

VILLAGE OF CHASE
BYLAW NO. 870, 2019
A BYLAW TO REGULATE SERVICING OF
SUBDIVISIONS AND DEVELOPMENTS

WHEREAS the *Local Government Act* authorizes the Village of Chase to regulate and require the provision of works and services in respect of the subdivision of land, and require as a condition of the issuance of a building permit or approval of a subdivision that the owner of the land provide works and services on the land being developed or subdivided and on the adjacent highway, all in accordance with the works and services standards established in this bylaw and the Village's Subdivision and Development Servicing Standards Manual;

AND WHEREAS the Village may, as authorized by the *Local Government Act*, require that the owner of land that is to be subdivided or developed provide excess or extended services;

AND WHEREAS the Council of the Village of Chase deems it necessary to regulate and require the provision of works and services to prescribed standards;

NOW THEREFORE the Council of the Corporation of the Village of Chase in open meeting assembled HEREBY ENACTS AS FOLLOWS:

1.0 Title

This bylaw may be cited for all purposes as "Village of Chase Subdivision and Development Servicing Bylaw No. 870, 2019.

2.0 Definitions

In this bylaw:

"APPROVING OFFICER" means a person appointed by Council as Approving Officer under the *Land Titles Act*;

“BUILDING INSPECTOR” means a person designated by Council as the Building Inspector for the Village.

“COMMUNITY SANITARY SEWER SYSTEM” means a system owned, operated and maintained by the Village for the collection, treatment and disposal of sanitary sewage;

“COMMUNITY WATER SYSTEM” means a system of waterworks which is owned, operated and maintained by the municipality, or an improvement district under the *Water Act*.;

“DEVELOPER” means the owner or agent of the owner of land in respect of which a subdivision or development application has been submitted to the Village.

“DEVELOPMENT” means an activity that requires a Building Permit or an activity that alters the existing surficial characteristics of the land.

“DEVELOPMENT AGREEMENT” means an agreement between the Village and a developer that sets out servicing requirements, construction completion dates, fees and security to be provided by the Developer.

“FRONTAGE” means any parcel boundary which immediately adjoins a highway other than a lane, walkway, trail, bridge, or any other way open to public use.

“HIGHWAY” includes a street, road, lane, walkway, trail, bridge and any other way open to public use, but does not include a private right of way on private property.

“INSPECTION FEE” means a charge of 2% of the construction cost of works and services to be owned and maintained by the Village. The inspection fee enables the Village to recover costs for its employees or its consultants to undertake inspections of works and services installed by a developer.

“MUNICIPALITY OR VILLAGE” means the corporation of the Village of Chase or the geographic area within its boundaries as the context requires as per the Letters of Patent.

“Owner(s)” means the person or persons registered in the Land Title Office as the Owner(s) of the parcel of land for which the application is being made for subdivision or development.

“PARCEL” means any lot, block or other area in which land is held or into which land is subdivided.

“PARCEL LINE, FRONT” means any parcel line common to a parcel and a highway other than a lane or walkway, but in the case of a corner parcel, the front parcel line shall be the shortest parcel line along a highway other than a lane or walkway.

“PROFESSIONAL ENGINEER” means a person who is registered or duly licensed as such under the provisions of the Engineers and Geoscientists Act of British Columbia.

“SECURITY” means cash or a clean, unconditional, irrevocable and automatically renewing letter of credit drawn on a chartered bank or credit union at which demand may be made on the letter of credit.

“SERVICE LEVEL” means the standard of municipal services required for the development of subdivisions and other developments not requiring subdivision under the provisions of this Bylaw.

“SUBDIVISION” means any change in the existing size, shape, number or arrangement of registered lots, whether or not involving the creation of a greater number of lots than existing and whether carried out by plan or metes and bounds description. Developments carried out under the Strata Property Act shall be included with this definition.

“VILLAGE ENGINEER” means the Manager of Public Works of the Village of Chase appointed by the council or such other persons as may, from time to time, be duly authorized to act in his stead by the Council.

“WALKWAY” means a highway intended to carry pedestrians and non-motorized traffic.

“WORKS AND SERVICES” means any public service, facility or utility which is required or regulated by this Bylaw and without restricting the generality of the foregoing includes: the supply and distribution of water; collection and disposal of sanitary sewage and drainage water; street lighting; highways, access roadways, curbs, gutters, and sidewalks; and natural gas, power, telephone and cablevision services.

3.0 Works and Services Requirements for Subdivisions and Developments

Except as provided herein, works and services requirements for a subdivision or a development are:

- (1) roads and lanes including curb, gutter, sidewalks, walkways, boulevard trees, traffic signs, site parking, and street lighting.
- (2) water distribution system connected to a community system including, without limitation, mains, fire hydrants, valves and service connections.
- (3) sewage collection system connected to the Village's sanitary sewer system including, without limitation, gravity mains, manholes, service connections, inspection chambers, lift stations, and forcemains.
- (4) stormwater management systems including, without limitation, catch basins, manholes, storm sewers, drywells, swales, ditches, and stormwater retention and detention facilities.

Unless otherwise approved by a Development Variance Permit issued by the Council pursuant to the *Local Government Act*, all subdivisions, strata developments, and developments shall be provided with services as prescribed in Schedule A and Schedule B of this Bylaw and the level of services required may be different for different zones as established by the Zoning Bylaw in accordance with the provisions of Schedule A and Schedule B of this Bylaw.

As it relates to works and service requirements, the following exemptions apply:

- i. where the existing works are deemed adequate by the Village Engineer for the development proposed, no improvements will be required.
- ii. where a subdivision comprises no more than 3 additional single family residential lots and where no curb and gutter is in place within 100 metres of the subdivision on the street side fronting the subdivision, curb, gutter and sidewalk is not required. In this instance, an additional pavement width of 1.2m fronting the subdivision is required to serve as a walkway.
- iii. A walkway has not been designated by the authority having jurisdiction for the side of the road right-of-way adjacent to the subject property under application.

4.0 Subdivision or Development Abutting an Existing Highway

In accordance with the *Local Government Act*, a condition of approval of a subdivision or a condition of a building permit for a development abutting an existing Highway requires the developer to provide works and services in accordance with this bylaw up to the centreline of the Highway. At the discretion of the Approving Officer, the developer may

be required to pay the Village the estimated cost of the required works as described herein to be held by the Village in a reserve account for construction at a future date.

5.0 Service Upgrades

If works and services of the type described in Section 3.0 are already in existence on or in a highway, lane or right-of-way adjacent to a parcel being subdivided or on which a building is proposed to be constructed, and the works and services do not comply with the standards specified in Section 6.0, the Developer must alter the works and services so that they comply with the standards, and all other provisions of this bylaw. All requirements for servicing agreements and security as set out in this bylaw shall apply for service upgrades.

6.0 Standards and Specifications

Works and services required by this bylaw must:

- (1) be designed in accordance with sound engineering principles;
- (2) where installed by a Developer, be designed by a professional engineer licensed to practice in the Province of British Columbia;
- (3) extend through or along the full frontage of a parcel being subdivided or built upon under a building permit, in order to facilitate service to parcels or buildings beyond;
- (4) meet the requirements set out in Schedule A through Schedule F of this bylaw, except to the extent that such standards may have been varied by development variance permit;
- (5) comply with the Village's Subdivision and Development Servicing Standards Manual; and
- (6) be approved by the Village's Engineer

7.0 Excess or Extended Services

The Village may:

- (1) require a Developer to construct excess or extended services as authorized by the *Local Government Act*;
- (2) determine whether the cost to the Village to provide the excess or extended services would be excessive and, in that event, require the cost to be paid by the Developer;
- (3) determine the benefit of the excess or extended service that may be attributed to each of the parcels of land that will be served by the services; and
- (4) Recover costs through latecomer agreements, service fees or parcel taxes as authorized under the *Local Government Act*.

8.0 Geotechnical/ Slope Stability

A geotechnical report(s) on slope stability is required prior to land use re-designation, subdivision, development and/or building approval. A report is required wherever the slope on the subject lands or portions thereof exceed fifteen percent (15%) or where past subsidence, slippage or seepage is evidenced in the vicinity of the site.

9.0 Maintenance Security

On construction completion and prior to subdivision or development final approval:

- (1) Maintenance security shall be provided to the Village in the amount of 5% of the constructed costs of works and services to be owned and operated by the Village including but not specifically limited to roads, water, sanitary sewer, stormwater management and street lighting.
- (2) Maintenance security will be retained by the Village for a period of 1 year from the date of final completion as certified by the developer's engineer.
- (3) The amount of maintenance security shall not be less than \$2,000.

10.0 Development Agreement

All works and services to comply with the requirements of this bylaw shall be constructed by the Developer before the Approving Officer approves the subdivision or the Building Inspector issues final inspection certification. Alternatively, a developer may enter into a Development Agreement with the Village. The development agreement requires:

- (1) provision of Security in the amount of 125% of the estimated costs of the required works and services as determined by the developer's engineer and as approved by the Village;
- (2) a specified completion date after which the Village may utilize the security to complete any uncompleted works and services;
- (3) maintenance security in accordance with item 9.0.

The form of a development agreement is contained in Schedule B of the Village's Subdivision and Development Servicing Standards Manual.

11.0 No Work Prior to Design Approval or Building Permit Issuance

No person shall commence construction of any works or services required or regulated by this bylaw, whether on private property or on public road, without, for a subdivision, first receiving approval of design drawings and written authorization to proceed from the Village; or for a development, by first receiving a building permit. Unless otherwise provided in this Bylaw, all works and services required in this Bylaw shall be constructed and installed at the expense of the Owner.

12.0 Administration Fee

An administration fee is payable on issuance of a building permit or on issuance of preliminary layout approval for a subdivision.

13.0 Violation

Every person who:

- (1) violates any of the provisions of the Bylaw;
- (2) causes or permits any act or thing to be done in contravention or violation of any of the provisions of this Bylaw;
- (3) neglects or omits to do anything required under this Bylaw;
- (4) carries out, causes or permits to be carried out any subdivision or development in a manner prohibited by or contrary to any of the provisions of this Bylaw;

- (5) fails to comply with an order, direction or notice given under this Bylaw; or
- (6) prevents or obstructs or attempts to prevent or obstruct the authorized entry of Village staff onto property.

shall be deemed to be guilty upon summary conviction of an offence under this Bylaw.

14.0 Offence

Each day's continuance of an offence under Section 13.0 constitutes a new and distinct offence.

15.0 Penalty

Every person who commits an offence under this Bylaw is liable on summary conviction to a fine not exceeding \$5,000 plus the cost of prosecution for each offence.

16.0 Completion

Should any person fail to construct or install any works or services required under this Bylaw, the Village, its agents or servants may construct or install the works and services at the expense of the person in default, and at the expense thereof, with interest at the rate of six percent (6%) per annum with costs, which may be recovered in like manner from the bond or as municipal taxes.

17.0 Schedules

The following is a list of schedules attached hereto and forming part of this bylaw.

- Schedule A – Level of Service Areas
- Schedule B – Roadways and Walkways
- Schedule C – Water System
- Schedule D – Sanitary Sewers
- Schedule E – Stormwater Management
- Schedule F – Street Lighting

18.0 Repeal

The "Village of Chase Subdivision and Development Servicing Bylaw No. 168,1978" is hereby repealed.

READ a first time this 23rd day of APRIL, 2019.

READ a second time this 28th day of MAY, 2019.

READ a third time this 28th day of MAY, 2019.

FINALLY ADOPTED this 28th day of MAY, 2019.

Mayor

Corporate Officer

SCHEDULE A
LEVEL OF SERVICE

Establishment of Service Levels

1. The type of services to be constructed by an owner prior to obtaining approval for a plan of subdivision or development shall be based on the zone in which the land is located as set out on the Official Zoning Map of the Zoning Bylaw of the Village of Chase as amended. In Table A.1, the minimum level of service to be provided with respect to sanitary sewer, water, drainage, street lighting and wiring is set out in Columns 2, 3, 4, 5 and 6, and the zones which are subject to each service level are described in Column 1.

For the purposes of Table A.1:

"Community Sanitary Sewer System (CSSS)" means construction of a sewage collection system and connection to a community sanitary sewer.

"Community Water System (CWS)" means construction of a domestic water distribution system and connection to the Village's domestic water distribution system.

"Ditch System (Ditch)" means a drainage collection and disposal system by open ditches and culverts.

"Overhead Wiring (Overhead)" means overhead electrical, communications and CATV wiring.

"Storm Sewer System (SSS)" means construction of a storm water drainage and collection system and connection to the Village's storm sewer system or major drainage system.

"Street Lighting - Thru Subdivision (Thru Subdivisions)" means the provision of street lighting throughout the subdivision or development to the standards specified in this Bylaw.

"Street Lighting - Intersections Only (Intersections)" means the provisions of street Lighting at intersections only.



SUBDIVISION AND DEVELOPMENT SERVICING BYLAW NO. 870, 2019

TABLE A.1

**REQUIRED MINIMUM LEVEL OF SERVICE FOR SANITARY SEWER,
WATER SUPPLY, DRAINAGE, STREET LIGHTING, AND WIRING**

| | Column 1 | Column 2 | Column 3 | Column 4 | Column 5 | Column 6 |
|---|--|---------------------------|-------------------------|-----------------|----------------------------|------------------|
| | ZONE | SANITARY SEWER | WATER SUPPLY | DRAINAGE | STREET LIGHTING | WIRING |
| Residential & Public Use | R-1, R-1A, R-1SS, R-2, R-2A, R-3, R-3A, R-4, R-5 P-1, P-2 CD-A, CD-C | CSSS | CWS | SSS | Thru Sub- Division | Under- Ground |
| Commercial | C-1, C-2, C-3, C-4, C-5, C-6, C-7, C-8 | CSSS | CWS | SSS | Thru Sub- Division | Under- Ground |
| Industrial | M-1, M-2, M-3 | CSSS | CWS | SSS | Thru Sub- Division | Under- Ground |
| Agricultural | AR-1, AR-2, AR-3 | CSSS | CWS | Ditch | Intersections | Overhead |

CSSS - Community Sanitary Sewer System
 CWS - Community Water system
 SSS - Storm Sewer System

SCHEDULE B

HIGHWAYS AND WALKWAYS

1. Prior to the design of highways, the Village will classify each new highway proposed within the subdivision and stipulate the required standards in accordance with the Official Community Plan.
2. In Table B.1, the required minimum standards for various classifications of highways are provided in Columns 2 and 3, and the zones which are subject to each standard are described in Column 1. The Highway Classification is as set out in Figure 1. Boulevard and development landscaping shall be specified at the time of subdivision and/or development application, Schedule B of the Village of Chase Subdivision and Development Servicing Standards Manual.



SUBDIVISION AND DEVELOPMENT SERVICING BYLAW NO. 870, 2019

TABLE B.1

REQUIRED MINIMUM HIGHWAY STANDARDS

| | Column 1 | Column 2 | | | | | Column 3 | | | | |
|-------------------------------------|---|---|----------------|---------------|---------------------|-----|--------------------------------|-----------------------------|---------------|---------------------|-----|
| | ZONE | LOCAL and COLLECTOR HIGHWAYS ³ | | | | | ARTERIAL HIGHWAYS ³ | | | | |
| | | R/W Width ¹ | Pavement Width | Curb & Gutter | Sidewalk Side Width | | R/W Width | Pavement Width ² | Curb & Gutter | Sidewalk Side Width | |
| Residential & Public Use | R-1, R-1A, R-1SS, R-2, R-2A, R-3, R-3A, R-4, R-5, P-1, P-2 CD-A, CD-C | 18.0 | 8.0 | Yes | One | 2.0 | 25.0 | 15.0 | Yes | One | 2.0 |
| Commercial | C-1, C-2, C-3, C-4, C-5, C-6, C-7, C-8 | 20.0 | 12.0 | Yes | Both | 2.0 | 25.0 | 15.0 | Yes | Both | 2.0 |
| Industrial | M-1, M-2, M-3 | 20.0 | 12.0 | Yes | None | - | 25.0 | 15.0 | Yes | One | 2.0 |
| Agricultural | AR-1, AR-2, AR-3 | 20.0 | 7.3 | No | None | - | 25.0 | 15.0 | Yes | One | 2.0 |

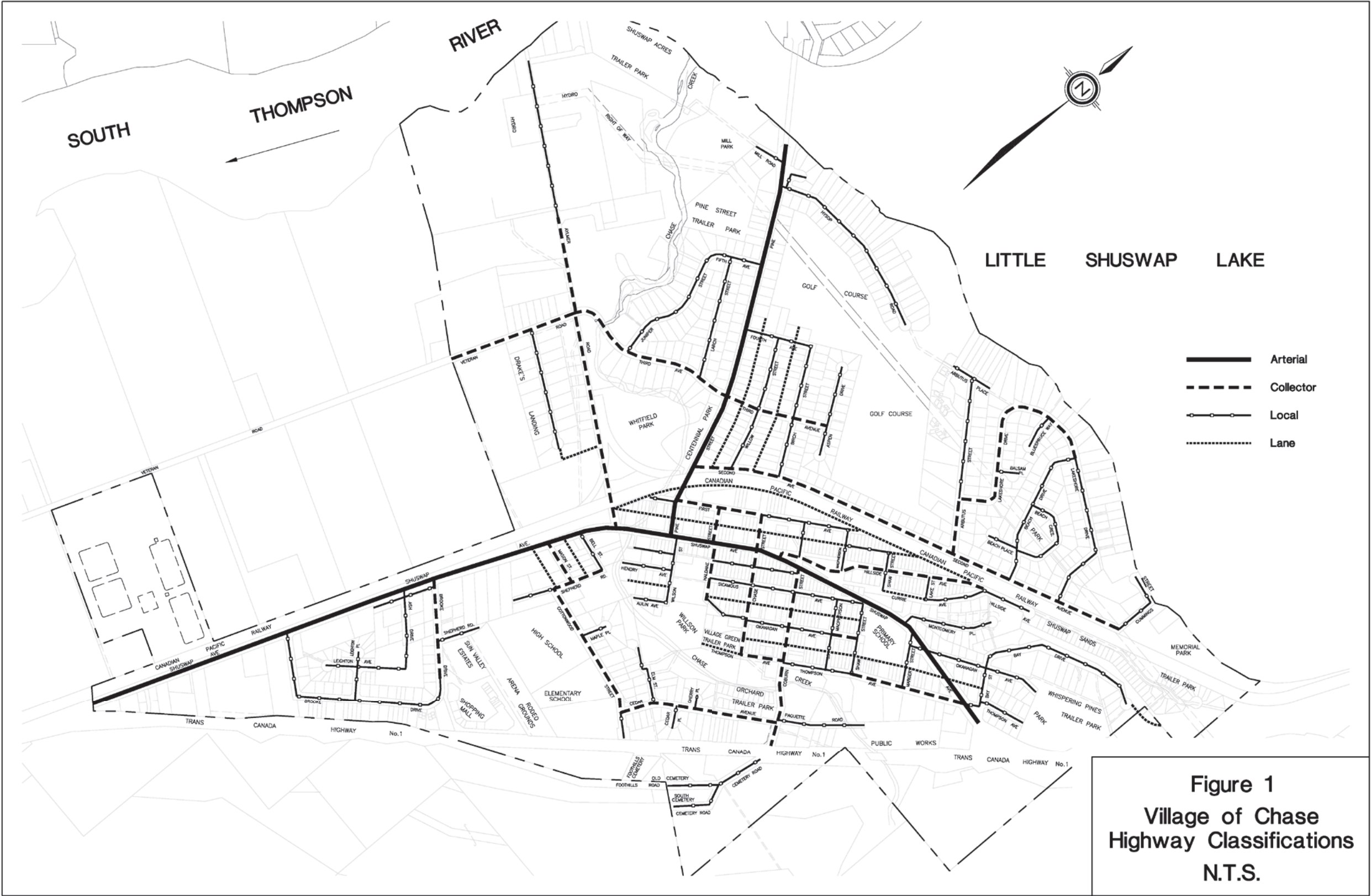
¹ All dimensions shown in metres.

² Plus width of median.

³ Landscape requirements shall be specified in Schedule B of the Village of Chase Subdivision and Development Servicing Standards Manual.

Notes: In addition to the foregoing, the following standards shall apply to lanes and walkways:

- i) Lanes shall have a Right-of-Way width of not less than 6.0 m and a pavement width of not less than 3.0 m.
- ii) Walkways shall have a Right-of-Way width of not less than 2.5 m and a pavement width of not less than 2.0 m.



SCHEDULE C
WATER SYSTEMS

-
1. Water distribution mains shall be sized to carry the peak hourly flow rate or the maximum daily flow rate plus the fire flow rate, whichever is the greater. Mains shall be sized to operate at or below the following maximum flow velocities:
 - (1) Peak hourly demand rate of 2.0 m per second;
 - (2) Fire flow plus the maximum day demand of 4.0 m per second.
 2. For residential areas, the daily domestic demand criteria for purposes of designing water distribution systems shall be:
 - (1) Fire flows concurrent with maximum day water demands with a residual system pressure of 140 kPa (20 psi);
 - (2) Peak hour water demands at a pressure appropriate for the intended land use. For residential land uses the minimum service pressure shall be 310 kPa (45 psi) measured at the highest proposed floor elevation.
 3. The minimum required fire flow for different land uses is provided in Table C-1.

Table C-1: Minimum Fire Flow Requirements

| Developments (without sprinklers) | Minimum Fire Flow |
|--|--------------------------|
| Single Family/Mixed Residential | 60 L/s |
| Medium Density Residential/Light Industrial and Service Commercial | 90 L/s |
| Core Area Commercial, Institutional and High Density Residential | 150 L/s |
| Industrial | 200 L/s |

4. Where network modelling indicates that available fire flow within a subdivision or to a development will be less than requirements presented in Table C-1,
 - (1) The development will be required to either upgrade the water supply system sufficiently to provide the required fire flow; and/or
 - (2) The fire protection requirements of the proposed development are to be reduced to be consistent with the water distribution system fire flow capacity.

SCHEDULE D
SANITARY SEWERS

1. Sanitary sewer system requirements shall include, but not be limited to, gravity sewer mains, sewage lift stations, forcemains, manholes, service connections, inspection chambers and all related appurtenances.
2. Sanitary sewers shall be designed:
 - (1) to convey the calculated peak flow for the proposed development and upstream catchment area including allowances for inflow and infiltration;
 - (2) to operate at a minimum flow velocity of 0.6 m/s; and
 - (3) to flow not more than 75% full at the design peak flow including an infiltration and inflow allowance.

SCHEDULE E

STORMWATER MANAGEMENT SYSTEMS

1. Stormwater management infrastructure shall be planned and designed consistent with policies and methodologies as contained in:
 - (1) "Stormwater Planning: A Guidebook for British Columbia", (2002);
 - (2) "Beyond the Guidebook: Context for Rainwater Management and Green Infrastructure in British Columbia" (2007); and,
 - (3) "Beyond the Guidebook 2010: Implementing a New Culture for Urban Watershed Protection and Restoration in British Columbia", (2010).
2. Guiding principles to the Village's design approaches to stormwater management are:
 - (1) Stormwater is a resource;
 - (2) Design should consider the full spectrum of rainfall events as described in "Stormwater Planning: A Guidebook for British Columbia", (2002);
 - (3) To collect, store and infiltrate stormwater resulting from a rainfall event having a return frequency of up to 10 years for all land use categories including medium and high density residential, commercial, industrial and institutional; and
 - (4) Conventional stormwater infrastructure comprising piped systems should be designed to minimize risks of property damage by runoff from an extreme rainfall event.
3. Where site soil conditions constrain onsite management of stormwater and for rainfall events having a return frequency greater than 5 years for single family residential and greater than 10 years for all other land uses, a combination of piped systems and overland flood routes sized for the anticipated runoff from a rainfall event having a return frequency of 100 years is to be provided.

SCHEDULE F

LIGHTING

1. Where the development requires underground electrical distribution, street lighting systems shall be provided to provide levels of illumination and uniformity as set out in the Village's Subdivision and Development Servicing Standards Manual.
2. Where street lighting is permitted to be installed on utility poles owned by public utilities carrying overhead electrical distribution, the Village may prescribe different standards than in developments which are serviced underground.
3. The British Columbia Electrical Code, the most recent edition, and standards of BC Hydro, the electrical utility, shall be applicable to the design, and construction of the street lighting system.