

CITY OF KELOWNA

Bylaw No. 12685 Amendment No. 27 to Subdivision, Development and Servicing Bylaw No. 7900

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the Subdivision, Development and Servicing Bylaw No. 7900 be amended as follows:

1. THAT **Part 1 – Introduction, Section 4.0 Definitions, Subsection 4.1 Definitions** be amended by deleting the definition for “Fees” in its entirety and replacing with:

“**Fees**” means those fees payable to the City in connection with the Subdivision or Development of land, as prescribed by this bylaw or the current version of the City of Kelowna Development Fees Application Bylaw.”
2. THAT **Part 4 – City to Perform Work, Section 8.0 City to Perform Work** be amended by deleting Subsection 8.1(b) in its entirety and replacing with:

“(b) the City will advise the Owner that they must pay the City, in cash,

 - i. 125% of the cost, as estimated by the Consulting Engineer and approved by the City Engineer, of designing and Constructing such Works and Services, or
 - ii. if applicable, a program fee for the Works and Services as outlined in Schedule 7; and”
3. THAT the term “his or her” be deleted and replaced with the word “their” throughout the bylaw.
4. THAT the word “his” be deleted and replaced with the word “their” throughout the bylaw.
5. THAT the term “City of Kelowna Zoning Bylaw No. 8000” be deleted and replaced with “City of Kelowna Zoning Bylaw No. 12375” throughout the bylaw.
6. THAT Schedule 7 Guidelines for Determining Servicing Requirements for Certain Developments Having a “Directly Attributable” Impact on Infrastructure be deleted in its entirety.
7. THAT Schedule 7 Fees and Guidelines for Determining Servicing Requirements for Certain Developments Having a “Directly Attributable” Impact on Infrastructure, as attached to and forming a part of this bylaw, be added.
8. This bylaw may be cited as “Bylaw No. 12685, being Amendment No. 27 to Subdivision, Development and Servicing Bylaw No. 7900”.
9. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 22nd day of July, 2024.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

SCHEDULE 7

Fees and Guidelines for Determining Servicing Requirements for Certain Developments Having a “Directly Attributable” Impact on Infrastructure

1.0 Assessing Directly Attributable Requirements

- 1.1 In determining which Works and Services are directly attributable, the City Engineer shall consider:
- (a) the ability of the City’s infrastructure systems to provide service to a Subdivision or Development in accordance with the needs of the Subdivision or Development and the standards outlined in Schedule 1, and
 - (b) the impact that servicing a proposed Subdivision or Development will have on the City’s ability to maintain its existing system levels of service for future Developments in accordance with the OCP and any other infrastructure master plans.
- 1.2 In general, a directly attributable impact on one or more particular system will be created when any of the following arises as a result of a Subdivision, or Development via Building Permit:
- (a) a need for increased flow or capacity of the system(s), or
 - (b) a need to upgrade the system(s) due to the inability of the system to provide adequate service because of, but not limited to, insufficient capacity, age, condition, accessibility, operational challenges, safety concerns, or other concerns regarding integration with existing services.
- 1.3 The need for increased flow or capacity, or for an upgrade to an existing system, as outlined in above, will generally arise, and consequently a directly attributable impact necessitating a requirement for some service upgrades or installations will be created to adequately service the Development or offset the impact to a particular service, with:
- (a) any proposed Subdivision; or
 - (b) any Building Permit that allows for:
 - (i) construction on vacant lots (whether previously developed, or previously developed at some time but vacant for an extended period of time immediately prior to the proposed construction);
 - (ii) significant usage changes;
 - (iii) significant usage increases or expansions; or
 - (iv) demolition of existing structure(s) and construction of new structure(s) with significant usage changes or increases or expansion.

**TYPES OF DEVELOPMENT THAT WILL GENERALLY* HAVE A
“DIRECTLY ATTRIBUTABLE IMPACT” REQUIRING INSTALLATION OF WORKS AND SERVICES**

Type of Development	<i>Water</i>	<i>Sanitary Sewer</i>	<i>Drainage</i>	<i>Road Frontage</i>	<i>Road Dedication</i>
<i>Residential</i>					
<i>Alterations, Accessory Buildings</i>	NO	NO	NO	NO	NO
<i>New Single/Duplex/Suite Addition</i>	MAYBE	NO	NO	NO	MAYBE
<i>Two-Unit Detached</i>	MAYBE	NO	MAYBE	MAYBE	YES
<i>Multi-Unit (3 +)</i>	YES	YES	YES	YES	YES
<i>Mixed Use, Non-Residential</i>					
<i>Façade</i>	NO	NO	NO	NO	NO
<i>Additions/Alterations</i>	MAYBE	MAYBE	MAYBE	MAYBE	YES
<i>New Development</i>	YES	YES	YES	YES	YES

*This table is only to be used as a GUIDE. Each application will be reviewed individually and any “directly attributable impact” on infrastructure, and the resulting servicing requirements, will be determined on a case-by-case basis. After the case-by-case basis evaluation, any particular Development of a type listed in the table above MAY or MAY NOT require the installation of works and services contrary to what is shown in this table.

2.0 Works & Services Programs and Fees

- (a) The fees and credits as noted in Sections 2.1, 2.2, and 2.3 will increase by five percent (5%) on January 1 each year, beginning January 1, 2025.
- (b) All fees and charges will be rounded to the nearest 5 dollars (\$5).
- (c) All fees and charges include relevant Provincial and Federal taxes unless otherwise stated.
- (d) Parts of the municipality affected in this section are defined, designated, or identified by the OCP, except for a Zone or Laneway.

2.1 Neighbourhood Street Frontage Program Fees

- (a) May be payable for a Development fronting a road classified as a Local or Collector Road Class in the following parts of the municipality:
 - (i) the Core Area,
 - (ii) an Urban Centre, or
 - (iii) a Village Centre.

Neighbourhood Street Frontage Fee Rates (per metre of frontage)	
<i>Fronting Classification</i>	<i>2024 Rate</i>
Local Road Class	\$ 2,950
Collector Road Class	\$ 3,150
Laneway	\$ 340

- (b) At the discretion of the City Engineer, a Development fronting a road classified as a Minor Arterial Road Class in the Core Area, an Urban Centre, or a Village Centre may be eligible to participate in the program at 105% of the Collector Road Class rate.
- (c) Credit for existing works may be applied and the fee rate reduced per metre of frontage at the following rates:

Neighbourhood Street Frontage Credit Rates (per metre of frontage)	
<i>Credits for Existing Works</i>	<i>2024 Rate</i>
Storm Drainage System	\$ 500
Curb & Gutter	\$ 170
Sidewalk	\$ 270
Pavement Structure	\$ 520
Boulevard (Treed, Irrigated)	\$ 440

- (i) Existing works will be assessed, and credit may be applied at the discretion of the City Engineer where the existing works are in good condition, compatible with the ultimate typical section, and renewal is not directly attributable to the Development.
- (d) Where the City has provided street frontage upgrades through the Neighbourhood Street Urbanization Program that benefits a Development, an Owner must pay the fee per metre of frontage for the City’s recovery of its cost to provide the service.

Schedule 7:
Fees and Guidelines for Determining Servicing Requirements for Certain Developments Having a "Directly Attributable"
Impact on Infrastructure

2.2 Infill Fire Hydrant Program Fees

- (a) May be payable for a Development in a MF1, MF2 or RU Zone located in the following parts of the municipality:
- (i) the Core Area,
 - (ii) an Urban Centre, or
 - (iii) a Village Centre.

Infill Hydrant Fee Rate (per fire hydrant)
<i>2024 Rate</i>
\$ 1,500

- (b) Where the City has provided a fire hydrant through the Infill Fire Hydrant Program that benefits a Development, an Owner must pay the fee per hydrant for the City's recovery of its cost to provide the service.

2.3 Infill Transit Stop Program Fees

- (a) May be payable for a Development located within 400 m of a Frequent Transit Network or Future Frequent Transit Network in the following parts of the municipality:
- (i) the Core Area,
 - (ii) an Urban Centre, or
 - (iii) a Village Centre.

Transit Stop Fee Rate (per residential unit)
<i>2024 Rate</i>
\$ 200

- (b) Where the City has provided a transit pad or shelter through the Infill Transit Stop Program that benefits a Development, an Owner must pay the fee per residential unit for the City's recovery of its cost to provide the service.