
CITY OF KELOWNA
MEMORANDUM

DATE: September 23, 2009

TO: City Manager

FROM: Community Sustainability Division

APPLICATION: OCP07-0032 / Z07-0093 **OWNER:** 0781540 BC LTD.,
INC. NO. BC0781540

AT: 560, 561, 582, & 583 McKay Avenue **APPLICANT:** 0781540 BC LTD. (G-Group)

PURPOSE: TO AMEND THE OFFICIAL COMMUNITY PLAN LAND USE DESIGNATION FROM MULTIPLE FAMILY RESIDENTIAL - MEDIUM DENSITY TO COMMERCIAL IN ORDER TO ACCOMODATE THE PROPOSED MIXED USE DEVELOPMENT;

TO REZONE THE SUBJECT PROPERTIES FROM RU6 - TWO DWELLING HOUSING TO C4 - URBAN CENTRE COMMERCIAL IN ORDER TO ACCOMODATE A FOUR STOREY, MIXED-USE BUILDING;

EXISTING OCP DESIGNATION: Multiple Unit Residential - Medium Density

PROPOSED OCP DESIGNATION: Commercial

EXISTING ZONE: RU6 – Two Dwelling Housing

PROPOSED ZONE: C4 – Urban Centre Commercial

REPORT PREPARED BY: Alec Warrender/Paul McVey

1.0 RECOMMENDATION

THAT OCP Bylaw Amendment No. OCP07-0032 to amend Map 19.1 of the *Kelowna 2020* – Official Community Plan Bylaw No. 7600 by changing the Future Land Use designation of Lot 12, 13, 14, 15, District Lot 14, ODYD, Plan 3769 located at 560, 582, 583 and 561 McKay Avenue, Kelowna, B.C. from the Multiple Unit Residential - Medium Density designation to the Commercial designation, as shown on Map "A" attached to the report of the Community Sustainability Division, dated September 23, 2009, be considered by Council;

THAT Council considers the APC public process to be appropriate consultation for the purpose of Section 879 of the *Local Government Act*, as outlined in the report of the Land Use Management Department dated September 23, 2009;

THAT Rezoning Application No. Z07-0093 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 12, 13, 14, 15, District Lot 14, ODYD, Plan 3769 located at 560, 582, 583 and 561 McKay Avenue, Kelowna, B.C. from RU6 – Two Dwelling Housing to the C4 – Urban Centre Commercial Zone be considered by Council;

THAT the OCP Bylaw Amendment No. OCP07-0032 bylaw and the zone amending bylaw be forwarded to a Public Hearing for further consideration;

THAT final adoption of the zone amending bylaw be considered subsequent to the registration of a plan of subdivision to consolidate the properties into one title;

THAT final adoption of the zone amending bylaw be considered subsequent to the finalization of the road closure and the registration of the public access Right-of-Way agreement;

THAT final adoption of the zone amending bylaw be considered in conjunction with Council's consideration of a Development Permit and Development Variance Permit on the subject properties;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Development Engineering Branch and Parks Branch being completed to their satisfaction.

2.0 SUMMARY

The applicant has made application for an Official Community Plan amendment to change the future land use designation of the subject properties from the existing "Multiple Unit Residential – Medium Density" designation to the proposed "Commercial" designation. Accordingly, to rezone the subject properties from the existing RU6 – Two Dwelling Housing zone to the C4 – Urban Centre Commercial zone in order to permit the construction of the proposed mixed-use development. A Development Permit for the form and character and a Development Variance Permit for the height, site coverage and loading spaces are also under consideration.

3.0 ADVISORY PLANNING COMMISSION

The above noted applications were reviewed by the Advisory Planning Commission at the meeting of September 1, 2009 and the following recommendations were passed:

THAT the Advisory Planning Commission support Official Community Plan Application No. OCP07-0032, for 560, 561, 582 & 583 McKay Avenue; Lots 12, 13, 14 & 15, Plan 3769, Sec. 13, Twp. 25 & Sec. 18, Twp. 26, ODYD; to amend the Official Community Plan from Multiple Unit Residential–Medium Density to Commercial in order to accommodate the proposed mixed use development, and

THAT the Advisory Planning Commission support Rezoning Application No. Z07-0093, for 560, 561, 582 & 583 McKay Avenue; Lots 12, 13, 14 & 15, Plan 3769, Sec. 13, Twp. 25 & Sec. 18, Twp. 26, ODYD; to rezone the subject properties from the RU6–Two Dwelling Housing zone to the proposed C4–Urban Centre Commercial in order to accommodate the proposed mixed use development.

4.0 BACKGROUND

The initial application in 2007 was for a Comprehensive Development (CD) Zone which proposed a floor area ratio (FAR) above what is permitted in the C4 zoning regulations. Staff and APC were not supportive of the proposed CD zone and as a result the applicant revised their application and is now proposing to rezone the property to C4 – Urban Centre Commercial.

4.1 Proposal

The applicant is proposing to develop the subject properties with a 4-storey mixed use building to include 4 live-work units and a total commercial floor area of 3,703.3m². The proposed development will be constructed over an under-building parking structure partially set into the ground. The commercial and residential units are arranged on either side of an internal courtyard constructed on top of the parking structure. As part of this development proposal, the applicant will be required to close and consolidate the existing McKay Avenue roadway with the four subject properties, and dedicate 0.75m of lane widening along the northern property line to construct a new North/South modified local road connection south to Osprey Avenue. In addition, a public access right-of-way will be secured through the internal courtyard maintaining an east/west public pedestrian link with Osprey Park. A total of three access points will be provided onto Osprey Park from the proposed development.

The project proposes a number of deck spaces and gathering areas for the building occupants incorporating aluminium deck posts with tempered glass panels to be used for the decks. The building materials are primarily grey and sand coloured architectural block panels. Double glazed windows with aluminium frames will be used for the entire building. As the parkade structure will be located partially underground and partially above natural grade, a portion of the foundation will be exposed. At the rear of the property facing Osprey Park, the foundation is stepped in order to break up this wall, thereby providing space for landscaping.

A Development Variance Permit is required to vary the site coverage from 75% permitted to 78% proposed, to vary the height from 15m permitted to 16.2m proposed, and to vary the number of loading spaces from 2 required to 0 proposed. A loading area has been provided for off the lane located along the northern property line. Council will have an opportunity to consider the associated Development Permit and Development Variance Permit applications pending favourable consideration of the land use.

The application compares to the requirements of Zoning Bylaw No. 8000 as follows:

Zoning Bylaw No. 8000			
Criteria	Proposed	C4 Zone Requirements	RM5 Zone Requirements
Subdivision Regulations			
Site Area	2,450.61m ² (Consolidated)	460 m ²	460 m ²
Development Regulations			
Floor Area Ratio (FAR)	1.5	1.5 FAR permitted 1.3 - mixed use project 0.2 - covered parking	1.3 FAR permitted 1.1 - base density 0.2 - covered parking
Site Coverage	78% (V ¹)	75%	60%- Buildings/Coverage/Parking
Height	16.2m / 4 storeys (V ²)	15.0m / 4 storeys	15.0 m / 4 storeys
Front yard (E)	0m	0.0 m	6.0m
Side yard (S)	0m	0.0m	7.5m
Side yard (N)	0m	0.0m	7.5m
Rear yard (W)	0.9m	0.0m	9.0m

Other Regulations		
Criteria	Proposed	C4 Zone Requirements
Private Open Space	285.5 m ² provided	4 - 1 Bed Units x 10m ² = 40m ²
Vehicle Parking	Commercial = 65 stalls Residential = 5 stalls Total Parking Stalls = 68 stalls	Commercial = 65 stalls Residential = 4 stalls Total Required = 69
Bicycle Parking	Class I: 10 Class II: 25	Class I: 10 Class II: 23
Loading stalls	0 stalls (V ³)	2 stalls

(V¹) To vary the site coverage from 75% permitted to 78% proposed

(V²) To vary the height from 15m permitted to 16.2m proposed

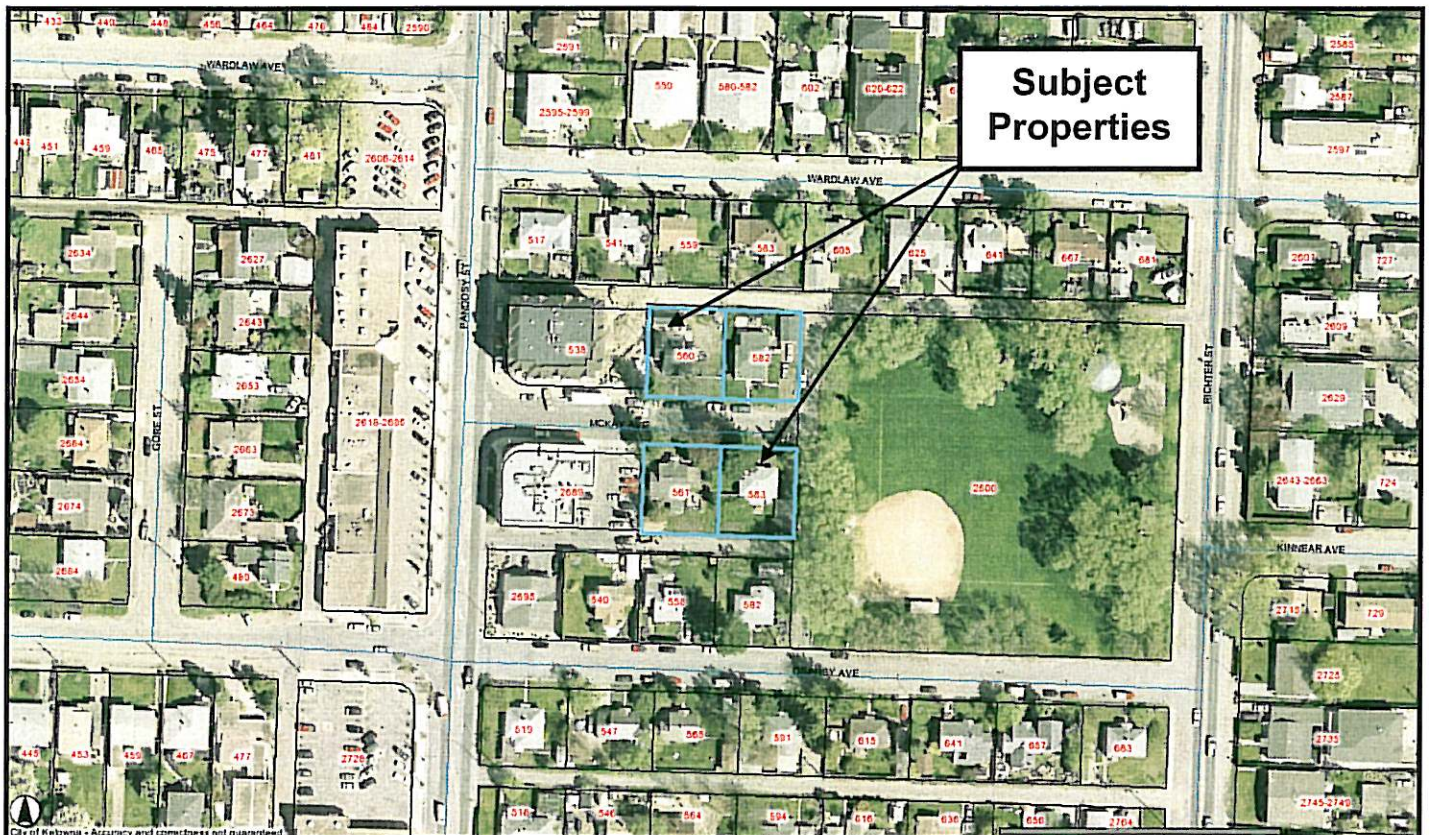
(V³) To vary the number of loading stalls from 2 stalls required to 0 stalls proposed

4.2 Site Context

The subject property is located in an area of transition between Pandosy Street and Osprey Park in the South Pandosy Town Centre area. The area is designated for future “Multiple Unit Residential – Medium Density” development. The adjacent land uses are as follows:

Direction	Zoning Designation	Land Use
North	RU6 – Two Dwelling Housing	Residential
East	P3 – Parks & Open Space	Osprey Park
South	Municipal Parking	Municipal Parking
West	C4 – Urban Centre Commercial	Mixed Use

4.3 Subject Property Map: 560, 561, 580, & 583 McKay Avenue



5.0 CURRENT DEVELOPMENT POLICY

Staff recommends that the APC public process should be considered appropriate consultation for the purpose of Section 879 of the *Local Government Act*, and that the process is sufficiently early and does not need to be further ongoing in this case. Furthermore, additional consultation with the Regional District of Central Okanagan is not required in this case.

Staff have reviewed this application and it may move forward without affecting either the City's financial plan or waste management plan.

5.1 South Pandosy / KLO Sector Plan

5.1.1 Vision Statements

- A complete community with a balance of jobs, homes and shopping. The plan recognizes the need to encourage more local employment through commercial retail and service, offices and an enhanced agricultural industry. The ability to live close to inner-city employment will be fostered through a careful integration of higher density housing. A revitalized commercial district will improve access to a variety of services and retail businesses by tourists and local residents.
- Establishment of the South Pandosy Urban Town Centre with a mixture of commercial, multiple family housing forms and institutional uses.

5.1.2 South Pandosy Town Centre Policies

- Locate commercial and mixed-use buildings within the core business area close to the road corridor to minimize the distance between the sidewalk and the building front. Parking and service site uses should be located behind or within the building.
- Develop pedestrian connections to provide a continuous network of efficient pedestrian routes, in particular, to and from key destinations.
- Encourage mixed-use and multiple family residential buildings with useable exterior balconies and arcades. Also, encourage landscaping on the balconies and roof structures of these buildings.

5.1.3 Town Centre Commercial Policies

- Redevelopment of the commercial area should introduce elements to facilitate pedestrian movement wherever possible.
- Give favourable consideration to the redevelopment of the northern portion of the Town Centre area, especially along the east side of Pandosy Street (between Raymer and Wardlaw) to accommodate commercial uses.
- Create a unique image and identity for the Town Centre using design, marketing and tenant mix.

5.2 Objectives for Development within Urban Centres (OCP Chapter 6)

- All development should be an appropriate response to its physical context, or anticipated future context where an area is designated for increased density or land use transition in the OCP.
- All development should contribute to the creation of pedestrian-oriented streets and public spaces (connections, social interaction).
- All development should contribute to a sense of community identity and sense of place (integration of development within larger community, belonging, community cohesiveness).

6.0 LAND USE MANAGEMENT DEPARTMENT

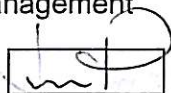
Land Use – Although located within the Pandosy Town Centre, the subject properties are outside of the commercially designated portion of the Town Centre. The commercial designation within the Pandosy Town Centre was intended to reflect the existing commercial uses and zoning. The Multiple Unit Residential – Medium Density designation was anticipated to generate additional people living in the area in support of the Pandosy businesses as well as create more opportunity to choose to live, work and play in the same neighbourhood. Amending the OCP and rezoning to the C4-Urban Centre Commercial zone will provide the applicant with an additional 0.2 FAR in addition to the commercial uses which are not permitted in the Multiple Unit Residential – Medium Density Zones. While there are concerns regarding the expansion of the commercially designated area within the town centre, the proposed mixed use project does provide four live/work spaces. This proposal fosters a mix of uses including retail, office space and a residential component that will support the pedestrian-friendly environment envisioned for the Pandosy Town Centre and works towards achieving a highly urbanized concentration of different land uses mixed together in a sustainable manner.

Transportation Considerations – The North/South modified road link connecting south to Osprey Avenue will provide a pedestrian and vehicular link between this project and the Pandosy Town Centre. The Public Access Easement through the internal courtyard of the proposed development will maintain a public pedestrian link from McKay Avenue through the proposed development to Osprey Park. Currently elevator access will be available from McKay Avenue during business hours, with a wheelchair lift adjacent to Osprey Park in order to permit “universal access” to the courtyard area. Allowing pedestrian and vehicular movements to continue through the proposed development will help to alleviate some of the circulation concerns that the redevelopment of this area has presented. The Development Permit application for the proposed development will be reviewed by the Accessibility Advisory Committee to assess the suitability of the access proposals.

The proposed project has improved considerable over the original submission, and incorporates a number of positive attributes. The applicant intends to construct a LEED certified building catering to tenants of sustainability-focused professional companies. The proposal to provide live/work spaces within the Pandosy Town Centre achieves many objectives that are desirable for a successful and vibrant Town Centre that is envisioned for South Pandosy. The proposed consolidation will provide for efficient use of land and it will also provide strong pedestrian connections with Osprey Park and the core of the town centre.


Shelley Gambacort
Director of Land Use Management

Approved for Inclusion

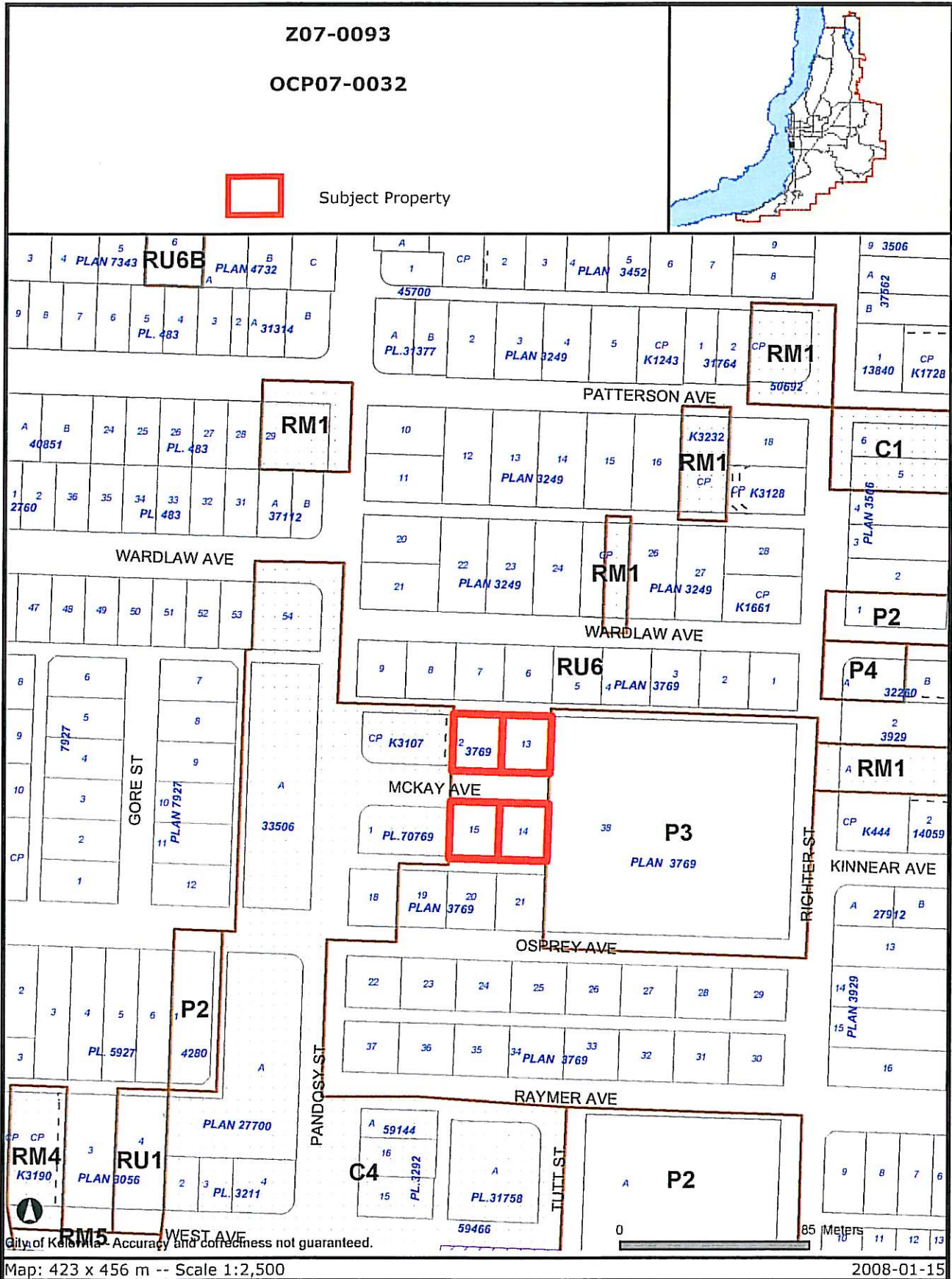


Jim Paterson
General Manager of Community Sustainability



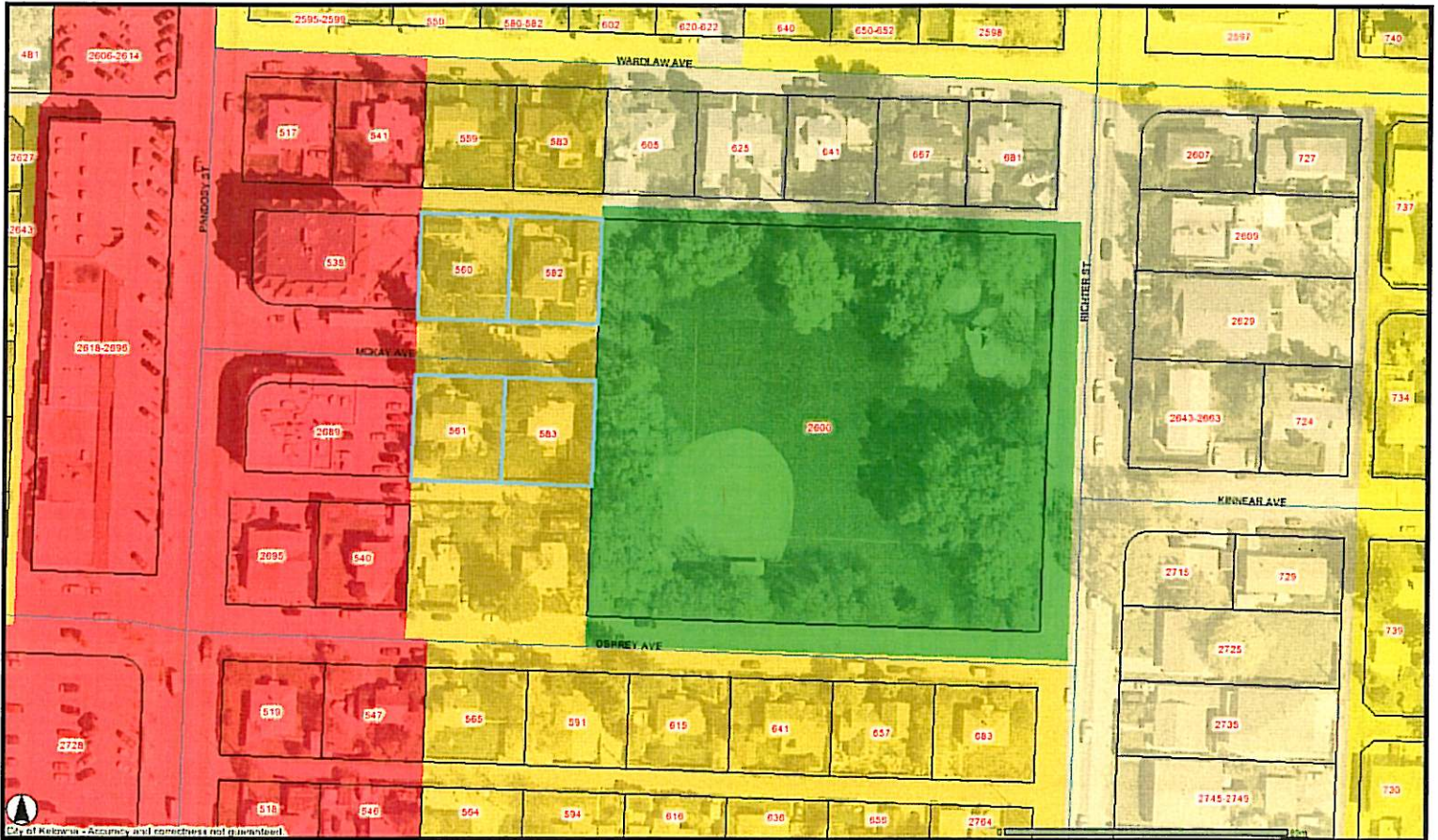
Attachments

- Location Map
- MAP "A"
- Applicant's Letter of Rationale for Green Design
- Site Plan & Elevations
- Perspective Drawings
- Technical Comments
- Development Engineering Comments



Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.
The City of Kelowna does not guarantee its accuracy. All information should be verified.

MAP "A"



Subject Property to have Future Land Use designation changed from "MUTIPLE UNIT RESIDENTIAL – MEDIUM DENSITY" to "COMMERCIAL"

00P07 - 0032
207 - 0093
D P09 - 0075
DU P09 - 0076



August 21, 2009

Planning and Development Services
City of Kelowna
1435 Water Street
Kelowna, BC, V1Y 1J4

Attn.: Alec Warrender

Re.: Development Permit – McKay Avenue; Rationale for Green Design and Construction

Dear Alec,

This letter is to rationalize the green design and construction proposed for our McKay Avenue project.

We are aiming to achieve a LEED Silver certification for this building. This cannot be guaranteed as LEED is a post construction performance based certification process, however we are not building an 'equivalent' and are in fact intending to certify the project.

The intent for this development is to be a sustainable-focused professional building. Accordingly, we are designing the building to conform to a variety of stewardship related principles.

Low operating costs for tenants, low maintenance and high durability construction materials without off-gassing on the exterior of the building, an energy efficient heating and cooling system, and the walkable proximity to the South Pandosy shopping district are only a few of the sustainable related features of this development.

Other important sustainable drivers include the live work rental residences on the fourth storey, the pedestrian orientation between the building and Osprey Park, and a café/restaurant with organic featured dishes on the main level.

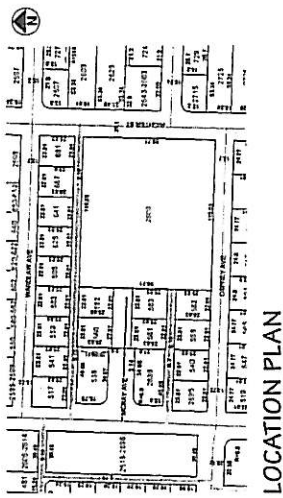
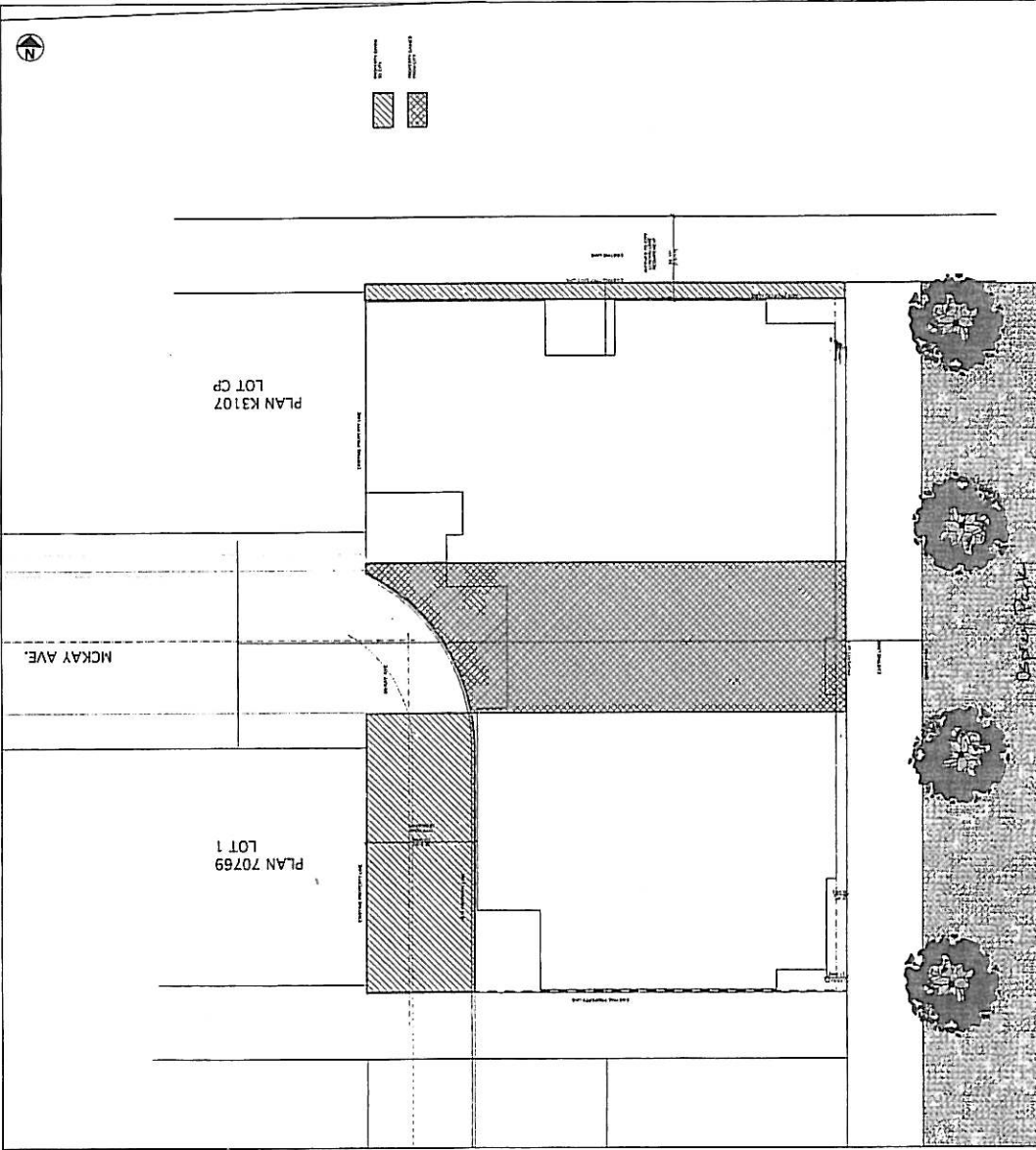
Some of the exciting LEED points which we will be pursuing are: public transportation access, bicycle storage, heat island effect – roof and non roof, light pollution reduction, water use reduction, optimize energy performance, CFC reduction, ozone protection, storage and collection of recyclables and regional materials.

Thank you for your continued support with this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Andrew Gaucher', with a long horizontal line extending to the right.

Andrew Gaucher
G Group Developments



LOCATION PLAN

SITE AREA:	SITE (EXCEPT PAVED PARKING): 2741.29 SQ FT	2741.29 SQ FT
	ADJACENT TO CITY: 231.28 SQ FT	231.28 SQ FT
	TOTAL AREA: 2510.01 SQ FT	2510.01 SQ FT
PAVING:	ASPHALT ON LOT: 611.54 SQ FT	611.54 SQ FT
	PROPOSED PAVED FLOOR AREA: 403.25 SQ FT	403.25 SQ FT
	PROPOSED PAVING: 1.49	
SITE COVERAGE:		
BUILDINGS PERMITTED:	77%	1274.25 SQ FT
BUILDINGS PROPOSED:	87%	1873.00 SQ FT
	*** EXCLUDING PUBLIC WORKS AREAS ***	
PROPOSED SETBACKS:		
FRONT (EAST)	0 FT	0 FT
REAR (WEST)	0 FT	0 FT
LEFT (NORTH)	0 FT	0 FT
RIGHT (SOUTH)	0 FT	0 FT
BUILDING HEIGHT:		
PERMITTED: 4 STORIES MAX	42 FT 8 IN	120 FT 0 IN
PROPOSED: 4 STORIES MAX	11 FT 8 IN	11 FT 8 IN
	VALUED MARKET	2215.8
PARKING REQUIRED:		
COMMERCIAL: 4.1 SPACES PER 100 SQ FT	2000.00 SQ FT	83.4 SPACES
RESIDENTIAL: 1.2 SPACES PER UNIT	4 UNITS	5 SPACES
TOTAL:		88 SPACES
PARKING PROPOSED:		
PARKING ALLOWED FOR		88 SPACES
ALLOWED & SMALL CARAV. ARE.		87 SPACES
BIKE STORAGE (INTENTION REQUIRED):		
COMMERCIAL: 82 SPACES PER 100 SQ FT	2000.00 SQ FT	16 SPACES
RESIDENTIAL: 1.2 SPACES PER UNIT	4 UNITS	5 SPACES
TOTAL:		21 SPACES
BIKE STORAGE (INTENTION) PROPOSED:		
		19 SPACES
NET FLOOR AREAS:		
PARKING	2000.00 SQ FT	2000.00 SQ FT
COMMERCIAL	1193.25 SQ FT	1193.25 SQ FT
SECOND FLOOR COMMERCIAL	1193.25 SQ FT	1193.25 SQ FT
THIRD FLOOR COMMERCIAL	1193.25 SQ FT	1193.25 SQ FT
FOURTH FLOOR COMMERCIAL	1193.25 SQ FT	1193.25 SQ FT
FOURTH FLOOR RESIDENTIAL	411.54 SQ FT	411.54 SQ FT
TOTAL:	10568.25 SQ FT	10568.25 SQ FT
CROSS FLOOR AREAS:		
FIRST FLOOR	1193.25 SQ FT	1193.25 SQ FT
SECOND FLOOR	1193.25 SQ FT	1193.25 SQ FT
THIRD FLOOR	1193.25 SQ FT	1193.25 SQ FT
FOURTH FLOOR	1193.25 SQ FT	1193.25 SQ FT
TOTAL:	4775.00 SQ FT	4775.00 SQ FT
PRIVATE OPEN SPACE REQUIRED:	15 SQ FT PER 1000 SQ FT (MINIMUM)	423.37 SQ FT
TOTAL:		423.37 SQ FT
PRIVATE OPEN SPACE PROPOSED:		
RESIDENTIAL	2000.00 SQ FT	100.00 SQ FT
COMMERCIAL	500.00 SQ FT	50.00 SQ FT
COMMERCIAL COURTYARD:	1125.00 SQ FT	1125.00 SQ FT
TOTAL:		1675.00 SQ FT

REVISED PLANS

1/16/09

COAST ARCHITECTURAL GROUP
 2041 N.W. 8th Ave., Suite 1107, Ft. Lauderdale, FL 33309
 Phone: (954) 561-1100
 Fax: (954) 561-1101
 Email: info@coastarchitect.com

Scale: 1/8" = 1'-0"

DATE: 1/16/09

PROJECT: 580, 561, 562 & 583 McKay Ave

CLIENT: A1.00

SITE PLAN

McKAY AVE. MIXED-USE DEVELOPMENT
 580, 561, 562 & 583 McKay Ave

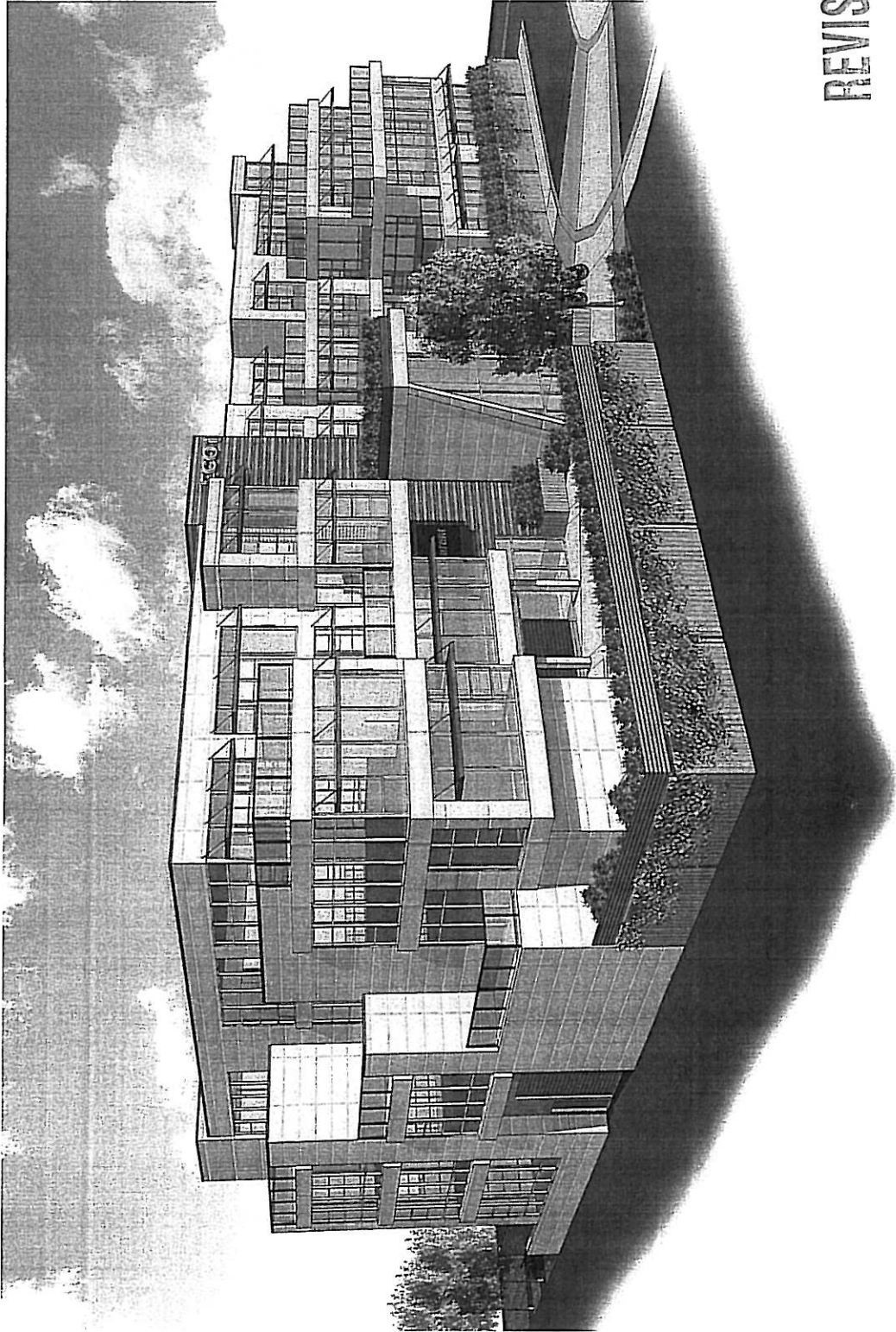


REVISED PLANS
(Sept. 24/09)

McKay Ave Mixed Use Development
Perspectives

Coast Architectural Group Inc.

September 15th 2009

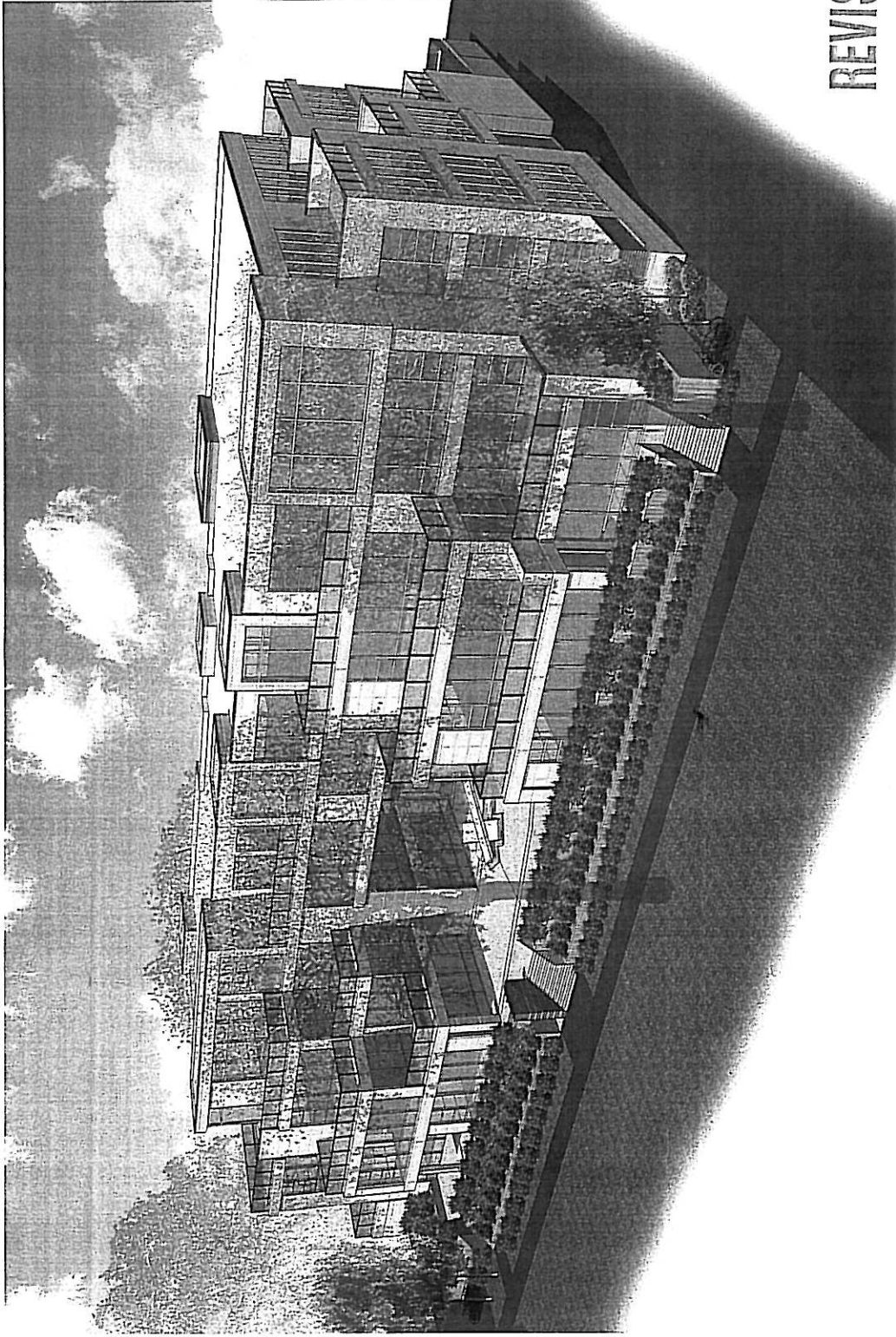


REVISED PLANS

McKay Ave Mixed Use Development
Perspectives

Coast Architectural Group Inc.

September 15th 2009



REVISED PLANS

McKay Ave Mixed Use Development
Perspectives

Coast Architectural Group Inc.

September 15th 2009



McKay Ave Mixed Use Development
Perspectives

Coast Architectural Group Inc.

September 15th 2009

REVISED PLANS

File: Z07-0093

Application

File: Z07-0093

Type: REZONING

File Circulation

Seq	Out	In	By	Comment
	2007-11-01	2007-11-01		B.C. Assessment Authority (info only)
	2007-11-01	2007-11-13	RREADY	Building & Permitting Possible high water table area. Refuse containers/enclosure to meet waste management guidelines. Ensure all ramps meet handicap access requirements to BCBC 2006. Exterior passageway exceptions to meet requirements of article 3.4.4.3 BCBC 2006. Exits do not meet definition of exits in BCBC 2006. Drawings submitted incomplete details and no code analysis. Fire fighting access not met as per BCBC 2006.
	2007-11-01	2007-11-21	SALEXANC	Community Development & Real Estate Mgr CD&RE Comments for Inclusion in Council Report: Please contact the Land Agent for road dedications over 20 metres in width, land dedications and land transfers to or from the City of Kelowna, road closures and road reserves. Depending on the type of land transaction being contemplated, the processing time can vary from 3 weeks to 3 months. The Land Department requires a full size copy, together with an 8 ? x 11 copy, of any survey plans. Land Comments for Processing Information Only - Not for Council Report: The road closure and sale to the applicant needs to be negotiated with the CDRE department and the agreement approved by Council "in camera" prior to the public hearing, APC and initial consideration.
	2007-11-01	2008-02-04		Development Engineering Branch see documents tab
	2007-11-01	2007-12-11	MNEID	Fire Department Engineered fire flows required to determine if present hydrant location, number of hydrants, and hydrant volume will be adequate. Fire department access, fire flows, and hydrants as per the BC Building Code and City of Kelowna Subdivision Bylaw. Detailed code analysis for fire department/fire fighter access, exiting and building classification required.
	2007-11-01	2007-12-10		FortisBC No response
	2007-11-01	2007-11-01		Park/Leisure Services Dir. (info only)
	2007-11-01	2007-11-28	TBARTON	Parks Planning Manager 1. The subject property is immediately adjacent to Osprey Park and the proposed three story building will impact the park. We recommend that a 3.0 metre wide planting strip be incorporated into the setback area along the eastern property line and a double row of deciduous and coniferous trees and shrubs installed. This will help to visually screen the building and reduce the visual mass to the park users. A landscape plan, showing the planting buffer is required to be submitted to the Planning Department for review and approval.
2	2007-11-01	2008-02-25	TBARTON	Parks Planning Manager Without a clear public or park benefit, the applicant s proposed vehicular access into Osprey Park from the subject property will not be permitted. The impacts of a dedicated road are as follows: i. reduction in the size of the park; ii. greater vehicular traffic will conflict with pedestrians and park users creating safety and security problems; iii. threaten the survival of a row of 10 mature trees. Through the development process, we recommend that vehicular circulation and roadway requirements be achieved outside of the park boundary. Adjacent to the park boundary, the proposed development shall incorporate the appropriate building setbacks contained within the City of Kelowna Zoning Bylaw. Revised September 24, 2009.Comments too extensive for posting here. Please see email on file dated September 2009
	2007-11-01	2007-11-27		Policy & Planning
	2007-11-01	2007-11-08		Public Health Inspector We have no objection to the application provided community water & sewer are available.
	2007-11-01	2007-12-28		RCMP No Comment
	2007-11-01	2007-12-10		School District No. 23 No response
	2007-11-01	2007-12-10		Shaw Cable No response
	2007-11-01	2007-12-05		Telus TELUS will provide underground facilities to this development. Developer will be required to supply and install conduit as per TELUS policy.
	2007-11-01	2007-12-10		Terasen Utility Services No response.

CITY OF KELOWNA
MEMORANDUM

Date: July 30, 2009
File No.: DP07-0075 DVP09-0076
To: Land Use Management Department (AW)
From: Development Engineering Manager
Subject: Proposed 4.5 Story Mixed Use Development
.Lots 12 -14 Plan 3769 560 Mckay Avenue

Development Engineering Department have 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.

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

1. Domestic Water and Fire Protection

- (a) The existing lots are serviced with small diameter water services. The developer's consulting mechanical engineer will determine the domestic and fire protection requirements of this proposed development and establish hydrant requirements and service needs.
- (b) The applicant, at his cost, will arrange for the removal of the existing main within the closed road and the installation of one new larger metered water service.
- (c) Provide a Watermain link within the created McKay Ave extension right-of-way, from the Watermain in McKay Avenue, to the existing main within Osprey Avenue. The estimated cost of this construction for bonding purposes is **\$28,000.00**
- (d) The developer must obtain the necessary permits and have all existing utility services disconnected prior to removing or demolishing the existing structures. The City of Kelowna water meter contractor must salvage existing water meters, prior to building demolition. If water meters are not salvaged, the developer will be invoiced for the meters.

2. Sanitary Sewer

- (a) The developer's consulting mechanical engineer will determine the requirements of this proposed development and establish the required size and preferred location of the new service. Only one service will be permitted for this development. The applicant, at his cost, will arrange for the removal of all existing small diameter services and the installation of a new larger service.
- (b) The applicant, at their cost, will arrange to decommission and remove the sanitary main existing in the laneway between Osprey Avenue and McKay Avenue. The developer must provide all lots currently being serviced by this main with an alternative service connection. A terminal manhole will be required. The estimated cost of this construction for bonding purposes is **\$15,000.00**
- (c) A downstream flow analysis check is required by a consulting civil engineer to determine the impact of additional flow contributions on the existing pipe system and sewer lift station. If it is determined that upgrades to the existing facilities must be made, additional bonding will be required.

3. Storm Drainage

- (a) The developer must engage a consulting civil engineer to provide a storm water management plan for these sites 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 plans, minimum basement elevations (MBE), if applicable, and provision of a storm drainage service and recommendations for onsite drainage containment and disposal systems.
- (b) Only one service will be permitted for this development. The applicant, at his cost, will arrange for the removal of the existing main within the closed road, installation of a terminal manhole, and the installation of one new overflow service. The estimated cost of this construction for bonding purposes is **\$15,000.00**

4. Road Improvements

- (a) The extension of McKay Avenue will require the construction of a modified local road standard (10.0m width), from McKay Avenue, south to Osprey Avenue. Construction will include curb and gutter, monolithic sidewalk, storm drainage system including catch basins and manholes, pavement, street lights as required, and relocation or adjustment of existing utility appurtenances if required to accommodate the upgrading construction. The estimated cost of this construction for bonding purposes is **\$50,000.00**
- (b) The lane fronting the northerly boundary on this development must be upgraded to a paved standard along the full frontage length of this development. Install a storm drainage system including a catch basin and drywell. The estimated cost of this construction for bonding purposes is **\$12,000.00**

5. Subdivision

By registered plan to provide the following:

- (a) Dedicate 10.0m of road width to extend McKay Avenue south, to Osprey Avenue.
- (b) Dedicate 0.75 widening of the north lane.
- (c) Lot consolidation.
- (d) Grant statutory rights-of-way if required for utility services.

6. Electric Power and Telecommunication Services

The electrical services to this development 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. Street Lighting

Street lighting including underground ducts must be installed on all roads fronting on the proposed development. The cost of this requirement is included in the roads upgrading item.

8. Engineering

Road and utility construction design, construction supervision, and quality control supervision of all off-site and site services including on-site ground recharge drainage collection and disposal systems, must be performed by an approved consulting civil engineer. Designs must be submitted to the city engineering department for review and marked "issued for construction" by the city engineer before construction may begin.

Should traffic conditions dictate, The City of Kelowna wishes to reserve the right to restrict access onto Pandosy Road to right in right out.

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 Agreements 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.
- (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. Geotechnical Report

As a requirement of this application the owner must provide a geotechnical report prepared by a Professional Engineer qualified in the field of hydro-geotechnical survey to address the following:

- (a) Area ground water characteristics.
- (b) Site suitability for development, unstable soils, etc.
- (c) Drill and / or excavate test holes on the site and install piezometers if necessary. Log test hole data to identify soil characteristics, identify areas of fill if any. Identify unacceptable fill material, analyse soil sulphate content, identify unsuitable underlying soils such as peat, etc. and make recommendations for remediation if necessary.
- (d) List extraordinary requirements that may be required to accommodate construction of roads and underground utilities as well as building foundation designs.
- (e) Additional geotechnical survey may be necessary for building foundations, etc.

12. Bonding and Levy Summary(a) Bonding

Watermain extension and servicing.	\$ 28,000.00
Sanitary Sewer modifications	\$ 15,000.00
Storm Sewer construction	\$ 15,000.00
McKay Avenue road construction	\$ 50,000.00
Lane construction	\$ 12,000.00

Total Bonding **\$ 120,000.00**

NOTE: The bonding amounts shown above are comprised of estimated construction costs escalated by 140% to include engineering design and contingency protection and are provided for information purposes only. The owner should engage a consulting civil engineer to provide detailed designs and obtain actual tendered construction costs if he wishes to do so. Bonding for required off-site construction must be provided and may be in the form of cash or an irrevocable letter of credit, in an approved format. The owner must also enter into a servicing agreement in a form provided by the City.

13. Administration Charge

An administration charge will be assessed for processing of this application, review and approval of engineering designs and construction inspection. The administration charge is calculated as (3% of Total Off-Site Construction Cost plus GST) **\$2,700.60** (\$ 2,572.00 + 128.60 GST)

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