

REPORT TO COUNCIL



Date: November 21st, 2016

RIM No. 1240-40

To: City Manager

From: Community Planning Department (AC)

Application: DP16-0117 **Owner:** Broadstreet Properties

Address: 1975 Kane Rd **Applicant:** Broadstreet Properties - Adam Cooper

Subject: Rezoning Application

Existing OCP Designation: MRM - Multiple Unit Residential (Medium Density)

Existing Zone: A1 - Agriculture

Proposed Zone: RM5 - Medium Density Multiple Housing

1.0 Recommendation

THAT Final Adoption of Zoning Amending Bylaw No. 11261 be considered by Council;

AND THAT Council authorize the issuance of Development Permit DP16-0117 for Lot B, Section 33, Township 26, ODYD, Plan 22004, located on 1975 Kane Road, Kelowna, BC, subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land be in general accordance with Schedule "B";
3. Landscaping to be provided on the land to be in general accordance with Schedule "C";
4. That the applicant be required to post with the City, a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a professional landscaper;

AND THAT the applicant be required to complete the above noted conditions of Council's approval prior to the Development permit being issued;

AND THAT the applicant provide the road design as described in Schedule 'A' including registering a public right-of-way over the right-hand turn lane and sidewalk along portions of Valley Road as part of a Servicing Agreement signed prior to Building Permit issuance;

AND FURTHER THAT this Development Permit be valid for two (2) years from the date of Council approval, with no opportunity to extend.

2.0 Purpose

To consider a form & character Development Permit for an 111-unit multi-family rental project with two 4 ½ storey buildings.

3.0 Community Planning

Staff are recommending support for the Development Permit proposed for 1975 Kane Rd. Adding residential density on this site in close proximity to the Kane Road Village Centre is encouraged by the City and supported through the

Official Community Plan (OCP). The previous drawings shown to Council at Public Hearing for the rezoning required a number of variances including: an additional storey in height, parking reduction, and landscape buffer variances. Staff were not supportive of that design and wrote a report of non-support. The applicant chose to amend the design based on the potential of a non-support recommendation from staff. The re-design of the project included the goal of eliminating all variances. See Figure 1, 2, & 3 to see design progression.

When considering a height variance, Staff expect a higher level of design that includes stepping back of the upper floors and significant considerations to the architectural features and façade articulation in order to reduce the massing and bulk of the building. Now that the developer has reduced the height of the buildings to fit within the regulations of the RM5 zone, the new 4 storey building design better demonstrates the Development Permit principles of 'human scale' and a better transition to the neighbouring properties.

Staff were also originally concerned with the adequate provision of off-street parking. The location of the subject property is not located in one of the City's urban centres, therefore it is anticipated that residents will rely on vehicles more than if the project was located in an urban centre. Spill-over parking to the surrounding neighbourhood is of concern as there is very limited amounts of on-street parking in the area, which is already in high demand. The applicant addressed these concerns by reducing the number of units and eliminating the



Figure 1:
Initial design shown at Public Hearing



Figure 2:
Revised design (Staff non-support)



Figure 3:
Finalized Design proposed for
Development Permit

parking variance.

The design of the ground floor units is a key consideration to positively addressing the streetscape and contributing to the Village Centre character. Ground oriented units have been provided along the Kane Road frontage which aligns with Kelowna's urban design guidelines. Ground-oriented units have not been provided along the Valley Road elevation but the exposed parkade is hidden behind a sloped landscape feature which is an acceptable treatment in regards to the urban design guidelines.

This project originally began with the buildings located in awkward positions relative to the fronting streets and with the access from Kane Road. After numerous design changes and negotiations with Staff, the project now achieves many of the City's design objectives including the desired access from Valley Road with the necessary traffic improvements (left and right hand turn lanes). While the architectural design authenticity is not unique to Kelowna, the project does now meet most of the urban design guidelines and achieves a rental housing project in a location encouraged by the Official Community Plan. Therefore, Staff are supportive of the proposed Development Permit.

4.0 Proposal

4.1 Project Description

The subject property is currently vacant. The proposal is for 111 rental units through two apartment building with a mix of 1, 2, & 3 bedroom units. The current plan shows two four storey buildings above under structure parkades. The parkades are raised out of the ground by a half storey. The total number of units include 111 units of which 17 units are 1-bedrooms, 78 units are 2-bedrooms, and 16 are 3-bedrooms. The building facing Kane Rd contains 56 units and the building facing Valley Rd contains 55 units. The exterior materials have been enhanced from the original submission (see applicant's rationale letter for details). Vehicular access will be from Valley Rd at the southern tip of the property. The access will contain a left hand and right hand turn lane into the development. The amenities provided include private decks and patios, a dog run area, an urban agriculture space with workshop as well as a pergola covered deck area with seating areas.

4.2 Site Context

The site is located within the Glenmore Village Centre neighbourhood. The subject property is designated MRM (Multiple Residential - Medium Density) and the lot is within the Permanent Growth Boundary. Specifically, the adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C3 - Neighbourhood Commercial	Commercial
East	RU1 - Large Lot Housing A1 - Agriculture	Residential Agriculture
South	RM3 - Low Density Multiple Housing	Residential
West	RM3 - Low Density Multiple Housing RM5 - Medium Density Multiple Housing	Vacant Residential

Subject Property Map: 1975 Kane Rd



4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RM5 ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Height	18.0 m / 4.5 storeys	13 m / 4.5 storeys
Front Yard (north)	Min 6.0 m except for 1.5 m for ground oriented housing	6.0 m
Side Yard (east)	Min 6.0 m except for 1.5 m for ground oriented housing	6.0 m
Side Yard (west)	4.5 m (up to 2 ½ storeys) 7.0 m (above 2 ½ storeys)	7.0 m
Rear Yard (south)	9.0 m	9.0 m
Site coverage of buildings	40 %	40%

Zoning Analysis Table		
CRITERIA	RM5 ZONE REQUIREMENTS	PROPOSAL
Site coverage of buildings, driveways & parking	65 %	63 %
FAR	1.1 Max	1.06
Parking Regulations		
Minimum Parking Requirements	166 parking stalls	166 parking stalls
Ratio of Parking Stalls	Full size: 50% Min Medium Size: 40% Max Small Size: 10% Max	Full size: 50% (83 stalls) Medium Size: 40% (66 stalls) Small Size: 10% (17 stalls) 2 Accessible
Minimum Drive Aisle Width	7.0 m	7.0 m
Other Regulations		
Minimum Bicycle Parking Requirements	Class 1: 56 bikes Class 2: 12 bikes	Class 1: 60 bikes Class 2: 32 bikes
Private Open Space	29,762 ft ²	31,400 ft ²
Landscape Island Area	1,763 ft ²	3,000 ft ²
Landscape Buffer	Front yard: 3.0 m Side yard: 3.0 m Rear yard: 3.0 m	Front yard: 6.0 m Side yard (east): 6.0 m Side yard (west): 3.0 m Rear yard: 3.0 m

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 14 Comprehensive Development Permit Area (Multiple Unit Residential) - Guidelines

1.0	Authenticity and regional expression
1.1	Incorporate landscaping and building form and character that is distinct to Kelowna and the Central Okanagan and conveys a sense of authenticity;
1.2	Incorporate forms and images that relate to the region's natural and cultural landscapes (e.g. incorporate winery or orchard inspired trellises or rooflines that reflect those found on barns and older homes located on/around agricultural lands);
1.3	Respond architecturally to summer sun with buildings that have overhangs and recesses of sufficient depth to provide comfort and shade;
1.4	Incorporate materials that relate to the character of the region and the context of the surrounding neighbourhood;
1.5	Use colours found in the region's natural and cultural landscape;
1.6	Provide generous outdoor spaces, including rooftops, balconies, patios and courtyards, to allow residents to benefit from the favourable Okanagan weather;
1.7	Incorporate techniques and treatments that emphasize the transition between inside and outside (e.g. operable windows, overhead rolling doors, canopies, trellises, recessed entrances, and extended building planes).
2.0	Context
2.1	Emulate desirable form and character of nearby buildings;

2.2	Address phasing when the area is designated for more intensive development and the development proposes to deviate from existing form and character (e.g. blank firewalls should be adequately detailed to provide visual interest in the interim);
2.3	Design new multi-storey buildings to transition in height where the OCP land use designation provides for smaller structures on adjoining lots;
2.4	Align architectural features (e.g. window rhythm, cornice lines) to create visual continuity with neighbouring buildings;
2.5	Respect and enhance the original character of an existing building when modifying its exterior;
2.6	Allow eclecticism within the streetscape as long as buildings do not visually dominate neighbouring buildings;
2.7	Design developments with multiple buildings such that there is a sense of architectural unity or cohesiveness.
3.0	Relationship to the street
3.1	Locate buildings to provide an effective street edge while respecting the established, desired streetscape rhythm;
3.2	Develop visual and physical connections between the public street and private buildings (e.g. patios and spill-out activity, views to and from active interior spaces, awnings and canopies);
3.3	Avoid split level, raised or sunken parkade entrances;
3.4	Design buildings with multiple street frontages to give equal emphasis to each frontage with respect to building massing, materials, details, and landscaping.
4.0	Massing and height
4.1	<p>Mitigate the actual and perceived bulk of buildings by utilizing appropriate massing, including:</p> <ul style="list-style-type: none"> • Architectural elements (e.g. balconies, bay windows, cantilevered floors, cupolas, dormers); • Visually-interesting rooflines (e.g. variations in cornice lines and roof slopes); • Step back upper floors to reduce visual impact; • Detailing that creates a rhythm and visual interest along the line of the building; • Wall projections and indentations, windows and siding treatments as well as varied material textures should be utilized to create visual interest and to articulate building facades; • Building frontages that vary architectural treatment in regular intervals in order to maintain diverse and aesthetically appealing streets.
4.2	Ensure developments are sensitive to and compatible with the massing of the established and/or future streetscape;
4.3	Design developments with multiple, separate buildings such that individual buildings are of different but compatible shapes, masses, and exterior finishes;
4.4	Utilize landscaping treatments to further soften the mass of building form (e.g. strategic placement of trees, shades and vines, trellis and arbours, along with surface materials such as pavers);
4.5	Design with consideration for the effect of building height on shading and views.
5.0	Human Scale
5.1	Design for human scale and visual interest in all building elevations. This can be achieved principally by giving emphasis to doors and windows and other signs of human habitation relative to walls and building structure;
5.2	Articulate facades by means of indentations and projections of elements (e.g. windows and doors, cornice lines, pilasters, balconies, and other detailing);
5.3	Distinguish key building elements through the use of setbacks, projections, textures, materials,

	and detailing: <ul style="list-style-type: none"> • Base: Within the first few storeys, a base should be clearly defined and positively contribute to the quality of the pedestrian environment; • Middle: The body of the building above the base should contribute to, but not dominate, the physical and visual quality of the overall streetscape; • Top: The roof should be distinguished from the rest of the building and designed to contribute to the visual quality of the skyline;
5.4	Design building facades with a balance of vertical and horizontal proportions (e.g. vertical elements at regular intervals to strengthen the pedestrian-scale of otherwise horizontal buildings);
5.5	Incorporate windows with vertical proportions. Horizontal glazed areas should be divided into vertically proportioned windows separated by mullions or building structure;
5.6	Incorporate roof overhangs, and the use of awnings, louvers, canopies and other window screening techniques;
5.7	Incorporate windows within enclosed stairwells to exhibit human scale, reduce their visual bulk, and enhance safety;
5.8	Reduce the visual impact and massing of enclosed elevator shafts with architectural treatments.

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).
- 2) Placement permits are required for any sales or construction trailers that will be on site. The location(s) of these are to be shown at time of development permit application.
- 3) 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):
 - a. Any security system that limits access to exiting needs to be addressed in the code analysis by the architect.
 - b. Access to the roof is required per NFPA and guard rails may be required and should be reflected in the plans if required.
- 4) A Geotechnical report is required to address the sub soil conditions and site drainage at time of building permit application.
- 5) 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.
- 6) An exit analysis is required as part of the code analysis at time of building permit application. The exit analysis is to address travel distances within the units, number of required exits per area, door swing direction, handrails on each side of exit stairs, width of exits etc.

6.2 Development Engineering Department

- See Memos (Attachment 'A') dated June 20th 2016 & June 14th 2016.

6.3 Fire Department

- 1) Construction fire safety plan is required to be submitted and reviewed prior to construction and updated as required.
- 2) Engineered Fire Flow calculations are required to determine Fire Hydrant requirements as per the City of Kelowna Subdivision Bylaw #7900. Should a hydrant be required on this property it shall be operational prior to the start of construction and shall be deemed a private hydrant
- 3) This building shall be addressed off of the street it is accessed from. A visible address must be posted on this street as per City of Kelowna By-Laws.
- 4) Sprinkler drawings are to be submitted to the Fire Dept. for review when available.
- 5) A fire safety plan as per section 2.8 BCFC is required at occupancy. The fire safety plan and floor plans are to be submitted for approval in AutoCAD Drawing format on a CD.
- 6) Fire Department access is to be met as per BCBC 3.2.5. -
- 7) Approved Fire Department steel lock box acceptable to the fire dept. is required by the fire dept. entrance and shall be flush mounted
- 8) All requirements of the City of Kelowna Fire and Life Safety Bylaw 10760 shall be met.
- 9) Fire alarm system is to be monitored by an agency meeting the CAN/ULC S561 Standard.
- 10) Contact Fire Prevention Branch for fire extinguisher requirements and placement.
- 11) Fire department connection is to be within 45M of a fire hydrant - unobstructed.
- 12) Ensure FD connection is clearly marked and visible from the street.
- 13) Standpipes to be located on intermediate landings.
- 14) Sprinkler zone valves shall be accessible as per fire prevention bylaw.
- 15) Dumpster/refuse container must be 3 meters from structures or overhangs or in a rated room in the parking garage.

7.0 Application Chronology

Date of Application Received (incomplete):	April 29 th 2016
Date Public Consultation (Public Open House):	July 4 th 2016
Date First Reading:	July 25 th 2016
Date Public Hearing:	August 9 th 2016
Date for DP/DVP (application was withdrawn):	Oct 18 th 2016

Report prepared by:

Adam Cseke

Reviewed by:
Approved for:

Terry Barton, Urban Planning Manager
Ryan Smith, Community Planning Department Manager

Attachments:

Engineering Memo (Attachment 'A')
Applicant's Design Rationale
Development Permit

CITY OF KELOWNA
MEMORANDUM

Date: June 20, 2016
File No.: Z16-0026
To: Land Use Management (AC)
From: Development Engineering Manager (SM)
Subject: 1975 Kane Rd at Valley Rd Lot B ODYD Plan 22004

The Development Engineering Branch comments and requirements regarding this application to rezone from A-1 Agriculture 1 zone to RM5 Medium Density Multiple Housing are as follows:

.1) General

- a) The postal authorities must be contacted to determine whether or not a "community mailbox" will be utilized, and if so, its location should be determined and the proposed location shown on the construction plans. Please contact the Canadian Post Corporation, Delivery Services, P.O. Box 2110, Vancouver, B.C. V6B 4Z3 (604) 662-1381 in this regard.
- b) 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.
- c) Provide easements as may be required.

.2) Dedications

- a) On the Kane Road frontage, provide an additional 2.6m dedication for a roadway allowance widening matching the adjacent parcels to the west.
- b) Dedicate additional road allowance widening for a roundabout at the Valley Rd intersection

.3) Geotechnical Study.

- a) Provide a comprehensive geotechnical report (3 copies), prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below: **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.**

ATTACHMENT _____ A
This forms part of development
Permit # _____ Z16-0019



Z16-0026 1975 Kane Rd at Valley Rd

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The 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.

- (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.
- ii) Recommendations for items that should be included in a Restrictive Covenant.
- iii) Any special requirements that the proposed subdivision should undertake.
- iv) Any items required in other sections of this document.
- v) Recommendations for erosion and sedimentation controls for water and wind.
- vi) Recommendations for roof drains and perimeter drains.
- vii) Recommendations for construction of detention or infiltration ponds if applicable.

.4) Water

- a) The property is located within the Glenmore Ellison Improvement District service area.
- b) Ensure an adequately sized domestic water and fire protection system is in place. The developer is required to make satisfactory arrangements with the GEID for these items. All charges for service connection and upgrading costs are to be paid directly to the GEID.

Attachment A

This forms part of development

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Z16-0026 1975 Kane Rd at Valley Rd

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.5) Sanitary Sewer

- a) Provide an adequately sized sanitary sewer connection. Only one service is to be provided for this development.
- b) Decommissioning of the existing small diameter service at the main and the installation of the new service will be at the applicant's cost. The estimated cost of construction for bonding purposes including 40% escalation is **\$20,000**
- c) Perform a downstream capacity analysis of the City's Sanitary Sewer system based on the proposed development unit count.

.6) Drainage

- a) A requirement of this rezoning application will be to prepare a storm water management plan complete with a detailed Site Grading Plan including storm detention, erosion and sedimentation controls required onsite.
- b) Show details of dedications, rights-of-way, setbacks and non-disturbance areas on the lot Grading Plan.
- c) 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.

.7) Roads

- a) Kane Road is designated an urban collector road. Dedicate and construct the road to match the existing road section to the west and also construct the corner rounding at the Valley Road intersection so that it will also accommodate the construction of a future roundabout, including curb and gutter, separate sidewalk, storm drainage system with catch basins, road works, landscaped boulevard complete with underground irrigation system, and street lights. The estimated cost of construction for bonding purposes including 40% escalation is **\$69,400**
- b) On Kane Road a future asphalt overlay is required for the full road frontage up to the centre line of the road however, the City wishes to complete this work at a later date as part of a larger project; therefore cash in-lieu of construction is required. The deferred revenue cash amount is **\$21,875**
- c) Valley Road is designated an urban collector road. Construct to a full urban standard including monolithic sidewalk, curb and gutter, sidewalk, piped storm drainage system, road work and street lights. The estimated cost of construction for bonding purposes including 40% escalation is **\$122,600**
- d) Vehicle access to the subject property will be from Valley Road. It will be necessary to dedicate and construct a painted left turn bay for north bound traffic entering the site.
- e) Other comments may be forthcoming pending submission of Development Permit Drawings for on-site and directly adjacent-to-site zones.

Attachment A
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 Permit # Z16-0019



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.8) Power and Telecommunication Services and Street Lights

- b) Prior to issuance of Building Permit, the applicant must make servicing applications to the respective Power and Telecommunication utility companies. The utility companies are required to obtain the City's approval before commencing construction.

.9) Design and Construction

- b) 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.
- c) 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.
- d) 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).
- e) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- f) 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 Agreements for Works and Services

- b) 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.
- c) 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.

Attachment A

This forms part of development

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Z16-0026 1975 Kane Rd at Valley Rd

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.11) Other Engineering Comments

- b) Provide all necessary Statutory Rights-of-Way for any utility corridors required, including those on proposed or existing City Lands.
- c) If any road dedication affects lands encumbered by a Utility right-of-way (such as BC Hydro Gas, 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.

.12) Bonding and Levey Summary**(a) Bonding**

i)	Roadworks Kane Rd	\$ 69,400
i)	Roadworks Valley Rd	\$122,600
(i)	Sanitary Sewer	\$ 20,000
(ii)	Storm Drainage Included in roadworks item	

Total bonding including 40% escalation **\$ 212,000**


- (iii) Watermain TBD by GEID
- (iv) Power and communications TBD by others

(b) Cash Levy

- (i) Future Asphalt Overlay Kane Rd Frontage **\$ 21,875**

.13) Charges and Fees

- b) Development Cost Charges (DCC's) are payable
- c) Fees per the "Development Application Fees Bylaw" include:
 - i) Street/Traffic Sign Fees: at cost if required (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 construction value (plus GST).


 Steve Muenz, P. Eng.
 Development Engineering Manager
 JF

Attachment A

This forms part of development

Permit # Z16-0019 

CITY OF KELOWNA

MEMORANDUM

Date: June 14, 2016
File No.: DVP16-0118

To: Land Use Management (AC)

From: Development Engineering Manager

Subject: 1975 Kane Rd, at Valley Rd Lot B ODYD Plan 22004

The Development Engineering Branch comments and requirements regarding this application are as follows:

Development Variance Permit for proposed multi-family residential development.
The proposal to Vary parking requirements from 176 stalls to proposed 145 stalls is not supported by Development Engineering.

The proposal to Vary building height from 4.5 storeys to proposed 5 storeys will not compromise municipal servicing requirements.

Steve Muenz, P. Eng.
Development Engineering Manager
JF/jf

Attachment A
This forms part of development
Permit # Z16-0019



CITY OF KELOWNA

MEMORANDUM

Date: June 14, 2016
File No.: DP16-0117
To: Land Use Management (AC)
From: Development Engineering Manager
Subject: 1975 Kane Rd, at Valley Rd Lot B ODYD Plan 22004

The Development Engineering Branch comments and requirements regarding this application are as follows:

The Development Engineering Technologist for this project is John Filipenko. ASCT

1. General.

Development Engineering servicing and frontage improvement requirements were addressed under File Z16-0026. The requirements must be satisfied prior to issuance of the Development Permit.

2. Domestic Water and Fire Protection

- (a) The property is located within the Glenmore Ellison Improvement District service area.
- (b) Ensure an adequately sized domestic water and fire protection system is in place. The developer is required to make satisfactory arrangements with the GEID for these items. All charges for service connection and upgrading costs are to be paid directly to the GEID.
- (c) Landscaped boulevards, complete with underground irrigation systems, must be integrated with the on-site irrigation system.

3. Storm Drainage

- (a) The developer must engage a consulting civil engineer to provide a storm water management plan for this development which meets the requirements of the City Storm Water Management Policy and Design Manual. The storm water management plan must also include provision of lot grading plan, and recommendations for onsite drainage containment and disposal systems.
- (b) Provide a Storm Management and Lot-Grading Plan.

Attachment	A
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4. Geotechnical Report

- a) Provide a geotechnical report (3 copies), prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below:
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 development.
- (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. Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
 - (iii) Any special requirements for construction of roads, utilities and building structures.
 - (iv) Recommendations for items that should be included in a Restrictive Covenant.
 - (v) Any items required in other sections of this document.
 - (vi) Recommendations for erosion and sedimentation controls for water and wind.

Steve Muenz, P. Eng.
Development Engineering Manager
JF/jf

Attachment A
This forms part of development
Permit # Z16-0019



DEVELOPMENT PERMIT AND DEVELOPMENT VARIANCE PERMIT



APPROVED ISSUANCE OF DEVELOPMENT PERMIT AND DEVELOPMENT VARIANCE PERMIT

File Number DP16-0117 & DVP16-0118DP16-0117 & DVP16-0118
Issued To: Broadstreet Properties
Site Address: 1975 Kane Rd
Legal Description: Lot B, Section 33, Township 26, ODYD, Plan 22004
Zoning Classification: RM5 - Medium Density Multiple Housing
Development Permit Area: Comprehensive Development Permit Area

SCOPE OF APPROVAL

This Permit applies to and only to those lands within the Municipality as described above, and any and all buildings, structures and other development thereon.

This Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this Permit, noted in the Terms and Conditions below.

The issuance of a Permit limits the Permit Holder to be in strict compliance with regulations of the Zoning Bylaw and all other Bylaws unless specific Variances have been authorized by the Permit. No implied Variances from bylaw provisions shall be granted by virtue of drawing notations that are inconsistent with bylaw provisions and that may not have been identified as required Variances by the applicant or Municipal staff.

1. TERMS AND CONDITIONS

THAT Development Permit No. DP16-0117 for Lot B, Section 33, Township 26, ODYD, Plan 22004, located at 1975 Kane Rd, Kelowna, BC be approved subject to general conformance to the drawings (Schedule "A", "B", & "C") attached to this permit.

2. PERFORMANCE SECURITY

As a condition of the issuance of this Permit, Council is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Permit Holder and be paid to the Permit Holder if the security is returned. The condition of the posting of the security is that should the Permit Holder fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the Municipality may use the security to carry out the work by its servants, agents or contractors, and any surplus shall be paid over to the Permit

Holder, or should the Permit Holder carry out the development permitted by this Permit within the time set out above, the security shall be returned to the Permit Holder. There is filed accordingly:

- a) Cash in the amount of \$ 102,125.62 OR
- b) A Certified Cheque in the amount of \$ 102,125.62 OR
- c) An Irrevocable Letter of Credit in the amount of \$ 102,125.62 .

Before any bond or security required under this Permit is reduced or released, the Developer will provide the City with a statutory declaration certifying that all labour, material, workers' compensation and other taxes and costs have been paid.

3. DEVELOPMENT

The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit that shall form a part hereof.

If the applicant does not commence the development within two (2) years of the date of this Permit, this Permit shall lapse with no opportunity for extension.

This Permit IS NOT a Building Permit.

The issuance of this Permit grants to the municipality a save harmless and effectually indemnify the Municipality against:

- a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality granting to me the said Permit.
- b) All costs, expenses, claims that may be incurred by the Municipality if the construction by me of engineering or other types of works as called for by the Permit results in damages to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly or indirectly in any way or to any degree, to construct, repair, or maintain.

Should there be any change in ownership or legal description of the property, I undertake to notify the Community Planning Department immediately to avoid any unnecessary delay in processing the application.

4. APPROVALS

Issued and approved by Council on the _____ day of _____, 2016.

Ryan Smith, Community Planning Department Manager
Community Planning & Real Estate

Date

**The PERMIT HOLDER is the CURRENT LAND OWNER.
Security shall be returned to the PERMIT HOLDER**