

**A BY-LAW RESPECTING
THE SUBDIVISION OF LAND
IN THE
MUNICIPALITY OF THE DISTRICT OF LUNENBURG**

Approved by Municipal Council on May 4, 1999

CONSOLIDATED EDITION

This CONSOLIDATED EDITION is prepared for convenience only. For complete reference, please consult the original documents. This CONSOLIDATED EDITION has the following history:

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| 1.) Original Adoption | Subdivision By-law Adopted by Council on May 4, 1999 |
| 2.) Amended September 11, 2001 | Amendments to the Public Open Space Requirements (Part 9) to require that a subdivider give to the Municipality, 2% of the market value of every new lot created, and to exempt lots around existing buildings, consolidations, additions and remainder lots from this requirement; and housekeeping amendments. |
| 3.) Amended June 10, 2003 | Amendments to define “Main Building”; exempt private roads approved as a separate lot from the public open space requirement; and miscellaneous housekeeping amendments. |
| 4.) Amended November 12, 2003 | Amendments to conform with Provincial Subdivision Regulations. (Amendments noted within document.) |
| 5.) Amended June 1, 2004 | Amended by Policy to Amend the Engineering Specifications for Public Highways. |
| 6.) Amended May 21, 2007 | Amendments allow land held in joint tenancy or tenancy in common that does not have frontage on a public highway or private designed road to be subdivided as many times as there are tenants holding title in the area of land, prior to January 1, 2007. |
| 7.) Amended August 28, 2009 | Amendments to implement application fees for final plan of subdivision. |
| 8.) Amended August 23, 2016 | Amendments to Schedule A – Application form to remove the requirement for persons with legal interest, including Mortgagees, to sign the form. |

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PART 1 AUTHORITY AND TITLE

- 1.1 This By-law is enacted by the Council of the Municipality under the authority of Section 271 of the Municipal Government Act.
- 1.2 This By-law may be cited as the "Subdivision By-law" of the Municipality.

PART 2 ADMINISTRATION

- 2.1 This By-law shall be administered by the Municipal Development Officer of the Municipality appointed under the authority of the Municipal Government Act.
- 2.2 In the absence or incapacity of the Development Officer, the acting Development Officer appointed by Council shall act in the Development Officer's stead.

PART 3 INTERPRETATION

- 3.1 The Metric System of measurement is used throughout this By-law. Imperial Measurements are approximate only, for convenience only, and in all cases of conflict between Imperial Measure and Metric Measure, the Metric Measure shall prevail.

PART 4 DEFINITIONS

- 4.1 In this By-law:
 - a) **APPROVED LOT** means any lot approved by the Municipal Development Officer on a Plan of Subdivision.
 - b) **COUNCIL** means the Council of the Municipality.
 - c) **CENTRAL SEWER SYSTEM** means a system of pipes and associated facilities for the collection and disposal of sewage from more than one lot.
 - d) **CENTRAL WATER SYSTEM** means a system of reservoirs and pipes which supplies potable water to four (4) or more lots.
 - e) **DESIGNED ROAD** means any street or road which is not public where:
 - i) the right-of-way width, alignment, and drainage of the road, conform with the requirements contained in "Schedule H" of this By-law, and
 - ii) the road extends to, and has access to, a Public Highway at an intersection approved by the authority having jurisdiction, and, where not totally located within the area of land proposed to be subdivided, it shall be a right-of-way which is assignable and perpetual and which has been clearly granted to the subdivider by deed, registered in the Registry of Deeds for this Municipality.

- f) **FRONTAGE** means:
- i) the distance between the side lines of a lot measured along a Public Highway, or a designed road, or Schedule "B" Road; or
 - ii) as defined in the Land Use By-law, where a Land Use By-law is in force.
- g) **LOT** means any parcel of land as defined by its boundaries.
- h) **MAIN BUILDING** means a building which is, or is capable of being occupied as a residential, commercial, industrial or institutional use, and does not include accessory structures which are normally incidental, customary or accessory to a main use.
- i) **MUNICIPALITY** means the Municipality of the District of Lunenburg.
- j) **MUNICIPAL ENGINEER** means the engineer of the Municipality and includes a person acting under the supervision and direction of the engineer.
- k) **MUNICIPAL GOVERNMENT ACT** means an “ Act Respecting Municipal Government”, Chapter 18, Acts of 1998”.
- ka) **PROPOSED LOT**, means any lot being proposed to be created by a plan of subdivision, including a remainder lot. [added - November 12, 2003]
- l) **PROVINCE** means the Province of Nova Scotia.
- m) **PUBLIC HIGHWAY** means any street or highway owned and maintained by the Municipality, a Town or the Province excluding designated controlled access highways pursuant to Section 20 of the Public Highways Act.
- n) **REGISTRY OF DEEDS** means the office of the Registrar of Deeds for the Municipality.
- o) **REMAINDER LOT** means a lot for which subdivision approval is not requested or granted but which results from the approval of lots shown on a plan of subdivision.
- p) **ROAD SIGNAGE** means a device, or permanent marking intended to regulate, warn or guide the road user, and which is placed upon, over or adjacent to a road way. For the purpose of this by-law road signage shall mean any signage as described in the latest edition of the Uniform Traffic Control Devices for Canada.

- q) **SCHEDULE "B" ROAD** means a right-of-way not owned and maintained by the municipality, a town or the Province which is indexed in Schedule "B" of this By-law, and which existed prior to December 19, 1975.
- r) **SUBDIVIDER** means the owner or owners of any area of land proposed to be subdivided and includes anyone acting with the owners written consent;
- s) **SUBDIVISION** means the division of any area of land into two or more parcels and includes a resubdivision or a consolidation of two or more parcels.

PART 5 LOT SIZE AND ACCESS

5.1 ROAD FRONTAGE

All lots shall abut

- a) a public highway, or
- b) a designed road, or
- c) a Schedule "B" Road.

5.2 AREA

- 5.2.1 All lots which are to be serviced by a central sewer shall meet the requirements for minimum lot area contained in Schedule "C" of this By-law.
- 5.2.2 All remainder lots not serviced by central sewer shall have a minimum lot area of 9000 square metres (96,878.4 square feet)

5.3 LAND USE BY-LAW

Where a Land Use By-law is in effect:

- a) notwithstanding Section 5.2, all lots shall meet the applicable requirements contained in such by-law.
- b) no remainder lot shall have an area less than 9000 square metres (96,878.4 sq. ft.); and
- c) Sections 5.1(b) and (c), 5.4, 5.5, 5.7, 5.8, 5.9, and 5.16 are inoperative and do not apply unless the Land Use By-law permits development on any lot created pursuant to these sections and the Municipal Planning Strategy provides for both the subdivision and development of such lots.

5.4 10% VARIANCE

- 5.4.1 Notwithstanding Section 5.2 and 5.3(a), the Development Officer may approve a maximum of two lots, shown on a plan of subdivision, in accordance with Section 279 of the Municipal Government Act provided all other requirements of this By-law are met.

5.4.2 Subsection 5.4.1 shall not vary the requirements established by the Department of Environment and Labour and Labour for the construction or installation of an on-site sewage disposal system. (amended – November 12, 2003)

5.5 ISLANDS

5.5.1 For the purposes of this section "water frontage" shall mean the distance measured as a straight line, between the two points where the side lot lines meet a watercourse.

5.5.2 Notwithstanding Section 5.1, and the lot frontage requirements of clause 5.3(a), the Development Officer may approve the subdivision of an island which does not contain a public highway, provided all lots have a minimum water frontage of 6 metres (19.7 feet).

5.6 BOUNDARY ALTERATION

5.6.1 Notwithstanding Sections 5.1, 5.2, and 5.3(a), the Development Officer may approve a subdivision altering the boundaries of two or more lots where:

- a) no additional lots are created, and
- b) each resulting lot:
 - i) meets the minimum dimension for lot frontage contained in any applicable Land Use By-law., or
 - ii) has not had its frontage, if any, reduced, and
- c) each resulting lot:
 - i) meets the lot area requirements of Section 5.2 or any applicable dimensions for minimum lot area contained in any applicable Land Use By-law, or
 - ii) has not had its area reduced.

5.6.2 Notwithstanding Section 15.9, where the lots are not surveyed pursuant to Clauses 16.1(b) and 16.2.1(h), the final plan of subdivision prepared pursuant to subsection 5.6.1 shall:

- a) show by a heavy solid line that the boundaries of the parcel of land proposed to be added to the existing lot have been surveyed, except that their common boundary shall be shown by a heavy broken line; and
- b) show as a light solid line the remaining unsurveyed boundaries of the lot to be approved, notwithstanding clauses 16.1(b), and 16.2(h), and Section 15.9; and
- c) have the following notation or words to similar effect affixed to the plan adjacent to the certification required by the Nova Scotia Land Surveyors Act and Regulations made thereunder, such notation to be signed by the surveyor:

Note: The only boundaries shown on this plan which have been surveyed are the boundaries of . The common boundary between the existing lots identified by ____ and ____ which is shown by a heavy broken line is hereby certified as having been the common boundary.

The remaining boundaries of resulting lots ____ shown on this plan are a graphic representation only and do not represent the accurate shape or position of the lot boundaries which are subject to a field survey".

5.7 ENCROACHMENTS

- 5.7.1 Notwithstanding the lot area requirements of Section 5.2 and the lot area and frontage requirements of Section 5.3(a), where a development component of a permanent nature such as a structure, driveway, well, or on-site sewage disposal system is encroaching in or upon an immediately adjacent lot, the Development Officer may approve a plan of subdivision to the extent necessary and practical to remove the encroachment.
- 5.7.2 Where the lots created pursuant to subsection 5.7.1 are not surveyed in accordance with Section 16.1(b) and 16.2(h), the provisions of Subsection 5.6.2 shall apply.

5.8 ACCESS EXEMPTION

- 5.8.1 For the purpose of this section "area of land" means any lot as described by its boundaries as they existed on December 30, 1994, notwithstanding that the area of land has been subdivided subsequent to December 30, 1994.
- 5.8.2 One lot may be created within an area of land that does not meet the requirements of the section 5.1 or the frontage requirements of clause 5.3(a), provided no such lot has already been subdivided within the area of land.
- 5.8.3 Notwithstanding subsection 5.8.2, two lots may be created within an area of land, where
- a) the area of land does not abut a public highway, designed road, or a Schedule "B" road, or
 - b) the area of land has less than 6 metres (19.7 feet) of frontage on a public highway, a designed road, or a Schedule "B" road; and
 - c) provided no such lots have already been subdivided within the area of land.

5.9 Repealed – [November 12, 2003]

5.10 LOT SHAPES

- 5.10.1 Wherever possible, side lot lines shall be substantially at right angles to a public highway, designed road, or Schedule "B" road, or radial to a curve on a public highway, designed road, or Schedule "B" Road.
- 5.10.2 Wherever possible, the rear lot lines of a series of adjoining lots shall be continuous, rather than being stepped or jogged.
- 5.10.3 Lots shall not be subdivided to create a width or depth of less than 6 metres (19.7 feet).

5.11 INTERSECTION

There shall not be more than four (4) public highway, designed road or Schedule "B" Road approaches in an intersection.

5.12 EXTEND ROADS

Any public highway or designed road on a plan of subdivision submitted for approval shall, if reasonably feasible and not in violation of this By-law, be laid out in prolongation of any public highway or designed road which abuts the boundaries of the land to be subdivided.

5.13 ADJACENT ACCESS

A designed road or a right-of-way for a Public Highway shown on a plan of subdivision submitted for approval shall, if reasonably feasible, extend to adjacent properties and adjacent watercourses at a minimum of every 400 metres (1312 feet) along the boundary of the adjacent property and watercourse.

5.14 RIGHT-OF-WAY SHOWN

Where designed roads or Schedule "B" Roads are required by any Sections of this By-law, the entire length of the right-of-way shall be shown and identified on the plan as being intended to provide access to the proposed lots.

5.15 MAIN BUILDING

5.15.1 For purposes of this Section, "main building" is a building which is not an accessory building to another building on the lot.

5.15.2 Notwithstanding the lot area requirements of Section 5.2 and lot area and frontage requirements of of clause 5.3(a), where a lot contains more than one main building built or placed on the land prior to 19 December 1975, the development officer may approve a final plan of subdivision creating the same number of lots or fewer as there are main buildings provided that each proposed *lot* is served by a central sewer or meets the requirements of the Department of Environment and Labour for on-site sewage disposal. (amended – November 12, 2003)

5.16 SIGHT STOPPING DISTANCE

All proposed accesses to a public highway shall be approved by the authority having jurisdiction for public highway.

5.17 ACCESS EXEMPTION –MULTIPLE OWNERSHIP

Any area of land held in joint tenancy or tenancy in common may be divided into lots without regard to the requirements of Section 5.1 or the frontage requirements of clause 5.3(a) provided that:

- a) the area of land was so held by a deed recorded at the Registry of Deeds or Land Registration Office prior to January 1, 2007 or by a will dated prior to October 1, 2001 and recorded at the Registry of Deeds or Land Registration Office prior to January 1, 2007; and
- b) the number of lots created does not exceed the number of tenants holding title in the area of land prior to January 1, 2007. [Amendment –May 21, 2007]

PART 6 DESIGNED ROADS**6.1 SEPARATE LOT**

A designed road may be approved as a separate lot and is deemed to meet minimum lot area requirements of Section 5.2 and the minimum lot area and lot frontage requirements of clause 5.3(a).

6.2 BOUNDARY

Where the boundary of a designed road shown on a plan of subdivision is not intended to be a lot boundary, it shall be shown as a lighter solid line or a dashed line.

6.3 AREA CALCULATION

No part of a designed road shall be included in the calculation of lot area for the purposes of meeting the lot area requirements of subsection 5.2 or of clause 5.3(a).

6.4 EXISTING ROADS

Any designed road approved in accordance with the requirements of any previous subdivision by-law in effect in the Municipality is deemed to have met the requirements of clause 4.1(e), provided that prior to February 13, 1997, the road was shown on an approved plan of subdivision, and approved by the authority having jurisdiction for the approval of the road.

6.5 INTERSECTION APPROVED

The intersection of a designed road with a public highway shall be approved by the authority having jurisdiction for the Public Highway.

PART 7 WATER SUPPLY

7.1 Where lots are not to be serviced by on-site wells, the subdivider shall design, lay out and construct a central water system to service every proposed lot in conformance with the requirements contained in "Schedule G".

7.2 The design of any proposed central water system shall be executed over the stamp of a Professional Engineer.

PART 8 SANITARY SEWERS

8.1 Where lots are not to be serviced by on-site sewage disposal systems, the subdivider shall design, layout and construct all central sewer systems to service each proposed lot in conformance with the requirements contained in "Schedule G" and where possible connect these sewers with an existing municipal central sewer system.

8.2 The design of any proposed Central Sewer System shall be executed over the stamp of a Professional Engineer.

PART 8A MUNICIPAL PUBLIC HIGHWAYS

8A.1 Where Municipal Public Highways are proposed, the subdivider shall design, lay out and construct public highways in accordance with the requirements contained in "Schedule H".

8A.2 The design of any proposed public highway shall be executed over the stamp of a Professional Engineer.

PART 9 PUBLIC OPEN SPACE

9.1 2% CASH REQUIRED

Prior to endorsement of approval on the final plan of subdivision, the subdivider shall contribute to the Municipality cash in the amount of two percent (2%) of the market of all new lots created by the final plan of subdivision, for parks.

9.2 EXEMPTION

Council hereby exempts the following from the requirements of Section 9.1:

- a) lots created that contain existing main buildings;
- b) remainder lots;
- c) the consolidation of two or more lots;
- d) the alteration of lots boundaries in which no additional lots are created; or
- e) a designed road approved as a separate lot.

PART 10 CONSTRUCTION OF SERVICES

10.1 INSPECTION

The subdivider shall permit the Municipal Engineer to inspect the construction of roads and services at any reasonable time, and shall advise the Municipal Engineer of the dates, sites and times of any required inspection or testing of water systems, sewer systems, or roads.

10.2 DEVIATIONS

No deviation from the plans, drawings and specifications required by Subsection 10.5.1 shall take place during construction unless such deviation is approved by the Municipal Engineer.

10.3 DUTY ON COMPLETION

When the Municipal Engineer has determined that the Municipal Public Highways, central water systems, and central sewer systems have been constructed as required by this By-law, and within thirty (30) days of being notified of such determination, the subdivider shall:

- a) Provide the Municipal Clerk with the "as built" reproducible engineering drawings conforming with the requirements of "Schedule G" of this By-law; and
- b) Provide the Municipal Clerk with all necessary operating and procedural manuals for each water or sanitary sewer system; and
- c) Provide the Municipal Clerk with reports of all required tests to indicate that the central water and central sewer systems are operating to the standard required by "Schedule G" of this By-law; and

- d) Except in the case of Central Water Systems which are not to be owned or maintained by the Municipality, post for one (1) year, a maintenance bond or other security acceptable to the Council in an amount equal to ten percent (10%) of the actual cost of construction ; and
- e) Except in the case of Central Water Systems which are not to be owned or maintained by the Municipality, transfer to the Municipality title in fee simple to all plants and assets necessary to the operation of the, public highways, central water systems and central sewer systems together with easements sufficient for the maintenance of all services, public highways and public highway drainage systems, such title and easements to be conveyed free of encumbrances and at no cost to the Municipality.

10.4 CONSTRUCTION AGREEMENT AND BOND

- 10.4.1 Where the subdivider wishes the subdivision plan to be approved prior to construction of roads or services, the subdivider shall, with the consent of Municipal council, enter into an agreement with the Municipality to carry out and complete the required construction according to the requirements of this By-law within a period of time as set out in the agreement and shall also post a performance bond or other security acceptable to the Municipality to guarantee such agreement, in the amount of one hundred twenty-five percent (125%) of the total estimated cost of supplying such construction.
- 10.4.2 The estimated cost required by Subsection 10.4.1 shall include a detailed cost breakdown and be prepared over the stamp of a Professional Engineer.
- 10.4.3 The Municipal Engineer shall review the estimate and shall advise Council of the adequacy of the size of the performance bond or other security.
- 10.4.4 The agreement required by Subsection 10.4.1 shall require the subdivider to transfer to the Municipality-good marketable title to all plants and assets necessary to the operation of central sewer systems, together with easements sufficient for the maintenance of all services, such title and easements to be conveyed free of encumbrances and at no cost to the Municipality.
- 10.4.5 The agreement required by Subsection 10.4.1 shall require the subdivider to transfer to the Municipality good marketable title to all plants and assets necessary to the operation of central water systems which are to be owned and maintained by the Municipality, together with easements sufficient for the maintenance of all services, such title and easements to be conveyed free of encumbrances and at no cost to the Municipality.
- 10.4.6 The agreement required by Subsection 10.4.1 shall require the subdivider to transfer to the good marketable title to all road rights-of-way and roadbeds necessary to the operation of Public Highways which are to be owned and maintained by the Municipality, together with easements sufficient for the maintenance of all associated road drainage systems, such title and easements to be conveyed free of encumbrances and at no cost to the Municipality.
- 10.4.7 Upon completion of the roads or services, as per Section 10.4, the subdivider shall provide all the material required by Section 10.3 as a prerequisite for acceptance of these services and release of any bond or other accepted security.

10.5 PLAN APPROVAL

- 10.5.1 Where municipal public highways, central water systems or central sewer systems are required, the Development Officer shall not approve a Tentative Plan of subdivision until the subdivider has submitted plans, drawings and specifications which satisfy the requirements of Section 14.3, "Schedule 'G' and Schedule 'H'" of this By-law.
- 10.5.2 Where a municipal public highway, central water system or a central sewer system are required, the Development Officer shall not approve a final plan of subdivision, until the requirements of Section 10.3 or of Section 10.4 have been met.

PART 11 PRELIMINARY PLANS OF SUBDIVISION (Optional First Step)**11.1 PRELIMINARY PLAN**

- 11.1.1 A person proposing to subdivide an area of land may submit to the Development Officer an application in the form specified in Schedule "A" of this By-law together with four (4) copies of the preliminary plan of subdivision drawn to scale showing the following: [amended – November 12, 2003]
- a) name of the owner of the area of land being subdivided,
 - b) names of all owners of all properties abutting the land being subdivided,
 - ba) the unique Parcel Identifier (PID) of all areas of land being subdivided, [added – November 12, 2003]
 - c) a location plan showing the approximate distance between the area of land being subdivided and nearest prominent landmark,
 - d) the shape, dimensions, and area of the proposed lots, [amended November 12, 2003]
 - e) each proposed lot to be created identified by a number except where a parcel is being added to or subtracted from an existing area of land, such parcel shall be identified by a letter and the new *lots* identified by the identifier, where available, of the existing area of land and the letter, [amended November 12, 2003]
 - f) no duplication of lot identifiers,
 - g) the approximate location of railways and railway rights-of-way,
 - h) the location and Civic Address System name of existing designed roads, Schedule "B" Roads and public highways and the public highway number,
 - i) the boundaries of proposed lots shown by solid lines, and the vanishing boundaries of existing areas of land being resubdivided, consolidated or both, shown as broken lines, [amended – November 12, 2003]

- j) general location and civic numbers of all main buildings,
- k) general location of watercourses, and wetlands
- l) north point,
- m) the scale to which the preliminary plan of subdivision is drawn;
- n) any other information which the Development Officer deems necessary to determine whether this preliminary plan conforms to this subdivision by-law.

11.1.2 (a) Where a preliminary plan of subdivision is to be forwarded to the Department of Environment and Labour pursuant to clause 11.2 (11.2.1) (a), the information listed in clause (b) is required for the following proposed lots:

- i) a proposed lot which is being created for a purpose that will require the construction of an on-site sewage disposal system; or
 - ii) a proposed lot being divided from an existing area of land, contains an on-site sewage disposal system; and
 - A) is 9000 square metres (96,878.4 square feet) or less in area; or
 - B) has a width of less than 76 metres (249.3 feet).
- (b) Unless the information already has been submitted to the Department of Environment and Labour, the following additional information is required for the proposed lots referred to in clause (a):
- i) the lot layout including any proposed building, on-site sewage disposal system, driveway and water well,
 - ii) the location of any watercourse, wetland, marine water body and other features that may influence the design of the on-site sewage disposal system, including any ditch, road, driveway or easement,
 - iii) the surface slopes and directions,
 - iv) the location of any test pit,
 - v) the proposed on-site sewage disposal system, selected or designed,
 - vi) an explanation of the extent, volume and type of usage to which the on-site sewage disposal system will be subjected,

- vii) an assessment report of the lot respecting its suitability to support an on-site sewage disposal system including the results of a soil evaluation test, and
 - viii) any other information necessary to determine whether the subdivision meets the On-Site Sewage Disposal Systems Regulations.
- (c) For a proposed lot that is being divided from an existing area of land, contains an existing on-site sewage disposal system and is more than 9000 square metres (96,878.4 square feet) in area with a width of 76 metres (249.3 feet) or more, the lot layout including the location of buildings, driveways, on-site sewage disposal systems and wells shall be provided.
- (d) For a proposed lot 9000 square metres (96,878.4 square feet) or less in area or with a width of less than 76 metres (249.3 feet) that is being created for a purpose that will not require the construction of an on-site sewage disposal system, the certification section of the application in the form specified in Schedule “A” must be completed. [amended – November 12, 2003]

11.2 REFERRAL

11.2.1 The Development Officer shall, if applicable, forward a copy of all material received pursuant to Section 11.1 to:

- a) in areas not serviced by a central sewer system, the Department of Environment and Labour to determine if the lots shown are generally appropriate to meet the On-Site Sewage Disposal Systems Regulations, except where the proposed lot:
 - i) is greater than 9000 square metres (96,878.4 square feet), has a width of 76 metres (249.3 feet) or more, and the applicant has indicated on the application that the proposed lot is not intended for a purpose requiring an on-site sewage disposal system, or
 - ii) contains an on-site sewage disposal system and is being increased in size, provided all other proposed lots shown on the plan meet the requirements listed in subclause (i). [amended – November 12, 2003]
- b) the authority having jurisdiction for public highways for preliminary review;
- c) in areas served by a central sewer the authority having jurisdiction for the central sewer; and
- d) any other agency of the Province or the Municipality the Development Officer deems necessary.

11.2.2 A preliminary plan of subdivision that shows a proposed lot referred to in clause 11.1 (11.1.2) (d) shall be forwarded to the Department of Environment and Labour for confirmation that the Department of Environment & Labour is in agreement that the proposed lot does not require an on-site sewage disposal system. [added – November 12, 2003]

11.3 MUNICIPAL GOVERNMENT ACT

The Development Officer shall comply with the notification and approval provisions of the Municipal Government Act.

11.4 REPORTS

The Department of Environment and Labour, the Department of Transportation and Public Works and any other agency of the Province or Municipality who has been forwarded a copy of the Preliminary Plan shall forward a written report of their findings to the subdivider and the Development Officer. The Development Officer shall then report to the applicant regarding the status of the application. [amended – November 12, 2003]

PART 12 CONCEPT PLANS**12.1 REQUIRED TO APPLY**

- a) Where an area of land is being subdivided and will involve new public highways or designed roads, a person shall submit to the Development Officer eight (8) copies of a concept plan of the entire area of land, including future phases of the subdivision. [amended – November 12, 2003]
- b) Concept plans shall be:
- i) folded to approximately 20 X 30cm (8 X 12in) with the face of the folded print being the title block which is located in the lower right hand corner of the concept plan.
 - ii) at a scale sufficient for clarity of all particulars of the plan and shall show the following:
 - A) the words “Concept Plan” located in the title block
 - B) the contents required in Section 11.1.1 and 11.1.2 of this By-law, for the area of land proposed to be divided in the current phase of the subdivision.
 - C) the proposed internal street system with connections to existing streets,
 - D) the proposed location of public open space,
 - E) the location of municipal sewer and water available or to be available to the land proposed to be subdivided,
 - F) contours at maximum 2 metre intervals within the area of land being subdivided in the current phase
 - G) contours at maximum 5 metre intervals for a distance of 1000 metres (3,280 ft) , or to the highest or lowest point of land, which ever is less, extending from and surrounding the boundary of the area of land being subdivided in the current phase,
 - H) the drainage patterns for the area of land being subdivided and lands surrounding the area of land, for a distance of 1000 metres (3,280 ft) extending from the boundary of the area of land being subdivided in the current phase, and
 - I) any other information necessary to determine if the subdivision meets with municipal standards and accepted engineering practices as determined by the engineer

12.2 CONCEPT PLAN PROCEDURE

12.2.1 REQUIRED TO APPLY

Application for approval of a concept plan shall be made to the Development Officer in the form specified in Schedule A of these regulations.

12.2.2 MUNICIPAL GOVERNMENT ACT

The development officer shall comply with the notification and approval provisions of the Act.

12.2.3 REFERRAL

The development officer shall forward the concept plan and supplementary information to:

- a) The Municipal Engineer to evaluate the concept plan with regards to topography, natural features and other site constraints and restrictions in relation to:
 - i) the street layout and connections with existing and proposed transportation links on a local and regional scale,
 - ii) the proposed drainage patterns for the area of land being subdivided and the lands surrounding the area of land being subdivided, and
 - iii) the feasibility of servicing the proposed development with applicable services, and the effect of the layout on the provisions of future services where applicable.

- b) The Department of Environment and Labour:
 - i) in areas not serviced by a central sewer, to determine if the lots shown are generally appropriate to meet the On-Site Sewage Disposal Regulations, except where the proposed lot:
 - A) is greater than 9000 square metres (96,878.4 square feet), has a width of 76 metres (249.3 feet) or more, and the applicant has indicated on the application that the proposed lot is not intended for a purpose requiring an on-site sewage disposal system, or
 - B) contains an on-site sewage disposal system and is being increased in size, provided all other proposed lots shown on the plan meet the requirements listed in sub-subclause (A).
 - ii) where a concept plan shows a proposed lot referred to in clause 11.1 (11.1.2) (d), for confirmation that the Department of Environment and Labour in agreement that the proposed lot does not require an on-site sewage disposal system; [amended – November 12, 2003]
 - iii) where the subdivision is to be serviced by central sewer (for information purposes); and
 - iv) to determine if any of the activity related to the proposed subdivision is subject to the requirements of the Activities Designation Regulations, pursuant to the Nova Scotia Environment Act.

- c) Where the proposed public highway or design road extends from, or intersects with a road owned and maintained by Department of Transportation and Public Works, a copy of the concept plan shall be forwarded to the Department of Transportation and Public Works for their preliminary evaluation; and

- d) Where applicable, Nova Scotia Power and Maritime Tel and Tel

12.3 APPROVAL NOT WITHELD

Approval of a concept plan may not be refused or withheld as a result of the assessment or recommendations made by the Department of Environment and Labour, Department of Transportation and Public Works or any other agency of the Province or Municipality, unless the concept plan is clearly contrary to a law of the Province or a regulation or by-law made pursuant to the law of the province. [amended – November 12, 2003]

12.4 STAMPS

The following information shall be stamped or written and completed by the Development Officer on any concept plan which is approved:

- (a) “This concept plan is approved.”
- (b) The date of approval of the concept plan
- (c) “This concept plan shall not be filed in the registry of deeds as no subdivision takes effect until a final plan of subdivision is endorsed by the Development Officer and filed in the Registry of Deeds. ”

12.5 NOTIFICATION

12.5.1 The Development Officer shall forward a copy of the approved concept plan to the applicant, and shall notify in writing those departments or agencies of the Municipality or Province the Development Officer had requested to review the plan, of the Development Officers decision to approve the concept plan. [amended – November 12, 2003]

12.5.2 When a Development Officer refuses to approve a Concept Plan, the Development Officer shall notify the applicant of the reasons for refusal in writing, and shall advise the subdivider of the appeal provisions of the Municipal Government Act. The Development Officer shall give notice to all agencies which were forwarded a copy of the plan. [amended – November 12, 2003]

PART 13 TENTATIVE PLAN PROCEDURES- *Optional Step***13.1 REQUIRED TO APPLY**

A person proposing to subdivide an area of land may submit to the Development Officer for approval an application in the form specified in Schedule "A" of this By-law together with eight (8) copies of the tentative plan of the proposed subdivision meeting the requirements of Part 14 of this By-law. [amended – November 12, 2003]

13.2 REFERRAL

When the Development Officer is satisfied that an application and tentative plan of subdivision are complete, a copy shall be forwarded to:

- a) The Department of Environment and Labour:

- i) in areas not serviced by a central sewer system, to determine compliance with the On-Site Sewage Disposal Systems Regulations, except where the proposed lot:
 - A) is greater than 9000 square metres (96,878.4 square feet), has a width of 76 metres (249.3 feet) or more, and the applicant has certified on the application that the proposed lot is not intended for a purpose requiring an on-site sewage disposal system, or
 - B) contains an on-site sewage disposal system and is being increased in size, provided all other proposed lots shown on the plan meet the requirements of paragraph (A). [amended – November 12, 2003]
 - ii) where there are proposed public highways, designed roads, or central sewer systems, to determine if any of the activities related to the proposed subdivision is subject to the requirements of the Activities Designation Regulations, pursuant to the Nova Scotia Environment Act.
 - iii) where a tentative plan shows a proposed lot referred to in clause 14.2 (14.2.2) (d), for confirmation that the Department of Environment and Labour is in agreement that the proposed lot does not require an on-site sewage disposal system. [amended – November 12, 2003]
- b) the authority having jurisdiction for public highways;
 - c) in areas service by a central sewer, the authority having jurisdiction for the central sewer;
 - d) if applicable, Nova Scotia Power & Maritime Tel & Tel; and
 - e) any other agency of the Province or the Municipality the Development Officer deems necessary

13.3 MUNICIPAL GOVERNMENT ACT

The Development Officer shall comply with the notification and approval provisions of the Municipal Government Act.

13.4 APPROVAL NOT WITHHELD

Approval of a tentative plan of subdivision may not be refused or withheld as a result of the assessment or recommendations made by the Department of Environment and Labour, the Department of Transportation and Public Works or any other agency of the Province or the Municipality unless the tentative plan of subdivision is clearly contrary to a law of the Province or to a Regulation or By-law made pursuant to a law of the Province. (amended – November 12, 2003)

13.5 STAMPS

The following information shall be stamped or written on any tentative plan of subdivision which is approved together with any other information necessary for the tentative plan to proceed to the final plan stage:

- a) "This tentative plan of subdivision is approved for lots _____. Such approval lapses if the lots are not shown on a final plan of subdivision approved within two (2) years of the date of the approval of the tentative plan."
- b) the date of the approval of the tentative plan.
- c) "This tentative plan of subdivision shall not be filed in the Registry of Deeds as no subdivision takes effect until a final plan of subdivision is endorsed by the Development Officer and has been filed by him in the Registry of Deeds."

13.6 NOTIFICATION

- 13.6.1 The Development Officer shall forward a copy of the approved tentative plan to the applicant and notify in writing, where applicable, the Department of Transportation and Public Works, Department of Environment and Labour, and any other agency of the Province or Municipality the Development Officer had requested to review the plan, of the Development Officers decision to approve the tentative plan. [amended – November 12, 2003]
- 13.6.2 Where the Development Officer refuses to approve a tentative plan of subdivision the Development Officer shall notify the applicant of the reasons for refusal in writing and shall advise the subdivider of the appeal provisions of the Municipal Government Act. [amended – November 12, 2003]

PART 14 TENTATIVE PLAN REQUIREMENTS

14.1 PLAN CHARACTERISTICS

Tentative plans of subdivision submitted to the Development Officer shall be:

- a) drawn to scale or scales sufficient for clarity of all particulars on the tentative plan of subdivision;
- b) based on a description of the property to be subdivided, preferably, but not necessarily, as surveyed; and
- c) folded to approximately 20 x 30 cm (8 x 12 in.) with the face of the folded print being the title block which is located in the lower right hand corner of the tentative plan of subdivision.

14.2 PLAN CONTENTS

14.2.1 Tentative plans of subdivision shall show the following:

- a) the words "PLAN OF SUBDIVISION" located in the title block,
- b) the words "TENTATIVE PLAN" located above the title block,
- c) a clear space for stamping being a minimum of 225 square centimetres (36 sq. in.) with a minimum width of 10 centimetres (4 in.),
- d) name of the subdivision, if any, and the name of the owner of the area of land,

- e) if applicable, the book and page number of the deed to the area of land as recorded in the name of the owner in the Registry of Deeds,
- f) names of all owners, or the identifiers, of all properties abutting the proposed *subdivision*,
- g) a location map, drawn to a scale not smaller than 1:50,000 (such scale to be shown on the map), preferably with the same orientation as the area of land and, if possible, showing the location of the closest community to the area of land proposed to be subdivided,
- h) the shape, dimensions, and area of proposed lot including the general location of any existing sewage disposal test pits, [amended – November 12, 2003]
- i) each proposed lot identified by a number, except, where a parcel is being added to or subtracted from an existing area of land, such parcel shall be identified by a letter and the new lots identified by the identifier, where available, of the existing area of land, and the letter, [amended – November 12, 2003]
- j) no duplication of lot identifiers,
- k) the boundaries of lots proposed shown by solid lines, and the vanishing boundaries of existing areas of land being resubdivided, consolidated or both, shown as broken lines, [amended – November 12, 2003]
- l) general location and civic number of existing main buildings, with the general location of existing wells and existing on-site sewage disposal systems, where known,
- m) the location and Civic Address System name of existing Schedule "B" Roads, existing designed roads and existing public highways together with the public highway number,
- n) the width, location, and Civic Address System names of proposed public highways, proposed designed roads, and proposed Schedule "B" Roads,
- o) the width and location of railroads and railroad rights-of-way,
- p) the general location of watercourses, wetlands or prominent rock formation,
- q) the width, location, and nature of any easements on or affecting the area of land proposed to be subdivided,
- r) identification of which lots are serviced by central sewer systems, and which by central water systems,
- s) north point,
- t) the date on which the tentative plan of subdivision was drawn and the date of any revisions,

- u) the scale to which the tentative plan of subdivision is drawn,
- v) the unique Parcel Identifier (PID) of all areas of land being subdivided; [amended – November 12, 2003]
- w) In the form specified in “Schedule I”, the Stopping Sight Distance for all proposed lots, which have access to a public highway, as well as all intersections of all proposed private roads with a public highway. Where lots abut a proposed public highway shown on a final plan of subdivision, and for which approval is requested, the Stopping Sight Distances are not required to be shown. [amended – November 12, 2003]
- x) any other information which the Development Officer deems necessary to determine whether a tentative plan of subdivision conforms to this Subdivision By-law.

14.2.2 a) Where a tentative plan of subdivision is to be forwarded to the Department of Environment and Labour pursuant to subclause 13.2(a)(i), the information listed in clause (b) is required for the following proposed lots:

- i) a proposed lot which is being created for a purpose that will require the construction of an on-site sewage disposal system; or
- ii) a proposed lot being divided from an existing area of land, contains an on-site sewage disposal system; and
 - A) is 9000 square metres (96,878.4 square feet) or less in area; or
 - B) has a width of less than 76 metres (249.3 feet).
- b) Unless the information already has been submitted to the Department of Environment and Labour, the following additional information is required for proposed lots referred to in clause (a):
 - i) the lot layout including any proposed building, on-site sewage disposal system, driveway and water well,
 - ii) the location of any watercourse, wetland, marine water body and other features that may influence the design of the on-site sewage disposal system, including any ditch, road, driveway or easement,
 - iii) the surface slopes and directions,
 - iv) the location of any test pit,
 - v) the proposed on-site sewage disposal system, selected or designed,

- vi) an explanation of the extent, volume and type of usage to which the on-site sewage disposal system will be subjected,
 - vii) an assessment report of the lot respecting its suitability to support an on-site sewage disposal system including the results of a soil evaluation test, and
 - viii) any other information necessary to determine whether the subdivision meets the On-site Sewage Disposal Systems Regulations.
- c) For a proposed lot that is being divided from an existing area of land, contains an existing on-site sewage disposal system and is more than 9000 square metres (96,878.4 square feet) in area with a width of 76 metres (249.3 feet) or more, the lot layout including the location of buildings, driveways, on-site sewage disposal systems and well shall be provided.
- d) For a proposed lot 9000 square metres (96,878.4 square feet) or less in area or with a width of less than 76 metres (249.3 feet) that is being created for a purpose that will not require the construction of an on-site sewage disposal system, the certification section of the application in the form specified in Schedule “A” must be completed. [amended – November 12, 2003]

14.3 ADDITIONAL INFORMATION

In addition to meeting the requirements of Section 14.1 and subsections 14.2.1 and 14.2.2, where the proposed lots front on a proposed public highway, front on a proposed designed road, or are to be serviced by a proposed central sewer or water system, a tentative plan of subdivision shall:

- a) show or be accompanied by a boundary survey of the area of land proposed to be subdivided, excluding the remainder lot, certified and stamped by a Nova Scotia Land Surveyor in the manner required by the Nova Scotia Land Surveyors Act and the Regulations made thereunder; and
- b) be accompanied by four (4) copies of each of the following designs, stamped and signed by an Engineer registered or licensed to practice in the province of Nova Scotia, as per “Schedule ‘G’ and ‘H’”, as applicable:
 - i) existing and proposed central sewer and water systems, proposed connections thereto, and other system details;
 - ii) drainage design plans and details in accordance with the requirements of Schedule H, as applicable; and [amended – June 1, 2004]
 - iii) road designs, profiles and details in accordance with the requirements of Schedule H. [amended – June 1, 2004]

PART 15 FINAL PLAN PROCEDURES

15.1 REQUIRED TO APPLY

The subdivider proposing to subdivide an area of land shall submit an application in the form specified in Schedule "A" of this By-law together with ten (10) copies of the final plan of subdivision meeting the requirements of Part 16 of this By-law.

15.2 Prior to approval of a plan of subdivision that adds or consolidates parcels or areas of land in different ownerships, the development officer shall have received: [amended – November 12, 2003]

- i) the deed or deeds suitable for registering to effect the addition or consolidation,
- ii) the fees for registering the deed or deeds, and
- iii) the affidavit of value including particulars of any exemption, pursuant to Part V of the Municipal Government Act.

15.3 MUNICIPAL GOVERNMENT ACT

The Development Officer shall comply with the notification and approval provisions of the Municipal Government Act.

15.4 REFERRAL

When the Development Officer is satisfied that an application and final plan of subdivision are complete a copy shall be forwarded to:

- a) the Department of Environment and Labour: [amended – November 12, 2003]
 - i) in areas not served by a central sewer, the Department of Environment and Labour to determine compliance with the On-site Sewage Disposal Systems Regulations, except where the proposed lot:
 - A) is greater than 9000 square metres (96,878.4 square feet), has a width of 76 metres (249.3 feet) or more, and the applicant has certified on the application that the proposed lot is not intended for a purpose requiring an on-site sewage disposal system, or
 - B) contains an on-site sewage disposal system and is being increased in size, provided all other proposed lots shown on the plan meet the requirements listed in sub-subclause (A);

[amended – November 12, 2003]
 - ii) where there are proposed public highways, designed roads, or central sewer systems, to determine if any of the activities related to the proposed subdivision are subject to the requirements of the Activities Designation Regulations, pursuant to the Nova Scotia Environment Act;
 - iii) where a final plan shows a proposed lot referred to in clause 16.2.2 (d), for confirmation that the Department of Environment and Labour is in agreement that the proposed lot does not require an on-site sewage disposal system. [amended – November 12, 2003]
- b) the authority having jurisdiction for public highways;
- c) in areas serviced by a central sewer, the authority having jurisdiction for the central sewer;
- d) if applicable, Nova Scotia Power & Maritime Tel & Tel; and
- e) any other agency of the Province or the Municipality the Development Officer deems necessary.

15.5 LAND USE BY-LAW/BUILDING CODE BY-LAW

Where buildings are shown on the plan of subdivision within 10 metres (32.8 ft.) of a new lot boundary, the Development Officer shall forward a copy of the plan to the Building Inspector and to the Development officer administering the relevant Land Use By-law, asking them to identify any violation of the Land Use By-law or of the Building Code Act and the Nova Scotia Building Code Regulations.

15.6 SEWER AND WATER APPROVALS

Where a central water system, or a central sewer system is required by Sections 7.1 and 8.1, no approval of the Final Plan may be given until the applicant has obtained the required approvals of these systems from the appropriate provincial authority.

15.7 CONSTRUCTION OR AGREEMENT REQUIRED

No approval of a Final Plan may be given unless the subdivider either has laid out and constructed roads, and any other services required in accordance with the provisions of and Section 10.3 or has entered into an agreement with the Municipality according to Section 10.4.

15.8 PUBLIC OPEN SPACE CONTRIBUTION – 2% CASH

Pursuant to Section 9.1 and Section 9.2, no approval of a final plan of subdivision may be given unless the subdivider has contributed to the municipality two percent (2%) of the market value of all new lots created by the final plan of subdivision.

15.9 SURVEY REQUIRED

No approval may be given to any lot shown on a final plan of subdivision unless that lot has been surveyed in accordance with Clauses 16.1(b) and 16.2.1(h) except for lots approved pursuant to Section 5.6.

15.10 APPROVAL NOT WITHHELD

Approval of a final plan of subdivision may not be refused or withheld as a result of the assessment or recommendations made by the Department of Environment and Labour, Department of Transportation and Public Works or any other agency of the Province or Municipality unless the final plan of subdivision is clearly contrary to a law of the Province or to a regulation or by-law made pursuant to a law of the Province. [amended – November 12, 2003]

15.11 BY-LAW VIOLATION

Approval of a final plan of subdivision may not be refused or withheld as a result of a violation of a Land Use By-law or the Building Code Act and Nova Scotia Building Code Regulations, unless the proposed subdivision creates such a violation.

15.12 APPROVAL REFUSED

Where a Development Officer refuses to approve a Final Plan of subdivision, the Development Officer shall so notify the subdivider of the reasons for refusal in writing, and shall advise the subdivider of the appeal provisions of the Municipal Government Act. The Development Officer shall give notice of refusal to all agencies which were forwarded a copy of the plan.

15.13 MUNICIPAL GOVERNMENT ACT

The Development Officer shall comply with the notification and approval provisions of the Municipal Government Act.

PART 16 FINAL PLAN REQUIREMENTS

16.1 PLAN CHARACTERISTICS

16.1.1 Final plans of *subdivision* submitted to the Development Officer may be drawn either to Metric or to Imperial Scale and shall be:

- a) drawn to scale or scales sufficient for clarity of all particulars on the final plan of *subdivision*; and
- b) certified and stamped by a Nova Scotia Land Surveyor that all lots of less than 9290 square metres (100,000 sq.ft.) in area and all lots for which approval is requested, have been surveyed in the manner required by the Nova Scotia Land Surveyors Act and the regulations made thereunder; and
- c) folded to approximately 20 x 30 cm (8 x 12 in.) with the face of the folded print being the title block which is located in the lower right-hand corner of the final plan of subdivision; and
- d) accompanied by two (2) copies of the final version of any required engineering drawings referred to in Clauses 14.3(b).

16.2 PLAN CONTENTS

16.2.1 Final plans of subdivision shall show the following:

- a) the words "PLAN OF SUBDIVISION" located in the title block; and
- b) a clear space for stamping, having a minimum area of 620 square centimetres (96 sq. in.) with a minimum width of 10 centimetres (4 in.); and
- c) the name of the *subdivision*, if any, and the name of the owner of the area of land; and
- d) if applicable, the book and page number of the deed to the area of land as recorded in the name of the owner in the Registry of Deeds; and
- e) the names of all owners or the lot identifiers of all properties abutting the proposed subdivision; and
- f) a location map, drawn to a scale not smaller than 1:50,000 (such scale to be shown on the map), preferably with the same orientation as the area of land and, if possible, showing the location of the closest community to the area of land proposed to be subdivided; and

- g) the shape, dimensions, and area of the proposed lots; and [amended – November 12, 2003]
- h) the bearings of the boundaries of each lot for which approval is requested as well as each lot less than 9290 square metres (100,000 sq. ft.) in area; and
- i) each proposed lot identified by a number, except, where a parcel is being added to or subtracted from an existing area of land, the parcel shall be identified by a letter and the new lots identified by the identifier, where available, of the existing area of land, and the letter; and [amended – November 12, 2003]
- j) no duplication of lot identifiers; and
- k) the boundaries of proposed lots shown by solid lines, and the vanishing boundaries of existing areas of land being resubdivided, consolidated or both, shown as broken lines; and [amended – November 12, 2003]
- l) approximate location of existing main buildings on the area of land proposed to be subdivided with the graphical and mathematical location for all buildings within 3 meters (9.8 feet) of any boundary which has been surveyed in accordance with clause 16.1(b), together with the civic numbers of all main buildings shown; and
- m) the location and Civic Address System name of existing designed roads, existing Schedule "B" Roads, existing other private roads, and existing public highways together with the public highway number; and
- n) the Civic Address System names, width, location, angles of intersection, and bearings of the boundaries of proposed public highways, proposed designed roads; and proposed Schedule "B" Roads; and
- o) the width and location of railroads and railroad rights-of-way; and
- p) the location of any watercourse, wetlands, or prominent rock formation; and
- q) the width, location, and nature of any easements on or affecting the area of land proposed to be subdivided; and
- r) identification of which lots are served by central sewer systems and which by central water systems; and
- s) north point; and
- t) the date on which the final plan of subdivision was drawn and the dates of any revisions; and
- u) the scale to which the final plan of subdivision is drawn; and
- v) the accurate location of at least one Nova Scotia Coordinate Monument, where these are available, or in lieu of monument ties, measurements to features which are defined on existing mapping; and

- w) the unique Parcel Identifier (PID) of all areas of land being subdivided; and [amended – November 12, 2003]
 - x) where no preliminary plan and no tentative plan have been submitted in accordance with Section 11.1 and Section 13.1, the general locations of any existing sewage disposal test pits, existing wells and existing on-site sewage disposal systems, where known
 - y) in the form specified in Schedule ‘J’, the Stopping Sight Distances for all proposed lots, which have access to a public highway, as well as all intersections of all proposed private roads with a public highway. Where lots abut a proposed public highway shown on a final plan of subdivision, and for which approval is requested, the Stopping Sight Distances are not required to be shown, [amended – November 12, 2003]
 - z) any other information which the Development Officer deems necessary to determine whether the final plan of subdivision conforms to this Subdivision By-law.
- 16.2.2 a) Where a final plan of subdivision is to be forwarded to the Department of Environment and Labour pursuant to clause 15.4(a)(i), the information listed in clause (b) is required for the following proposed lots:
- i) a proposed lot which is being created for a purpose that will require the construction of an on-site sewage disposal system, or
 - iv) a proposed lot being divided from an existing area of land, contains an on-site sewage disposal system; and
 - A) is 9000 square metres (96.878.4 square feet) or less in area; or
 - B) has a width of less than 76 metres (249.3 feet).
- b) Unless the information already has been submitted to the Department of Environment and Labour, the following additional information is required for proposed lots referred to in clause (a):
- i) the lot layout including any proposed building, on-site sewage disposal system, driveway and water well,
 - ii) the location of any watercourse, wetland, marine water body and other feature that may influence the design of the on-site sewage disposal system, including any ditch, road, driveway or easement,
 - iii) the surface slopes and directions,
 - iv) the location of any test pit,
 - v) the proposed on-site sewage disposal system, selected or designed,
 - vi) an explanation of the extent, volume and type of usage to which the on-site sewage disposal system will be subjected,

- vii) an assessment report of the lot respecting its suitability to support an on-site sewage disposal system including the results of a soil evaluation test, and
 - viii) any other information necessary to determine whether the subdivision meets the On-Site Sewage Disposal Systems Regulations.
- c) For a proposed lot that is being divided from an existing area of land, contains an existing on-site sewage disposal system and is more than 9000 square metres (96,878.4 square feet) in area with a width of 76 metres (249.3 feet) or more, the lot layout including the location of buildings, driveways, on-site sewage disposal systems and wells shall be provided.
- d) For a proposed lot 9000 square metres (96.878.4 square feet) or less in area or with a width of less than 76 metres (249.3 feet) that is being created for a purpose that will not require the construction of an on-site sewage disposal system, the certification section of the application in the form specified in Schedule “A” must be completed. [amended – November 12, 2003]

16.2.3 ADDITIONAL INFORMATION

Where the applicant has not submitted a Tentative plan and the proposed lots front on a proposed public highway, proposed designed road, or are to be serviced by a proposed central sewer or water system, a final plan of subdivision shall be accompanied by

- a) Four (4) copies of each of the following designs, stamped and signed by an Engineer registered or licensed to practice in the Province of Nova Scotia, as per “Schedule ‘G’ and ‘H’”, as applicable:
 - i) the existing and proposed central sewer and water systems, proposed connections thereto, and other system details,
 - ii) drainage design plans in accordance with the requirements of Schedule H, and [amended – June 1, 2004]
 - iii) road designs and profiles in accordance with the submission requirements of Schedule H, and [amended – June 1, 2004]

16.3 APPROVAL AFTER CONVEYANCE

A Final Plan of subdivision showing lots to be approved pursuant to Section 287(3) of the Municipal Government Act by special note on the plan shall:

- a) identify such lots; and
- b) state the names of the grantor and the grantee of such lots; and
- c) state the date, book and page number of the conveyance of such lots as recorded in the Registry of Deeds.

16.2.4 IDENTIFY DESIGNER

Where the design or layout of the subdivision was designed by an individual or firm other than the individual or firm of the professional land surveyor who has certified the Final Plan of subdivision, the name of such individual or firm and the nature of the work performed shall be shown in the title block of the Final Plan of subdivision.

PART 17 ENDORSEMENT AND FILING OF FINAL PLANS

17.1 ENDORSEMENT

When the requirements of the Municipal Government Act, this By-law and On-Site Sewage Disposal Systems Regulations made pursuant to the Nova Scotia Environment Act have been met, and the Final Plan of subdivision has been approved by the Development Officer, approval shall be endorsed on the Final Plan of subdivision by the Development Officer.

17.2 PLAN TO SUBDIVIDER

The Development Officer shall forward a copy of the endorsed Final Plan of subdivision to the subdivider.

17.3 NOTIFICATION OF APPROVAL

The Development Officer shall give notice of the endorsement of approval on the Final Plan of subdivision to:

- a) the Council; and
- b) the surveyor; and
- c) the Department of Transportation and Public Works; and
- d) the Department of Environment and Labour; and (amended – November 12, 2003)
- e) any other department or agency of the Province or the Municipality who had been requested to review the Final Plan of Subdivision.

17.4 STAMPS

The following information shall be written or stamped on any Final Plan of *subdivision* which is endorsed:

- a) "This Final Plan of subdivision is approved for lots _____";
- b) where applicable,
 - (i) " _____ (is, are) suitable for the construction or installation of an
(lot(s) approved and/ or remainder)
on-site sewage disposal system for _____ and any conditions which apply
(proposed use)
are contained in a report dated _____ and available from the Department of
Environment and Labour." [amended – November 12, 2003] or
 - (ii) "IMPORTANT NOTICE
 _____ (has, have) been created for a purpose which does not require an on-site
(lot(s) approved and/or remainder)

sewage disposal system and will not be eligible for a permit to install a system unless the requirements of the Department of Environment and Labour are met." [amended – November 12, 2003]

- iv) “ _____ (is/are) served by an existing
lot(s) approved
on-site sewage disposal system. Should a replacement system become necessary in the future, approval from the Department of Environment and Labour is required.” [amended – November 12, 2003]
- c) the identification of those lots being created which are or are to be serviced by a central sewer system; in the following form: "The following lots shown on this plan of subdivision are or are to be served by a central sewer system: _____.";
- d) where there are public highways which are owned and maintained by the Province, the words "The following streets and highways are owned and maintained by the Department of Transportation & Public Works of the Province of Nova Scotia:
_____";
- e) Where there are Designed Roads, the following words:
"The right-of-way width, alignment and drainage of the following rights-of-way are acceptable to the Municipality of the District of Lunenburg under subdivision application _____, however, lot purchasers should be aware that the road within the right-of-way has not been constructed to a standard suitable for listing as a public road, and that public services such as school bus, garbage collection or snowploughing should not be expected along these roads _____"
- f) where there are public highways which are owned and maintained by the Municipality, the words "The following streets and highways are owned and maintained by the Municipality of the District of Lunenburg:
_____";
- g) where there are Schedule "B" Roads, the following words:

"The right-of-way that provides access to lots _____ is private and is not owned and maintained by the Province of Nova Scotia or the Municipality of the District of Lunenburg. It shall be the responsibility of the abutters to upgrade this right-of-way to a public road if such is ever desired. The right-of-way is not entitled to any provincial or municipal services including grading, ditching, snowploughing, gravelling, school bussing, and garbage collection. Approval of lots abutting this right-of-way does not imply a legal right to use the right-of-way."
- h) where applicable, the following words:

- A) “ Access to the public highway as shown, has been approved for the lots created by this final plan of subdivision, and any conditions which apply are contained in a report dated _____, and available from the authority having jurisdiction for the public highways.”
 - B) Where _____ abuts the public highway(s) _____, direct access to the public highway(s) is/are not permitted.
- i) where applicable, the following words:

“Lot(s) _____ is/are approved as a lot without frontage on a private designed road or a public highway. Unless otherwise indicated on this plan, access to this lot is not guaranteed. Any future division of Lot(s) _____ and or the remainder lot(s) will be subject to the frontage requirements, as well as all other requirements, of the Municipality of the District of Lunenburg’s Subdivision By-law.

Or

“The Remainder Lot(s) is/are created as a lot without frontage on a private designed road or a public highway. Unless otherwise indicated on this plan, access to this lot is not guaranteed. Any subdivision of the Remainder Lot(s) will be subject to the frontage requirements, as well as all other requirements, of the Municipality of the District of Lunenburg’s Subdivision By-law.”

17.5 PLANS TO REGISTRY

- a) The Development Officer shall forward by Registered Mail or hand deliver one endorsed copy of the Final Plan of Subdivision to the Registry of Deeds and pay the fees required under Part 18 of this By-law.
- b) Pursuant to Section 15.2, where a plan of subdivision adds or consolidates parcels or areas of land, the Development Officer shall register the deed or deeds with the approved plan.

17.6 REGISTER NOTICE

The Development Officer shall register a notice, in the form specified in Schedule "D" of this By-law in the Registry of Deeds, which indicates approval of the Final Plan of subdivision, and forward the fees required in Part 18 of this By-law.

PART 18 FINAL PLAN FEES

18.1 FEES

At the time of final application, the subdivider shall submit to the Development Officer by cheque or money order:

- a) the fees contained in the Costs and Fees Act, and regulations made thereunder, for:
 - (i) filing the endorsed final plan of subdivision and registering a notice of approval of the plan; or
 - (ii) registering a repeal of a plan of subdivision.
- b) a processing fee for Final Plan of Subdivision approval of \$100.00 for two (2) or less lots, for which approval is requested, plus \$25.00 for each additional lot, for which approval is requested. [Amended: August 28, 2009]

18.2 RETURN OF FEES

Where the Development Officer refuses to approve or repeal a final plan of subdivision, the development officer shall return to the subdivider the fees referred to in Section 18.1(a). [Amended: August 28, 2009]

PART 19 PLAN REPEAL PROCEDURES**19.1 REPEAL OR PARTIAL REPEAL OF A PLAN OF SUBDIVISION**

Where a plan of subdivision has been approved, the approval may be repealed for any or all of the lots created by the plan of subdivision

19.2 REQUIRED TO APPLY

Any person requesting the repeal of an approved plan of subdivision shall submit an application to the Development Officer in the form specified in “Schedule E” of this By-law.

19.3 MUNICIPAL GOVERNMENT ACT

The Development Officer shall comply with the notification and approval provisions of the Municipal Government Act which apply to the repeal of a plan of subdivision.

19.4 REFERRAL

When the Development Officer is satisfied that an application is complete, the Development Officer may forward a copy any agency of the Province or Municipality which commented on the original approval of the plan of subdivision.

19.5 PROVISIONS NOT APPLICABLE

The provisions of Parts 5 to 17 inclusive of this By-law do not apply to the repeal of an approved plan of subdivision.

19.6 STRUCTURES

Where buildings have been erected on the subject lands after the date of the subdivision approval which is to be repealed, no repeal of this original plan shall be granted which would cause these buildings to be in violation of the Building Code Act and Nova Scotia Building Code Regulations, Land Use By-law or On-Site Sewage Disposal Systems Regulations unless a new plan of subdivision rectifying such violations is approved and filed at the Registry of Deeds on the same day as the repeal of the plan of subdivision for which repeal is requested.

19.7 ENCUMBRANCES

No plan of subdivision may be repealed unless a practising, insured member of the Nova Scotia Barristers Society has certified that no encumbrance registered at the Registry of Deeds is in effect against the subject land.

19.8 REPEAL NOT WITHHELD

Repeal of an approved plan of subdivision may not be refused or withheld as a result of the assessment or recommendations pursuant to section 19.6 unless the repeal is clearly contrary to a law of the Province or to a regulation or by-law made pursuant to a law of the Province.

PART 20 REPEAL NOTICE

20.1 NOTICE

When the requirements of the Municipal Government Act and of this By-law have been met, the Development Officer shall complete and sign a notice, in the form specified in “Schedule F” of this By-law, register the notice at the Registry of Deeds, and forward the fees required by Section 20.4 of this By-law.

20.2 REFUSAL

Where a Development Officer refuses to repeal a Final Plan of *subdivision*, the Development Officer shall so notify the applicant, advising the applicant of the appeal provisions of the Municipal Government Act.

20.3 NOTIFICATION

The Development Officer shall forward a copy of the notice of the repeal of a plan of *subdivision* to:

- a) the applicant,
- c) any department or agency of the Province or the Municipality who reviewed the original application for subdivision approval.

20.4 FEES APPLICABLE

The Provisions of Part 18 of this By-law apply to the repeal or partial repeal of an approved plan of subdivision as they do to the approval of a Plan of Subdivision.

SCHEDULE "A"
Municipality of the District of Lunenburg
Application for Subdivision Approval

Change of Use Tax may be charged after Subdivision Approval - contact the **Assessment Office** at 543-2267

APPLICANT

Phone No.(owner or agent) _____

Name of Land Owner(s) _____

Assessment Account Number(s) _____

Parcel Identifier(s) (PID's) _____

Name of Owner's Agent (if applicable) _____

Mailing Address _____

LAND TO BE DIVIDED

Community Name _____ Street Address _____

Type of Application Preliminary (Optional) _____ Concept (Mandatory) _____
Tentative (Optional) _____ Final (Mandatory) _____

____ Registration fee submitted (payable to the Registry of Deeds).

____ Final Plan of Subdivision Fee: \$100.00 for two (2) or less lots, for which approval is requested, plus \$25.00 for each additional lot. (payable to the Municipality of the District of Lunenburg).

Approval is requested for the following lots and conditions:

CONDITION

LOT IDENTIFIER ON PLAN

On-Site Sewage _____
Central Sewage _____
No Development _____
Other (specify) _____

Comments Required From the Department of Environment Yes _____ No _____
Qualified Persons Report attached Yes _____ No _____

CERTIFICATION - ON-SITE SYSTEM NOT REQUIRED (unserviced areas)

I certify that (lot(s), and or remainder) _____, (is, are) being subdivided for a purpose (specify use) _____, which will not require the installation of an on-site sewage disposal system.

SIGNATURES

I certify that I am the owner of the land to be divided or am acting with the owner's consent.

Signature of owner/agent _____ Date _____

Signature of owner _____

Signature of owner _____

SCHEDULE "B"
LIST OF EXISTING PRIVATE ROADS

NAME AND DESCRIPTION	DRAWING NUMBER (appended)	SURVEY PLAN REFERENCE
Bruhm Lane, from Public Highway #471(Back Cornwall Road) to its westerly intersection with Charlie Drive, a distance of approximately 1.6 kilometres.	One (1)	1) Property of Lawrence S. Veinotte, by Lester W. Berrigan, N.S.L.S. # 409, dated 13 January, 1994, his plan #V - 48 2) Lands of Lawrence Stedman Veinotte, by Darryl R. Spidle, N.S.L.S.# 419, dated 12 November, 1974

SCHEDULE 'B' ROAD DRAWINGS

SCHEDULE "C"

MINIMUM LOT SIZES
LOTS WITH CENTRAL SEWER

DESCRIPTION	MINIMUM LOT AREA
Lots serviced by a central sewer service with or without central water service	650 square metres (7,000 sq.ft.) such that a 21 metre (70 ft.) diameter circle could be contained within the lot boundaries

SCHEDULE "D
NOTICE OF APPROVAL OF A PLAN OF SUBDIVISION IN
SUBSECTION 285(3) AND 285(4) OF THE MUNICIPAL GOVERNMENT ACT

Name of the Owner(s)

Name of Subdivision

Location

Surveyor _____ Date of Plan

L.C.D.P.C. Subdivision File Number

Date of Approval _____ For Lot(s)

Dated this ____ day of _____, 19 ____

Municipal Development Officer

Plan of Subdivision Filed in the Registry of Deeds as Plan #

Dated this ____ day of
_____, 19

This plan of subdivision also contains information regarding the lots approved on this plan with respect to one or more of the following:

The lots' eligibility for on-site sewage disposal systems.

The availability of public sewer and water systems.

Information indicating whether or not the lots abut a public street or highway.

SCHEDULE "E"

FILE # _____

LUNENBURG

MUNICIPALITY

Application for Repeal of a Plan of Subdivision

APPLICANT

Phone No. (owner or agent)

Name of Land Owner(s) _____

Name of Owner's Agent (if applicable) _____

Mailing Address _____

LAND

Community _____ Street address _____

Number of Buildings on the land _____

Number of Buildings built on the land after the Subdivision Plan was approved _____

APPROVED PLAN

Date of Plan _____ Title of Plan _____

Surveyor _____ Surveyor's Plan # _____

Date of Approval _____ for lots _____ L.C.D.P.C. File # _____

Date of Registry Filing _____ Registry File # _____

REPEAL SOUGHT FOR

Lot(S) _____ Was/Were Approved And Repeal Is Sought For Approval Of Lot(S) _____

OWNERS CERTIFICATE

I certify that the information in this application is true and complete, that I am applying for repeal of this Plan of Subdivision with the full knowledge and consent of all persons with legal interest in the lands affected by the repeal and that these persons have co-signed this application.

Signature of owner/agent _____ Date _____

Co-Signers _____ Date _____

_____ Date _____

SOLICITOR'S CERTIFICATE

I certify that I have searched the title of the lands to be affected by this repeal of an approved plan of subdivision, that all persons whose interests are shown on the approved plan of subdivision or are registered at the Registry of Deeds have co-signed this application, and that this land is free of all registered encumbrances.

Signature and seal of Solicitor _____ Date _____

SCHEDULE "F"

NOTICE OF REPEAL OF AN APPROVED PLAN OF SUBDIVISION IN
ACCORDANCE WITH THE MUNICIPAL GOVERNMENT ACT

Name of the Owner(s)

Name of Subdivision

Location

Surveyor _____ Date of Plan

Date of Original Approval _____ For Lot(s)

L.C.D.P.C. Subdivision File Number (Approved Plan)

Approved Plan of Subdivision Filed in the Registry of Deeds as Plan #

This Subdivision is hereby REPEALED at the Date and Time of the Registration of this Notice.

ENTIRE PLAN OF SUBDIVISION _____ OR ONLY LOT(S) _____

Dated this ____ day of _____, 19 ____

Municipal Development Officer

PLEASE NOTE: Any lot or parcel created by this repeal may not be eligible for development

SCHEDULE "G"
GENERAL SPECIFICATIONS AND
DESIGN REQUIREMENTS FOR WATER
AND SEWER SYSTEMS

GENERAL

1. (1) All water and sewer systems shall be designed in accordance with the specifications included in this schedule. These specifications shall be read in conjunction with the latest edition of "Standard Specifications for Municipal Services" which may be obtained from the Joint Committee on Contract Documents c/o Spectech Ltd., Halifax, N.S. The design shall also be in compliance with the latest edition of the "Nova Scotia Standards and Guidelines Manual for the Collection, Treatment, and Disposal of Sanitary Sewage" prepared by the Department of Environment and Labour. [amended – November 12, 2003]
- (2) The specifications stated in this schedule shall govern over the "Standard Specifications for Municipal Services".
- (3) In the case where the Developer proposes to substitute an equivalent product or procedure departing from these specifications a description of the proposed substitute with sufficient supporting documentation shall be submitted to the *Municipality* for approval.
- (4) All engineering work under this By-Law must be undertaken and stamped by a Registered Professional Engineer of the Province of Nova Scotia.
- (5) The Developer shall be responsible for obtaining a permit to construct a sewerage system from the Department of Environment and Labour and for obtaining approval from the Department of Health to establish or extend a public water system. [amended – November 12, 2003]
- (6) The Developer shall notify the *Municipality* of work or tests to be started a minimum of two (2) working days in advance of such work being started. Work or tests completed without prior notice shall not be accepted by the *Municipality*.
- (7) Upon completion of construction the Developer shall complete all deficiencies within thirty (30) days of notification from the *Municipality*. Deficiencies or work not rectified shall be completed under the direction of the *Municipality* on a cost plus basis. The cost of such

work shall be deducted from the Developer's bonds or securities posted under the *subdivision* By-Laws.

- (8) These standards may be varied by the Municipal Engineer in exceptional circumstances and in accordance with accepted Engineering Practice.

2. The following abbreviations shall be used in these specifications:

- (1) A.S.T.M. means American Society for Testing Materials.
- (2) CSA means Canadian Standards Association.
- (3) AWWA means American Waterworks Association
- (4) ASA means American Standards Association.

SANITARY SEWERS

3. The drainage area may be determined from contour plans and shall include all other areas which may become tributary.
4.
 - (1) The design of all sanitary sewers shall be based on the Peak Dry Weather Flow.
 - (2) The minimum rate of infiltration for which capacity shall be provided is 0.14 L/h.s (0.75 Igpm/ac)
 - (3) Average daily sewage flow shall be 340 L/cap.d (75 Igpd/cap).
 - (4) The peaking factor shall be determined by the Harmon Formula.
 - (5) Design flow calculations shall be submitted to the Municipal Engineer for review.
5. The minimum size of sanitary sewer main shall be 200 mm (8 inches) diameter.
6. Pipe slopes shall be selected so that sanitary sewer velocities shall no be less than 0.76 m/sec (2.5 ft/sec) nor greater than 4.6 m/sec (15 ft/sec).

7.
 - (1) A minimum of 75 mm (3 inches) clearance is required between the outside of pipes at all sewer pipe crossings.
 - (2) A minimum of 0.3 m (1 foot) clearance in vertical and horizontal direction is required between sewer pipes and water pipes.
 - (3) Sanitary sewer forcemains and watermains shall be installed in separate trenches.
8.
 - (1) Sanitary sewers shall be located, wherever possible, either within, or close to the hard shoulder of the road. No sanitary sewer shall be installed in a location such that in the event of repairs having to be carried out, both road lanes would have to be closed.
 - (2) Manholes shall be spaced a maximum of 90 m (300 feet) apart and shall be located at every change of grade, alignment, size or material of the sewers.
9. Gravity sanitary sewer pipe shall be manufactured to conform to one of the following specifications, or as otherwise approved:
 - (1) Pipe
 - a. Reinforced concrete pipe to A.S.T.M. Specifications c-76.
 - b. Polyvinyl chloride pipe to CSA B182.1-M and CSA B182.2-m.
 - (2) Pipe Joints
 - a. All pipe joints shall be made of approved rubber or equivalent.
10.
 - (1) Standard precast concrete manholes shall be used wherever possible, complete with frame and cover, IMP R10. The manhole cover is to include on 50 mm (2 inch) high manhole riser as manufactured by IMP. The manhole cover is to be grouted to the manhole chimney.
 - (2) All changes of direction in sewer pipe greater than 60 degrees inside a manhole requires a 150 mm (6 inch) drop.
 - (3) A vertical drop pipe shall be provided at manholes, where the vertical distance between the invert of the outlet and the invert of the inlet pipe is 0.9 m (3 feet) or more. However, drop manholes should be avoided and used only when it is not economically feasible to steepen the incoming sewer.

- (4) Manholes shall be provided with ladders constructed of galvanized steel.
- (5) Precast concrete manholes shall be 1 m (39 inches) diameter minimum, with the top diameter minimum of 0.7 m (27 inches). The 0.7 m (27 inches) diameter manhole chimney shall be a maximum of 0.6 m (24 inches) high.
- (6) Asphalt-topped roads shall have manhole covers placed flush with finish grade. Gravel-topped roads shall have manhole covers placed 25 mm (1 inch) below finish grade.

BUILDING SEWERS

- 11. (1) Building sewer "laterals" shall be connected to the main with tees, saddles or approved equivalent. Breaking into a street sewer or connecting directly into a manhole shall not be permitted..
- (2) Separate and independent sewer laterals shall be provided for every single family house, each unit in a semi-detached, each apartment building or other building.
- (3) Laterals shall have a minimum grade of 2%. Laterals shall be PVC SDR 28.
- (4) Place bell-end or coupling at the property line end of the lateral.
- (5) Place laterals perpendicular to the main, wherever possible.
- (6) Laterals shall be 100 mm (4 inch) diameter for single family houses and sized accordingly for apartments, restaurants, factories and such.

PRESSURE SEWERS

- 12. Pressure sewer pipes or forcemains shall conform to the following specifications.
 - (1) Polyvinyl Chloride pipe to CSA 137.3-M. Minimum SDR 26. Minimum diameter 75 mm (3 inches).
 - (2) The forcemain shall be connected into a specially designed manhole properly benched and channelled. The drop between the inverts of the forcemain outlet and the outgoing pipe shall be a maximum of 0.45 m (18 inches).

PUMPING STATIONS

13. (1) The minimum diameter of any pumping station shall be 1.8 m (6 feet). The pumping station structure shall be designed for external earth and water pressure and for uplift caused by floatation.
- (2) Pumping stations shall be complete with galvanized ladders and landings.
- (3) Pumping stations shall have 100% stand-by capacity with automatic switch-over.

SEWER TESTING

14. (1) The developer shall pay the cost of all tests which shall be carried out in the presence of the Municipal Engineer or his designate.
- (2) Sanitary sewers shall be tested as per "Standard Specifications for Municipal Services".
- (3) Pressure sewers shall be tested as per "Standard Specifications for Municipal Services".

WATERMAIN SERVICES

15. (1) The minimum diameter of water lines shall be 200 mm (8 inch). The *Municipality* may allow 150 mm (6 inch) diameter watermain if the length is less than 300 m (1,000 feet) and the main is looped.
- (2) All water pipes shall have a minimum cover of 1.5 m (5 feet) and a maximum cover of 1.8 m (6 feet) in relation to the final finished street grade.
- (3) All water pipe shall normally be laid in the same trench as sewer lines, at least 0.3 m (1 foot) above the top of the sewer line and 0.3 m (1 foot) clear of the side of the sewer line with the exception of Clause 7 (3).
- (4) The watermain system shall have a fire hydrant or air release chamber at all high points. The air release chamber shall be at least 1 m (39 inches) in diameter and complete with air-release valve.

- (5) The watermain system shall have a fire hydrant or drain chamber at all low points. The drain chamber shall be at least 1 m (39 inches) in diameter and complete with 50 mm (2 inch) drain.
- (6) Calculations for design peak flows for water demand in the area to be served shall be submitted to the Municipal Engineer for review.
- (7) A minimum of 140 kPa (20 psi) residual water pressure must be maintained, at the Fire Flow of 32 litres/sec (420 igpm) plus peak water demand.

16. Water pipe shall be manufactured to conform to one of the following specifications:

- (1) Pipe
 - a. Polyvinyl chloride pipe Series 160 in accordance with CSA Standard B137.3 and ASTM D2241-65T.
 - b. Polyvinyl chloride pipe AWWA C-900, class 150, to CSA B137.3, SDR18.
- (2) Pipe Joints
 - a. Fittings for water pipe shall be joint, pressure rating 1,705 Kpa (250 psi), manufactured in accordance with ASA Specifications A21.10-1964 (AWWA C110-1964), and shall have cement mortar lining in accordance with ASA Specifications A21.4-1964 (AWWA C104-64).

WATER LATERAL SERVICES

- 17. (1) Separate and independent water laterals shall be provided for every single family house, each apartment building, each unit in a semi-detached, factory or similar building.
- (2) Service connections shall be complete with corporation main stops, approved service piping, and curb stop complete with drain, compression couplings, telescopic valve box with top marked "Water".
- (3) Service pipe shall be one of the following:
 - Type "K" soft copper pipe.
 - Polyethylene CSA Standard B137.1 for a 1,120 kPa (160 psi) working pressure.

- (4) Service pipe shall be 20 mm (3/4 inch) diameter for single family homes and sized accordingly for apartments, factories, etc.
- (5) Laterals shall be installed perpendicular to the main, wherever possible.

WATERMAIN TESTING, DISINFECTING, FLUSHING

18. Complete all testing, disinfecting and flushing as per "Standard Specifications for Municipal Services".

EARTHWORKS

19.
 - (1) Bedding material shall be Class B as per Province of Nova Scotia Department of Transportation and Public Works Standard Specification.
 - (2) Backfill shall be selected material, maximum size 150 mm (6 inches).
 - (3) Compact bedding to 95% Standard Proctor.
 - (4) Compact backfill to 98% Standard Proctor.
 - (5) Maximum lifts for backfilling - 0.3 m (1 foot).
 - (6) Proctor density tests, 1 test per type of backfill material (at Developer's expense). Test results shall be submitted to the Municipal Engineer for review.
 - (7) Density test 1 per 30 m (100 feet) of service (at Developer's expense). Tests shall be repeated upon failure. The Municipal Engineer shall direct when and where the compaction tests shall be completed. Test results shall be submitted to the Municipal Engineer for review.
 - (8) Bedding material shall surround all service pipes and laterals a minimum of 150 mm (6 inches).

ENGINEERING DRAWINGS

20. Engineering drawings shall include a plan, profile, cross sections, details and specifications, duly stamped and signed by a Registered Professional Engineer of the Province of Nova Scotia.

SCALE

21. The scale of drawings shall be:

- (1) Horizontal - 1:500 (1 inch = 40 feet).
- (2) Vertical - 1:50 (1 inch = 4 feet).
- (3) Cross sections and detail plans to be scaled as required to illustrate the subject.

PLAN

22. The engineering plan shall include the existing and proposed location and horizontal alignment of:

- (1) Sanitary sewers with lengths, sizes, types and all related appurtenances.
- (2) Water system with lengths, sizes, types and all related appurtenances.
- (3) Sanitary and water services for buildings to street line.
- (4) All other utilities.
- (5) Culverts.
- (6) All horizontal street line curves, the beginning of the curve, the end, the tangent distance, intersecting angle.
- (7) Power poles and all other utilities.
- (8) Road shoulders and ditches.
- (9) Cross references to the other plans including existing plans of any adjacent subdivision.

PROFILE

23. The profile shall include the existing and proposed vertical alignment of:

- (1) The centre line and street lines.
- (2) The sanitary sewer and appurtenances.
- (3) The water system and appurtenances.
- (4) The soil profile.
- (5) Underground utilities.
- (6) Culverts.

CROSS SECTION

24. The cross section shall include:

- (1) Existing conditions.
- (2) Existing and proposed services.

DESIGN AND CONSTRUCTION DETAILS

25. Design and construction details shall include the relevant products and execution procedures for:

- (1) Earthwork
 1. excavation
 2. backfilling (maximum lifts and compaction)
 3. side slopes
 4. dewatering
 5. gradation of materials
- (2) Water Services
 1. main
 2. lateral
 3. appurtenances
 4. hydrant
 5. installation

- 6. testing
 - 7. chlorination and flushing
- (3) Sanitary Sewer
 - 1. main
 - 2. lateral
 - 3. appurtenances
 - 4. installation
 - 5. testing

LATERAL CARDS

- 26. (1) The Developer shall complete lateral cards for all services installed.
- (2) Blank lateral cards shall be obtained from the Municipal Office.
- (3) Lateral cards shall include all information relating to the lateral including, length, location, inverts, and *lot* features, i.e. power poles, culverts and property pins.

RECORD DRAWINGS

- 27. (1) The Developer shall complete Record Drawings (As-builts) that accurately reflect the construction system.
- (2) Record information shall include a minimum of two (2) ties as well as all changes to items including, but not limited to manholes, chambers, valves, culverts, watermains and sewer specials, etc.
- (3) Reproducible Record Drawings (films) shall be submitted to the Municipality at the completion of the project. (Sepias will not be accepted).

EROSION AND SEDIMENTATION CONTROL

- 28. All work associated with the installation of water and sanitary services shall comply with the Nova Scotia Department of Environment and Labour's "Erosion and Sedimentation Control, Handbook for Construction Sites". (**amended – November 12, 2003**)

SCHEDULE H

MUNICIPAL PUBLIC ROAD DESIGN AND CONSTRUCTION STANDARD

[June 1,2004]

1.0 GENERAL

The following are the minimum road standards for municipal public roads (i.e. municipal streets and roadways) in the Municipality. In every case, roadway designs will be prepared by a qualified professional engineer licensed to practice in the Province of Nova Scotia. All roadway design drawings and roadway construction will be subject to approval by the Municipal Engineer. No roadway will be considered a municipal public road unless stamped engineered drawings, designed to standard, and related survey plans, are approved, and construction of the roadway is completed in accordance with such approved drawings.

Existing provincial public roadways transferred, by law, from the Province of Nova Scotia to the Municipality, will not be subject to these road standards.

Requirements in excess of the minimum standards may be necessary for certain roadways, subject to the Municipal Engineer's discretion.

Submitted drawings will include:

legal survey plans showing property boundaries, and proposed rights-of-way and easements;

topographic contour drawings, to minimum 2 m (6.56') intervals, within the project area, and to minimum 5 m (16.40') within the contributing drainage area outside the project area;

road and drainage design plans and profile drawings, with preferred metric scales at 1:100 or 1:250 – horizontal, and 1:10 or 1:25 – vertical, with each drawing stamped, signed and dated by the professional engineer responsible for its preparation;

and, all other details of structures, equipment and appurtenances, including manufacturer's and fabricator's shop drawings, and material and equipment test reports, necessary for the Municipal

Engineer in his or her sole discretion to properly complete the review of the roadway project design and construction.

Submitted drawings will be clearly drawn and annotated, to scale, and include a title block with appropriate project information and location, and professional engineer and subdivision applicant identification. No drawing sheet in the drawing set will be larger than 1.0 m² (ANSI E size).

Drawing sets will be submitted in both paper form and electronic data, with electronic data in either the *.dwg, *.dxf or IGES file format, and will be on electronic data media that can be read by Municipality personal computer equipment.

In this Standard, regulatory dimensions or are stated in metric; US customary units are provided for convenience only. The use of metric (Systeme International – S.I.) units in engineering design submissions is preferred, however, use of U.S. customary units is acceptable.

2.0 TECHNICAL REFERENCES

The following technical references are noted in these Standards:

- 2.1 “Geometric Design Guide for Canadian Roads”, September 1999, latest revision, issued by the Transportation Association of Canada.
- 2.2 “Uniform Traffic Control Devices for Canada”, March 1994, latest revision, issued by the Transportation Association of Canada.
- 2.3 “Standard Specifications for Municipal Services”, January 2003, latest revision, issued by the Joint Committee on Contract Documents of the Nova Scotia Road Builders Association and the Nova Scotia Consulting Engineers Association.
- 2.4 “Nova Scotia Department of Transportation Metric Standard Specification Book”, January 1994, latest revision, issued by the Nova Scotia Department of Transportation and Public Works.

- 2.5 “Guidelines for Residential Subdivision Street Design”, recommended practice, 1997, Institute of Transportation Engineers.
- 2.6 “Erosion and Sedimentation Control Handbook for Construction Sites”, 1988, Nova Scotia Department of Environment and Labour.
- 2.7 “Canadian Highway Bridge Design Code”, CAN/CSA-S6-00, latest revision.
- 2.8 “Urban Hydrology for Small Watersheds, TR-55”, Technical Release 55, June 1986, United States Department of Agriculture, Natural Resources Conservation Service.
- 2.9 “Standards for Concrete Pipe”, CAN/CSA-A257-Series-M92, latest revision.
- 2.10 “Thermoplastic Pressure Piping Compendium”, CAN/CSA-B137-Series-02, latest revision.
- 2.11 “Corrugated Steel Pipe Products”, CAN/CSA-G401-01, latest revision.

3.0 ROAD CLASS DESIGNATION

Municipal public roads will be designed according to one of the following road design classes:

- low volume rural road (LVR)
- rural local undivided road (RLU)
- rural collector undivided (RCU)

3.1 Low Volume Rural Road – LVR

Municipal roads will be classed as low-volume rural roads where the Average Annual Daily Traffic count hereafter referred to as AADT is forecast to be less than 300 vehicles per day, and all traffic has an origin or destination along the roadway length (i.e. no through traffic).

3.2 Rural Local Undivided Road – RLU

Municipal roads will be classed as rural local undivided roads where the AADT is forecast to be less than 600 vehicles per day.

3.3 Rural Collector Undivided Road – RCU

Municipal roads will be classed as rural collector undivided roads where the AADT exceeds 600 vehicles or more per day. For RCU roads, special design requirements, specific to each case, if any, will be established, by the Municipal Engineer.

3.4 Average Annual Daily Traffic Estimation

At the Municipal Engineer's sole discretion, submission of road design trip generation calculations will be required in order to support the AADT forecast necessary to determine road classification. In any case, the Municipal Engineer will determine and approve the road classification.

3.5 Design Speed

Unless lower design speeds are specified by the Municipal Engineer, based upon the projected use of the roadway, design speeds for road classes will be as follows:

LVR	50 km/hr
RLU	70 km/hr
RCU	70 km/hr

4.0 ALIGNMENT CONTROLS

Design controls for horizontal and vertical road alignment will be for the design speeds as per the assigned road class in subsection 3.5, and will be in accordance with the Geometric Design Guide for Canadian Roads.

4.1 Minimum Stopping Sight Distance

Minimum stopping sight distances will be:

- a) for 50 km/hr design speed 65m (213ft)
- b) for 70 km/hr design speed 110m (360ft)

Engineering plan drawings will indicate the start and end points, and turning radii for all horizontal curves.

Engineering profile drawings will indicate the start and end points for all vertical curves, slopes for all changes in direction and the K value for all crest and sag vertical curves.

Both plan and profile drawings will clearly show road length stations.

4.2 Maximum Vertical Gradients

Maximum vertical gradients will be:

for LVR 10%

for RLU & RCU 6%

4.3 Intersections with Existing Roads

4.3.1 Horizontal Approach

Roadway intersections with existing municipal roadways will have intersection angles at no less than 70 degrees and no greater than 110 degrees to the existing municipal roadway.

Roadway intersections with existing provincial roadways will be subject to the approval of the Nova Scotia Department of Transportation and Public Works.

4.3.2 Vertical Approach

Roadway gradient adjustments for intersections with existing municipal roadways will be designed in accordance with the Geometric Design Guide for Canadian Roads.

Roadway intersections with existing provincial roadways will be subject to the approval of the Nova Scotia Department of Transportation and Public Works.

4.4 Intersections for New Roads

New intersections will be designed in accordance with the Geometric Design Guide for Canadian Roads.

4.5 Cul-de-Sac Design

Culs-de-sac will be placed at the end of all dead-end streets. The geometric layout will be, at a minimum, as per attached drawing H – 1.

All culs-de-sac will be constructed to applicable minimum road standards.

4.6 Reserve Road Allowances

As required by this By-law, all subdivisions will provide for a reserve road allowance for future extension of the public road to the boundaries of an adjacent lot or watercourse, at minimum intervals of 400 metres (1,312.34'), as determined to be feasible at the sole discretion of the Municipal Engineer.

4.7 Road and Driveway Layout

Road layout design will optimize use of materials and future maintenance without compromising safety, the surrounding natural environment, or the convenience of access to the properties served by the road network. The Municipal Engineer will review submitted designs and assess the life-cycle economy provided by such designs. Generally, the Municipal Engineer will approve a road layout design that will result in optimal future maintenance costs, and reduced environmental impact. Guidance in road layout design is available through several publications of the Transportation Association of Canada and the Institute of Transportation Engineers, including the technical documents referenced in Section 2 of this Standard.

Residential driveway access design will conform to the recommendations contained in the “Guidelines for Residential Subdivision Street Design”. Where the road traffic will consist of a mix of residential, commercial and/or industrial traffic volumes, the Municipal Engineer may, at his or her sole opinion, specify other driveway design requirements.

Driveway locations will be shown on the submitted plan drawings.

5.0 CROSS-SECTION CONTROLS

Cross-section controls refer to the cross-sectional geometry of the roadway. Roadways of LVR and RLU class are, at a minimum, to be gravel-surfaced, minimum two-lane, with open drainage ditches for collection and disposal of storm water. Roadways of RCU class will be surfaced with asphalt concrete, with minimum cross-section controls and drainage systems as determined by the Municipal Engineer at his or her sole discretion.

5.1 Minimum Right-of-Way Width

The minimum right-of-way width for all municipal public roads will be 20 m (65.62'), assuming maximum drainage ditch back slopes can be accommodated. Where the maximum drainage ditch back slopes cannot be accommodated, the right-of-way shall be determined by the Municipal Engineer at his or her sole discretion.

Where a road right-of-way concerned is less than 20 m and the road is a private road subject to a municipal takeover of ownership, the Municipal Engineer may specify special engineering criteria regarding the placement of the road and drainage infrastructure within the confined right-of-way, without requiring widening of the right-of-way to the standard width.

5.2 Minimum Cross-Section Criteria

Road Class	Roadway width, incl <u>shoulder</u>	Cut side slope, earth <u>run:rise</u>	Backslope earth, <u>run:rise</u>	Fill side slope earth, <u>run:rise</u>
LVR	8.60m (28.21')	2:1	1:5:1	2:1
RLU	9.75m (32.00')	3:1	2:1	3:1
RCU	Minimum criteria to be determined by Municipal Engineer, but at least equal to RLU			

5.3 Guard Rails

Guard rails will be placed where prudent road safety engineering practice dictates, as determined at the sole discretion of the Municipal Engineer. If guard rails are placed, fill side slopes for RLU and RCU class can be reduced to 2:1. Where guard rails are placed, roadway width is to be increased by a minimum of 0.5m

(1'8"), adjacent the guard rail. Guard rail installation will be as per the Nova Scotia Department of Transportation and Public Works Standard Specification Book.

5.4 Rock Slopes

Back slopes in rock are maximum 1:4 for all road classes. Fill side slopes in rock are 1.5:1 with guard rail for all classes. Without guard rail, fill side slopes in rock are the same as for earth fill slopes as per road class.

5.5 Roadway Surface Slope

Generally, the roadway surface is to be crowned in the centre, with a 3% slope towards each drainage ditch, for gravel-surfaced roads, and a 2% slope towards each roadside drainage structure for asphalt concrete surfaced roads. Exceptions can occur where superelevations are required to accommodate turning radii or intersection alignment, or where hydraulic analysis indicates a greater crown slope is required.

5.6 Design for Wide-Turning Vehicles

Where it is expected that wide-turning vehicles (trucks) may be occasionally encountered on the road, adjustments to roadway width, particularly at turns, may be required, in conformance with the Geometric Design Guide for Canadian Roads.

5.7 Retaining Walls

Other than undisturbed, or otherwise stable, naturally-occurring rock faces, all exposed vertical cuts of soil in the road right-of-way will be stabilized and prevented from failure by a retaining wall, of sufficient height and strength, where a cut slope conforming to the requirements of Sub-section 5.2 is uneconomic. The design and the construction inspection of retaining walls will be prepared by and directed through a professional engineer, licensed in the province of Nova Scotia, and competent in the field of structural engineering. The design will be subject to the review and approval of the Municipal Engineer, in his or her sole discretion.

6.0 ROADBED CONSTRUCTION

6.1 Earthwork, Grubbing, Excavation, Compacted Fills, Retaining Structures

Preparation of road sub-grade and related works will be as per the Standard Specifications for Municipal Services. The Municipal Engineer may request geotechnical test reports regarding the bearing capacity of the in'situ subgrade material, as well as other relevant geotechnical information, at the Engineer's sole discretion.

6.2 Base Gravel Course

For LVR and RLU road classes:

A minimum of 200 mm (8") of Nova Scotia Department of Transportation and Public Works Class "E" material will be placed and compacted to approved grade, as per the Standard Specifications for Municipal Services. The material will meet the specification of the Nova Scotia Department of Transportation and Public Works, as per the Standard Specification Book, and will meet the sulphide content limits of the Sulphide-Bearing Material Disposal Regulations of the Nova Scotia Department of Environment and Labour.

For RCU road class:

The minimum base gravel course specification will be determined at the sole discretion of the Municipal Engineer, but in all cases will at least equal that of the LVR and RLU roads classes.

6.3 Surface Course

For LVR and RLU road classes:

A minimum of 100 mm (4") of Nova Scotia Department of Transportation and Public Works Class A material will be placed and compacted to approved grade, as per the Standard Specifications for Municipal Services. The material will meet the specification of Nova Scotia Department of Transportation and Public Works, as per the Standard Specification Book and will meet the sulphide content limits of the Sulphide-Bearing Material Disposal Regulations of the Nova Scotia Department of Environment and Labour.

For RCU road class:

The minimum top gravel course specification will be determined at the sole discretion the Municipal Engineer, but in all cases will at least equal that of the LVR and RLU roads classes.

RCU roads will be overlain by an asphalt concrete pavement surface of a minimum thickness of 100 mm (4") of which 63 mm (2.5") will consist of a Type B base course asphalt concrete, and 37 mm (1.5") will consist of a Type C surface course asphalt. Required thicknesses and composition of the asphalt concrete pavement may be greater than minimum as determined at the sole discretion of the Municipal Engineer. Material and construction specification will be as per the Nova Scotia Department of Transportation and Public Works Standard Specification Book, and the Standard Specifications for Municipal Services.

6.4 Erosion Control and Prevention

Minimum erosion control and prevention measures will be as per the Standard Specifications for Municipal Services, and the Erosion and Sedimentation Control Handbook for Construction Sites.

6.5 Municipal Inspections and Approval of Construction

Municipal inspections will occur, at a minimum, by appointment, i) prior to construction; ii) after clearing and grubbing; iii) during placement of drainage culverts and structures; iv) after placement of base gravel; v) after placement of surface gravel; and, vi) during placement of asphalt concrete pavement (where required).

Municipal inspections are not a substitute for the proponent's on-going quality control of the construction of the roadway. All proponents of roadway development and construction will require continuous, independent quality control inspection of the construction of the proposed works under the direct supervision of a named professional engineer, licensed to practice in the Province of Nova Scotia, and competent in the field of civil engineering.

Municipal Engineer's approval will be given only for construction in accordance with approved plans.

No final approval of the constructed works will be given unless complete record drawings and satisfactory test results have been submitted to and approved by, the Municipal Engineer.

7.0 STORM WATER DRAINAGE

7.1 General

All lands serviced by the proposed roadway system will be serviced by a drainage system. Which will consist of such open ditches and closed conduits as required to collect and remove storm water from at least a one in 25 year storm event, for LVR and RLU class roads, and at least a 1 in 100 year storm event for RCU class roads. The Municipal Engineer may specify a greater return period storm event where infrastructure and/or property are at greater risk of damage due to flooding, or due to the critical service nature of the affected infrastructure and/or property. Rainfall intensity curves to be used for specified return periods will be based on the most recent Environment Canada trending data available for Shearwater, Nova Scotia, adjusted for local meteorological conditions.

All ditches and conduits will be placed in the municipal road right-of-way, or a storm utility easement, identified as such in the submitted plans. Storm utility easements are to be a minimum of 9.144m (30'), unless otherwise approved by the Municipal Engineer. In any case, easements must be of sufficient width to permit safe and efficient public works maintenance operations within the easement.

7.2 Nova Scotia Department of Environment and Labour Approval; Other Agency Approvals

Design and construction of all storm water drainage systems will be in compliance with the Storm Drainage Works Approval issued by the Nova Scotia Department of the Environment and Labour. No construction will take place unless such approval is received in compliance with the Activities Designation Regulations of the Nova Scotia Department of Environment and Labour.

Depending on the nature of the works proposed, approvals may also be required from other public agencies and public and private utilities, including, but not limited, to the Nova Scotia Department of Transportation and Public Works, the Nova Scotia Department of Natural Resources, Fisheries and Oceans Canada, the Canadian Coast Guard (Navigable Waters Protection Act section), Nova Scotia Power Inc., Aliant Telecom

and other municipal units. The obtention of these approvals is the responsibility of the subdivision applicant. No construction will take place unless all necessary approvals have been received.

7.3 Acceptable Drainage Structures

The type and placement of culverts, conduits and drainage ditches will be clearly shown on all engineering drawings. Acceptable culvert and conduit materials include concrete Class III pipe to CAN/CSA-A257 Series-M92, PVC and HDPE pipe, complete with smooth interior surface and ribbed exterior, to CAN/CSA-B137 Series-02, and corrosion-resistant corrugated metal pipe, to CAN/CSA-G401-01, where same will be placed in soil conditions that will not promote accelerated corrosion. Other culvert and conduit structures are acceptable pending Municipal Engineer's approval of their appropriate structural and hydraulic characteristics, and their life-cycle economic maintenance.

7.4 Structural Design

All culvert and conduit structures will be of sufficient design and strength to resist soil, hydraulic, earthquake, temperature, traffic and other environmental loads reasonably anticipated to be imposed upon them.

Structural design calculations and drawings will be submitted for the Municipal Engineer's approval for all drainage structures spanning in excess of 1.5 m (4.92') at their greatest cross-sectional extent (i.e. distance between supports or maximum distance between structure sidewalls). Such calculations and drawings will be prepared by a professional engineer, licensed in the Province of Nova Scotia, and competent in the field of structural engineering. A geotechnical report regarding the soil conditions in the location of the proposed drainage structure(s) will be submitted upon request of the Municipal Engineer. Such geotechnical report will be prepared by a professional engineer, licensed in the Province of Nova Scotia, and competent in the field of geotechnical engineering.

Drainage structures with a span greater than 2.5 m (8.20') and subject to traffic or pedestrian loading will be designed and constructed in accordance with the Canadian Highway Bridge Design Code, CAN/CSA – S6-00. Such design and construction inspection and supervision, will be prepared by and directed through a professional engineer, licensed in the Province of Nova Scotia, and competent in the field of structural engineering.

7.5 Hydrology and Hydraulic Design

Hydraulic calculations can be based on the Rational Method, where the contributing drainage area for the designed drainage system is estimated to be 40 hectares or less (98.84 acres), or storm water detention is not required. Otherwise, flow calculations must be developed from storm water management modeling using TR-55 hydrologic methods, or another equivalent method recognized in civil engineering practice.

Hydraulic calculations and designs will include complete topographical information regarding structure inverts, crowns, head water and tail water elevations and, where applicable, backwater elevations, throughout the proposed system.

All drainage culverts, conduits and other structures will be constructed with headwalls and tail walls of approved design, and of stable and durable material, including stone, concrete, pressure-treated wood cribbing, and pre-manufactured plastic and metal assemblies. Where appropriate, security screening at culvert openings may be specified at the sole discretion the Municipal Engineer.

All culverts and drainage structures with a span greater than 1.5 m (4.92') will include bevelled edge entries, smooth inlet transition and smooth interior surface throughout the flow length.

Hydraulic calculations and designs will be prepared by, and the construction inspection of structures directed through, a professional engineer, licensed in the Province of Nova Scotia, and competent in the field of civil engineering.

Hydraulic calculations will be submitted for review and approval by the Municipal Engineer.

7.6 Watercourse Alterations, Detention Pond Design and Storm Water Disposal

All necessary watercourse alteration permits and approvals required from the Nova Scotia Department of the Environment and Labour, and all other relevant agencies and departments, will be obtained prior to construction and presented to the Municipal Engineer.

All detention pond designs will clearly state the pond dimensions, the volume of water retained during the specified return storm period, the minimum freeboard available at the specified return storm period, the location of the outfall, the anticipated flow and impact on the receiving watercourse and the security features of the structure to prevent unauthorized access.

All storm water drainage systems will drain to a public watercourse with flow and water quality in compliance with the approval issued by the Nova Scotia Department of Environment and Labour.

No storm water drainage system will be acceptable to the Municipal Engineer where, in his or her sole opinion the disposal location of collected storm water negatively impacts the receiving environment or can create property damage.

7.7 Construction Methods

Installation of culverts, conduits and ditches, and related appurtenances will be at a minimum as per the Standard Specifications for Municipal Services. Other requirements shall be as determined at the sole discretion of the Municipal Engineer.

8.0 ROAD SIGNAGE

All road signage, signals and markings will be in accordance with the Uniform Traffic Control Devices for Canada manual and the Nova Scotia Traffic Signs Regulations. All road signage will be placed in the right-of-way, subject to approval by the Municipal Engineer. No signage will be placed in the municipal right-of-way without the prior approval of the Municipal Engineer.

8.1 Stop Signs

Stop signs will be placed within 5m (16') of all intersections, at the minor leg approaches.

Intersections with equal traffic for all approaches may be designated as a four way stop, subject to approval by the Municipal Engineer.

8.2 Traffic Signals

If traffic volumes indicate electrified traffic signals are necessary, a traffic signal warrant will be submitted for approval by the Municipal Engineer.

8.3 Road Names

All municipal public road names will be approved by Municipal Council prior to final approval being given by the Development Officer.

8.4 Road Name Signage

Road name signage will be placed for each road intersection.

8.5 Other Road Signage

Other directional, speed rating and cautionary signage will be placed in the right-of-way, as warranted, in the sole discretion of the Municipal Engineer. Information or advertising signage will be placed in the right-of-way only with the approval of the Municipal Engineer, and only to such specifications, and terms and conditions, as directed.

8.6 Signage Material

8.6.1 Signs

Signs will be made of plate or extruded anodized aluminum, with high-intensity grade reflective vinyl markings. Signage will be securely fixed to posts.

Street name signs will generally consist of all the letters of the primary street name, with the letters made from 100mm (4") black vinyl marking stock, applied to extruded aluminum plate covered with white, high-intensity grade reflective vinyl material. All letters will be capitalized.

Other highway signage will generally be made from highway sign grade aluminum plate with high-intensity vinyl reflective markings. Minimum size of sign will conform to the Uniform Traffic Control Devices for Canada manual, and the Nova Scotia Traffic Signs Regulations.

8.6.2 Posts

Generally, roadside marking posts will be of galvanized, perforated steel, of nominal 51 mm X 51 mm members; including galvanized steel post anchors and sleeves. Posts will be placed a minimum of 600 mm (23.6") in firm ground and in all cases will be designed and constructed to securely hold all signs and signals upright, and resist loading due to wind, snow, temperature and other environmental factors. All sign anchors and fasteners will be of galvanized steel or anodized aluminum.

There will be special structural requirements for sign assemblies that have an exposed sign area of greater than 0.675 m² (7.27 ft²), with approval of the assembly design and construction subject to approval by the Municipal Engineer.

The By-law Respecting the Subdivision of Land in the Municipality of the District of Lunenburg, approved by the Minister of Municipal Affairs and effective on the 8th day of October, 1993 and amendments thereto, is hereby repealed and this by-law substituted therefor.

Douglas E. Quinn, Chief Administrative Officer

I, Douglas E. Quinn, Chief Administrative Officer of the Municipality of the District of Lunenburg, do hereby certify that the foregoing is a true copy of of the Municipality of the District of Lunenburg's Subdivision By-law which was duly passed by Council of the Municipality of the District of Lunenburg at a meeting duly held on the 4th day of Mayr, A.D., 1999.

DATED at Bridgewater, Nova Scotia, this ---th day of May A.D., 1999.

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Douglas E. Quinn, C.A.O.