

DISTRICT OF LAKE COUNTRY

BYLAW 1161

A BYLAW TO AMEND SUBDIVISION AND DEVELOPMENT SERVICING BYLAW 1121, 2020

The Council of the **District** of Lake Country, in open meeting assembled, enacts as follows:

- 1) This bylaw shall be cited as "Subdivision and Development Servicing Bylaw Amendment (Pre -Design Report) 1161, 2021".
- 2) Subdivision and Development Servicing Bylaw 1121, 2020 is hereby amended by:
 - a) Delete Section B.1. **General**, in its entirety and replace it with the following:

B.1 General

B.1.1 An **Applicant** for a **subdivision** or **development** may request a pre-application meeting prior to submitting an application under this Bylaw.

B.1.2 The **Owner's Engineer** shall ensure that all inspections and testing are carried out in accordance with the provisions of this Bylaw.

B.1.3 Figures B-1 and B-2 summarize the steps for completing the works and services required under this Bylaw.

B.1.4 It is the **Applicant's** responsibility to ensure that the requirements, regulations, and approval procedures of all agencies are met. Where the standards and specifications of other agencies having jurisdiction conflict with this Bylaw, the more stringent standards and specifications shall apply.

- b) Inserting Figure B-1 Subdivision and Development Servicing Process and Figure B-2 Works and Services Application Process, attached hereto as Schedule A, immediately following section B.1.
- c) Adding the following Section B.9 and B.10 immediately following Section B.8.3:

B.9 Engineering Design Submissions

B.9.1 Owners must submit engineering designs and associated information for review by the **District** as part of the process for obtaining a Certificate to Commence Construction.

B.9.2 All Engineering Design Submissions must meet the requirements of this Bylaw and be complete to the satisfaction of the **District Engineer**.

B.9.3 The **District** employs a two-part process for reviewing Engineering Design Submissions, these are:

- (a) Pre-Design
- (b) Detailed Design

B.9.4 The following is the minimum information required for a Pre-Design Report submission:

- (a) Quality Assurance Plan

- (b) Concept engineering drawings
- (c) Class D construction cost estimate
- (d) Summary design brief that includes;
 - (i) safety, functional, operational and environmental aspects of the proposed design,
 - (ii) servicing requirements,
 - (iii) design constraints and assumptions,
 - (iv) list of non-compliance specifications that will require variances to this bylaw,
 - (v) assumed **Ownership** of infrastructure upon completion.

B.9.5 Once the **Owner's** Pre-Design Report has been reviewed and accepted by the **District Engineer**, the **Owner** will be invited to submit the Detailed Design to the **District** for review.

B.9.6 The following is the minimum information required for a Detailed Design Submission.

- (a) Quality Assurance and Quality Control Plan; (in accordance with Schedule F)
- (b) Detailed Design Drawings (in accordance with Schedule R)
- (c) Detailed design calculations for all **works** and services covered by this Bylaw
- (d) Drainage, Sediment and Erosion Control Plan (in accordance with Schedule N)
- (e) Detailed Design Brief (in accordance with Schedule F)
- (f) Letter of Commitment by **Owner** and **Owners Engineer** (in accordance with Schedule S)
- (g) Letter of Commitment to Design and field review (in accordance with Schedule S)
- (h) If required, letters approving design from the Ministry of Transportation and Infrastructure, and other agencies having jurisdiction.

B.9.7 The **Owner** shall ensure that its contractor(s) constructs the works and services in accordance with the design drawings, plans, and specifications reviewed for construction by **the District Engineer** and the provisions of this Bylaw.

B.10 Variances

B.10.1 Variances to this Bylaw must be identified through the Engineering Design Submission process and resolved prior to proceeding to the next step in the process as shown in Figure B-1 and Figure B-2.

B.10.2 All variances are to follow the process contained within the Development Approval Procedures Bylaw 1133, 2021, as amended from time to time.

B.10.3 It is the responsibility of the Owner and the Owner's Engineer to identify any variances required and to formally request variances as part of the Pre-Design and the Engineering Design Submission.

d) Delete Section F.1 Administration and Design Requirements, in its entirety and replace it with the following:

F.1 Administration and Design Requirements

F.1.1 The Detailed Design Brief Submission Requirements are specified in this section.

F.1.2 Each design Detailed Design submission to the District Engineer shall include a project Detailed Design Brief which provides comprehensive information relating to the safety, functional, operational and environmental aspects of the proposed design, at .At a minimum the Detailed Design Brief, shall include the following elements where applicable:

- (a) Title page
- (b) Table of contents

- (c) Introduction
- (d) Objectives and Policies
- (e) Description of the proposed subdivision or development
- (f) List of non-compliant specifications that will require variances to Subdivision and Development Servicing Bylaw
- (g) Methodology /rationale for design solutions developed
- (h) Design options considered
- (i) Assumptions
- (j) Description of Infrastructure requirements
- (k) Constraints
- (l) Operations and Maintenance (O & M) requirements
- (m) Schedule
- (n) Modelling and Analysis
- (o) Geotechnical considerations
- (p) Environmental considerations
- (q) Risks/Benefits
- (r) Planned Solutions
- (s) Sketches
- (t) Synopsis
- (u) Conclusion/Summary

- e) Delete Section N.9 Erosion Control Plan, in its entirety and replace it with the following:

N.9 Drainage, Sediment and Erosion Control Plan.

N.9.1 The Owner's Engineer must submit Drainage, Sediment and Erosion Control Plan detailing drainage, erosion and sedimentation control measures. All drainage, erosion and sedimentation control measures shall conform to the details and specifications in District Bylaws and policies unless an alternative is approved by the District.

- f) Adding the following Section Q.1.4 immediately following Section Q.1.3:

Q.1.4 Engineering designs under this schedule shall conform to the specifications contained within TABLE Q-1 and Table Q-2.

- g) Delete Section Q.2 Pre-design Report, in its entirety.

- h) Delete Section S.1.3 in its entirety and replacing it with the following:

S.1.3 All **works** required to be constructed and installed at the expense of the **Owner** of the land being subdivided or **developed** shall be constructed and installed in accordance with the provisions of the Bylaw before the **Approving Officer** approves the **subdivision** or the **Building Inspector** issues the building permit. At the District Engineer's discretion, the approval may be given or the permit issued if the owner of the land:

- (a) Enters into a **Subdivision and Development Servicing Agreement** with the **District** accepting the terms and conditions in that agreement, and undertaking to construct and install the required **works** within one year from the date of executing the agreement; and
- (b) The **Owner** deposits with the **District** security in the form of cash, a bank draft or an irrevocable letter of credit in a form acceptable to the Chief Financial Officer in the amount of:

- (i) One hundred and twenty five percent (125%) of the awarded tender value for the construction and installation of the **works**; plus
 - (ii) One hundred and twenty five percent (125%) of the **Owner's Engineer's** fee for the design and inspection of the **works** as estimated by the **Owner's Engineer**; plus
 - (iii) enter into a Maintenance Security Agreement to warrant for the maintenance of the **works** for a period of eighteen (18) months after the date of **substantial performance**; and
 - (iv) provide a Maintenance Security deposit in accordance with this Bylaw;
- (c) The **Owner's Engineer** certifies that the tender has been awarded and that a contract has been executed between the **Owner** and the **contractor**; and
 - (d) The **Applicant** complies with the provisions of Schedule S, Section 4, Certificate to Commence Construction; and
 - (e) The **Applicant** provides written proof that all the requirements of the Ministry of Transportation and Infrastructure and other agencies having jurisdiction have been met, if applicable.
- i) Delete Section T.2 Fees in its entirety and replacing it with the following:

T.2 Fees

T.2.1 Fees shall be applicable as per the **District** Fees Bylaw as amended from time to time.

READ A FIRST TIME this 13th day of July 2021.

READ A SECOND TIME this 13th day of July 2021.

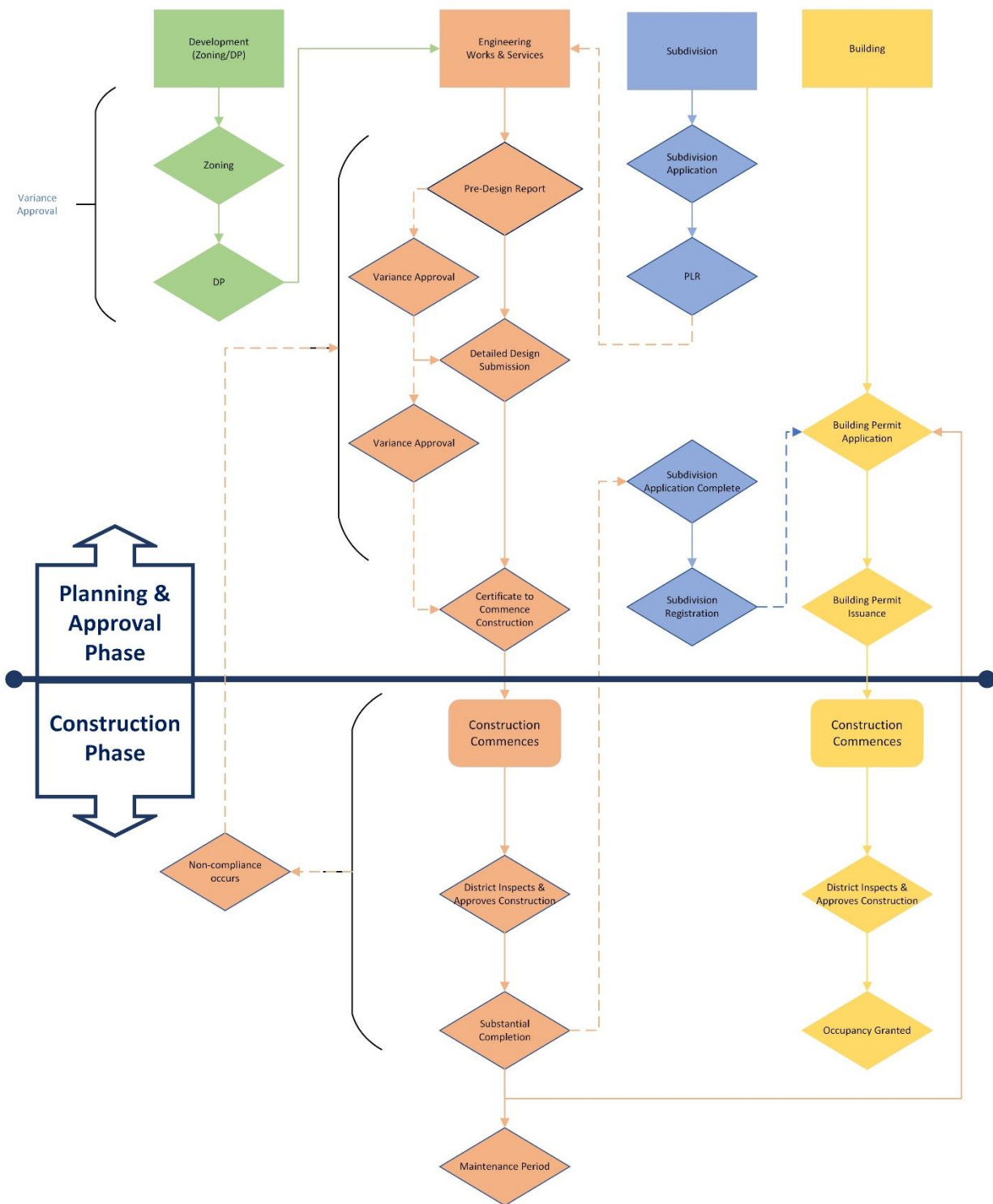
READ A THIRD TIME this 13th day of July 2021.

ADOPTED this 20th day of July 2021

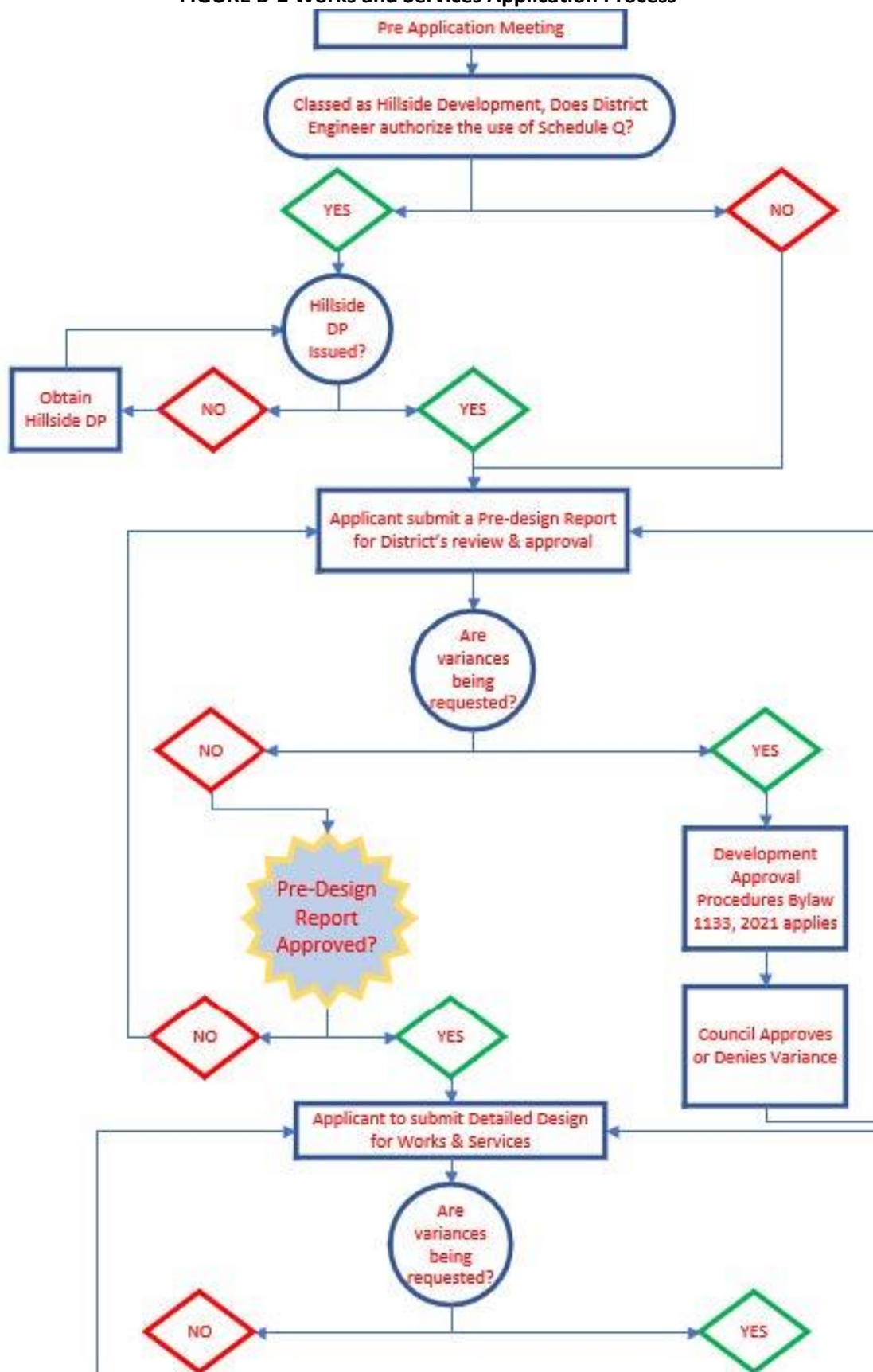
Original signed by James Baker
Mayor

Original signed by Reyna Seabrook
Corporate Officer

Schedule A to Bylaw 1161, 2021
FIGURE B-1 Subdivision and Development Servicing Process



Schedule A to Bylaw 1161, 2021
FIGURE B-2 Works and Services Application Process



Schedule A to Bylaw 1161, 2021
FIGURE B-2 Works and Services Application Process continued

