

Report to Council



Date: August 26, 2024
To: Council
From: City Manager
Subject: Subdivision, Development and Servicing Bylaw No. 7900 & Council Policy No. 101 Amendments
Department: Corporate Services

Recommendation:

THAT Council receives, for information, the report from Corporate Services, dated August 26, 2024, with respect to amending the Subdivision, Development and Servicing Bylaw No. 7900 and Council Policy No. 101;

AND THAT Bylaw No. 12694, being Amendment No. 28 to Subdivision, Development and Servicing Bylaw No. 7900 be forwarded for reading consideration;

AND FURTHER THAT Council Policy No. 101, being Conversion of Overhead Power Lines to Underground Installation, be revised as outlined in the Report from Corporate Services dated August 26, 2024.

Purpose:

To amend the Subdivision, Development and Servicing Bylaw No. 7900 so it aligns with industry best practice, provides clear direction and ensures construction of safe and long-lasting infrastructure. To approve a minor change to Council Policy No. 101.

Background:

The Subdivision, Development & Servicing Bylaw No. 7900 (SDS Bylaw) establishes the necessary standards for infrastructure design and construction pertaining to public works and services. It also outlines the application processes related to land subdivision and development within the City's limits. These standards are relevant for projects initiated by both the City and developers and cover the design and construction standards for water distribution systems, sanitary sewers, stormwater management, roadways, pedestrian paths, traffic signals, streetlights, and green spaces.

The SDS Bylaw is frequently revised to meet industry standards and provide durable infrastructure for the present and future. A dedicated Bylaw Working Group, comprising members from various departments like Infrastructure, Development Engineering, Planning, Civic Operations, Asset

Management, and Financial Services, convenes regularly to assess parts of the SDS Bylaw, consult with stakeholders such as the Urban Development Institute, and suggest amendments to the Council.

Discussion:

In recent years, extensive updates have been implemented to refresh the SDS Bylaw, featuring revisions to the infrastructure design requirements for Transportation, Water, Wastewater, Stormwater, Roadway Lighting, and Traffic Signals. This latest amendment to the SDS Bylaw is focused on the construction standards, which saw their last overhaul in 2012. The modifications incorporate the latest MMCD (2019) edition as the foundational construction specification. These amendments are encompassed within Schedule 6 of the SDS Bylaw. Additionally, Kelowna's specific supplementary construction specifications and standard detail drawings found in Schedule 5 have been revised for consistency with the new MMCD version and to meet local construction stipulations.

The City of Kelowna is a sponsoring member of the Master Municipal Construction Documents Association (MMCD). The MMCD Association is a non-profit society, founded in 1995 and supported by BC municipalities, consulting companies and contractors. Their mandate was to create improved construction documents for municipal infrastructure, rather than each municipality creating and maintaining their own contracts and specifications. Now, over 90 municipalities use the MMCD on a regular basis.

A summary of the changes is provided below with a brief description of the reason for the change.

Document	Revision
Schedule 5 – Supplemental Construction Standards to MMCD	New sections for Traffic Control, Environmental Protection and Tree Preservation, to provide private development with similar requirements to City capital projects
	New specifications for the increased use of recycled concrete and asphalt for road building, to save costs over quickly depleting local gravel reserves and to reduce emissions.
	New specifications for quality control testing requirements for road building, asphalt and concrete.
	New Roadway Lighting and Traffic Signal sections and Standard Drawings to ensure electrical work is completed to City requirements.
	Major updates to the irrigation system requirements for City owned systems.
	General updates to some of the Standard Drawings to reflect current practices.
Schedule 6 – Construction Standards (MMCD 2019)	Amend reference to latest addition edition of Master Municipal Construction Documents (MMCD 2019) and associated MMCD supplemental specifications

A housekeeping item is included in this report to amend Council Policy 101. Council Policy No. 101 provides direction when existing overhead electrical and communication wiring must be converted to underground as a condition of subdivision or development approval. On March 4, 2024, Council approved changes in response to the implementation of the Provincial legislation for Small-Scale Multi-

Unit Housing and Transit Oriented Development Areas. A part of this change set the threshold for undergrounding overhead power lines to 12,000 volts; however, the direction should have been that an overhead power line is not required underground where the voltage is greater than 120,000 volts.

Consultation and Engagement:

Staff met with Urban Development Institute (UDI) and members of the construction industry to solicit feedback on potential impacts of the SDS Bylaw amendments. Comments from UDI and the construction industry were incorporated into the Bylaw amendments where appropriate, and all changes were communicated back to these stakeholders.

Conclusion:

This SDS Bylaw update is the latest in a series to ensure City infrastructure is high quality, long-lasting and delivers services the community relies upon now and in the future. Staff have worked with the development community and the construction industry to modernize the bylaw and bring it into alignment with industry best practice and make it user friendly and accessible.

The proposed change to Council Policy No. 101 will align with the original intent of maintaining an acceptable level of service for community safety and ensuring a robust standard for the provision of municipal civil infrastructure.

Communications Comments:

The SDS Bylaw is available on the City's website at [Subdivision, Development & Servicing Bylaw | City of Kelowna](#). The website will be updated to reflect the proposed changes upon Council's approval.

Internal Circulation:

Infrastructure Delivery Manager
Infrastructure Operations Manager
Technical Services Supervisor
Development Engineering Manager
Parks Services Manager

Considerations applicable to this report:

Existing Policy: Council Policy No. 101

Considerations not applicable to this report:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Financial/Budgetary Considerations:

Submitted by: Joel Shaw, Asset Management & Capital Planning Manager

Approved for inclusion: Joe Sass, General Manager, Corporate Services

Attachments: Attachment 1 – Proposed Council Policy No. 101

Attachment 2 - Presentation for Bylaw 7900 update

cc: City Clerk
General Manager, Infrastructure
Divisional Director, Planning & Development Services
Divisional Director, Corporate Strategic Services