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**CITY OF KELOWNA**

**MEMORANDUM**

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**Date:** November 10, 2022  
**File No.:** Z22-0070  
**To:** Planning and Development Officer (JI)  
**From:** Development Engineering Manager (NC)  
**Subject:** 1181-1191 Bernard Ave

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| <b>ATTACHMENT</b> A  |    |
| This forms part of application<br># Z22-0070   |    |
| Planner<br>Initials  | JI |
| <br>City of<br><b>Kelowna</b><br>DEVELOPMENT PLANNING |    |

MF2 to MF3

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The Development Engineering Branch has the following comments and requirements associated with this application to rezone the subject properties from MF2 – Townhouse Housing to MF3 – Apartment Housing. 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 may be subject to review by the Ministry of Transportation and Infrastructure (MoTI).

**2. DOMESTIC WATER AND FIRE PROTECTION**

- a. The subject lot is located within the City of Kelowna water supply area. The existing lot is serviced with two 38-mm diameter water services. Only one service is permitted per legal lot. The Applicant, at their cost, will arrange for the removal of one of the existing services.
- b. If deemed necessary, the Applicant will arrange for the removal of both of the existing services and the installation of one new larger metered water service, at their cost.
- c. The Bylaw requirement for minimum available fireflow to multifamily residential lots is 150 L/s. If it is determined that upgrades to any existing water distribution system must be made to achieve the necessary fire flows, the applicant must upgrade the existing system at their cost. Please contact the development technician for this file to arrange for formal modelling analysis to be completed.

- d. The Developer's Consulting Engineer will determine the domestic and fire protection requirements of this proposed development and establish hydrant requirements and service needs. The applicant must demonstrate that both the calculated FUS fireflow demand and the internal building sprinkler demand of the proposed development does not exceed 150 L/s.
- e. A Water meter is mandatory for this development and must be installed inside a 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 their cost

**3. SANITARY SEWER SYSTEM**

- a. Our records indicate that the subject lot is currently serviced with a 150-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. The applicant will arrange for the removal and disconnection the existing AC service and the installation of one new service at the applicants cost, complete with an inspection chamber and Brooks box as per SS-S7 & SS-S9.
- c. Sanitary easement must be maintained along entire length of west property line. No permanent structure are permitted to be constructed within this area including surface parking or underground parkade.

**4. STORM DRAINAGE**

- a. The property is located within an area identified by the City of Kelowna as possibly suited for groundwater recharge. Service connection to the City storm system, complete with onsite detention and flow control, is required for all multi-family land uses.
- b. The City will not permit infiltration to ground except for foundation drainage, safe use of infiltration is to be confirmed with submission of a geotechnical report provided by a Professional Engineer competent in the field of hydro-geotechnical engineering. The Lot Grading Plan must show the design and location of this system as well as the the interaction between this system and any retaining walls on the property.
- 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.

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- 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.
- e. On-site detention systems are to be compliant with Bylaw 7900, Schedule 4, Section 3.11.1 Detention Storage.
- f. 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.
- g. Show details of dedications, rights-of-way, setbacks and non-disturbance areas on the lot Grading Plan.
- h. 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.
- i. 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 & SITE ACCESS**

- a. Bernard Ave is classified in the 2040 OCP as an Urban Center Minor Arterial road and must be upgraded to an arterial standard along the full frontage of the subject property. Required upgrades to include new 3.0m wide separated sidewalk, LED street lighting, landscaped and irrigated boulevard, storm drainage system, pavement removal and replacement and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction.
- b. The existing BC Transit stop fronting the subject lots on Bernard Ave is to be upgraded and designed as per BC Transit’s Infrastructure Design Guide for a “Typical bus stop and furnishing layout”, including:
  - i. Accessibility requirements to be met (tactile warning strip, information panels, boarding platforms, etc.)
  - ii. A new Transit waiting pad located behind the sidewalk and relocation of bench to new waiting pad.

Further details on the requirements for the bus pad and bus shelter can be requested from the Development Technician on this file.

- 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 approval by the Development Engineering Branch at the same time as other “issued for construction” drawings.

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**6. POWER AND TELECOMMUNICATION SERVICES**

- a. This development will be responsible for burial of all overhead wires and removal of poles fronting the subject lots.
- b. 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.
- c. 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. Re-locate existing poles and utilities, where necessary including within lanes. Remove aerial trespass(es).

**7. GEOTECHNICAL STUDY**

- a. At the time of Building Permit application 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 items below:
  - 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. Should any on-site retaining walls surpass the following limits, an Over Height Retaining Wall Permit will be required:

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“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.”

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).

- d. 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.

## **8. ROAD DEDICATION & SITE RELATED REQUIREMENTS**

- a. Approximately 2.5m dedication along the Bernard Ave frontage is required to achieve a Minor Arterial ROW width of 25.0m.
- b. Only one driveway will be permitted with a maximum width of 6 m.
- c. Submitted site plan includes a future motorized sliding gate at entrance to property. Gate must be set back a minimum of 7.0m from north property line to allow for vehicle queuing without blocking sidewalk.
- d. Indicate on the site, the locations of loading bays as well as garbage and recycle bins. Provide turning movements for a HSU vehicle to confirm manoeuvrability of garbage collection without requiring reverse movement onto Bernard Ave. Garbage pickup from street is not permitted.

## **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.

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- 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.

**10. SERVICING AGREEMENT 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.

**11. CHARGES AND FEES**

- a. Development Cost Charges (DCC's) are payable.
- b. Fees per the "Development Application Fees Bylaw" include:
  - i. Survey Monument, Replacement Fee: \$1,200.00 (GST exempt) – only if disturbed.
  - ii. Survey Monument Fee: \$50.00 per newly created lot (GST exempt).
  - iii. Engineering and Inspection Fee: 3.5% of construction value (plus GST).



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Nelson Chapman, P.Eng.  
Development Engineering Manager  
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