



# EMIL ANDERSON CONSTRUCTION (EAC) INC.

<b>SCHEDULE</b>		<b>A</b>
This forms part of application		
# TUP17-0001		
Planner Initials	JR	
		City of <b>Kelowna</b> COMMUNITY PLANNING

May 11, 2017

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

Attention: Ryan Smith, BA, RPP, MCIP  
Department Manager, Community Planning

**Re: Tower Ranch – Phase 7 Construction**  
**Temporary Use Permit – Material Processing**

Dear Mr. Smith,

Further to previous discussions regarding the proposed processing of waste asphalt and concrete materials at Tower Ranch for re-use in proposed new roadway structures, please find enclosed application for Temporary Use Permit. Past correspondence with the City has been included for information, as well, materials distributed to a list of nearby residents regarding the proposed works.

As the nature of this work is very similar to that which would be covered under a permit for soil deposit, I would like to provide the following summary information which may be of interest to Council.

EAC Co. Ltd. is the developer of this land, and has hired EAC Inc., a member of the EAC group of companies, to complete the civil construction. As outlined in the application and included correspondence, it is proposed that waste asphalt and concrete be processed for re-use as road base structure.

The exact quantity of material to be re-used is to be determined, as it will depend on what quantity by volume percentage is supported by the geotechnical consultant and approved by the City, as well as the extent of new roads to be constructed. At this time, it is estimated that  $\pm 8,000$ cu.m of material will be deposited and processed under this Temporary Use Permit. It is proposed that deposit and processing take place anytime during active Tower Ranch Phase 7 construction, which is estimated to be completed by mid-June.

The subject property is not located within the ALR.

The material will be sourced from nearby EAC Inc. projects, most notably the Highway 97 Corridor Upgrade currently underway. The material will be stockpiled onsite at the location outlined on the map included with the application where it will be processed, and then used for road construction in the Phase 7 areas.

The stockpile location is in a future Tower Ranch phase area, down the hill from nearby residents to minimize any potential for noise or dust concerns. There are not pertinent topographical features in this area to note.

The proposed access to the site for soil deposit will be consistent with the current access for Phase 7 construction, entry via Tower Ranch Boulevard. This area is already in use and cleaned regularly due to existing construction activities. Once soil is deposited at the stockpile location, there will be no need to use additional public roadways to haul material for new road construction.

The proposed operation will not trigger any additional trucking, in fact, it will reduce overall trucking travel when compared to the alternative, which would be to use typical gravels from the EAC pit in West Kelowna.

Noise and dust control will be managed by EAC Inc. during processing. Noise is managed by strategically placing the equipment far enough away from residents that they will not experience any change vs. the current construction activities. Dust will be managed by use of water trucks as required.

The existing ESC plans provided with the Phase 7 civil package will not be altered, as the proposed stockpiling of this material is not large enough, nor will it be in place long enough to impact the function of the ESC measures put in place to protect the development area.

We ask that you please review and distribute this information as required for approval. Please address any questions about the information contained within to Matthew Temple at 250-763-8232 x289.

Yours truly,

Emil Anderson Construction (EAC) Inc.



Matthew J. Temple, P.Eng  
Development – Construction Manager

- Encl. Temporary Use Permit Application  
Copy of Land Title  
Tower Ranch Phase 7 IFC Notice  
Tower Ranch Phase 7 NTP  
City Correspondence  
Geotechnical Engineering Correspondence  
Site Maps (x2)  
Copy of Public Notice  
Neighborhood Consultation List

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Legend



Notes

Proposed location for self-contained jaw crusher



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**City of Kelowna**  
COMMUNITY PLANNING



0 65 130Meters

April 28, 2017

This map is for general information only. The City of Kelowna does not guarantee its accuracy, currency or completeness. All information should be verified.

# TEMPORARY USE PERMIT



## APPROVED ISSUANCE OF TEMPORARY USE PERMIT NO. TUP17-0001

**Issued To:** Emil Anderson Construction Co. Ltd.  
**Site Address:** 1700 Tower Ranch Boulevard  
**Legal Description:** Lot 2, Section 31, Township 27, ODYD, Plan Kap80993  
Except Plans KAP85114, KAP90346, EPP50442 and EPP64271  
**Zoning Classification:** CD6 – Golf Resort  
P3 – Parks & Open Space  
RU1H – Large Lot Housing (Hillside Area)  
RU6 – Two Dwelling Housing

### 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 Temporary Use Permit No. TUP17-0001 for Lot 2, Section 31, Township 27, ODYD, Plan Kap80993 Except Plans KAP85114, KAP90346, EPP50442 and EPP64271, located at 1700 Tower Ranch Boulevard, Kelowna, BC be approved for a three (3) week period subject to the following:

- a) The dimensions and siting of the temporary use on the land be in general accordance with Schedule "A"
- b) Mitigation measures be carried out, including:
  - Locate haul roads and processing equipment low in the site;
  - Procedures for noise mitigation;
    - Procedures to avoid noise generation and contain noise (e.g. hours of work); -
    - Use stockpiles to interrupt noise;
    - Reduce the drop height (distance from the conveyor to the pile);
    - Stagger engine starts;

- Keep mobile equipment speeds low;
- Turn off equipment when not in use;
- Avoid revving engines;
- Direct noise away from sensitive areas whenever possible;
- Close truck tailgates when possible.
- Use dust mitigation techniques;
  - Use a water truck to reduce dust;
  - Reduce stock pile height and use gentle slopes;
  - Spray exposed surfaces to maintain surface moisture;
  - Minimize handling;
  - Maintain equipment;

AND THAT any application to extend the Permit must be approved by Council prior to this Permit expiring.

## **2. PERFORMANCE SECURITY**

None required.

## **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.

**This Permit IS NOT a Building Permit.**

## **4. APPLICANT'S AGREEMENT**

I hereby declare that all of the above statements and the information contained in the material submitted in support of this Permit are to the best of my belief, true and correct in all respects. Upon issuance of the Permit for me by the Municipality, then in such case, I covenant and agree to 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.

I further covenant and agree that should I be granted a Temporary Use Permit, the Municipality may withhold the granting of any Occupancy Permit for the occupancy and / or use of any building or part thereof constructed upon the hereinbefore referred to land until all of the engineering works or other works called for by the Permit have been completed to the satisfaction of the Municipal Engineer and Divisional Director of Community Planning & Real Estate.

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.

## 5. APPROVALS

Issued and approved by Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
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.**