

# **SHOWING AMENDMENTS**

## **CITY OF KELOWNA**

### **BYLAW NO. 8680**

#### **Amendment No. 5 to**

#### **“Subdivision, Development & Servicing Bylaw No. 7900”**

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The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT “Subdivision, Development & Servicing Bylaw No. 7900” be amended by:
  - (a) Replacing Subsection 7.1 - Performance Bond of **Section 7.0 Performance Bond, Maintenance and Insurance of Part 3 - SECURITY FOR WORKS AND SERVICES** with the following:

"7.1 Performance Bond. If the Owner wishes to submit an Application for Subdivision Approval or Application for Building Permit to the City before a Certificate of Substantial Performance has been issued in respect of Works and Services, the Owner, in accordance with Paragraphs 5.2(o)(xi) and 6.1(k), must provide the City with a Performance Bond. The Performance Bond must be in the amount of 140% of the cost (130% of the cost if engineering design is complete), as estimated in writing by the Consulting Engineer and verified by the City Engineer, of Constructing any Works and Services for which a Certificate of Substantial Completion has not been issued prior to the Owner making such an application. The City may release or draw upon the Performance Bond, in whole or in part, on or at any time prior to Substantial Performance of the Works and Services, as more particularly described in the Servicing Agreement."
  - (b) Replacing the first paragraph of Subsection 3.1 of **Section 3.0 SECURITY FOR WORKS AND SERVICES of SCHEDULE 2 - SERVICING AGREEMENT** with the following:

3.1 Performance Bond. If a Covenantor wishes to submit an Application for Subdivision Approval or an Application for Building Permit to the City before a Certificate of Substantial Performance has been issued in respect of the Works and Services to be designed and constructed by the Covenantor, the Covenantor shall provide the City with a Performance Bond in the amount of 140% of the cost (130% of the cost if engineering design is complete), as estimated by the Consulting Engineer and verified by the City Engineer, of constructing any such Works and Services that are not ~~designed and~~ constructed by the Covenantor prior to the Covenantor making such an application. The Performance Bond secures the obligations of the Covenantor, as Owner, under Bylaw 7900 (except Sections 10.1, 10.2 and 10.3) and the obligations of the Covenantor hereunder. The Performance Bond shall be administered in accordance with Section 7.0 herein and as follows:"
  - (c) Replacing paragraph (e) of Subsection 2.2 Design Flows of **Section 2 - Sanitary Sewer of SCHEDULE 4 - DESIGN STANDARDS** with the following:

"(e) Peak design flows must be determined by applying the peaking factor to the average daily flow, plus infiltration and then adding the infiltration (I & I) flows."

- (d) Adding a new paragraph (e) to Subsection 2.5 Hydraulic Losses Across Manholes of **Section 2 - Sanitary Sewer** of **SCHEDULE 4 - DESIGN STANDARDS** as follows:

"(e) The maximum deflection angle created in a junction is 90°."

- (e) Replacing Subsection 2.18 - On-Site Sewage (Septic) Requirements of **Section 2 - Sanitary Sewer** of **SCHEDULE 4 - DESIGN STANDARDS** with the following:

**"2.18 On-site Sewage Disposal (Septic) Requirements**

Where permitted, site conditions and on-site sewage disposal systems shall meet the following criteria:

- (a) The native soil in the area intended for the septic field must percolate at a rate less than or equal to 30 minutes/inch (30 min./25 mm),
- (b) There must be a minimum depth of 1.2 m of permeable native soil in the area intended for the absorption field,
- (c) The field area consists of the primary septic field area and a reserve field area. The intended field area must be located on a slope less than (flatter than) or equal to 30%, and
- (d) The intended field area must be located to provide a minimum of 15 m setback from any cut, embankment slopes or retaining walls.

~~Where a lot is proposed to be smaller than 1,600 m<sup>2</sup>, the Owner of the land being Subdivided or Developed is required to register a Restrictive Covenant for the field area and reserve field area, both of which shall be sized to accommodate a minimum of a four-bedroom dwelling; and all setback requirements, to protect these areas by prohibiting such actions as excavations, filling and any surface construction.~~

~~The Public Health Officer may, at his discretion, require a Restrictive Covenant on Lots 1600 m<sup>2</sup> and greater, if the topography or condition of the lot limits the useable area of the lot.~~

~~Where the parcel or proposed parcels are less than 0.8 ha. in area, or in an Environmental Control Area or Natural Environmental/Hazardous Conditions Area, the Developer must engage a qualified engineer to conduct a comprehensive suitability analysis for permanent on-site sewage disposal, for the projected cumulative development in the area."~~

- (f) Replacing Subsection 1.5 of **Section S02725 - Manholes and Catch Basins** of **PART 1 - CONSTRUCTION SPECIFICATIONS** of **SCHEDULE 5 - CONSTRUCTION STANDARDS** with the following:

**"1.5 Measurement of Payment 2.1 Materials**

**2.2 Delete Section:**

Replace: .11 ~~Replace~~ "minimum 150 mm" with "minimum 200 mm".

Add: .23 "Trapping hoods are to be supplied for all catch basins as per Standard Detail Drawing".

Add: .24 "Sulphate resistant concrete required where soil conditions warrant it."

2. This bylaw shall come into full force and effect as and from the date of adoption.
3. This bylaw shall be cited as "Bylaw No. 8680 being Amendment No. 5 to "Subdivision, Development & Servicing Bylaw No. 7900".

Read a first, second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk