

2.0 Purpose

The applicant is seeking a Development Permit to approve the form and character of a 12-unit townhome project.

3.0 Land Use Management

The proposed twelve unit townhome project would be a welcome addition to this transitional area, and assist in revitalizing the existing housing stock. The property owner has proposed to maintain the units as rental, which could provide affordable living in a convenient location.

The building design is an appropriate response to the local context and would be congruent with more modern development seen north on Mills Road. In addition, several key elements have been incorporated to provide visual interest, including significant ground-floor glazing, generous trim and varying roof lines. As such, the dual frontage streetscape has been incorporated into the site design.

As advised by staff and the APC, the applicant has provided an improved, detailed landscape plan to further enhance the buffering and visual interest of the site, while maintaining Crime Prevention Through Environmental Design (CPTED) principles.

The application conforms to bylaw standards, and is consistent with the Multiple Unit Residential - Low Density designation, and provides appropriate housing stock to enhance the social and community well-being of the area. Given the above information, the Land Use Management Department is supportive of the proposed Development Permit.

4.0 Proposal

4.1 Background

The existing lot formerly contained a single-family dwelling which was demolished in 2009. The surrounding neighbourhood is transitional in nature, located between residential and commercial development, in close proximity to the Highway 97 corridor. The existing housing stock in the area consists of older townhomes, fourplexes and duplexes, with a mix of rental and owner-occupied tenures. The residential area is designated for Multiple Unit Residential - Low Density development.

4.2 Project Description

The scale and location of the proposed townhome building would target students and other demographics in need of rental housing in an accessible area. The twelve unit townhome building would be positioned towards the northern portion of the lot. Each unit offers 604ft² of living space, including an open living/kitchen space on the main floor, with one bedroom and one bathroom on the second floor. The basement of the development, accessed from exterior stairwells, would provide twelve large storage areas for the above units. The two-storey height profile is appropriate given the prevailing development in the area.

Six of the twelve unit entrances face Fir Court. A significant amount of glazing highlights the ground levels, which include craftsman-style detailing. The building face is mirrored at the opposite end facing the rear-yard and parking area, with front entries to the remaining six-units leading to a pedestrian pathway to Mills Road.

Proposed finishing materials include a mix of vinyl siding and shakes in neutral tones with white trim board. The asphalt-shingled gable roof includes several vaulted areas to add variation.

Vehicular access would be from Mills Road, leading to a surface parking lot containing 16 parking stalls, including visitor parking. A sizable open area is offered at the southeast corner of the site, adjacent to the parking area.

4.3 Site Context

The subject property is located between the Highway 97 and Rutland Urban Centres in a transitional area. The west side of Mills Road includes vehicle-orientated commercial uses, while the area to the east transitions from low-density townhomes to single-family housing.

Specifically, the adjacent zones and uses are as follows:

| Orientation | Zoning | Land Use |
|-------------|--|---------------------------------|
| North | RM3 - Low Density Multiple Housing | Four-plex/Row Housing |
| East | RM3 - Low Density Multiple Housing | Four-plex/Row Housing |
| South | RM3 - Low Density Multiple Housing | Townhomes |
| West | C10 - Service Commercial RM3 - Low Density Multiple Housing | General Commercial Townhomes |

Subject Property Map: 245 Mills Road



| Zoning Analysis Table | | |
|---|--|--|
| Criteria | Proposal | RM3 Zone Requirements |
| Existing Lot/Subdivision Regulations | | |
| Site Area (m ²) | 1520m ² | 900m ² |
| Site Width (m) | 31.6m | 30.0m |
| Site Depth (m) | 48.2m | 30.0m |
| Development Regulations | | |
| F.A.R. | 0.4 | 0.5 |
| Building Site Coverage | 22% | 40% |
| Total Site Coverage | 49% | 50% |
| Height (m) | 8.0m | 9.5m |
| Storeys (#) | 2.0 | 2.5 |
| Required Setbacks | | |
| Front (Fir Ct.) | 5.6m | 4.5m |
| Flanking Side (Mills Rd) | 4.5m | 4.5m |
| Side (east) | 4.5m | 4.5m |
| Rear (south) | 27.6m | 7.5m |
| Other Regulations | | |
| Private Open Space | 238m ² | 15.0m ² per 1-bedroom dwelling = Total: 180 m ² |
| Parking Spaces (#) | 16 spaces | 1.25/one bedroom unit Total: 15 spaces |
| Bicycle Stalls (#) | Class I: 6+ spaces Class II: 2 spaces | Class I: 0.5/unit = 6 spaces Class II: 0.1/unit = 2 spaces |

5.0 Current Development Policies

5.1 Existing Zoning (RM3 - Low Density Multiple Housing)

The purpose is to provide a zone for low density multiple housing on urban services.

5.2 Official Community Plan

Ground-Orientated Housing: Encourage the development of ground-orientated multiple unit housing as an affordable housing choice for the rental or ownership markets, include families with children, in those areas where Map 19.1 indicates necessary densities as being appropriate. Ground orientated housing is defined as housing where each dwelling unit has direct access to the unit and private open space at grade level.¹

Housing Variety: Encourage the development of a variety of housing forms to ensure that the housing supply meets the needs of Kelowna's diverse population and satisfies a range of lifestyle choices.²

Objectives for Multiple Unit Residential Development³

- 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 a sense of community identity and sense of place (integration of development within larger community, belonging, community cohesiveness).

¹ Section 8.1.38 (Page 8-6)

² Section 8.1.40 (Page 8-6)

³ Section 8.2, (Page 8-11).

- All development should facilitate access by, and minimize conflicts among pedestrian, bicycle, and vehicular modes of transportation (access, mobility).
- All development should promote safety and security of persons and property within the urban environment (CPTED).

6.0 Technical Comments

6.1 Building & Permitting Department

Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permits. Full Plan check for Building Code related issues will be done at time of Building Permit application. Exterior guards appear to be climbable at exterior entrances to basement.

6.2 Development Engineering Department

See attached.

6.3 Fire Department

Fire department access, fire flows, and hydrants as per the BC Building Code and City of Kelowna Subdivision Bylaw #7900. The Subdivision Bylaw requires a minimum of 90ltr/sec flow. No Parking signs should be provided along the access roadway through this development. Additional visitor parking should be considered in this development as parking on the access roadway is a concern.

6.4 Infrastructure Planning

Existing City policy provides direction for a property boarding onto 2 roads, that the lesser travel road should be the location for the driveway access. With this specific application, an alternative approach may have merit of locating the driveway access off Mills Rd for the following reasons: Mills Rd is a local road with low levels of traffic, and a driveway access off Fir Ct may create traffic problems with the left-hand turn from Mills to Fir.

6.5 Interior Health Authority

No concerns.

6.6 Irrigation District (Rutland Waterworks)

See attached.

6.7 Bylaw Services (n/a)

6.8 School District No. 23 (n/a)

7.0 Application Chronology

| | |
|-------------------------------|-----------------|
| Date of Application Received: | March 15, 2010 |
| Revised Drawings Received: | July 28, 2010 |
| Advisory Planning Commission: | August 31, 2010 |

The above noted application was reviewed by the Advisory Planning Commission at the meeting on August 31, 2010 and the following recommendation was passed:

THAT the Advisory Planning Commission support Development Permit Application No. DP10-0029 at 245 Mills Road to allow a Development Permit for construction of 12 unit multiple family dwellings.

APC Comment:

The Advisory Planning Commission support the Development Permit but suggests an enhanced treatment of the Mills Road streetscape be provided.

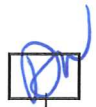
Revised landscape plan submitted: October 29, 2010

Report prepared by:



Luke Turri, Land Use Planner

Reviewed by:



Danielle Noble, Manager, Urban Land Use

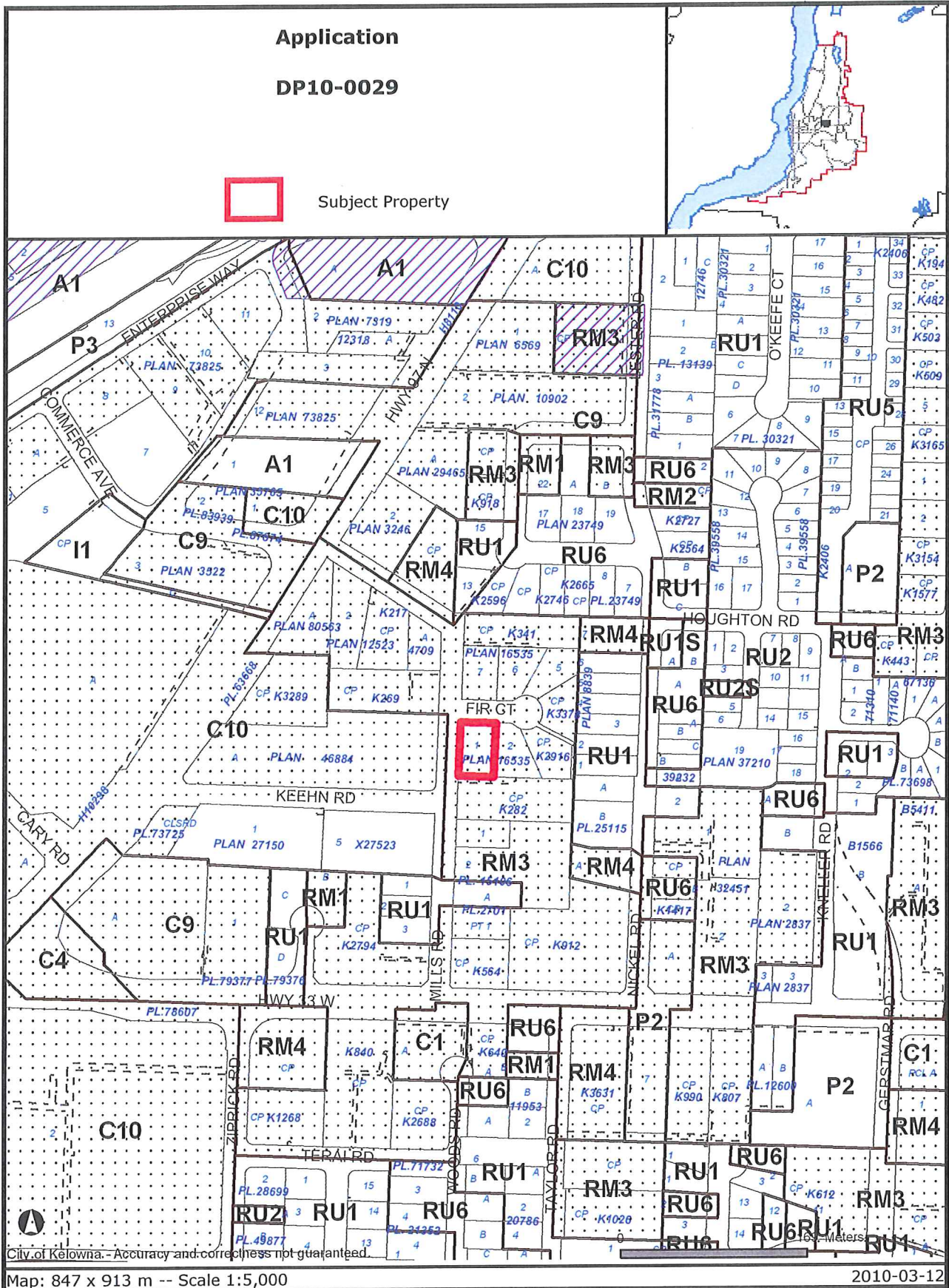
Approved for Inclusion:



Shelley Gambacort, Director, Land Use Management

Attachments:

- Subject Property Map
- Site Plan
- Conceptual Elevations
- Perspectives
- Landscape Plan
- Context/Site Photos
- Applicant's Project Description (GTA Architecture Ltd.)
- Sustainability Checklist
- Development Engineering Branch Comments
- Rutland Waterworks District Comments
- Draft Development Permit

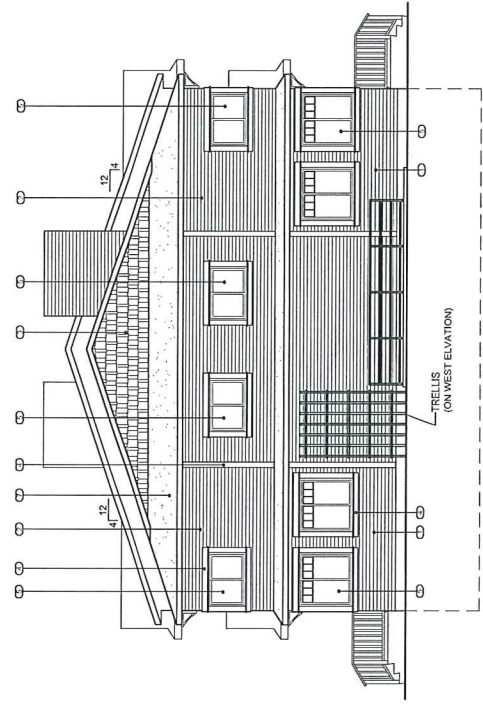


Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.

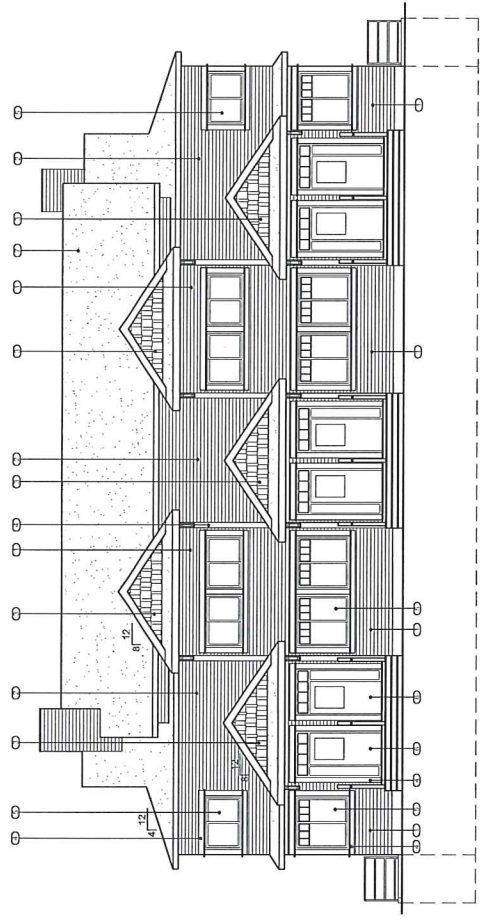
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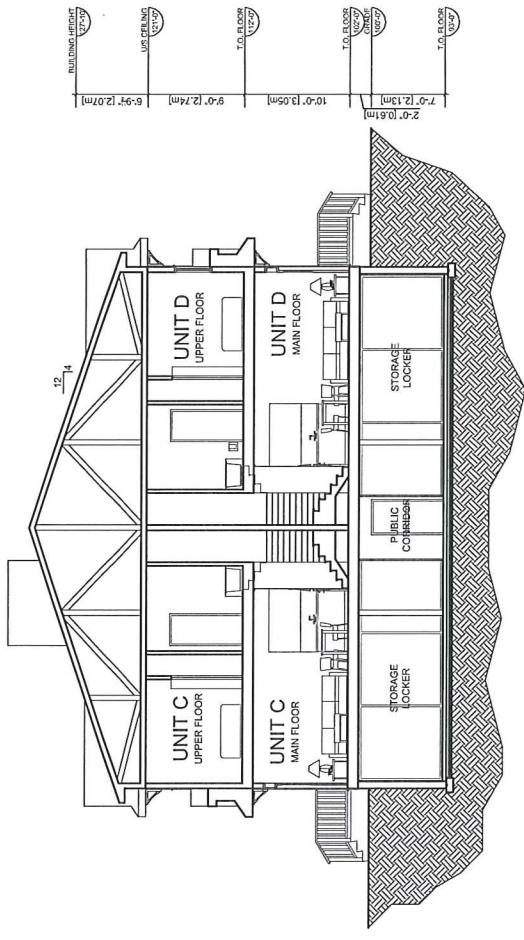
| DATE | BY | REV. | REVISION |
|------------|----|------|---------------------------|
| 11/17/2019 | GA | 01 | ISSUED FOR PERMITS |
| 03/07/2020 | GA | 02 | ISSUED FOR DOCUMENT FRAME |
| 04/07/2020 | GA | 03 | ISSUED FOR EXHIBIT REVIEW |
| 04/07/2020 | GA | 04 | ISSUED FOR PERMITS |



2 EAST & WEST ELEVATIONS
 Scale: 3/16" = 1'-0"



1 NORTH & SOUTH ELEVATIONS
 Scale: 3/16" = 1'-0"



3 NORTH SOUTH SECTION
 Scale: 3/16" = 1'-0"

MATERIAL LEGEND:

- VINYL SIDING COLOUR 1 (DARK)
- VINYL SIDING COLOUR 2 (LIGHT)
- VINYL SHAKES
- TRIM
- EXTERIOR VINYL WINDOW
- EXTERIOR VINYL DOOR
- ASPHALT ROOF

gta
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 Kelowna, British Columbia
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 Tel: 250/860-9999
 Fax: 250/860-9976
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PROJECT:
 YOLANDA COURT
 244 MILLS RD.
 Kelowna, BC

PREP FILE

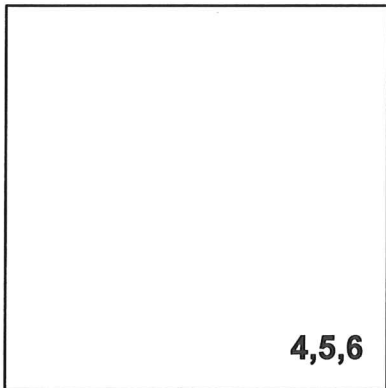
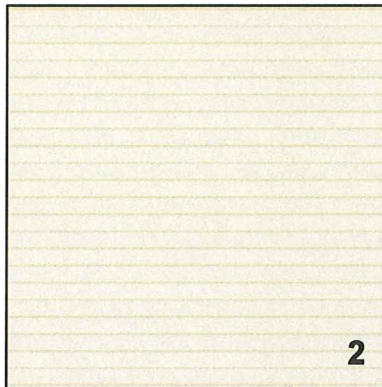
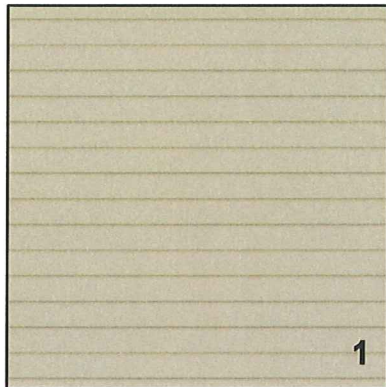
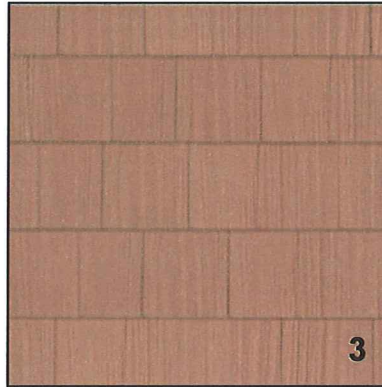
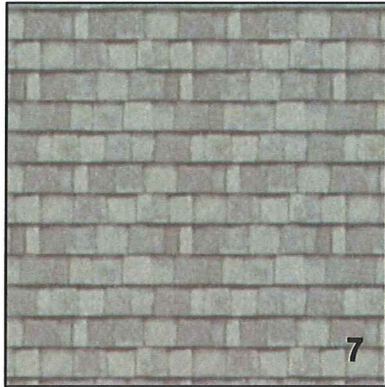
| DATE | JOB | REV. | SCALE | FILE |
|------------|-----|------|---------------|------|
| 11/17/2019 | GA | 01 | 3/16" = 1'-0" | A4.1 |
| 03/07/2020 | GA | 02 | 3/16" = 1'-0" | A4.1 |
| 04/07/2020 | GA | 03 | 3/16" = 1'-0" | A4.1 |
| 04/07/2020 | GA | 04 | 3/16" = 1'-0" | A4.1 |

SCHEDULE "B" (2 of 3)
 This forms part of development Permit # **DP10-0029**

SCHEDULE "B" (3 of 3)

This forms part of development

Permit # DP10-0029



MATERIAL LEGEND:

- 1. VINYL SIDING (COLOUR 1 (DARK))
- 2. VINYL SIDING (COLOUR 2 (LIGHT))
- 3. VINYL SHAKES
- 4. TRIM BOARD
- 5. EXTERIOR VINYL WINDOW
- 6. EXTERIOR DOOR
- 7. ASPHALT ROOF

Project Description

4.1 Design Rational

Our client proposes to construct a single 12 unit, rental apartment building at 245 Mills Rd. The lot occurs along a transition boundary within the city. Directly across Mills Rd from our client's site, the current zoning changes from RM3 to C10, and the OCP transitions from Multiple Unit Residential (Low Density) to Commercial. The zoning surrounding the property is a mix of various RU and RM zones. The properties located to the north, east, and south are predominantly grade accessed, low rise multi unit townhouse style residential buildings. To the east, the buildings are mostly single storey light industrial/commercial buildings. This proposal should be viewed as an improvement over the currently vacant lot. The townhouse style building provides 12 individually grade accessed, 2 storey, 1 bedroom units and is in keeping with both the form and scale of the existing residential neighbourhood.

A variety of design strategies were implemented to give the building a residential quality. A traditional sloped roof was used. The roof line was varied and gables were added over the windows and doors. Residential style siding was chosen with vinyl shakes proposed to enhance the gable ends. Two colours of vinyl lap siding in muted natural tones were chosen for the exterior to visually reduce the mass of the walls. Individual entrances provide the apartments with a townhouse feel and lend a residential character to the building. Each unit is accessed off grade by a front stoop. The front stoops were oversized so that they could also double as small patios for the units.

Although an option to provide the parking screened behind and underneath the building was investigated, we felt that this was counter to the goals of crime prevention. While successfully screening the parking from view, it also provided a screened and hidden environment for criminals since the parking would be visible by neither the neighbours nor residents. Instead the off-street parking is located in the rear yard partially screened by landscaping. This option mitigates the visual impact of the parking but still allows for partial views by neighbouring eyes, which will make the space less desirable for criminals.

4.2 Sustainability

We have reviewed Kelowna's "Sustainability Checklist" document; answers for some of the questions have been provided in the following paragraph to the largest extent possible at this time. The proposed development is located within the existing urban footprint of the city, allowing existing transportation and servicing infrastructure to be utilized. The lot is currently vacant; any development on this site will increase the density. This allows public infrastructure to be better utilized decreasing the need for costly new infrastructure and reduces maintenance costs. Increasing the density and reutilizing existing developed land also preserves natural habitat and open green space surrounding the city, as no new land is required. The location within the urban footprint reduces the dependency on the automobile, as existing amenities are within walking distance. A 12min walk will allow residents to access the Wal-Mart and shopping near

Banks Rd. A 300m (approximately 3 min.) walk accesses the No. 10 "North Rutland" bus route, which provides access to the shopping off McCurdy Rd, Orchard Park Mall, and Downtown. The unique 2 storey, 1 bedroom, rental units, proposed for this development add to the diversity of housing options available within the community. A properly designed and detailed building can reduce heating and cooling loads, increase air quality, and reduce energy consumption. Envelope details that prevent water and moisture ingress yet still allow the assemblies to dry prevent mould growth. Reducing thermal bridging combined with appropriate thermal insulation reduce heating and cooling loads. Providing windows in all of the occupied spaces allows natural day lighting and views reducing energy consumption required for illumination. Operable windows allow for natural ventilation reducing the need for mechanical ventilation to provide fresh air.

4.3 Crime Prevention Through Environmental Design (CPTED)

The intentions of CPTED have been addressed in the following ways. Residents can take pride in rental units that are new and well maintained which discourages vandalism. The design of the buildings and landscaping promote surveillance and do not provide opportunistic hiding spaces. The entrances are clearly visible from the street and parking areas. Points of entry and pathways will be clearly lit, designed to illuminate the faces of users, and provide illumination levels that do not create high contrast areas that could potentially conceal offenders. Individual entrances allow residents to become familiar with their neighbours and recognize when strangers are present. Large windows and stoops in the front of the units help to provide eyes to the street and parking areas. To support interaction and familiarity amongst the residence common outdoor space has been provided. Landscaping in the common outdoor spaces will be designed to make the spaces more desirable and encourage tenant usage. Plantings that inhibit access will be located below grade level windows, changes in materials will define the transition from public common space to tenant common space, and the front stoops clearly define the boundary between the common and private outdoor space.



Land Use Management
 1435 Water Street
 Kelowna, BC V1Y 1J4
 250 469-8626
 kelowna.ca/landuse
 sustainability@kelowna.ca

Sustainability Checklist

Commercial or Multi-unit Development
 (no Rezoning)

Project Name or Location YOLANDA COURT (245 MILLS RD.)

Applicant Name JON WILDERMAN

Organization _____

ECONOMIC SUSTAINABILITY

| | Score | Points |
|---|-------|--------|
| Proximity to Urban or Village Centre (IF APPLICABLE, SELECT ONE FROM LIST) | | |
| <input type="checkbox"/> Less than 400 metres (1-4 minute walk) | | 5 |
| <input checked="" type="checkbox"/> 400 - 800 metres (5-10 minute walk) <u>TO URBAN CENTRE "B HIGHWAY CENTRE"</u> | 4 | 4 |
| <input type="checkbox"/> 800- 1200 metres (10-15 minute walk) | | 3 |
| <input type="checkbox"/> 1200-2400 metres (15- 30 minute walk) | | 2 |
| Development Will Create Long-term Permanent Employment beyond Construction Phase, to a maximum of 5 jobs | 2 | 2-5 |
| Building uses: (IF APPLICABLE, SELECT ONE FROM LIST) | | |
| <input type="checkbox"/> 3 or more uses (ie. Office space, retail & residential) | 0 | 3 |
| <input type="checkbox"/> 2 uses or types of residential (ie. retail & residential or townhouse & low-rise apartments) | | 2 |
| Employs local contractors (some, most or all) during construction | 5 | 2-5 |
| Construction products and supplies sourced within the region | 2 | 1-2 |
| SUBTOTAL | 13 | 20 |

ENVIRONMENTAL SUSTAINABILITY

| | Score | Points |
|--|-------|--------|
| Green Building Certification being sought | | |
| <input type="checkbox"/> LEED | 0 | 5 |
| <input type="checkbox"/> BuiltGreen, Green Globe or other (please specify) _____ | | 3 |
| Recycled Materials used in Building Construction | 0 | 2 |

Green Space

| | | |
|---|---|-----|
| Environmentally-Sensitive Areas Permanently Protected (through a covenant, park dedication, etc.) | | 2-5 |
| or | | |
| <u>No Disruption of an Environmentally Sensitive Area</u> | 5 | 5 |
| Design includes Shared Green Space (ie. Rooftop garden, community garden) | 2 | 2-3 |
| Environmentally-Sensitive Areas Protected during construction phase (ie. Fenced) | | 2 |
| or | | |
| No Environmentally Sensitive Area to protect ✓ | 2 | |
| Redevelopment of a Brownfield Site (existing development site) | 2 | 2 |
| Waste Management Plan | 2 | 2 |

Air Quality

| | | |
|--|---|---|
| Proximity to Transit Stop (IF APPLICABLE, SELECT ONE FROM LIST) | | |
| <input checked="" type="checkbox"/> Less than 400 metres (1-4 minute walk) | 5 | 5 |
| <input type="checkbox"/> 400 - 800 metres (5-10 minute walk) | | 4 |
| <input type="checkbox"/> 800- 1200 metres (10-15 minute walk) | | 3 |
| <input type="checkbox"/> 1200-2400 metres (15- 30 minute walk) | | 2 |
| Co-op Car(s) or Transit Passes for Building Occupants (secured through an agreement) | 0 | 2 |
| Natural Ventilation (ie. Windows that open) | 2 | 2 |

| | | |
|--|---|---|
| Safe & Accessible Bicycle Storage Facilities | 2 | 2 |
| Trees planted on the site beyond zoning requirements (not including any replacement trees) | | |
| <input type="checkbox"/> 1-5 trees | | 1 |
| <input type="checkbox"/> 5 + | | 2 |
| No Fast Food Drive Thru facilities | 1 | 1 |

Water Quality & Quantity

| | | |
|---|---|---|
| Recycling of grey water | 0 | 4 |
| 50% of area outside of permitted site coverage is permeable or unpaved surface | 2 | 2 |
| Hydrogeological Assessment Completed (for the protection and management of groundwater and surface water) | 2 | 2 |
| or Hydrogeological Assessment Not Applicable ✓ | | |
| Irrigation system employs conservation technology (ie. Drip irrigation) | | 2 |
| or No irrigation system required for landscaping | | |
| Rainwater collection | | 2 |
| or Water conservation beyond building code requirements | | |
| Xeriscaping for water conservation | | 2 |
| or Landscaping with indigenous vegetation (drought resistant) | | |

Energy Conservation

| | | |
|---|----|-----|
| Renewable Energy Source(s) for Building, such as geo-thermal, solar photovoltaic, air pumps, etc. Please Specify: _____ | 0 | 2-4 |
| Building Orientated and/or Designed to Maximize Energy Savings | 0 | 2 |
| Low Energy Windows Installed throughout Building(s) | | 2 |
| Pre-Heating Water Energy Technology to be Employed | 0 | 2 |
| Energy Efficient Features (lighting, appliances, etc.) | 0 | 1 |
| SUBTOTAL | 27 | 60 |

SOCIAL SUSTAINABILITY

| | Score | Points |
|---|-------|--------|
| Site 1200 metres or less (15 minute walk) to: | | |
| ▶ Daycare/School ✓ 750m (SPRING VALLEY BLEM.) | 2 | 2 |
| ▶ Medical Facilities ✓ 1.1 900m (MAY BENNETT WELLNESS CENTRE) | 2 | 2 |
| ▶ Parks ✓ 1.2 km (BEN LEE PARK) (DAVIE RD PARK) | 2 | 2 |
| ▶ Shopping ✓ 450m (COSTCO) | 2 | 2 |
| ▶ Restaurant/Café 1.1 km (CACTUS CLUB) | 2 | 2 |
| Housing Agreement for Affordable Housing, Purpose Built Rental Development or Housing Includes Secondary Suite(s) | 5 | 5 |
| Provides Indoor or Outdoor Social/Recreational Amenity (i.e. community meeting place, dog park, public community garden, etc.). Please Specify: _____ | 0 | 2-3 |
| Designed According to Crime Preventions Through Environmental Design (CPTED) Principles (staff can provide document) | 2 | 2 |
| SUBTOTAL | 17 | 20 |

CULTURAL SUSTAINABILITY

| | Score | Points |
|---|-------|--------|
| Voluntary Streetscaping Improvements, such as benches, planters, or lighting upgrades | | 2-4 |
| City Design Guidelines & Staff Comments Addressed in Project Design | 3 | 1-3 |
| Heritage Site Identified and Recommendations for Conservation Followed | 3 | 1-3 |
| or No Disturbance to a Heritage Site (No Heritage Site) | | 3 |

| | | |
|---|---|-----|
| Public Art Provision or Significant Public Amenity (i.e. covered walkway, fountain, etc.) Please Specify: _____ | 0 | 1-3 |
| Connectivity from site to Parks, Bike Paths, Pedestrian Walkways, or Local Amenities (shops, medical centre, etc.) | 2 | 2 |
| SUBTOTAL | 8 | 15 |

BONUS

| | Score | Points |
|---|-------|--------|
| Other Sustainability Measure(s), including but not limited to: <ul style="list-style-type: none"> ▶ Rehabilitation of a Natural Feature (i.e. wetland); Green Roof; Accessible Design Beyond Building Code; Child-Friendly Design. Please provide details below | 0 | 1-10 |
| ECCONMIC SUBTOTAL | 13 | 20 |
| ENVIRONMENTAL SUBTOTAL | 27 | 60 |
| SOCIAL SUBTOTAL | 17 | 20 |
| CULTURAL SUBTOTAL | 8 | 15 |
| TOTAL | 65 | 125 |

ADDITIONAL DETAILS

refer to "Project Description, 4.2 Sustainability" attached to application

Thank you for taking the time to complete the City of Kelowna Sustainability Checklist. Once you have completed the checklist, please email it to sustainability@kelowna.ca or drop it off on the 2nd floor of City Hall.

Thank you.

CITY OF KELOWNA
MEMORANDUM

Date: August 25, 2010 (revision 1)
File No.: DP10-0029
To: Planning & Development Services Department (LT)
From: Development Engineer Manager (SM)
Subject: 245 Mills Road, Lot 1, plan 16535, Section 27 Township 26, ODYD.

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

1. Subdivision

- a) Dedicate a 6.0 m. radius corner rounding at the intersection of Mills Road and Fir Court.
- b) Provide easement as may be required.

2. Geotechnical Study.

A comprehensive Geotechnical Study is required (3 reports), which is to be prepared by a Professional Engineer competent in the field of geotechnical engineering, the study is to address the following:

- a) Overall site suitability for development.
- b) Presence of ground water and/or springs.
- c) Presence of fill areas.
- d) Presence of swelling clays.
- e) Presence of sulfates.
- f) Potential site erosion.
- g) Provide specific requirements for footings and foundation construction.
- h) Provide specific construction design sections for roads and utilities over and above the City's current construction standards

3. Domestic water and fire protection.

This development is within the service area of the Rutland Waterworks District (RWD). The developer is required to make satisfactory arrangements with the RWD for these items. All charges for service connection and upgrading costs are to be paid directly to the RWD. The developer is required to provide a confirmation that the district is capable of supplying fire flow in accordance with current requirements for the proposed development.

A watermeter is mandatory as well as a sewer credit meter to measure all the irrigation water. Watermeters must be housed in an above-ground, heated, accessible and secure building, either as part of the main site buildings or in a separate building. Remote readers units are also mandatory on all meters.

4. Sanitary Sewer.

- a) The subject property is serviced by the Municipal wastewater collection system and is located within specified area #22F.
- b) The developer will be responsible to pay the sanitary Sewer Specified Area #22F charge for each of the proposed units. The charge is currently set at \$4,200.05 (Until March 31, 2011) per Single Family Equivalent (SFE). The SFE is calculated as follows: (12 units x 0.5) less 1 unit cash commuted on March 23, 2004= 6 SFE-1 SFE = 5 SFE. The total charge is **\$21,000.25**.
- c) Should a new sanitary service, sized to accommodate the proposed development be required, the redundant 100 mm. diameter service must permanently disconnected. The cost of disconnecting the old services and installing a new service will be determined when an application for the new service is received by the City Inspection Services Department

5. Drainage.

A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual, is a requirement of this application. The drainage study should indicate the size and location of the ground recharge system.

6. Power and Telecommunication Services.

The services to this development are to be installed underground. It is the developer's responsibility to make a servicing application to the respective utility companies. The utility companies are then required to obtain the city's approval before commencing their works.

7. Road improvements.

a) Mills Road

The applicant is responsible for the frontage upgrade of Mills Road to a paved urban standard (SS-R5). The construction consists of curb, gutter, separate sidewalk, fillet paving, storm drainage works with pipe, manhole, catch basin, removal and/or relocation of utilities as may be required, etc. The estimated cost for this work, for bonding purpose, would be **\$40,500.00**, inclusive of a bonding contingency (Utility poles relocation not included).

b) Fir Court

The applicant is responsible for the frontage upgrade of fir Court to a paved urban standard (SS-R5). The construction consists of curb, gutter and sidewalk, fillet paving, storm drainage works with pipe, manhole, catch basin, removal and/or relocation of utilities as may be required, etc. The estimated cost for this work, for bonding purpose, would be **\$23,900.00**, inclusive of a bonding contingency (Utility poles relocation not included).

8. 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.

9. Servicing Agreements 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.

10. Other Engineering Comments.

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

11. DCC Credits.

None of the required improvements qualify for DCC credit consideration, as these upgradings are not identified in the current DCC schedules.

12. Bonding and Levies Summary.

a) Performance Bonding

| | |
|-------------------------------|---------------------|
| Mills Road frontage upgrading | \$ 40,500.00 |
| Fir court frontage upgrading | <u>\$ 23,900.00</u> |
| Total Bonding | <u>\$ 64,400.00</u> |

b) levies

| | |
|---|-------------|
| Specified Area #22F charges | \$21,000.25 |
| Inspection and administration fee (incl. GST) | \$ 1,449.00 |

Steve Muenz, P.Eng.
Development Engineering Manager

BB



Rutland
WATERWORKS DISTRICT

106 – 200 Dougall Road North
Kelowna, BC V1X 3K5
www.rutlandwaterworks.com

p: (250) 765-5218
f: (250) 765-7765
e: info@rutlandwaterworks.com

August 24, 2010

Jon Wilderman
1860 Jonathan Rd
Kelowna BC V1P 1A9

RE: Lot 1, Plan 16535 – 245 Mills Rd DP 10-0029 and 10/01 (RWD)

Rutland Waterworks District acknowledges receipt of revised plans for development at the above noted address, forwarded to us for comment by the City of Kelowna Planning Department.

Our engineer, Jody Good of Mould Engineering in Kelowna, will be requested to review the plans as submitted to determine requirements for fire flows, connection details, Capital Expenditure Charges (CEC's) water system upgrades (if required) and an estimate of these costs based on these initial plans.

A \$2,000.00 deposit is required for this initial engineering review. Please note that the review will commence *upon* receipt of payment of the enclosed invoice.

For your information any determined Capital Expenditure Charges will be due to Rutland Waterworks District at the building permit stage. Any other costs will be due prior to the issuance of a water certificate letter to the City of Kelowna.

Further all bylaws and regulations of Rutland Waterworks District must be adhered to for the commitment of water service to this property.

Sincerely,

Pete Preston
General Manager

Encl.

- c. City of Kelowna (Planning Department)
Mould Engineering

CITY OF KELOWNA

APPROVED ISSUANCE OF A:

Development Permit No.: DP10-0029

| | |
|---------------------------------|------------------------------------|
| EXISTING ZONING DESIGNATION: | RM3 - Low Density Multiple Housing |
| WITHIN DEVELOPMENT PERMIT AREA: | Multi-Family Residential |

| | |
|---------------------------|---|
| ISSUED TO: | Jon Wilderman (c/o GTA Architecture Ltd.) |
| LOCATION OF SUBJECT SITE: | 245 Mills Road |

| | LOT | SECTION | PLAN | TOWNSHIP | DISTRICT |
|--------------------|-----|---------|-------|----------|----------|
| LEGAL DESCRIPTION: | 1 | 27 | 16535 | 26 | ODYD |

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.
- Applicants for Development and Development Variance Permit should be aware that the issuance of a Permit limits the applicant to be in strict compliance with regulations of the Zoning Bylaw or Subdivision Control Bylaw unless specific Variances have been authorized by the Permit. No implied Variances from bylaw provisions shall be granted by virtue of drawing notations which are inconsistent with bylaw provisions and which may not have been identified as required Variances by the applicant or City staff.

1. TERMS AND CONDITIONS:

- a) THAT the dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";
 - b) THAT the exterior design and finish of the building to be constructed on the land, be in general accordance with Schedule "B";
 - c) THAT landscaping to be provided on the land be in general accordance with Schedule "C";
 - d) 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;
2. The development shall commence by and in accordance with an approved Building Permit within ONE YEAR of the date of the approval.

3. 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 Permittee and be paid to the Permittee if the security is returned. The condition of the posting of the security is that should the Permittee 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 Permittee, or should the Permittee carry out the development Permitted by this Permit within the time set out above, the security shall be returned to the Permittee. There is filed accordingly:

- (a) Cash in the amount of \$ _____.
- (b) A Certified Cheque in the amount of \$ 39808.75.
- (c) An Irrevocable Letter of Credit in the amount of \$ _____.

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.

4. 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 which shall form a part hereof.

If the Permittee does not commence the development Permitted by this Permit within one year of the date of this Permit, this Permit shall lapse.

This Permit is not transferrable unless specifically Permitted by the Municipality. The authorization to transfer the Permit shall, if deemed acceptable, be granted by Council resolution.

THIS Permit IS NOT A BUILDING Permit.

5. APPLICANT'S AGREEMENT:

I hereby declare that all 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 Development Permit or Development Variance 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 Director of Community & Corporate Services.

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

I HEREBY UNDERSTAND AND AGREE TO ALL THE TERMS AND CONDITIONS SPECIFIED IN THIS PERMIT.

Signature of Owner/Authorized Agent

Date

Print Name in Bold Letters

Telephone No.

6. APPROVALS:

AUTHORIZED BY MUNICIPAL COUNCIL OF THE CITY OF KELOWNA THE _____ DAY OF _____, 2010.

ISSUED BY THE DIRECTOR OF LAND USE MANAGEMENT FOR THE CITY OF KELOWNA THE ____ DAY OF _____, 2010.

Shelley Gambacort
Director, Land Use Management

