) If any road dedication affects lands encumbered by a Utility right-of-way (such as Terasen, etc.) please obtain the approval of the utility prior to application for final subdivision approval. Any works required by the utility as a consequence of the road dedication must be incorporated in the construction drawings submitted to the City's Development Manager.

## **11. Development Permit and Site Related Issues**

- (a) Access and Manoeuvrability
  - (i) An SU-9 standard size vehicle must be able to manoeuvre onto and off the site without requiring a reverse movement onto public roadways. If the development plan intends to accommodate larger vehicles movements should also be illustrated on the site plan.
  - (ii) Perimeter access must comply with the BC Building Code. Fire Truck access designs and proposed hydrant locations will be reviewed by the Fire Protection Officer.

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Steve Muenz, P. Eng.  
Development Engineering Manager

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# REPORT TO COUNCIL



**Date:** May 16, 2016

**RIM No.** 1250-30

**To:** City Manager

**From:** Community Planning Department (RR)

**Application:** Z16-0006

**Owner:** McBeetle Holdings

**Address:** 894 Stremel Road

**Applicant:** McBeetle Holdings

**Subject:** Rezoning Application

**Existing OCP Designation:** IND - Industrial

**Proposed OCP Designation:** COMM - Commercial / PARK - Major Park / Open Space

**Existing Zone:** RU1 - Large Lot Housing

**Proposed Zone:** C10 - Service Commercial / P3 - Parks and Open Space

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## 1.0 Recommendation

THAT Council receives, for information, the Report from the Community Planning Department dated May 16, 2016 with respect to a rezoning and OCP amendment for 894 Stremel Road;

AND THAT the Official Community Plan Map Amending Bylaw and Rezoning Bylaw be forwarded for reading consideration.

## 2.0 Purpose

To consider revisions to an OCP amendment and Rezoning Bylaw to facilitate the construction of an automotive dealership on Stremel Road.

## 3.0 Community Planning

On April 25<sup>th</sup>, Council considered an OCP and Zoning Bylaw application to amend a highway fronting property to allow the construction of an automotive dealership. At the time, an out-of-date map was attached to the bylaw that did not reflect the negotiations between city staff and the applicant.

The proposed bylaws, which rezone the entire property to C10 - Service Commercial or P3 - Park and Open Space, represent the configuration staff and the applicant wish to have considered at public hearing. No RU1 - Large Lot Housing zoning would remain on site.

## 4.0 Proposal

### 4.1 Project Description

The applicant would like to construct an automobile dealership on the subject property. The first stages of the approvals process will require that the property be re-zoned and the OCP amended.

The OCP would be amended from Industrial to Service Commercial and Major Park/Open Space. The intent of the Major Park/Open Space component will be to protect Francis Brook and its riparian area in public ownership.



## 5.0 Application Chronology

|                                |                  |
|--------------------------------|------------------|
| Date of Application Received:  | January 15, 2016 |
| Date referrals completed:      | April 8, 2016    |
| Date of Initial Consideration: | April 25, 2016   |

Report prepared by:

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Ryan Roycroft, Planner

Reviewed by: ☐ Terry Barton, Urban Planning Manager

Approved for Inclusion: ☐ Ryan Smith, Community Planning Department Manager

# REPORT TO COUNCIL



**Date:** May 2, 2016

**RIM No.** 1250-30

**To:** City Manager

**From:** Community Planning Department (RR)

**Application:** Z15-0053 / OCP15-0016      **Owner:** Raif Holdings Ltd.,  
Inc. No. 129371

**Address:** 820 Finns Road      **Applicant:** McBeetle Holdings Ltd

**Subject:** OCP Amendment and Rezoning Application

**Existing OCP Designation:** IND - Industrial

**Proposed OCP Designation:** SC - Service Commercial

**Existing Zone:** A1 - Agriculture

**Proposed Zone:** C10 - Service Commercial

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## 1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP15-0016 to amend Map 4.1 in the Kelowna 2030 - Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of Lot 1, Section 34, Township 26, ODYD, Plan 18592 located at 820 Finns Road, Kelowna, BC from the IND - Industrial designation to the SC - Service Commercial and PARK - Major Park/Open Space designations be considered by Council;

AND THAT Rezoning Application No. Z15-0053 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1, Section 34, Township 26, ODYD, Plan 18592, located at 820 Finns Road, Kelowna, BC from the A1 - Agriculture zone to the C10 - Service Commercial and P3 - Parks and Open Space zones be considered by Council;

AND THAT the OCP Amending Bylaw and Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT Council considers the Public Information Session public process to be appropriate consultation for the *Purpose* of Section 475 of the *Local Government Act*, as outlined in the Report from the Community Planning Department dated May 2, 2016;

AND THAT final adoption of the Rezoning Bylaw be considered in conjunction with Council's consideration of a Form and Character Development Permit for the subject property.

AND THAT final adoption of the Rezoning Bylaw be considered in conjunction with the issuance of an Environmental Development Permit for the subject property.

AND FURTHER THAT prior to final adoption of the Rezoning Bylaw, that the Riparian Management Area be dedicated to the City as protected area.

## **2.0 Purpose**

To amend the Official Community Plan to change the future land use designation and rezone the subject property to allow the lands to be used for service commercial development.

## **3.0 Community Planning**

Community Planning recommends that the bylaws be given initial consideration and forwarded to public hearing. The property is currently vacant and, given its size and location, is unlikely to be developed for agricultural use. The property is not within the ALR.

While the Official Community Plan designates the property for industrial use, the amendment to Service Commercial is in keeping with the neighbourhood development pattern. The proposed use on the site, a car dealership, is also in keeping with similar land uses along Highway 97 in the area. Orchard Ford is located to the south of the property, and an application for a new automotive dealership has been received for another dealership on an adjoining property.

Prior to any development occurring, the applicant will be required to apply for a Development Permit.

## **4.0 Proposal**

### **4.1 Background**

The property is an undeveloped lot between Highway 97 and Finns Road. The property is currently zoned A1 - Agriculture, but is not being used for any agricultural purposes. The property is currently designated for future Industrial use in the OCP Future Land Use Map.

The subject property, as well as several in the area, are subject to negotiations regarding land swaps for the highway expansion and future road re-alignments. The land swap will not effect the applicant's development plans for the site, and the property will be usable as a C10 zoned parcel after the swap is completed.

### **4.2 Project Description**

The applicant has made application to amend the Official Community Plan and Zoning Bylaw to allow the property to be used for service commercial purposes under the C10 zone. The applicant has indicated that the property will be used as a car dealership. Designs for the dealership will be submitted as part of the development permit, which will be a condition of zoning bylaw approval.

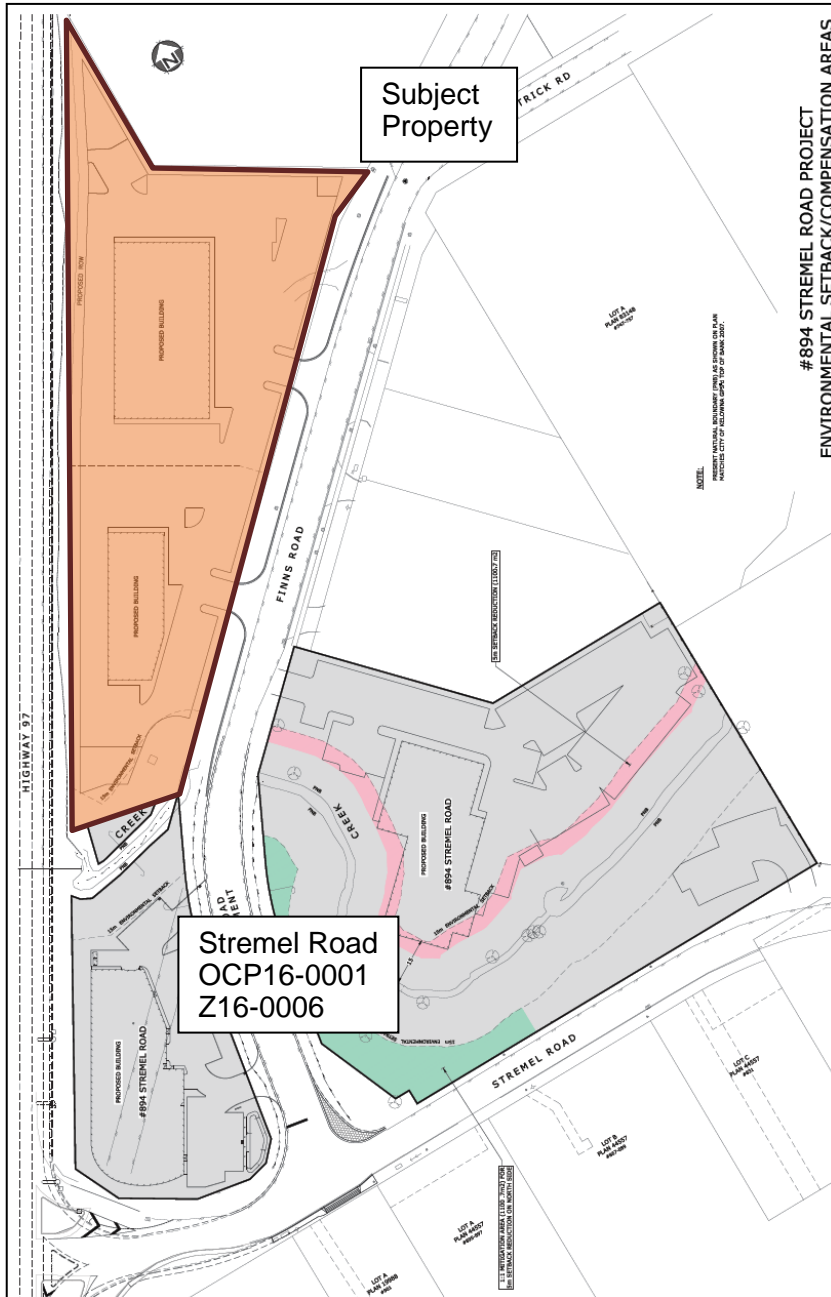
### **4.3 Site Context**

The property is a vacant parcel that tapers out between Highway 97 and Finns Road. It is located in an area with primarily service commercial uses, with a boat storage and business park nearby.

The property will be impacted by the 6-laning of Highway 97, and a 15 m road dedication will be required along the northerly property line for future road alignment.



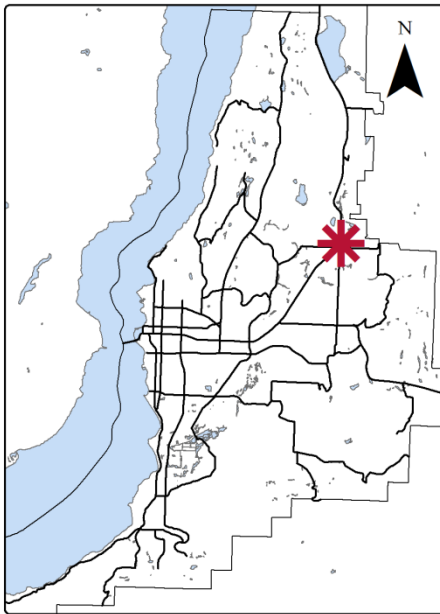
Gopher Creek runs near the south boundary of the property. While the creek itself is outside of the property, a portion of the 15 m riparian management area runs into the property. This land will be dedicated to the city as a condition of bylaw adoption for its long term protection.



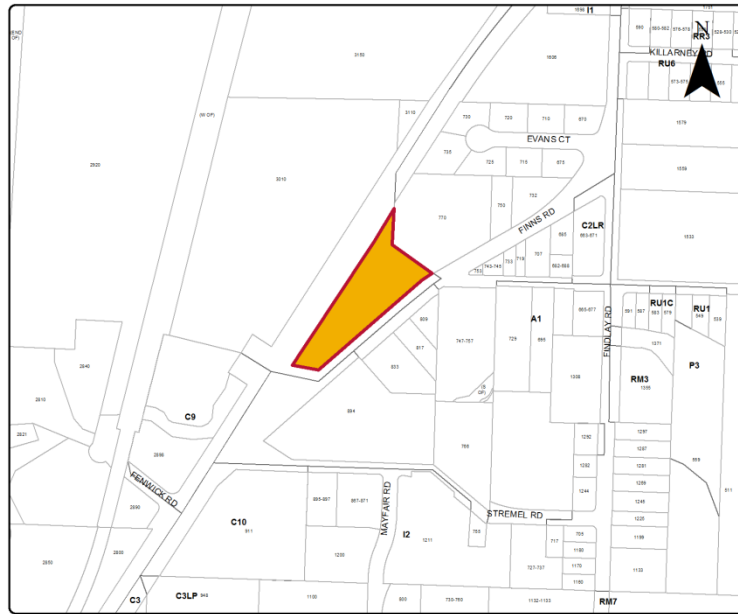
Adjacent land uses are as follows:

| Orientation | Zoning                   | Land Use                |
|-------------|--------------------------|-------------------------|
| North       | I2 - General Industrial  | Boat Storage / Building |
| East        | I1 - Business Industrial | Business Park           |
| South       | RU1 - Large Lot Housing  | Residence               |
| West        | A1 - Agriculture         | Vacant / Pasture        |

### Subject Property Map:



CONTEXT



NEIGHBOURING ZONING



SUBJECT PROPERTY

## 5.0 Current Development Policies

## 5.1 Kelowna Official Community Plan (OCP)

### Service Commercial (SC)

Developments for the provision of business support services and other commercial uses requiring extensive on-site storage. Building densities would be consistent with the provision of the C10 zone of the Zoning Bylaw.

### Riparian Management Area

Table 12.1 establishes a 15m Riparian Management Area around Francis Brook Creek.

### Dedication of Linear Parks

At subdivision and rezoning for all development types secure a minimum 10-metre wide linear corridor for public access as included in Table 5.1 Linear Park - Public Access and/or are shown on Map 5.9 - Linear Corridors / Paths. The 10-metre wide corridor may be in addition to, and outside, any riparian management area requirements imposed through the Environmental Development Permit (see Chapter 12) requirements of the OCP. On the private property side of the public access corridor, the City may, as necessary, consider stipulating additional "no disturb" zones. Lot line adjustments or other subdivision applications not resulting in the creation of new lots suitable for the construction of buildings permitted under the applicable zoning will be considered exempt from this policy.

## 5.2 Public Notification & Consultation for Development Applications Policy #367

The applicant has delivered notifications to surrounding property owners.

## 6.0 Technical Comments

### 6.1 Building & Permitting Department

No concerns at this time, will make further comments during the Development Permit Process.

### 6.2 Development Engineering Department

See attached document dated October 29, 2015.

### 6.3 Bylaw Services

No concerns

### 6.4 Iplan / Parks Planning

1. 1. The RMA should be dedicated titled property in favour of the City and zoned P3 Parks and Open Space for environmental protection, drainage and recreation.
2. A 1.2m high black chain link fence built to City standards should be installed 15cm inside the new western private property line to delineate the private / public parkland.

### 6.4 Fire Department

No concerns at this time, will make further comments during the Development Permit Process.

### 6.5 Ministry of Transportation

No concerns at this time, bylaw will require Ministry approval.

## 7.0 Application Chronology

Date of Application Received: Sept. 21, 2015

Report prepared by:

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Ryan Roycroft, Planner

Reviewed by: ☐ Terry Barton, Urban Planning Manager

Approved for Inclusion: ☐ Ryan Smith, Community Planning Department Manager

### Attachments:

Development Engineering Memorandum

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## CITY OF KELOWNA

# MEMORANDUM

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**Date:** October 29, 2015  
**File No.:** Z15-0053  
**To:** Urban Planning (RR)  
**From:** Development Engineering Manager  
**Subject:** 820 Finns Road      Zone: A-1 to C-10

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The Development Engineering Department has the following comments and requirements associated with this application. The road and utility upgrading requirements outlined in this report will be a requirement of this development.

These are Development Engineering comments/requirements and are subject to the review and requirements from the Ministry of Transportation (MOTI) Infrastructure Branch.

The Development Engineering Technologist for this project is Jason Ough

### 1. **General**

These are Development Engineering comments/requirements and are subject to the review and requirements from the Ministry of Transportation (MOTI) Infrastructure Branch.

### 2. **Domestic Water and Fire Protection**

- (a) The property is located within the Black Mountain Irrigation District (BMID) service area. The water system must be capable of supplying domestic and fire flow demands of the project in accordance with the Subdivision, Development & Servicing Bylaw
- (b) A water meter is mandatory for each property 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 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. Boulevard landscaping, complete with underground irrigation system, must be integrated with the on-site irrigation system.

### 3. **Sanitary Sewer**

The developer's consulting mechanical engineer will determine the development requirements of the proposed development and establish the service needs. The existing lot is serviced with a 150mm diameter sanitary service. Only one service per lot will be permitted for this development. If required, the applicant will arrange for the removal and disconnection of the existing service and the installation of one new larger service at the applicants cost.

#### **4. Storm Drainage**

The developer must engage a consulting civil engineer to provide a storm water management plan for the site, which meets the requirements of the Subdivision, Development and Servicing Bylaw No. 7900. The storm water management plan must also include provision of lot grading plan, minimum basement elevation (MBE), if applicable, and provision of a storm drainage service for the development and / or recommendations for onsite drainage containment and disposal systems.

#### **5. Road Improvements and Dedication**

- (a) There is a project identified in the 2010 - 2030 OCP to extend Fitzpatrick Road to the west and connect to Highway 97 N. The developer is required to provide a 15m road dedication area along the north property line of 820 Finns Road.
  - (i) The developer will submit an engineered design with the following dimensions measured from the existing property line:  
0.45m Curb, (2) 4.9m lanes, 0.45m curb, 2.5m Blvd, 1.5m sidewalk and 0.3m gap to the property line.
  - (ii) Design will include piped storm drainage system, fillet pavement, boulevard grading street lights, and adjustment and/or re-location of existing utility appurtenances, if required, to accommodate this construction.
  - (iii) Parallel right turn lane will be designed to BC MOTI standards and with required property corner rounding and island with crosswalk.
- (b) The Ministry of Transportation Hwy 97 widening project design is near completion. The developer is responsible for Highway 97 frontage improvements as per MOTI design and bonding is required for these works. Please contact Andrew Albiston for design details.
  - (i) Parallel right turn lane should be designed to BC MOT standards and with required property corner rounding and island with crosswalk;
- (c) Finns Road must be upgraded to a full urban standard (SS-R5)
  - (ii) Design will include separate sidewalk, landscaped boulevard complete with street trees, curb and gutter, piped storm drainage system, fillet pavement, boulevard grading street lights, and adjustment and/or re-location of existing utility appurtenances, if required, to accommodate this construction.
- (d) The estimated cost of required road improvement works, for bonding purpose, must be determined based upon a design provided by the developer to be reviewed by the City of Kelowna and MOTI.

#### **6. Electric Power and Telecommunication Services**

The electrical and telecommunication services to this building 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. Design and Construction**

- (a) Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.
- (b) Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.
- (c) Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).
- (d) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- (e) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Development Engineering Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

**8. Servicing Agreements for Works and Services**

- (a) A Servicing Agreement is required for all offsite works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. The applicant's Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works. The Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.
- (b) Part 3, "Security for Works and Services", of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than \$5,000,000 and the City is to be named on the insurance policy as an additional insured.

**9. Other Engineering Comments**

- (a) Provide all necessary Statutory Rights-of-Way for any utility corridors required, including those on proposed or existing City Lands.
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- (a) Access and Manoeuvrability
  - (i) An SU-9 standard size vehicle must be able to manoeuvre onto and off the site without requiring a reverse movement onto public roadways. If the development plan intends to accommodate larger vehicles movements should also be illustrated on the site plan.

- (ii) Perimeter access must comply with the BC Building Code. Fire Truck access designs and proposed hydrant locations will be reviewed by the Fire Protection Officer.

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Steve Muenz, P. Eng.  
Development Engineering Manager

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