

**MEMORANDUM**

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**Date:** July 15, 2022

**File No.:** Z22-0045

**To:** Planning and Development Officer (AC)

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

**Subject:** 252 Temple Ct RU2 to RM3

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The Development Engineering Branch has the following comments and requirements associated with this application to rezone the subject property from the RU2 – Medium Lot Housing to the RM3 - Low-Density Multi-Family zone. The Development Technician for this file is Sarah Kelly ([skelly@kelowna.ca](mailto:skelly@kelowna.ca)).

**1. GENERAL**

- a. The following requirements are valid for two (2) years from the reference date of this memo, or until the application has been closed, whichever occurs first. The City of Kelowna reserves the rights to update/change some or all items in this memo once these time limits have been reached.
- b. This proposed development may require the installation of centralized mail delivery equipment. Please contact Arif Bhatia, Delivery Planning Officer, Canada Post Corporation, 530 Gaston Avenue, Kelowna, BC, V1Y 2K0, (250) 859-0198, [arif.bhatia@canadapost.ca](mailto:arif.bhatia@canadapost.ca) to obtain further information and to determine suitable location(s) within the development.
- c. This property is located within the 800m MoTI Highway Buffer therefore, Development Engineering comments/requirements are subject to the review and requirements from the Ministry of Transportation and Infrastructure (MoTI).
- d. There is a possibility of a high water table or surcharging of storm drains during major storm events. This should be considered in the design of the onsite system.

**2. DOMESTIC WATER AND FIRE PROTECTION**

- a. The subject lot is located within the Black Mountain Irrigation District (BMID) service area. The developer is required to make satisfactory arrangements with BMID for all water and fire protection-related issues. All charges for service connection and upgrading costs, as well as any costs to decommission existing services, shall be the responsibility of the developer.
- b. The Developer's Consulting Mechanical Engineer will determine the fire protection requirements of this proposed development and establish hydrant requirements and service needs. All fire flow calculations approved by BMID are to be shared with the Development Engineering Branch upon submittal of off-site civil engineering drawings.

- c. The water system must be capable of supplying the domestic and fire flow demands of the project in accordance with the Subdivision, Development, & Servicing Bylaw No. 7900. Provide water flow calculations for this development to confirm bylaw conformance (150 L/s for apartments & townhouses).

### **3. SANITARY SEWER SYSTEM**

- a. Our records indicate that the subject lot is currently serviced with a 100-mm diameter sanitary sewer service. The Applicant's Consulting Mechanical Engineer will determine the requirements of the proposed development and establish the service needs.
- b. Only one service will be permitted for this development. Service must be complete with an inspection chamber and brooks box (as per SS-S7 & SS-S9), at the applicants cost.

### **4. STORM DRAINAGE**

- a. Service connection to the City storm system, complete with onsite detention and flow control, is required for all multi-family land uses. The City will not permit infiltration to ground except for foundation drainage.
- b. The Developer's consulting civil engineer must provide a stormwater management plan for the site, which meets all requirements of the Subdivision, Development, and Servicing Bylaw No. 7900. SWMP must include lot grading plan, minimum basement elevations (MBE), and onsite drainage systems.
- c. Provide the following drawings:
  - i. A detailed Lot Grading Plan (indicate on the Lot Grading Plan any slopes that are steeper than 30% and areas that have greater than 1.0 m of fill);
  - ii. A detailed Stormwater Management Plan for this subdivision; and,
  - iii. An Erosion and Sediment Control Plan is to be prepared by a Professional Engineer proficient in the field of erosion and sediment control. The plan is to be prepared as per section 3.14 of Schedule 4 of Bylaw 7900. If a line item for ESC is not included in the Engineer's cost estimate for off-site work, then an additional 3% will be added to the performance security based on the total off-site construction estimate.
- d. On-site detention systems are to be compliant with Bylaw 7900, Schedule 4, Section 3.11.1 *Detention Storage*.
- e. As per Bylaw 7900, Schedule 4, Section 3.1.3 Climate Change, the capacity of storm works will include an additional 15 percent (15%) upward adjustment, and applied to the rainfall intensity curve stage (IDF) in Section 3.7.2.
- f. Show details of dedications, rights-of-way, setbacks and non-disturbance areas on the lot Grading Plan.
- g. Register right of ways on private properties for all the storm water infrastructure carrying, conveying, detaining and/or retaining storm water that is generated from the public properties, public road right of ways, and golf course lands.

- h. Where structures are designed or constructed below the proven high groundwater table, permanent groundwater pumping will not be permitted to discharge to the storm system. The City will approve designs that include provisions for eliminating groundwater penetration into the structure, while addressing buoyancy concerns. These design aspects must be reviewed and approved by the City Engineer.

## 5. **ROAD IMPROVEMENTS**

- a. Temple Ct is classified in the 2040 OCP as a Local road and must be upgraded to an urban standard where currently deficient. Required upgrades are to include single-side 1.5-1.8m monolithic sidewalk (east side preferred), LED street lighting where/if currently deficient, landscape restoration where necessary, and replacement/re-location or adjustment of utility appurtenances if required to accommodate the required construction.
- b. A cul-de-sac to Bylaw 7900 SS-R17 standard is to be constructed at the south end of Temple Ct and the respective land is to be dedicated to the City of Kelowna as public roadway. Upon demonstrated hardship, alternate configurations may be considered; the applicant's consulting civil engineer must provide turning movements to confirm an adequate turnaround for an HSU vehicle, a Statutory ROW must be registered in favour of the City to allow for the unobstructed turnaround movement of emergency and City operational vehicles, and a concrete letdown to SS-C7 standard must delineate the boundary between the SRW and private property.
- c. All Landscape and Irrigation plans require design and inspection by a Qualified Professional registered with the BCSLA and the IABC, are to be included as a line item in the estimate for the Servicing Agreement performance security. Landscape and irrigation plans require approval by the Development Engineering Branch at the same time as other "issued for construction" drawings.
- d. Streetlights must be installed on all public roads. All streetlighting plans are to include photometric calculations demonstrating Bylaw 7900 requirements are met and require approval by the Development Engineering Branch at the same time as other "issued for construction" drawings.

## 6. **POWER AND TELECOMMUNICATION SERVICES**

- a. All proposed distribution and service connections are to be installed underground. 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.
- b. If any road dedication or closure affects lands encumbered by a Utility right-of-way (such as Hydro, Telus, Gas, etc.) please obtain the approval of the utility. Any works required by the utility as a consequence of the road dedication or closure must be incorporated in the construction drawings submitted to the City's Development Manager.
- c. Re-locate existing poles and utilities, where necessary including within lanes. Remove aerial trespass(es).

## 7. **GEOTECHNICAL STUDY**

- a. At time of Building Permit, the Applicant is required to provide a comprehensive geotechnical report, prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below:

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- 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. Recommendations for items that should be included in a Restrictive Covenant.
  - vi. Recommendations for roof drains and perimeter drains.
  - vii. Recommendations for erosion and sedimentation controls for water and wind.
  - viii. Any items required in other sections of this document.
- b. Geotechnical reports must be submitted to the Planning and Development Services Department (Planning & Development Officer) for distribution to the Works & Utilities Department and Inspection Services Division prior to submission of Engineering drawings or application for subdivision approval.

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.

- c. If any blasting is proposed as part of this subdivision, a Soil Removal and Deposit Application must be made to the City for such works. The proposed blasting work is to comply with Amendment No. 1 to the Soil Removal and Deposit Regulation Bylaw No. 9612, specifically Section 6 PERMIT REQUIREMENTS – (k) and (g).
- d. Should any on-site retaining walls surpass the following limits, an Over Height Retaining Wall Permit will be required:

“Retaining walls on all lots, except those required as a condition of subdivision approval, must not exceed a height of 1.2 m measured from natural grade on the lower side, and must be constructed so that any retaining walls are spaced to provide a 1.2 m horizontal separation between tiers. The maximum number of tiers is two with a maximum total height of 2.4 m. Any multi-tier structure more than 2 tiers must be designed and constructed under the direction of a qualified professional engineer.”

- e. The design of all retaining walls is to conform with Engineer & Geoscientists British Columbia's Professional Practice Guidelines for Retaining Wall Design. Submission requirements for the Over Height Retaining Wall Permit include Engineer of Record documents (Appendix A of Retaining Wall Design Guideline) and any necessary independent reviews (as per EGBC's Documented Independent Review of Structural Designs).
- f. Any modified slopes having a finished slope greater than 2H:V1 (50%) and an elevation change greater than 1.2 m must be installed under the direction of a qualified professional engineer.

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- g. Any exposed natural rock surface on a lot that has the potential for materials to displace causing a hazardous condition, must be reviewed by a qualified professional engineer with the appropriate and measures undertaken as prescribed by the engineer. For adequate Rockfall Protection adjacent to walls and rock cuts, please consider BC MoTI Supplement to TAC Geometric Design Guide 440, page 440-8, which outlines a ditch bottom width depending on wall height. Sidewalks and utilities should be kept out of this protection area. Additional ROW may be required.

Where walls are on the high side, the City's preference is that the walls remain setback and on private property. Where the walls hold up a public road, the City's preference is that additional dedication be provided, and the walls be owned by the City. Please design any geogrids or tie-backs so that they do not encroach into the required road ROW.

## **8. DEVELOPMENT RELATED ISSUES / SITE ACCESS**

- a. Only one driveway will be permitted with a maximum width of 6m.
- b. Indicate the locations of the garbage and recycle bins on site and provide turning movements for an HSU vehicle to confirm maneuverability on site without requiring a reverse movement onto Temple Ct.

## **9. 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 Works & Utilities 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.

## **10. SERVICING AGREEMENT FOR WORKS AND SERVICES**

- a. A Servicing Agreement is required for all 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.

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- 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.

**11. CHARGES, FEES, AND SECURITIES**

- a. Development Cost Charges (DCC's) are payable.
- b. Fees per the “Development Application Fees Bylaw” include:
  - i. Street Marking/Traffic Sign Fees: at cost (to be determined after design).
  - ii. Survey Monument Replacement Fee: \$1,200.00 (GST exempt) – only if disturbed.
  - iii. Engineering and Inspection Fee: 3.5% of frontage upgrades (plus GST).

  
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Nelson Chapman, P.Eng.  
Development Engineering Manager

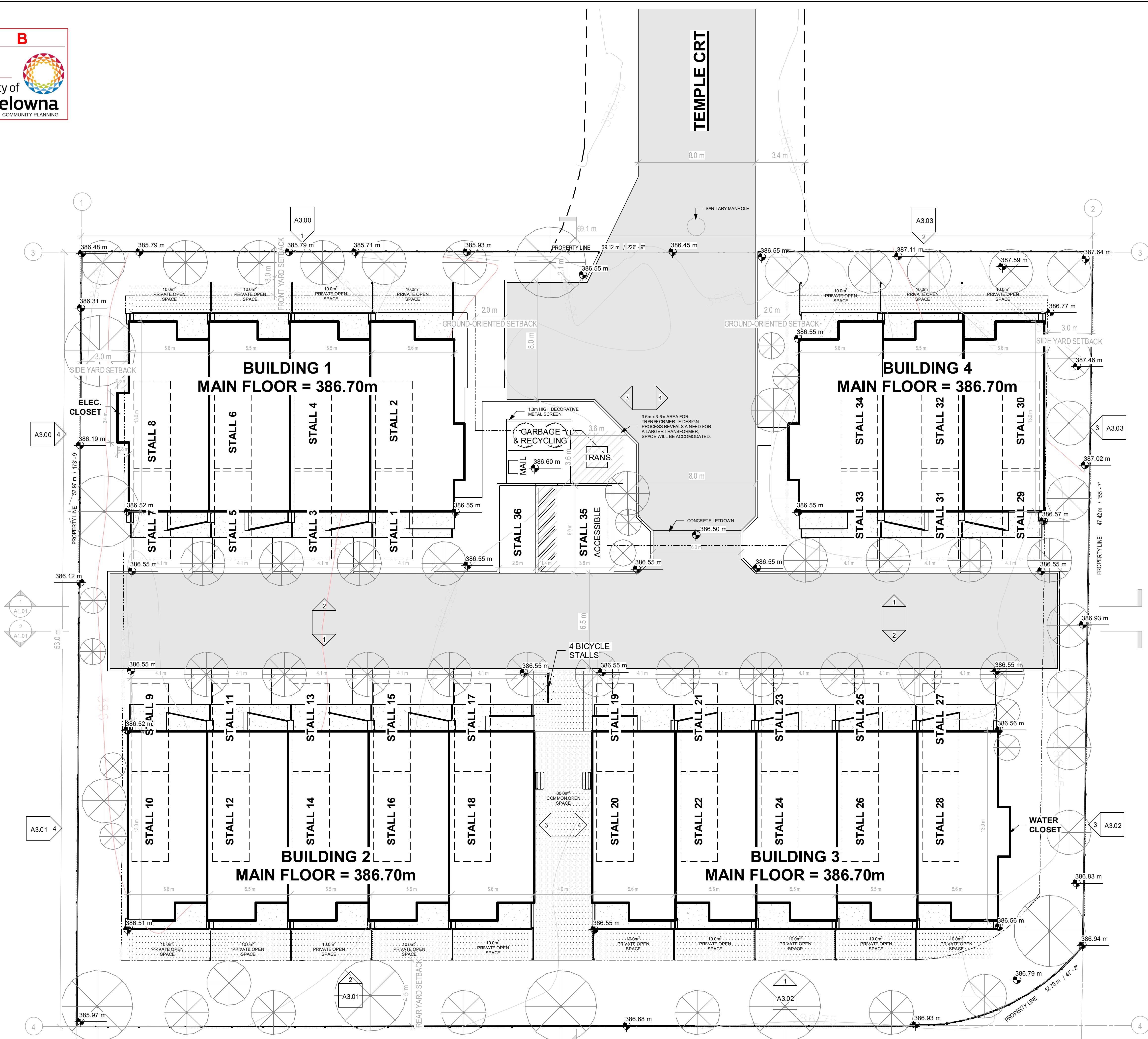
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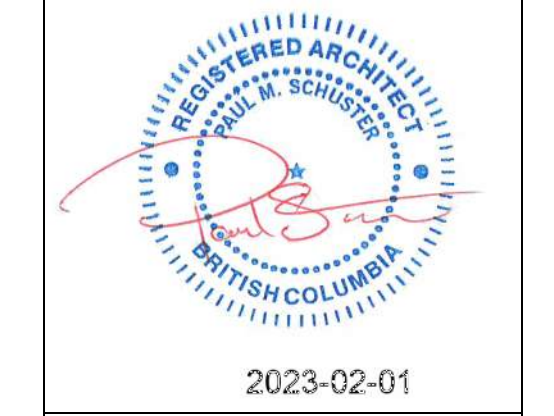
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**1 SITE PLAN**  
3/32" = 1'-0"

Notes:  
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All work shall be carried out in accordance with Canadian standards, specifications BC Building Code (2018 edition) and local authority bylaws and regulations.  
Tabulated scales refer to Arch D size drawings sheet.  
This drawing must not be scaled.  
Contractors shall verify all dimensions prior to commencement of work.  
Any omissions or discrepancies shall be reported to the architect.



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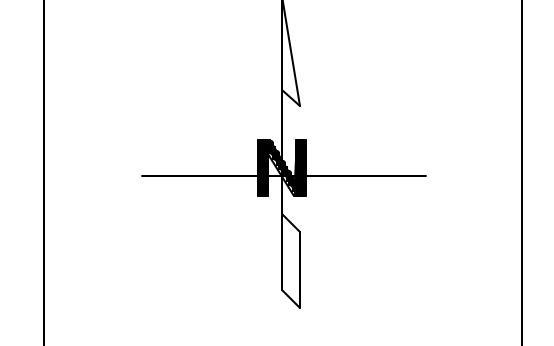
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No.	Date	Description
3	20230201	RE-ISSUED FOR DP
2	20231005	RE-ISSUED FOR DP
1	20220705	ISSUED FOR DP

No. Date Description

Revisions



**NOVATION**  
ARCHITECTURE LTD.  
302 - 2237 LECKIE ROAD  
KELOWNA BC V1X 6Y5

project title  
**TEMPLE CRT TOWNHOUSES**

252 TEMPLE CRT  
project no. 2116

drawing title  
**SITE PLAN**

designed	PS	scale	3/32" = 1'-0"
drawn	BD		
checked	PS		
drawing no.	<b>A1.00</b>		

dated 2023-02-01 3:09:55 PM

July 5<sup>th</sup>, 2022

Our File: 2116

City of Kelowna  
1435 Water St,  
Kelowna, BC V1Y 1J4

Attention: Lydia Korolchuk, Planner Specialist at City of Kelowna

Dear Mrs. Korolchuk,

**Re: Development Permit / Rezoning for property located at 252 Temple Court**



This development proposal will adhere to the requirements of the MF2 zone as described in the City of Kelowna Zoning Bylaw No. 12375.

### Project Description

The current zoning for the site is RU2. With an OCP future land use designation of C-NHD, we are seeking a rezoning from RU2 to MF2 zone. The proposed project contains (4) 3-storey buildings for a total of (17) multi-family residential units on Temple Court. The housing consists of main level parking with 2 levels of residential above, providing (17) 3-bed and 2-bath units. There will be (2) ground-oriented units provided at the entrance to the site.

### Design Rationale

The subject property is in close proximity to RM3 zoning in all directions and is very close to both Highway 97 and Highway 33. Along with being in a core neighbourhood, these factors make the property a viable candidate for the increased density of the MF2 zone. Additionally, with the property being as large as it is, we feel that MF2 is a much more practical zone for this location than RU2.

With access to the site being at the end of Temple Court, we have accommodated a turnaround on the property in the form of a hammerhead. This will be a significant improvement to the neighbourhood given the existing conditions of a dead-end road. We will be providing visitor parking, bike parking, mail box, and molok waste and recycling bins centrally on-site for convenient access to and from all residents.

The design consists of 4 buildings, each consisting of 3 storeys. Each unit contains 3 bedrooms and 2 bathrooms, and each unit is provided with both driveway and garage parking. The material selection for the project includes a combination of stucco and wood appearance siding. With these natural wood elements combined with some sensitive landscaping, and ground-oriented units flanking the entrance to the property, we believe that this design will be a great addition to the neighbourhood, creating an inviting and pedestrian friendly frontage to Temple Court.

*Continued ...*



We are seeking no variances as we feel that the development has been designed appropriately for the site and location.

I trust that you will find our application in good order. Please contact our office if you require any further information.

Kind Regards,

**NOvation Architecture Ltd.**



*Paul M. Schuster, Architect*  
*AIBC, CAB, MRAIC and NCARB Certified*

(250) 718 - 1302  
[paul@novationarchitecture.com](mailto:paul@novationarchitecture.com)

**ATTACHMENT C**

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