

Memo



Date: January 28, 2011
To: City Manager
From: Land Use Management, Community Sustainability
Application: Z10-0096 **Owner:** Thomas Michael Gruendel
Address: 540 Osprey Avenue **Applicant:** Regjis Enterprises
Subject: Rezoning Application
Existing OCP Designation: Commercial
Existing Zone: RU6 - Two Dwelling Housing
Proposed Zone: C4 - Urban Centre Commercial

1.0 Recommendation

THAT Rezoning Application No. Z10-0096 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classifications of Lot 19, D.L. 14, ODYD, Plan 3769, located at 540 Osprey Avenue from RU6 - Two Dwelling Housing to C4 - Urban Centre Commercial, be considered by Council;

THAT the zone amending bylaw be forwarded to a Public Hearing for further consideration;

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

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

THAT final adoption of the zone amending bylaw be considered subsequent to required rear lane dedication;

2.0 Purpose

To rezone the subject property from RU6 - Two Dwelling Housing to C4 - Urban Centre Commercial to consider a 3 storey mixed use development.

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3.0 Land Use Management

The proposed rezoning is consistent with the OCP's Commercial Future Land Use Designation. The proposal is for the construction of a mixed use building within the South Pandosy Urban Town Centre. This proposal fosters a mix of uses, including a commercial component that supports 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.

Overall the proposed development fits with what Staff foresee happening within the South Pandosy Town Centre. While recognizing that this is a tight development site Staff have been working with the applicant to improve the design of the project, especially given the high quality design standard that is currently being achieved in the South Pandosy Town Centre.

4.0 Proposal

4.1 Project Description

The applicant has proposed to construct a three storey mixed-use building on the subject property. The building is composed of a ground level retail space, second floor office space and a third storey consisting of two residential units. The proposed parking scheme indicates that of the required 12 parking stalls, 5 stalls will be located beneath the buildings' habitable space and set behind the retail space fronting Osprey. The remaining 5 surface parking stalls are located at the rear of the proposed development. The applicant will be providing cash-in-lieu for the 2 stall parking shortfall.

The proposed building materials consist primarily of stucco, split face concrete block, glass and coloured stone, black trim, black fabric canopies and black aluminium window frames. The landscaping will be limited to small landscape boxes along Osprey Avenue and adjacent to the side lane. The proposal compares to the C4 - Urban Centre Commercial Zoning requirements as follows:

Zoning Analysis Table		
CRITERIA	PROPOSAL	C4 ZONE REQUIREMENTS
Development Regulations		
Floor Area Ratio	1.408	1.3 - Base 0.1167 parking bonus 1.416
Height	12.8m / 3 storeys	15.0m / 4 storeys
Front Yard	0.3m	0.0m
Side Yard (east)	0.91m	0.0m
Side Yard (west)	0.3m	0.0m
Rear Yard	5.82m	0.0m
Other Regulations		
Minimum Parking Requirements	10 stalls ¹	12 stalls
Bicycle Parking	6 Stalls	Class I = 2 Stalls Class II = 4 Stalls
Private Open Space	150 m ²	40.0m ²
Loading Spaces	1 space	1 space

¹Cash-in-lieu for two parking stalls = \$15,000

4.2 Site Context

The subject property is located in an area of transition between Pandosy and Richter Streets and near Osprey Park in the South Pandosy Town Centre area. The subject property is a small lot for a mixed use form of development and service lanes are located to the rear and east of the property. As a result the lot is fairly constrained and cannot accommodate a larger building.



The adjacent land uses are as follows:

<i>Direction</i>	<i>Zoning Designation</i>	<i>Land Use</i>
North	C4 - Urban Centre Commercial	Commercial
East	Parking Lot	Parking Lot
South	RU6 - Two Dwelling Housing (Proposed C4 Development)	Residential (Proposed Mixed Use)
West	C4 - Urban Centre Commercial	Commercial

5.0 Current Development Policies

5.1 Kelowna Official Community Plan - Commercial (Chapter 9)

- **Location of New Commercial.** Direct new commercial ventures to locate in areas designated for commercial purposes (see Map 19.1);

- **Urban Centre Focus.** Encourage new retail, service, office, hotel/motel, and entertainment facilities to locate within the Urban Centres, in accordance with the provisions of Map 6.2 and the policies of Chapter 6;
- **Office Space.** Consider rezoning applications with the objective of ensuring that there is a competitive supply of office space;
- **Niche Retail.** Encourage niche retail establishments to locate in the City Centre and the Town Centres;

5.2 South Pandosy / KLO Sector Plan

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 retails businesses by tourists and local residents.
- An urban design framework that sets the stage for development permit area guidelines for commercial and multiple-family residential uses. The Plan recognizes strategic areas, land uses, streetscapes and transition zones where development design guidelines will be instrumental in achieving the many other planning principles for this Plan

South Pandosy Town Centre Objectives / Guidelines

- Promote high quality urban design that compliments the positive attributes of existing facilities
- Encourage new multiple-family residential developments that fits into the scale, character and streetscape of the neighbourhood
- Support commercial development that positively reinforces the relationship of the South Pandosy area to the waterfront, parks, mature residential neighbourhoods and recreational and cultural facilities
- Improve the visual quality of roadways and access to transit by situating new commercial buildings adjacent to the street and locating parking and service areas behind the building
- Enhance the relationship of commercial areas to parks and surrounding residential neighbourhoods by preserving view corridors, providing convenient pedestrian access to the development and by giving consideration to the design of side and rear buildings facades
- Buildings and structures should be site and designed to be compatible with surrounding development, with due consideration to building design, open space areas and efficient circulation systems
- The design of commercial building facades should appropriately address adjacent uses and structures

South Pandosy Town Centre Policies

- Utilize building architecture forms, proportions and features for transitional residential land uses similar to those of adjacent land uses in order to provide as seamless a 'fit' of the buildings into the neighbourhood as possible
- Provide a strong gateway or sense of entry to the urban town centre along the north-south arterials (Southbound: Pandosy Street at Wardlaw). The gateway should be

established by the appropriate use of land use, site planning building design, landscaping and street section, including streetscape treatment.

- Create a unique image and identity for the Town Centre using design, marketing and tenant mix.

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
- Potential spatial separation issues between the east side of building and the centerline of the lane. Additional unprotected opening allowances are not allowed due to a parking lot existing on another side of the lane. The spatial calculations are to be approved by Development Services prior to the release of the Development Permit. Refuse doors are not allowed to swing into the lane.
- A minimum Geodetic Elevation of 343.66 meters is required for all habitable spaces including the parking garage(s).
- Geotechnical report and schedules required for any fill that will be placed to support the building structures. A demolition permit required for the existing structure.
- The covered parking may require sprinklers, code analysis to at time of building permit is to indicate requirements.
- The Building Permit drawings are to clearly identify all the fire separation assemblies.
- Canopies are to be addressed in the Development Permit
- Demolition Permit required for the existing structure.
- North stair well exits (main floor plan) into bike storage (site plan). North elevation do not match plans. We recommend that plans are revised and resubmitted.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications

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 water mains are to supply a minimum of 150ltr/sec as outlined in the Subdivision Bylaw. Additional comments will be required at the building permit application.

6.4 Interior Health Authority

See Attached.

6.5 Irrigation District - N/A

6.6 School District No. 23 - N/A

7.0 Application Chronology

Date of Application Received: November 3, 2010

Advisory Planning Commission January 18, 2011

The above noted application was reviewed by the Advisory Planning Commission at the meeting on January 18, 2011 and the following recommendation was passed:

THAT the Advisory Planning Commission support Rezoning Application No. Z10-0096, for 540 Osprey Avenue to rezone the subject property from the RU6 - Two Dwelling Housing zone to the C4 - Urban Centre Commercial zone.

Anecdotal Comments

The Advisory Planning Commission supported the Rezoning and Development Permit Application however, suggested better articulation of building entrances, and to work with staff to ensure that the landscape plan meets Development Permit objectives.

Report prepared by:



Alec Warrender, Urban Land Use Planner

Reviewed by:



Danielle Noble Manager, Urban Land Use Management

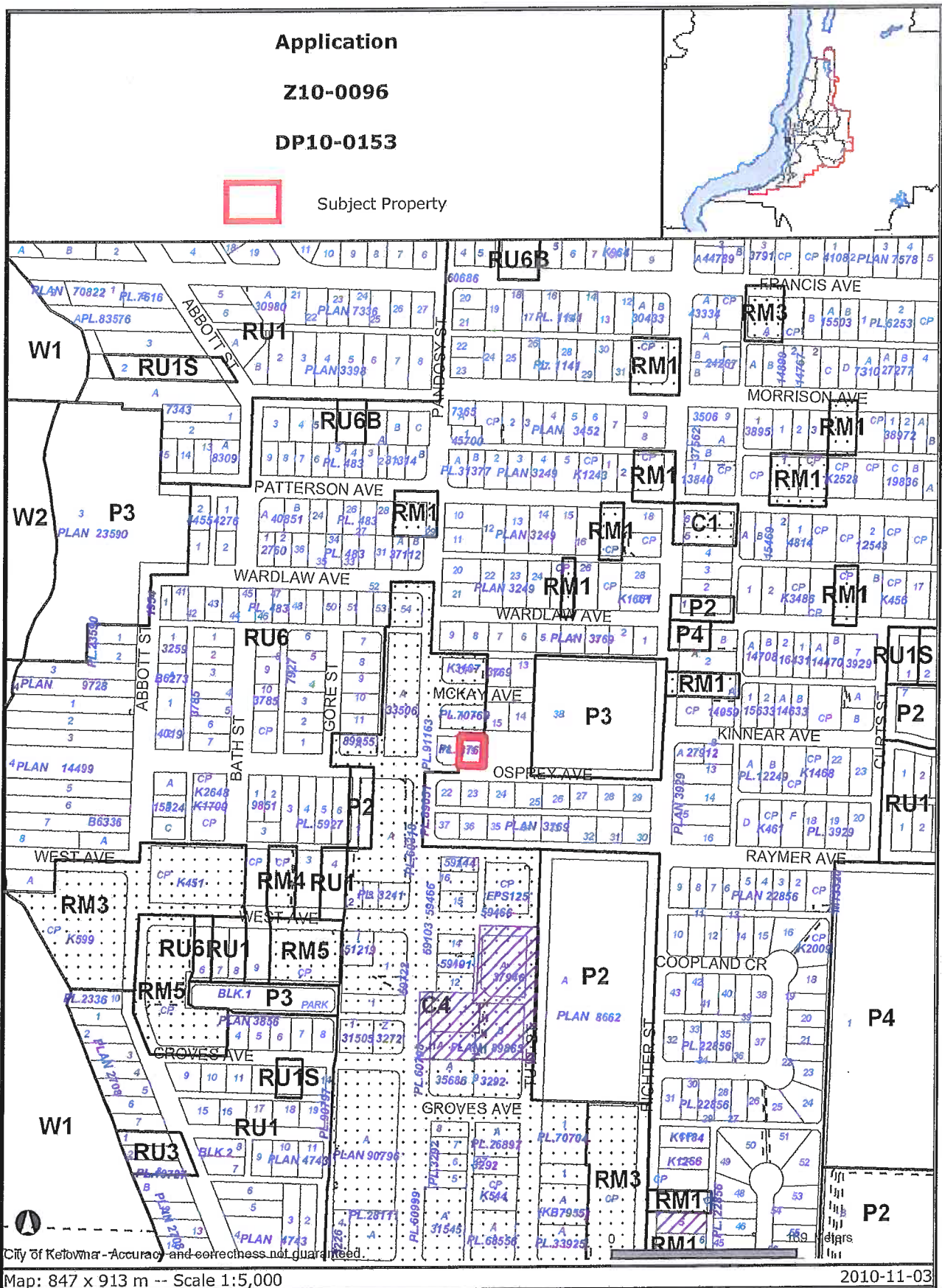
Approved for Inclusion:



Shelley Gambacort, Director, Land Use Management

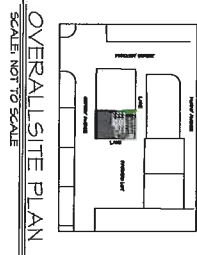
Attachments:

- Site Plan
- Conceptual Elevations
- Landscape Plan
- Sustainability Checklist
- Development Engineering Report
- Interior Health - Letter

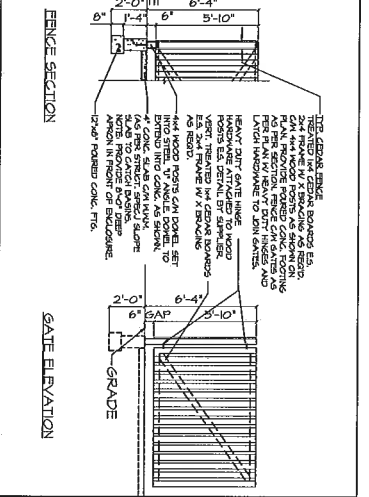
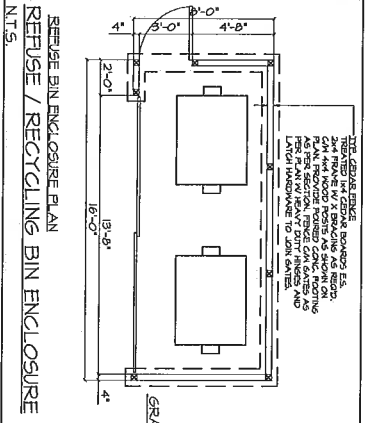
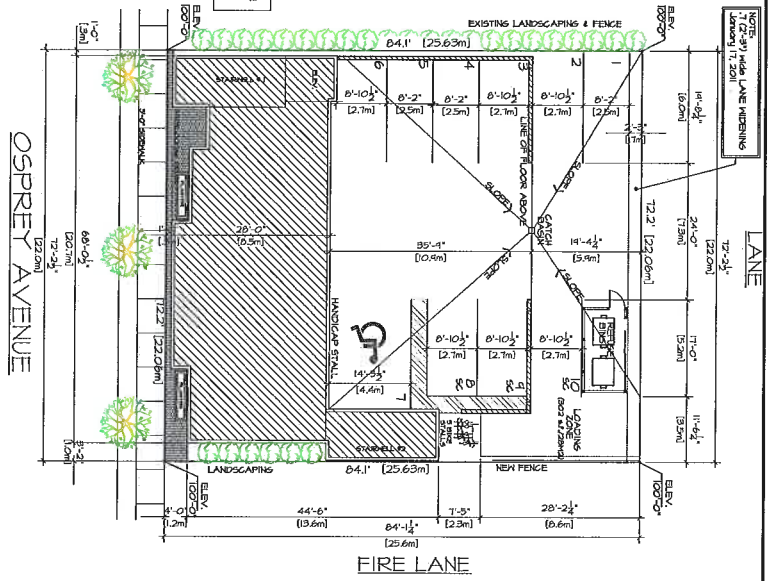


Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.

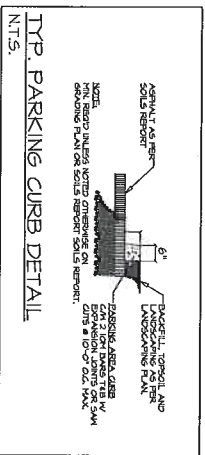
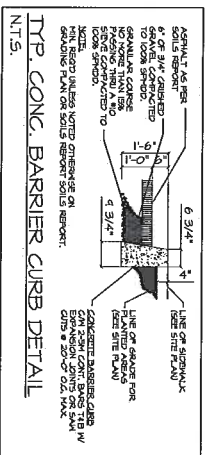
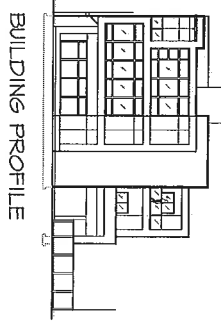
LEGAL DESCRIPTION
 LOT 14
 SEC 26
 T26N
 R10W
 DISTRICT 14 Q.D.V.D.
 540 Osprey Avenue
 Kelowna, B.C.



NOTE:
 SITE LIGHTING TO BE SUBMITTED
 REFER TO FINAL ELECTRICAL
 PROVISIONS



FIRE LANE



SITE CALCULATIONS: C & Z ZONING

DESCRIPTION	REQUIREMENT	PROVIDED	COMMENTS
MINIMUM LOT AREA	4,000 sq. ft.	10,000 sq. ft.	EXCEEDS
MINIMUM FRONT YARD SETBACK	5.00 m	12.20 m	EXCEEDS
MINIMUM SIDE YARD SETBACK	3.00 m	3.00 m	MEETS
MINIMUM REAR YARD SETBACK	3.00 m	3.00 m	MEETS
MINIMUM FRONT SETBACK	5.00 m	12.20 m	EXCEEDS
MINIMUM SIDE SETBACK	3.00 m	3.00 m	MEETS
MINIMUM REAR SETBACK	3.00 m	3.00 m	MEETS
MINIMUM FRONT SETBACK	5.00 m	12.20 m	EXCEEDS
MINIMUM SIDE SETBACK	3.00 m	3.00 m	MEETS
MINIMUM REAR SETBACK	3.00 m	3.00 m	MEETS
MINIMUM FRONT SETBACK	5.00 m	12.20 m	EXCEEDS
MINIMUM SIDE SETBACK	3.00 m	3.00 m	MEETS
MINIMUM REAR SETBACK	3.00 m	3.00 m	MEETS

GROUP A
 1. 100% GLASS CURTAIN WALL
 2. 100% GLASS CURTAIN WALL
 3. 100% GLASS CURTAIN WALL

GROUP B
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 2. 100% GLASS CURTAIN WALL
 3. 100% GLASS CURTAIN WALL

GROUP C
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GROUP D
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GROUP M
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 3. 100% GLASS CURTAIN WALL

ISSUED FOR DEVELOPMENT PERMIT
NOT FOR CONSTRUCTION

KALAMARKA
 CHARLES WILLS
 M.A.I.B.C.
 PO BOX 157
 YERSON B.C.
 PH: (250) 864-1466
 email: kalamark@kalamark.com

PREPARED BY:
 G. B. EMBLETON & ASSOCIATES LTD.
 410-659 COMBES RD.
 KELOWNA B.C. V1Y 8A6
 TEL: (250) 862-1100
 FAX: (250) 862-1100

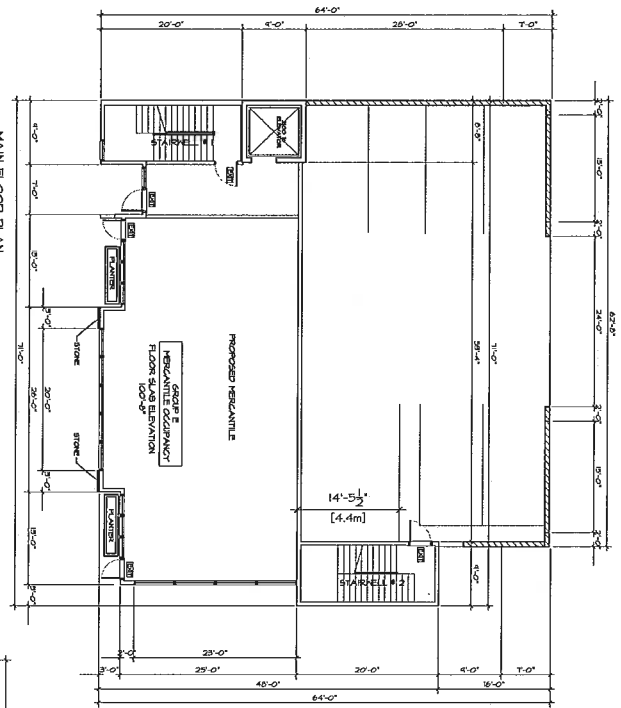
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DATE: 2017.07.21

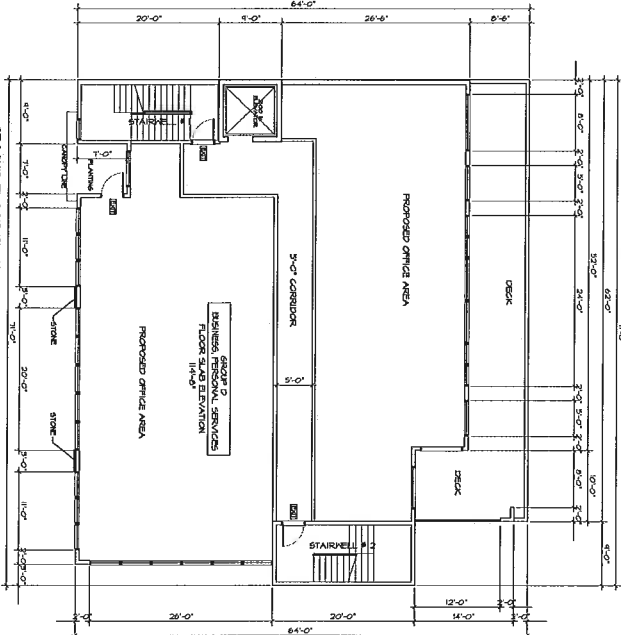
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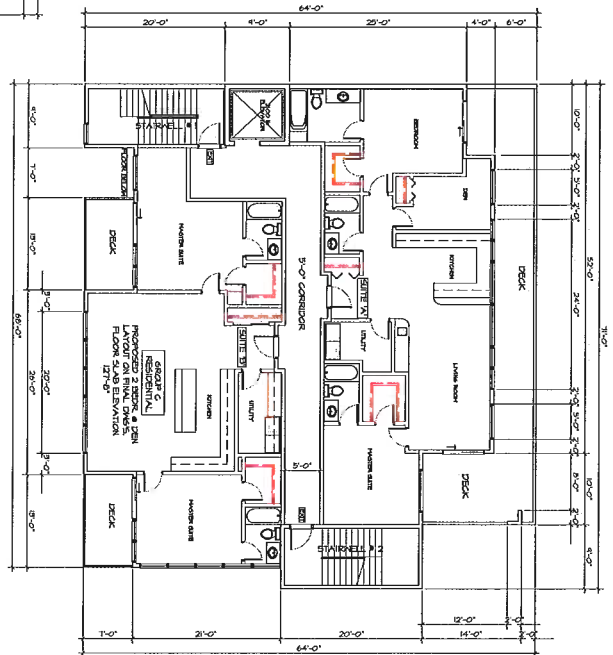
G. B. EMBLETON & ASSOCIATES LTD.



1 MAIN FLOOR PLAN
 (2) 2,693 SQ. FT. (247,163)



2 SECOND FLOOR PLAN
 (3) 2,693 SQ. FT. (247,163)



3 THIRD FLOOR PLAN
 (4) 2,693 SQ. FT. (247,163)

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DESIGNED BY
 ARCHITECTURE
KALANILAKA
 ARCHITECTURE LTD.
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 PO BOX 137
 WITONGI, N.Z.
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 CONSULTANTS
 WILSON & PARTNERS
 100 RANGITIKEI STREET
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PREPARED FOR
 REALIS DEVELOPMENT LTD.
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 WELLINGTON, N.Z.
 PH/FX (4320) 344-146
 Email: info@realis.co.nz

DATE: 11/07/2017
 DRAWN: 20/07/2017
 CHECKED: 21/07/2017
 APPROVED: 21/07/2017

PROJECT NAME
 MAIN, SECOND and
 UPPER FLOOR PLANS

2 of 3

EXTERIOR COLOUR SCHEME

ROOFING:

NA AND BC 2000 ROOF REASSEMBLING
 DOWNSTREAM SHEET METAL
 DOWNSTREAM SHEET METAL

TRIM:

GENERAL PAINTS / BLACK & WHITE
 GENERAL PAINTS / BLACK & WHITE

WINDOWS:

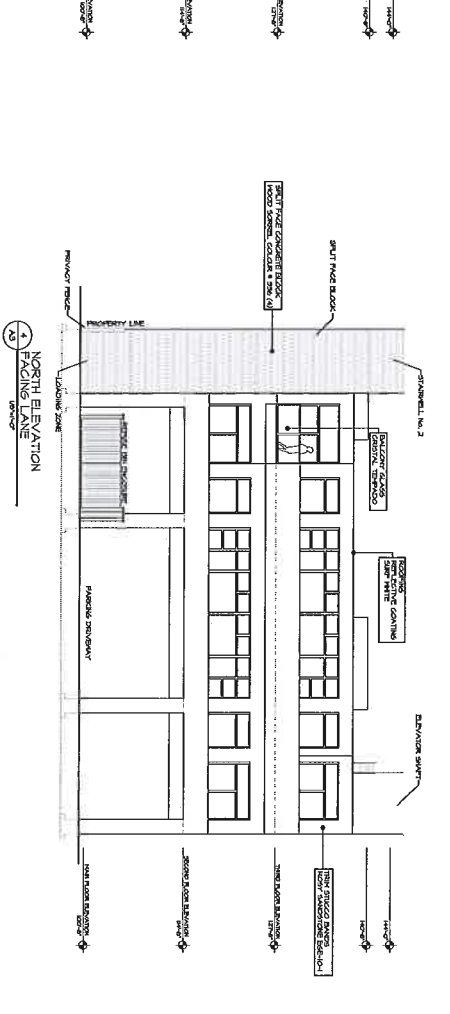
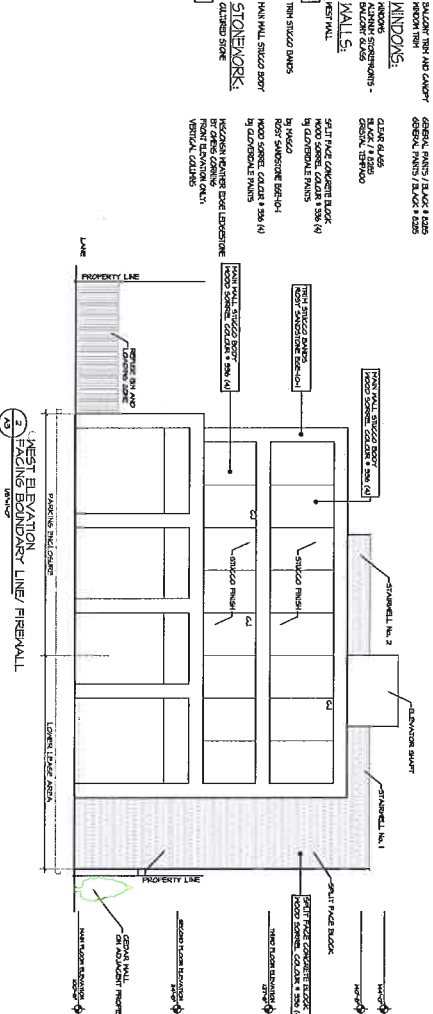
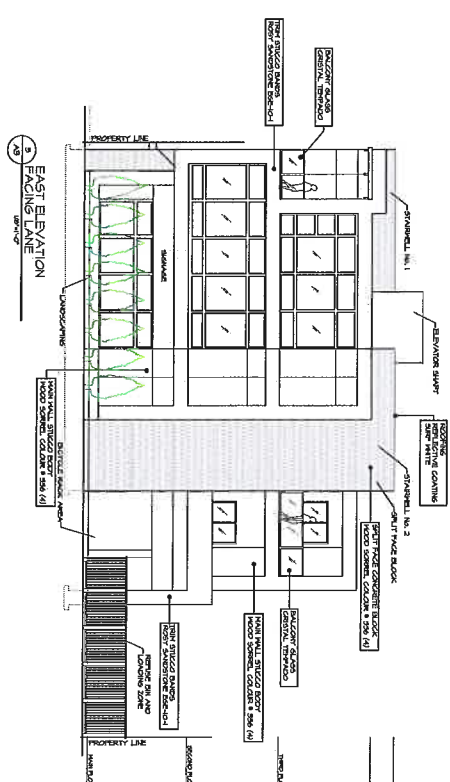
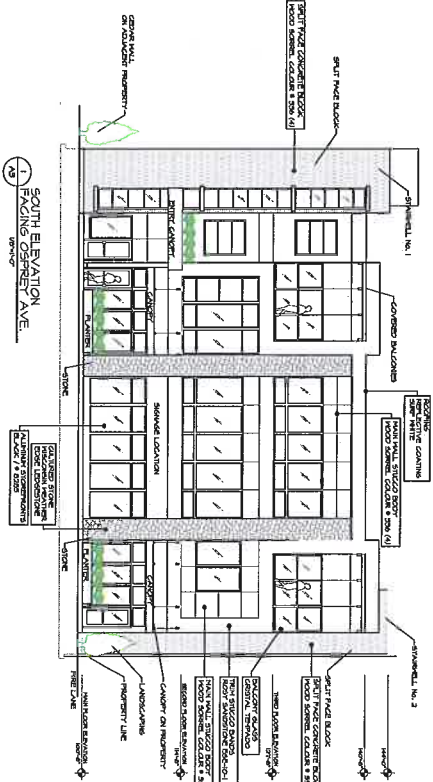
GENERAL PAINTS / BLACK & WHITE
 GENERAL PAINTS / BLACK & WHITE

WALLS:

GENERAL PAINTS / BLACK & WHITE
 GENERAL PAINTS / BLACK & WHITE

STONEWORK:

GENERAL PAINTS / BLACK & WHITE
 GENERAL PAINTS / BLACK & WHITE



ISSUED FOR
 DEVELOPMENT PERMIT
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 CONSTRUCTION

SHOULD VISITORS
 ARCHITECTURE LTD
 CHARLES WILKS
 PO BOX 1571
 VANCOUVER, B.C.
 TEL: (604) 270-5544
 email: info@charleswils.com

DATE: 2014-07-22
 DRAWN BY: J. B. EMBLETON
 CHECKED BY: J. B. EMBLETON
 PROJECT NO: 14-001-001
 SHEET NO: 3 OF 3

FOR THE
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EXTERIOR COLOUR SCHEME

PROJECT:

PROPOSED COMMERCIAL COMPLEX

540 OSPREY AVE.
KELOWNA, B.C.

ROOFING:

ROOFING

REFLECTIVE COATING
SURF WHITE

DOWNSPOUTS/GUTTERS/SOFFITS -
CEDAR BALCONY SOFFITS

GENERAL PAINTS / BLACK
NATURAL



TRIM:

BALCONY TRIM AND CANOPY
WINDOW TRIM

GENERAL PAINTS / BLACK # 8285
GENERAL PAINTS / BLACK # 8285

WINDOWS:

WINDOWS
ALUMINUM STOREFRONTS -
BALCONY GLASS

CLEAR GLASS
BLACK / # 8285
CRISTAL TEMPADO



WALLS:

WEST WALL

SPLIT FACE CONCRETE BLOCK
WOOD SORREL COLOUR # 336 (4)
by CLOVERDALE PAINTS

TRIM STUCCO BANDS

by MASCO
ROSY SANDSTONE EGE-10-1

MAIN WALL STUCCO BODY

WOOD SORREL COLOUR # 336 (4)
by CLOVERDALE PAINTS

STONework:

CULTURED STONE

WISCONSIN WEATHER
EDGE LEDGESTONE
BY OWENS CORNING

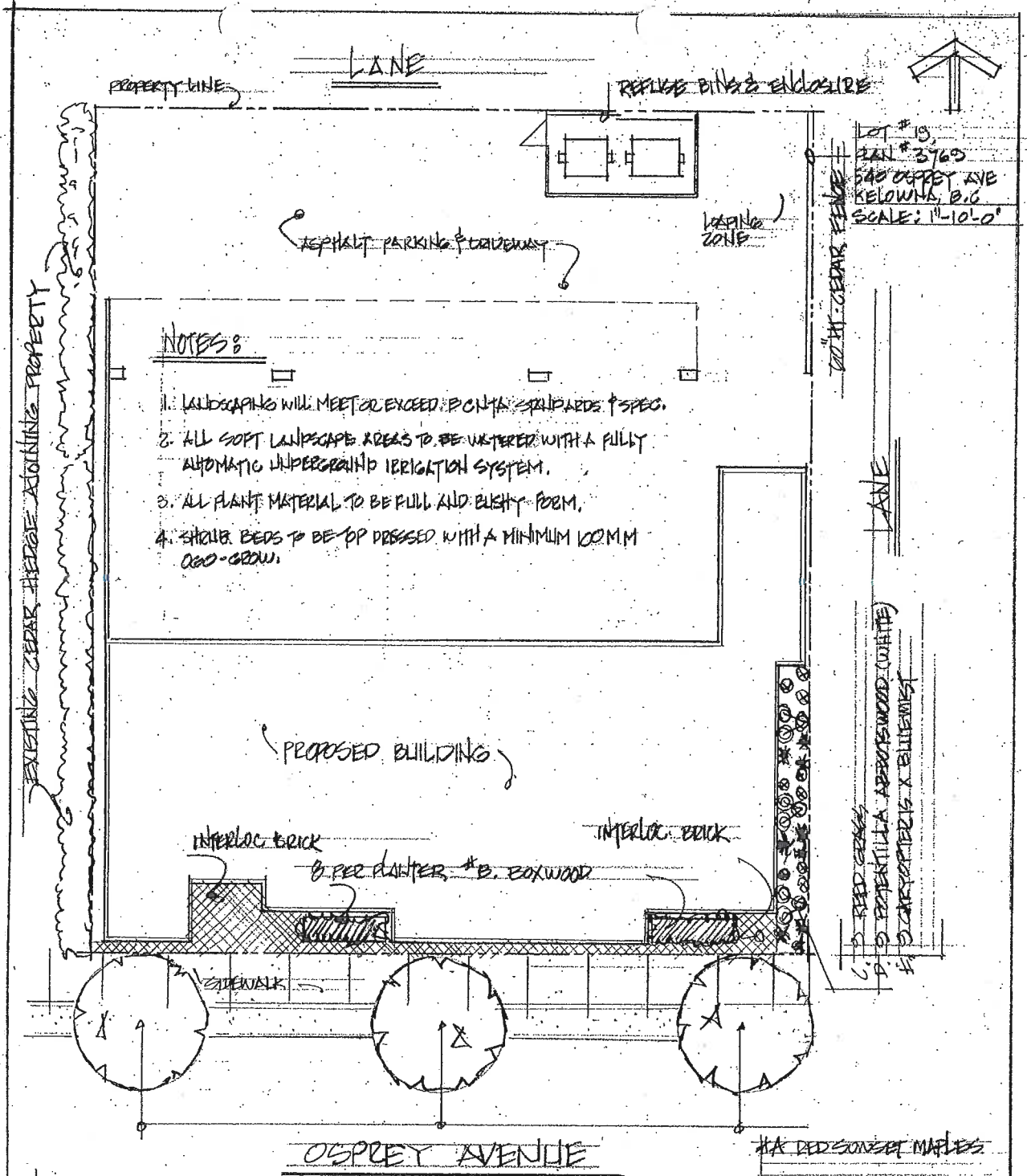
FRONT ELEVATION ONLY:
VERTICAL COLUMNS

WISCONSIN WEATHER EDGE LEDGESTONE

336 (4)
WOOD SORREL

1. ROSY SANDSTONE

G.B. EMBLETON & ASSOCIATES LTD.



NOTES:

1. LANDSCAPING WILL MEET OR EXCEED P.C.M.A. STANDARDS & SPEC.
2. ALL SOFT LANDSCAPE AREAS TO BE WATERED WITH A FULLY AUTOMATIC UNDERGROUND IRRIGATION SYSTEM.
3. ALL PLANT MATERIAL TO BE FULL AND BUSHY FORM.
4. SHOULDER BEDS TO BE DP DRESSED WITH A MINIMUM 100MM 0&0-GROW.

PLANT LIST

KEY	AMT.	BOTANICAL	COMMON	SIZE
A	3	ACER REDBANKET	RED MAPLE	6" φ
B	16	BUXUS SEMPERVERNS	BORWOOD	2" CAL.
C	9	ALAMACROSTIS KNEE FOR.	FEED GRASS	CAL.
D	9	POTENTILLA ABBOTSWOOD	WHITE POTENTILLA	2" CAL.
E	9	CARYOPERISx BLAUNHEIMIS.	BLUENIST	2" CAL.

TOTAL LANDSCAPE PRICE: PLANTS, LABOUR AND MATERIAL \$3,000.00
 ART & SPEC. VARYED BY ART. KNAPP, PLANT AND KELOWNA, B.C.
 SPEC. & LAYOUT: ART. KNAPP, RICHARD FOOTE.

SUSTAINABILITY CHECKLIST
REZONING APPLICATION
for Commercial or Multi-Unit Development



ECONOMIC SUSTAINABILITY		
Proximity to Urban or Village Centre (IF APPLICABLE, SELECT ONE FROM LIST)		Points
• Less than 400 metres (1-4 minute walk)	5	
• 400 - 800 metres (5-10 minute walk)	4	
• 800- 1200 metres (10-15 minute walk)	3	
• 1200-2400 metres (15- 30 minute walk)	2	5
Development Will Create Permanent Employment beyond Construction Phase		
• Part-time	1-2	
• Full-time	2-5	
Waste Management Plan (including materials found at site)	2	6
Zoning Supports Minor or Major Use of Home-Based Business	1	
ECONOMIC TOTAL	15	11
ENVIRONMENTAL SUSTAINABILITY		
GREEN SPACE		Points
Environmentally-Sensitive Areas Permanently Protected (through a covenant, park dedication, etc.)	2-5	
<i>or</i>	<i>or</i>	
No Disruption of an Environmentally Sensitive Area	5	
No Extension of Existing City Infrastructure		
• Water	1-3	
• Sewer		
• Roads		8
Redevelopment of a Brownfield Site (existing development site)	3	
AIR QUALITY		
Proximity to Transit Stop (IF APPLICABLE, SELECT ONE FROM LIST)		
• Less than 400 metres (1-4 minute walk)	5	
• 400 - 800 metres (5-10 minute walk)	4	
• 800 - 1200 metres (10-15 minute walk)	3	
• 1200 - 2400 metres (15-30 minute walk)	2	5
Tree Retention Plan		
<i>or</i>		
Tree Retention Plan Not Applicable (less than 5 trees on site)	2	0

SUSTAINABILITY CHECKLIST
REZONING APPLICATION
for Commercial or Multi-Unit Development



ENVIRONMENTAL SUSTAINABILITY <i>cont'd</i>		
WATER QUALITY & QUANTITY	Points	
Hydrogeological Assessment Completed (for the protection and management of groundwater and surface water) <i>or</i> Hydrogeological Assessment Not Applicable	2	2
ENVIRONMENTAL TOTAL	20	15
SOCIAL SUSTAINABILITY		
Site 1200 metres or less (15 minute walk) to:	Points	
• Daycare/School	2	2
• Medical Facilities	2	2
• Parks	2	2
• Shopping	2	2
• Restaurant/Café	2	2
Housing Agreement for Affordable Housing, Purpose Built Rental Development <i>or</i> Housing Includes Secondary Suite(s)	5	
SOCIAL TOTAL	15	10
CULTURAL SUSTAINABILITY		
	Points	
NO OCP Amendment Required <i>or</i> Staff Supported OCP Amendment (conforms to long-term community planning)	10	10
Archaeological Site Identified and Recommendations for Conservation Followed <i>or</i> No Disruption of an Archaeological Site	5	5
CULTURAL TOTAL	15	15
BONUS POINTS: Other Sustainability Measure(s), including but not limited to : • Rehabilitation of a Contaminated Site Please provide details on attached form.	1-5	
TOTAL POINTS	70	51
FINAL	100%	0 %

SUSTAINABILITY CHECKLIST
REZONING APPLICATION
for Commercial or Multi-Unit Development



FURTHER DETAILS:

Name: Robert Gaspari

[Reset Form](#)

Organization: Regjis Enterprises Ltd

Project Name or Location: 540 Osprey Avenue

Thank you for taking the time to complete the City of Kelowna Sustainability Checklist. If you have completed the form using Adobe Acrobat Standard or Pro, you will be able to save your copy to your computer. Please note that if you have completed the form using Adobe Acrobat you will not be able to save your copy to your computer; however we will receive a completed copy via email.

In either case once you have completed this form, press "Submit Form" below. Please also either print the Checklist and return the printed form to the attention of the Land Use Planner managing your file, or carbon copy (cc) them in the email that you submit.

Thank you!

[Submit Form](#)



Interior Health

November 17, 2010

Your File #: Z10-0096, DP10-0153
Our File #: 13-269-00453

Approving Officer: City of Kelowna – Alec Warrender
Owner/Applicant: Tom Gruendel
c/o Reghis Enterprises Ltd. – Robert Gaspari
#103-1658 Commerce Avenue
Kelowna, B.C. V1A 8K9

Legal Address: Lot 19, Plan 3769, DL14, ODYD
Site Location: 540 Osprey Avenue, Kelowna, B.C. ("the Property")

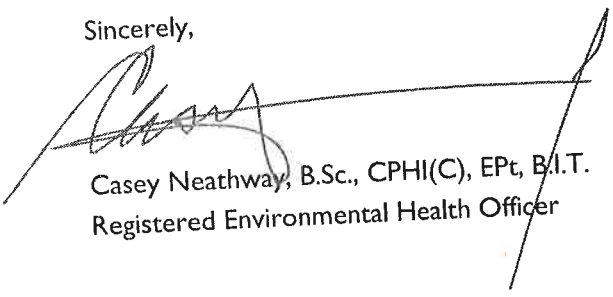
Thank you for the opportunity to provide comment on the above-named Rezoning Application. Interior Health's recommendations are based on compliance with all applicable sections of the B.C. Sewerage System Regulation (B.C. Reg. 326, 2004), and the B.C. Drinking Water Protection Act (S.B.C. 2001, c.9) and its Regulations. We welcome the option to offer input to ensure that all newly proposed developments reflect the best options for public health protection and healthy built environments.

The proposed application does not appear to affect the interests of this office.

As drinking water and wastewater disposal will be provided by existing community services, we have no objection to this proposal. Furthermore, we advocate for the creation of multi-use developments that allow individuals access to commercial and business opportunities within walking distance, as it encourages physical activity and lessens the reliance on single vehicle transportation.

If you have any questions, or require further information, please contact the undersigned directly.

Sincerely,



Casey Neathway, B.Sc., CPHI(C), EPt, B.I.T.
Registered Environmental Health Officer

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Email: casey.neathway@interiorhealth.ca
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HEALTH PROTECTION
Less Risk – Better Health

Vernon Health Unit
1440 14th Avenue
Vernon, B.C. V1B 2T

CITY OF KELOWNA

MORANDUM

Date: December 10, 2010
File No.: Z10-0096
To: Planning & Development Services Department (AW)
From: Development Engineering Manager
Subject: Proposed Mixed Use - C4 540 Osprey Ave Lot 19 Plan 3769

Development Engineering has the following 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

6) Domestic Water and Fire Protection

- a) The development site is presently serviced with a small diameter (13-mm) water service. The developer's consulting mechanical engineer will determine the domestic, fire protection requirements of this proposed development and establish hydrant requirements and service needs. Only one service will be permitted for this development.
- b) It is apparent that the existing 100mm diameter watermain within Osprey Avenue is substandard and will not support this development. The applicant, at his cost, will arrange for upgrading 53m of watermain and the installation of one new larger water service. The estimated cost of this construction for bonding purposes is **\$25,000.00**
- c) 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.

7) Sanitary Sewer

- (a) The development site is presently serviced with a 100mm-diameter sanitary sewer service. The developer must engage a consulting mechanical engineer to determine the requirements of this development. Only one service will be permitted for this development.
- (b) The applicant, at his cost, will arrange for the capping of unused services at the main and the installation of one larger service. The estimated cost of this construction for bonding purposes is **\$5,000.00**

.8) 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 the installation of one overflow service. The estimated cost of this construction for bonding purposes is **\$5,000.00**

.9) Road Improvements

Osprey Avenue fronting this development must be upgraded to an urban standard (SS-R4) modified to include a barrier curb and gutter, concrete sidewalk, pavement restoration and relocation or adjustment of existing utility appurtenances if required to accommodate the upgrading construction.
The estimated cost of the road improvements for bonding purposes is **\$9,000.00**

Public Lane

The lane fronting the north boundary of this development is constructed to a paved standard, therefore the only upgrade that is required is the pavement widening.
The estimated cost of the road improvements for bonding purposes is **\$1,000.00**

.10) Road Dedication and Subdivision Requirements

By registered plan to provide the following:

- a) Dedicate 0.70 widening of the north lane.
- b) Grant statutory rights-of-way if required for utility services.

.11) Electric Power and Telecommunication Services

The electrical and telecommunication services to this building as well as the local distribution wiring must be installed in an underground duct system, and the building must be connected by underground ducting. 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.

.12) 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.

.13) 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.

.14) 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

.15) Latecomer Protection

Under provisions of Section 990 of the BC Municipal Act, and in conformance with the City of Kelowna Subdivision Development & Servicing Bylaw No. 7900, the owner is eligible to apply for latecomer protection for the following:

- i) Watermain replacement within Osprey Avenue

.16) 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.

.17) Survey Monuments and Iron Pins

If any legal survey monuments or property iron pins are removed or disturbed during construction, the developer will be invoiced a flat sum of \$1,200.00 per incident to cover the cost of replacement and legal registration. Security bonding will not be released until restitution is made.

.18) Bonding and Levy Summary

(a) Bonding

Sanitary & Storm service upgrades	\$10,000.00
Watermain and service upgrade	\$25,000.00
Osprey Ave Frontage Improvements	\$ 9,000.00
Lane Improvements	\$ 1,000.00

Total Bonding **\$45,000.00**

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.

.19) 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 HST) in the amount of **\$1,060.40** (\$964.00 + 96.40 HST)