

THE CORPORATION OF THE VILLAGE OF LYTTON

SUBDIVISION AND DEVELOPMENT SERVICING BYLAW NO. 483, 1998

THE CORPORATION OF THE VILLAGE OF LYTTON

**SUBDIVISION AND DEVELOPMENT
SERVICING BYLAW NO. 483, 1998**

A Bylaw to Regulate Subdivision and Development
Servicing Within the Corporation of the Village of Lytton

WHEREAS the Council of The Corporation of the Village of Lytton has repealed the "Subdivision and Development Servicing Bylaw No. 220, 1976, of the Corporation of the Village of Lytton" as amended and wishes to adopt a new Subdivision Bylaw, pursuant to Part 26 of the Municipal Act.

NOW THEREFORE, the Council of The Corporation of the Village of Lytton, in open meeting assembled, enacts as follows:

1. That this Bylaw shall be cited as "The Corporation of the Village of Lytton, in open meeting and Development Servicing Bylaw No. 483, 1998".
2. The following Sections attached to this Bylaw are hereby made part of this Bylaw and are adopted as the Subdivision and Development Servicing Bylaw for the Village of Lytton.
3. Bylaw No. 220, 1976 cited as "The Corporation of the Village of Lytton Subdivision and Development Bylaw No. 220, 1976" and amendments there to has been repealed.

READ A FIRST TIME this 27 day of April 1998.

READ A SECOND TIME this 27 day of April 1998.


READ A THIRD TIME this 11 day of May 1998.

RECONSIDERED AND FINALLY ADOPTED this

25 day of May 1998.

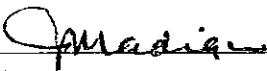


Mayor



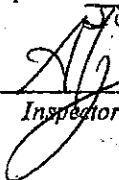
Clerk

Certified to be a true and correct copy of the
"Corporation of the Village of Lytton
Subdivision and Development Servicing Bylaw
No. 483, 1998", as adopted by the Council of
the Corporation of the Village of Lytton, this
1st day of June, 1998.



Clerk

*A true copy of By-law No. 483
registered in the office of the Inspector
of Municipalities this 29th day of
June 1998.*



for Inspector of Municipalities

THE CORPORATION OF THE VILLAGE OF LYTTON

**SUBDIVISION AND DEVELOPMENT
SERVICING BYLAW NO. 483, 1998**

TABLE OF CONTENTS

	<u>Page</u>
BYLAW	ii
 Sections	
Section 1 - Title	1
Section 2 - Interpretation.....	2
Section 3 - General Provisions.....	6
Section 4 - Servicing Requirements.....	16
Section 5 - Fees	17
Section 6 - Schedules	19
Section 7 - Enactment	21
 Schedules	
Schedule A - Service Levels	
Schedule B - Regulations, Standards and Specifications for the Design and Construction of Site Grading	
Schedule C - Regulations, Standards, and Specifications for the Design and Construction of Highways	
Schedule D - Regulations, Standards, and Specifications for the Design and Construction of Curbs and Gutters, Sidewalks, and Boulevards	
Schedule E - Regulations, Standards, and Specifications for the Design and Installation of Water Systems	
Schedule F - Regulations, Standards, and Specifications for the Design and Construction of Sanitary Sewers	
Schedule G - Regulations, Standards, and Specifications for the Design and Installation of Drainage Systems	
Schedule H - Regulations, Standards, and Specifications for the Installation of Street Lighting	

TABLE OF CONTENTS (continued . . .)

Page

Schedule I - Regulations, Standards, and Specifications for the Installation of Electrical and Communications Wiring and Gas Distribution System

Schedule J - Standards for the Preparation of Design and Construction Record Drawings

Appendices

Appendix 1 Agreements to be typed on the Owner's or Consultant's Letterhead

Confirmation of Commitment by Owner

Confirmation of Professional Assurance by Civil Engineer

Confirmation of Professional Assurance by Geotechnical Engineer

Appendix 2 Sample Standard Statutory Right-of-Way Document

Appendix 3 Substantial Completion and Construction Completion Certificate

Appendix 4 Standard Drawings Index List and Standard Drawings

SECTION 1 - TITLE

This bylaw may be cited as the Corporation of the Village of Lytton Subdivision and Development Servicing Bylaw No. 483, 1998.

SECTION 2 - INTERPRETATION

INTERPRETATION

In this bylaw, unless the context requires otherwise:

"Approving Officer" means any person duly authorized by the Corporation of the Village of Lytton Council to act as Approving Officer pursuant to the provisions of the Land Title Act and the Condominium Act.

"Building Inspector" means the Building Inspector for the Corporation of the Village of Lytton or duly authorized representative.

"Building Regulations" means the Corporation of the Village of Lytton Building Bylaw as the date of Application for Subdivision or a Development Building Permit.

"Communications Wiring" means Telephone or Cable TV wiring.

"Community Sewer System" means a sanitary sewer or a system of sewage disposal works which is owned, operated and maintained by the Village.

"Community Water System" means a system of waterworks within the meaning of the Health Act which is owned, operated and maintained by the Municipality, an Improvement District under the Water Act or the Municipal Act, or which is regulated under the Water Utilities Act, and authorized by the Municipal Council.

"Council" means the Council of the Corporation of the Village of Lytton.

"Cul-de-sac" means a length of local street made for vehicular use, the end of which is permanently closed either by subdivision design or by a natural feature such as inaccessible terrain.

"Design Engineer" means the Professional Engineer engaged by the Owner to design and prepare drawings for construction of works in a subdivision or development, or his authorized representative.

"Development" means an activity that requires a Building Permit that includes:

- a) the carrying on of any construction or excavation in, on, over, or under land or water; and
- b) the making of any change in the use or intensity of use of any land, water, building or premises.

"Drainage System" means a system of works designed and constructed to control the flow of storm water, ground water, or both.

"Exterior Side Parcel Line" means a parcel line other than a front or rear parcel line which is common to a highway other than a lane or walkway.

"Frontage" means the length of a parcel boundary which immediately adjoins a highway other than a lane or a walkway, or a waterbody where access is via water. In the case of a parcel fronting on more than one highway, the narrower side of the parcel abutting a highway shall be its frontage.

"Front Parcel Line" means any parcel line common to a parcel and a highway other than a lane, 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.

"Gradient or Grade" expressed as a percentage is determined by dividing the vertical height from the lowest to highest elevation on the parcel by the horizontal distance between the lowest and highest point.

"Highway" includes a street, road, lane, bridge, viaduct and any other way open to public use, but does not include a private right-of-way on private property.

"Highway, Arterial" means a street which carries large volumes of all types of traffic between the principle areas of traffic generation to collector or other arterial highways and designated as a major roadway on the OCP.

"Highway, Collector" means a street which carries traffic from local highway to arterial highway and includes the principle entrance streets for circulation of traffic within such a subdivision.

"Highway, Local" means a street used primarily for travel and access to and from the parcels of land contiguous thereto.

"Interior Side Parcel Line" means a parcel line other than a rear parcel line which is not common to a highway other than a lane.

"Irrigation District" means an irrigation district incorporated under the Municipal Act or in the Water Act.

"Lane" means a highway more than 3 metres but not greater than 8 metres in width, intended to provide secondary access to parcels of land.

"Lot" means a parcel of land and the terms lot and parcel are synonymous.

"Medical Health Officer" means the Medical Health Officer appointed under the Health Act.

"Municipality" means the Corporation of the Village of Lytton or the area within the municipal boundaries thereof as the context may require.

"Owner" in respect of real property means the registered Owner of an estate in fee simple, and includes:

- the tenant for life under a registered life estate;
- the registered holder of the last registered agreement for sale;
- the holder or occupier of land held in the manner mentioned in Sections 356 and 357 of the Municipal Act;
- an Indian, who is an Owner under the letters patent of a municipality, incorporated under Section 12 of the Municipal Act.

"On-site Works" means all works and services installed on the parcel being subdivided or developed.

"Off-site Works" means all works and services required to be installed between the boundary of the parcel being subdivided or developed and the connection point to the existing Village works and services, or portions of the existing Village works or services that are required to be upgraded.

"Panhandle Parcel" means any parcel which is serviced and gains highway frontage through the use of a narrow strip of land which is an integral part of the parcel (hereinafter call the "Access Strip").

"Parcel" means any lot, block or other area in which land is held or into which land is subdivided, but does not include a highway or portion thereof.

"Parcel Area" means the total land area of a parcel contained within all of the parcel lines measured on a horizontal plane and expressed in units of square metres.

"Parcel Line - Rear" means the boundary of parcel which lies the most opposite to and is not connected to the front parcel line.

"Parcel Width" means the horizontal distance between the side parcel lines measured at right angles to the parcel depth.

"Potable Water" means water which is approved for drinking purposes by the Medical Health Officer.

"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.

"Proven Supply" means that a supply of potable water is available and proven with respect to volume, delivery and continuity of supply from an on-site groundwater system, a source requiring a water license from the Ministry of Environment or a community water system.

"Rear Parcel Line" means the boundary of parcel which lies the most opposite to and is not connected to the front parcel line.

"Right-of-Way" includes land or any interest in land acquired for any public purpose, including; but not limited to:

- a) public rights of passage with or without vehicles;
- b) constructing, maintaining, or operating any railway;
- c) erecting and maintaining any pole-line;
- d) laying, placing, and maintaining drains, ditches, pipes, transmission lines, or wires, for the conveyance, transmission, or transportation of water, electric power, communication, or for the disposal of sewage;
- e) the operation and maintenance of vehicular traffic and as registered as a public right-of-way.

"Roadway" means the portion of the highway that is improved, designed or ordinarily used for vehicular traffic.

"Service Level" means the standard of municipal services required for subdivisions or developments under the provisions of this bylaw.

"Site Coverage" means the total ground area covered by all buildings on a parcel expressed as a percentage of the total area of the parcel.

"Street" means a highway except a lane, trail, or walkway.

"Subdivision" means the division of land into two or more parcels, whether by plan, apt descriptive words, or otherwise.

"Village" means the Corporation of the Village of Lytton.

"Walkway" means a highway intended to carry pedestrian and non-motorized traffic.

"Watercourse" means any natural or man-made drainage course or source of water, whether usually containing water or not, and includes any lake, river, creek, spring, ravine, swamp, gulch, or source of ground water, whether enclosed in a conduit or not.

"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:

- a) the supply and distribution of water; collection and disposal of sanitary sewage and drainage water;
- b) street lighting;
- c) highways, access roadways, curbs, gutters, and sidewalks; and
- d) natural gas, power, telephone and cablevision services.

"Zone" means a zone as provided for in the Corporation of the Village of Lytton Zoning Bylaw as amended from time to time.

SECTION 3 - GENERAL PROVISIONS

3.1 SEVERABILITY

The provisions of this Bylaw are severable. If any provision is for any reason held to be invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this Bylaw.

3.2 APPLICATION

This Bylaw shall apply to the following:

- .1 All subdivisions and developments where the ownership and operation of works and services are taken over by the Village;
- .2 Developments constructed under building permits that are for public use, including but not limited to shopping malls, stores, apartments, townhouses, condominiums, commercial enterprises, institutional facilities, or developments where the requirements of other codes may not provide the standard of service required by the Village;

Developments where the provisions of this Bylaw do not apply are construction of on-site single family dwellings or two family (duplex) dwellings constructed under building permits on existing serviced parcels.

3.3 ADMINISTRATION

This Bylaw shall be administered by:

- The Approving Officer during the design stages of all subdivisions and developments, and the construction phase of subdivisions.
- The Building Inspector during the construction phase of developments.

3.4 RECORD KEPT

The Approving Officer may maintain a record of all applications submitted under this Bylaw with respect to subdivisions and developments. The record will indicate the final disposition of all such applications.

3.5 AUTHORIZATION OF ENTRY

The Approving Officer or any of his designates are hereby authorized to enter at all reasonable times upon any property or premises to inspect the same in connection with their duties under this Bylaw and to ascertain whether the provisions of this Bylaw are being complied with.

3.6 LEVEL OF SERVICE

Unless otherwise approved by a Development Variance Permit or Development Permit issued by the Council, all subdivisions and developments shall be provided with services as prescribed in Schedule A of this Bylaw.

3.7 EXCESS OR EXTENDED CAPACITY

Pursuant to the applicable Section of the Municipal Act, as amended from time to time the Corporation of the Village of Lytton may require that the Owner provide excess or extended services to provide access to or service land other than the land being subdivided or developed.

3.8 SUBDIVISIONS WHERE SERVICING REQUIREMENTS MAY BE WAIVED

Notwithstanding Subsection 3.6, the servicing requirements prescribed in Schedule A of this bylaw do not apply where the parcel created is to be used solely for the unattended equipment necessary for the operation of:

- .1 a community water system;
- .2 a community sewer system;
- .3 a community gas distribution system;
- .4 a community radio or television receiving antenna(s);
- .5 a radio or television broadcasting antenna;
- .6 a telecommunications relay station;
- .7 an automatic telephone exchange;
- .8 an air or marine navigational aid;
- .9 electrical substations or generating stations; or
- .10 any other similar public service or quasi public service facility or utility.

3.9 CONTAMINATED SITE REGULATIONS

All development sites shall be subject to review under the provisions of the Contaminated Site Regulations that arise from the Waste Management Act.

3.10 COMMITMENT REQUIRED BY OWNER

Prior to review of any subdivision or development by the Village the Owner shall enter into an agreement with the Corporation of the Village of Lytton to confirm the relationship between the Owner, the Owner's Engineer, and the Corporation of the Village of Lytton. Appendix "1" of this Bylaw contains the "Confirmation of Commitment by Owner".

This letter is to be typed on the Owner's letterhead and submitted to the Village before or with the submission for preliminary approval.

3.11 SUBDIVISION AND DEVELOPMENT ENGINEERING REQUIRED

Prior to review of any Subdivision or Development by the Village, the Owner's Civil Engineer and Geotechnical Engineer shall each confirm their engagement with the Owner and that they will be providing professional services to the Owner to ensure that the Subdivision or Development is designed and constructed in accordance with this Bylaw, the approved drawings and good practice. Appendix "1" contains the "Confirmation of Professional Assurance" letter to be typed onto each Consultant's letterhead and submitted to the Village before or with the submission for preliminary approval.

3.12 ENGINEERING CONSULTANTS LIABILITY

Civil and Geotechnical Engineering Consultants engaged in the design and construction of subdivision and development services throughout the Village of Lytton shall carry minimum Errors and Omission Liability Insurance coverage of \$1,000,000 per claim occurrence and maintain such coverage over a period of three (3) years after the date of Construction Completion. The Consultant shall provide Certificates of Insurance with the submission for Preliminary Subdivision or preliminary Development approval and annually prove that the appropriate coverage is in force.

3.13 GEOTECHNICAL AND SPECIALIST CONSULTANT OVERVIEW, TOPOGRAPHIC MAPPING AND DEVELOPMENT PHASING

.1 Before preliminary layout approval, the Owner shall when requested by the Approving Officer undertake a geotechnical overview, topographic mapping and development phasing if the proposed subdivision meets one or more of the following conditions:

.1 The proposed subdivision is equal to or greater than 1.0 hectares.

- .2 Any part of the proposed subdivision is located within a floodplain area as defined by map, bylaw or elevation.
- .3 The proposed subdivision contains land with slopes of greater than 25%;

OR

25% or more of the land proposed for subdivision contains steep slopes (steep slopes are slopes of greater than 25%).

- .4 The proposed subdivision contains land known or suspected to have sensitive or unstable soil conditions.
- .2 The required geotechnical and specialist consultant overview, topographic mapping, and development servicing and phasing analysis shall be done at the Owner's cost and include all or a portion of the following scope of work as determined by the Approving Officer:
- A geotechnical overview of the overall development area, extending a minimum of 100 metres beyond the subject parcel. At a minimum this geotechnical overview is to address:
 - .1 general site soil conditions;
 - .2 groundwater;
 - .3 soil/site stability; and
 - .4 corrosive or sulphate soils.
 - A topographic survey of the overall development area, extending a minimum of 100 metres beyond the subject parcel. A survey plot plan shall be prepared at a minimum 1:1000 scale, with 1.0 m contours. Mapping may be available from the Village at nominal cost.
 - A preliminary road alignment and parcel concept plan showing how development lands, and lands beyond the development boundaries, will be serviced.
 - A drainage plan showing the floodplain, existing drainage courses, and conceptually how drainage will be accommodated through the site, including any soil erosion mitigation.
 - A preliminary erosion siltation abatement and sedimentation mitigation plan.
 - A development servicing concept plan showing preliminary alignment of watermain, sanitary main and storm main sizes. The direction of sanitary sewage, and storm drainage flows should also be shown.

- Development phasing boundaries, showing parks, institutional lands, road hierarchy and parking.
 - A preliminary cost estimate.
- .3 The Approving Officer may also require specialist consultants to be engaged by the Owner to provide preliminary comments on the mitigation of environmental, biological, or other peculiar situations resulting from the proposed subdivision or development.

Drawings associated with the preceding submissions shall be presented on minimum 1:1000 scale drawings.

3.14 GEOTECHNICAL AND SPECIALIST CONSULTANT DESIGN REQUIRMENT

- .1 In addition to the Geotechnical overview undertaken during the preliminary phase of the project as specified under Clause 3.13, the Owner shall after receiving preliminary layout approval when requested by the Approving Officer engage a qualified Geotechnical Engineer to undertake a project specific investigation throughout the site.
- .2 The Geotechnical Report, prepared under seal of a Geotechnical Engineer registered in the Province of British Columbia shall report his findings and provide clear, definitive recommendations on the geometry and placement of structural and non-structural fill sections, compaction requirements over and above those stipulated in this Bylaw, pavement structures, groundwater mitigation, frost protection, ground bearing loading for building construction or infrastructure appurtenances, such as pump stations, reservoirs, etc.
- .3 The report shall be prepared and submitted to the Village Approving Officer indicating that the following five objectives have been satisfied.
- .1 confirmation that the land is safe for the use intended;
 - .2 the development has been evaluated with consideration of the aquatic setbacks outlined in the Village Zoning Bylaw, steep slope and Environmentally Sensitive Areas (ESA) designations of the OCP;
 - .3 mitigative prescriptions that will facilitate the safe development of the subject lands;
 - .4 suitable for the registration on title of the property to advise future owners of the conditions of development; and
 - .5 acknowledgement that the Village may rely upon the recommendations stated in the report for the issuance of permits needed for the development of the lands.

- .4 In addition to a site specific geotechnical investigation, specialist consultants shall be engaged by the Owner as required to provide recommendations and/or designs to mitigate environmental, biological or other peculiar situations caused by the proposed subdivision or development.

3.15 CONNECTION TO THE COMMUNITY WATER SYSTEM

Where feasible as determined by the Approving Officer, water distribution or fire protection systems provided in accordance with this Bylaw shall be connected to the community water system.

Where connection to the community water supply system for a subdivision is not feasible the Owner shall design and construct a water supply, distribution and storage system in accordance with Schedule E of this Bylaw.

3.16 CONNECTION TO THE COMMUNITY SEWER SYSTEM

Where feasible as determined by the Approving Officer, sanitary sewage collection systems provided in accordance with this Bylaw shall be connected to the community sanitary sewer system.

Where connection to the Village's sanitary sewage collection system is not feasible, the Owner may construct where feasible on-site septic tank and disposal systems in accordance with the Health Act. However the Owner shall install a dry sewage collection system throughout the subdivision, including a sanitary sewer service to each lot for eventual connection to the Village's collection system at a future date.

3.17 CONNECTION TO THE COMMUNITY DRAINAGE SYSTEM

Where feasible as determined by the Approving Officer, subdivision and development drainage works may be connected to the existing Village community drainage system; however the rate of discharge into the existing system will be subject to regulation.

Where connection to the existing Village drainage system is not feasible, the Owner shall construct works as required to accommodate drainage from his subdivision or development; approvals from other approving agencies will be required for the outfall of subdivision or development drainage into natural water courses.

3.18 INSUFFICIENT CAPACITY IN EXISTING SYSTEMS

Should existing Village infrastructure not have sufficient capacity to accommodate the proposed Subdivision or Development, the Owner shall at his cost undertake one or more of the following:

- .1 construct on-site or off-site works that will provide the capacity required;
- .2 upgrade existing Village infrastructure; and

- .3 construct attenuation works that will modulate discharge into existing Village infrastructure.

3.19 PANHANDLE LOTS

Panhandle lots are generally not permitted, however if required to efficiently develop a parcel of land they shall conform to the following:

- .1 the access strip to one parcel, where there is no possibility of further subdivision shall be a minimum 6 m wide, with a minimum 3.5 m wide access road; the access strip shall not be calculated as part of the minimum parcel area.
- .2 where a panhandle lot is capable of further subdivision, dependent on access through the panhandle, the access strip shall be a minimum 15 m wide, with a minimum 3.5 m wide access to serve a single lot. Upon further subdivision the access road shall be constructed in accordance with Schedule A of this bylaw.

3.20 DEVELOPMENT ROADS

Minimum 7.3 m wide roads shall be constructed through developments, and designed with respect to geometry and structural strength to accommodate fire fighting and garbage collection vehicles. Adequate manoeuvring space shall also be provided to allow subject vehicles to turn around where required or pickup garbage containers without making awkward and unsafe turning and reversing movements.

3.21 PAVING OF DRIVEWAYS AND PARKING LOTS

All multi-family and commercial development driveways and parking lots shall be paved and constructed to a standard that will support, at a minimum, fire fighting and garbage collection vehicles, and where applicable heavier vehicles as required.

3.22 COST OF SERVICES

Unless otherwise provided in this Bylaw, all on-site and off-site works and services required in this Bylaw shall be constructed and installed at the expense of the Owner of the land being subdivided or developed.

3.23 SUBMISSIONS

During the various phases of the work, from preliminary Approvals to finalization of the project the Owner shall make submissions to the Village Approving Officer.

3.24 OTHER JURISDICTIONS

Where applicable the Owner shall obtain approvals, pay for utility designs and construction and execute the work required by other jurisdictions, in accordance with the requirements of each respective jurisdiction. Such other jurisdictions are:

- Ministry of Transportation and Highways
- Ministry of Environment, Lands & Parks
- Ministry of Health
- Department of Fisheries and Oceans
- BC Hydro and Power Authority
- BC Telephone Company
- CP Rail
- CN Rail
- Canada Post

Approvals from other jurisdictions not listed above, but that may be impacted by the work shall also be obtained.

3.25 TECHNICAL SPECIFICATIONS REQUIRED

The specifications comprising this bylaw should not be considered complete enough for tendering and construction of subdivision and development projects. The Owner's Engineer shall prepare the appropriate technical specifications and submit them to the Approving Officer with each submission for final subdivision or development approval. The Approving Officer will review the specification to ensure that the scope of work, together with the quality of work is adequately defined, that the Village interests are protected and that the work will be executed in accordance with this Bylaw.

3.26 QUALITY OF CONSTRUCTION MATERIALS

All construction materials, where applicable, used throughout subdivision and development projects shall be CSA approved, and in accordance with the Village of Lytton's approved products list.

3.27 RIGHT-OF-WAY AGREEMENT

Where statutory right-of-ways or easements are required to facilitate the installation of utility mains the Owner shall enter into an agreement with the Village, for each right-of-way or easement. The Owner shall pay for all costs relating to registry of each right-of-way or easement on each respective land title. Appendix 2 contains the Standard Statutory Right-of-Way agreement document.

3.28 CONNECTIONS TO EXISTING VILLAGE INFRASTRUCTURE

The Corporation of the Village of Lytton will construct all connections to existing Water mains, Sanitary Sewer mains and Drainage mains, unless directed otherwise by the Village Approving Officer. The Village will construct each connection and charge the Owner accordingly.

3.29 CONSTRUCTION START-UP REQUIREMENTS

Prior to construction start-up the Owner shall submit to the Village Approving Officer in accordance with the Village procedures Bylaw the following:

- an inspection fee in the amount of three percent (3%) of the Engineer's approved cost estimate;
- an approved construction inspection schedule; and
- proof of Liability Insurance coverage in accordance with the Village's insurance policy requirements.

3.30 VILLAGE WITNESSES FIELD CONDITIONS AND ALL FIELD TESTS

During the course of construction the Village Approving Officer shall be advised and be in attendance at various stages of construction. The minimum advance time notice for each is as follows:

CONSTRUCTION STAGE	MINIMUM NOTICE REQUIRED
• After grubbing and stripping and prior to construction of embankments	24 hours
• Sub-grade proof rolling	24 hours
• Prior to placement of curb and gutter and sidewalk	48 hours
• Prior to placement of base course	24 hours
• Prior to paving	48 hours
• Water system pressure/leakage tests	24 hours
• Sanitary sewer system leakage tests	24 hours
• Drainage system leakage tests	24 hours
• Start-up of Pump Stations, Reservoirs, etc.	48 hours

CONSTRUCTION STAGE	MINIMUM NOTICE REQUIRED
• Substantial Completion Inspection	48 hours
• Construction Completion Inspection	48 hours

3.31 CONSTRUCTION COMPLETION CERTIFICATION REQUIRED

Upon completion of subdivision and development projects the Owner’s Engineer of record shall certify Construction Completion in accordance with this Bylaw by issuance of:

.1 On Subdivisions

- A Substantial Completion Certificate when the project is 98% complete and available for the purpose intended upon which deficiencies to be rectified are listed.
- A Construction Completion Certificate after the deficiencies listed on the Substantial Completion Certificate have been rectified to the satisfaction of the Approving Officer.

The Village of Lytton standard Substantial Completion and Construction Completion Certificates contained in Appendix 3 shall be used.

The one (1) year maintenance period shall commence after the date of Construction Completion.

.2 On Development:

- BC Building Code Schedule C form(s).

3.32 VILLAGE INSPECTIONS

The Owner’s Engineer shall take complete responsibility for the integrity of construction work; however, the Village will make periodic site inspections to ensure general conformance to this Bylaw. If the Village is not satisfied with the quality of construction work, or is not satisfied that the Owner’s Engineer is providing the appropriate level of inspection, the Village will issue a letter indicating dissatisfaction and that the subdivision (legal) plan will not be signed by the Village until inspection or construction deficiencies have been rectified.

3.33 COMPLIANCE WITH BYLAW

No person shall subdivide or develop land in the Corporation of the Village of Lytton except in compliance with the provisions of this Bylaw.

3.34 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 an officer on property,

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

3.35 OFFENCE

Each day's continuance of an offence under Section 3.34 constitutes a new and distinct offence.

3.36 PENALTY

Every person who commits an offence under this Bylaw is liable on summary conviction to a maximum fine of five thousand dollars (\$5,000) plus the cost of prosecution for each offence.

SECTION 4 - SERVICING REQUIREMENTS

REQUIREMENTS

- 4.1 As a condition of the approval of a subdivision or issuance of a building permit for development, the Owner of the land being subdivided or developed shall provide services as follows:
- .1 highway in accordance with the level of service and standards set out in Schedules A and C of this Bylaw;
 - .2 site grading in accordance with Schedule B of this Bylaw;
 - .3 curb, gutter, sidewalks and boulevards in accordance with the level of service set out in Schedule A and standards set out in Schedule D of this Bylaw;
 - .4 water systems in accordance with the level of service set out in Schedule A and standards set out in Schedule E of this Bylaw;
 - .5 sanitary sewer systems in accordance with the level of service set out in Schedule A and standards set out in Schedule F of this bylaw;
 - .6 drainage systems in accordance with the level of service set out in Schedule A and standards set out in Schedule G of this Bylaw;
 - .7 street lighting in accordance with the level of service set out in Schedule A and standards set out in Schedule H of this Bylaw;
 - .8 electrical and communications wiring and gas distribution in accordance with the level of service set out in Schedule A and standards set out in Schedule I of this Bylaw. and
 - .9 preparation of design, construction record drawings in accordance with Schedule J of this Bylaw.

MINIMUM STANDARDS

- 4.2 The standards and specifications are set out in Schedule A through I are the minimum standards. The design engineer shall provide supplemental design drawings and specifications where particular circumstances warrant a higher standard.

SECTION 5 - FEES

APPLICATION FEES

5.1 An Owner applying for subdivision approval or a building permit shall submit with the application the following fees:

.1 Application Fees for Subdivisions Under the Land Title Act

A fee of Two Hundred (\$200.00) Dollars for the first parcel proposed to be created by subdivision and Fifty (\$50.00) Dollars for each addition parcel is payable to the Village of Lytton;

.2 Application Fees for Subdivision Under the Condominium Act

A fee of Two Hundred (\$200.00) Dollars for the first bareland strata lot proposed to be created by subdivision and Fifty (\$50.00) Dollars for each additional bareland strata lot is payable to the Village of Lytton; and

INSPECTION AND CONNECTION FEES

5.2 An Owner, prior to making application for Final Subdivision Approval or being issued a Building Permit, shall submit the following fees:

.1 Charges for inspection of works in the amount equal to three percent (3%) of the Design Engineer's approved cost estimate for constructing services required for the new subdivision or development, or actual Village cost, whichever is greater; and

.2 The cost of connecting the work to the Village's drainage, sewage and water collection systems in accordance with the Village Water and Sanitary Sewer Bylaw.

.3 Maintenance Security in the amount of ten percent (10%) of the Engineer's Approved Cost Estimate in the form of cash or letter of Irrevocable Credit to be held by the Village for one (1) year beyond the date of Construction Completion.

SECTION 6 - SCHEDULES

6.1 The following is a list of schedules attached hereto and forming part of this Bylaw:

- .1 SCHEDULE A - Level of Service;
- .2 SCHEDULE B - Regulations, Standards and Specifications for the Design and Construction of Site Grading;
- .3 SCHEDULE C - Regulations, Standards, and Specifications for the Design and Construction of Highways;
- .4 SCHEDULE D - Regulations, Standards, and Specifications for the Design and Construction of Curbs and Gutters, Sidewalks, and Boulevards;
- .5 SCHEDULE E - Regulations, Standards, and Specifications for the Design and Installation of Water Systems;
- .6 SCHEDULE F - Regulations, Standards, and Specifications for the Design and Construction of Sanitary Sewers;
- .7 SCHEDULE G - Regulations, Standards, and Specifications for the Design and Installation of Drainage Systems;
- .8 SCHEDULE H - Regulations, Standards, and Specifications for the Installation of Street Lighting;
- .9 SCHEDULE I - Regulations, Standards, and Specifications for the Installation of Electrical and Communications Wiring and Gas Distribution System; and
- .10 SCHEDULE J - Standards for the Preparation of Design and Construction Record Drawings.

6.2 The following is a list of standard letters to be typed onto the letterhead of the Owner, or Civil and Geotechnical Consultant:

- .1 Confirmation of Commitment by Owner;
- .2 Confirmation of Professional Assurance by Civil Engineer; and

.3 Confirmation of Professional Assurance by Geotechnical Engineer.

6.3 The sample Standard Statutory Right-of-Way Document in Appendix 2 is for convenience only and does not form a part of this Bylaw.

6.4 The standard Substantial Completion and Construction Certificates contained in Appendix 3 shall form a part of this Bylaw.

6.5 The Standard Drawings as listed in the Standard Drawings Index and provided in Appendix 4 shall form a part of this Bylaw.

SECTION 7 - ENACTMENT

Repeal of Previous Bylaw

1. Subdivision and Development Servicing Bylaw Number 220, 1976 and all amendments thereto, are hereby repealed.

Bylaw Adoption

Read a FIRST time this 27th day of APRIL, 1998.

Read a SECOND time this 27th day of APRIL, 1998.

Read a THIRD time this 11th day of MAY, 1998.

RECONSIDERED AND FINALLY ADOPTED this 25th day of MAY, 1998.

Mayor

J. A. Chubb

Clerk

Madian

Certified to be a true and correct copy of
Bylaw No. 483, 1998 cited as Subdivision
and Development Servicing Bylaw
No. 483, 1998.

Dated this 1st day of June 1998.

Madian

Clerk