



TOWN OF WINDSOR SUBDIVISION BY-LAW

Approved by Council on January 24, 2012
Effective Date – March 21, 2012
Future Streets Map Amended – March 13, 2014

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PART 1: TITLE

1. This By-law may be cited as the Town of Windsor Subdivision By-law and shall apply to the subdivision of all land within the Town of Windsor, hereinafter referred to as the "Town".

PART 2: INTERPRETATION

2. In this By-law, the word "shall" is mandatory and not permissive. Words used in the present tense shall include the future. Words used in the singular shall include the plural except where otherwise indicated, and words used in the plural number shall include the singular. Words used in the masculine gender shall include the feminine gender. All other words shall carry their customary meaning except those defined hereinafter.

PART 3: DEFINITIONS

3. (a) **Act** means the *Municipal Government Act*, Chapter 18 of the Acts of 1998, and amendments thereto.
- (b) **Agreement** means a contract between the subdivider and the Town which describes the responsibilities of each party with respect to the subdivision and servicing of land.
- (c) **Area of land** means any existing lot or parcel as described by its boundaries.
- (d) **Capital costs** means the cost of the oversized (e.g., trunk or transmission lines, collector roads) infrastructure systems needed to service the charge area. Capital costs may include necessary infrastructure external to the charge area. Cost estimates may be used. Costs may include design, construction, materials and cost escalators, interest during construction, financial costs, legal surveying, administration and land costs.
- (e) **Central sanitary sewer system** (central sewer) means an assembly of pipes, conduits and appurtenances (including manholes and lift stations) owned by the Town of Windsor which carries sanitary sewer to a treatment plant.
- (f) **Central water distribution system** (central water) means an assembly of pipes, conduits and appurtenances which is designed to carry and distributes potable water for consumption and fire protection owned by the Town of Windsor.
- (g) **Charge area** means an area in which infrastructure charges are to be levied which has been designated by this by-law.
- (h) **Council** means the Council of the Town of Windsor.
- (i) **Department of Environment** means the Nova Scotia Department of Environment.
- (j) **Department of Transportation** means the Nova Scotia Department of Transportation and Infrastructure Renewal.
- (k) **Development Officer** means that person appointed by Council pursuant to the Municipal Government Act and having the power and duty to administer this By-law.
- (l) **Drainage plan** means a detailed plan of storm water runoff and the courses and channels of it, including floodplains, for one or more parts of an area of drainage for all lands tributary to, or carrying drainage from, land that is proposed to be subdivided.
- (m) **Engineer** means the engineer of the Town and includes a person acting under the supervision and direction of the engineer.
- (n) **Equivalent value** means cash or facilities, services or other value in kind related to parks, playgrounds, and similar public purposes or any combination thereof, determined by the Town to be equal to the value, as determined by an assessor, of the land required to be transferred to the Town for parkland purposes.
- (o) **Frontage** means the lot frontage and shall be measured the same as required in the *Land Use By-law*.
- (p) **Infrastructure charge** means a charge levied on a subdivider as a condition of subdivision approval within a charge area for the purpose of recovering capital costs associated with new or expanded infrastructure related to central water, wastewater and storm water systems, streets

and intersections, traffic signs, signals and bus bays required to service the charge area, along with any costs associated with land acquisition, surveying, studies and legal services.

- (q) **Land Use By-law** means the *Town of Windsor Land Use By-law*.
- (r) **Lot** means any parcel to be created by the filing of a plan of subdivision.
- (s) **Municipal Planning Strategy** means the *Town of Windsor Municipal Planning Strategy*.
- (t) **Municipal Specifications** means the *Town of Windsor Municipal Services Standards and Specifications* and the current issue of the Nova Scotia Road Builders Association, Consulting Engineers of Nova Scotia Joint Committee on Contract Documents' *Standard Specifications for Municipal Services*.
- (u) **Professional Engineer** means a registered member, in good standing, of the Association of Professional Engineers of Nova Scotia who holds appropriate professional liability insurance.
- (v) **Proposed lot** means any lot being proposed to be created by a plan, including a remainder lot.
- (w) **Province** means Her Majesty the Queen in right of the Province of Nova Scotia.
- (x) **Public street** includes any street or road owned and maintained by the Town or the Province; and
 - (i) **town public street** means any street or road owned and maintained by the Town; and
 - (ii) **provincial public street** means any street or road owned and maintained by the Department of Transportation excluding designated controlled access highways pursuant to Section 21 of the *Public Highways Act*.
- (y) **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.
- (z) **Registry of Deeds** means the office of the Registrar of Deeds for the County of Hants.
- (aa) **Sanitary sewer** means a pipe or conduit receiving and carrying liquid and water-carried wastes and to which storm, surface or ground waters are not intentionally admitted.
- (bb) **Storm water system** means the courses and channels, including floodplains, which receive, carry and regulate flows in response to rain and snow including overland flows, sub-surface flows, groundwater flows and snow melt.
- (cc) **Subdivider** means the owner of the area of land proposed to be subdivided and includes anyone acting with the owner's written consent.
- (dd) **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.
- (ee) **Surveyor** means a registered member, in good standing, of the Association of Nova Scotia Land Surveyors.
- (ff) **Town** means the Town of Windsor.

PART 4: GENERAL PROVISIONS

A - Procedure

- | | | |
|--------------------|-----------|--|
| Application form | 4. | Application for approval of a plan a subdivision shall be made to the Development Officer in the form specified in Schedule "A" of this By-law. |
| Comply with Act | 5. | The Development Officer shall comply with the notification and approval provisions of the Act. |
| Review by agencies | 6. | The Development Officer shall forward a copy of the preliminary, tentative or final plan of subdivision to: <ul style="list-style-type: none"> (a) in areas served by a central sewer, the authority having |

- jurisdiction for central sewers;
- (b) in areas not served by a central sewer, the Department of Environment to determine compliance with the *On-site Sewage Disposal Systems Regulations*, except where the proposed lot
 - (i) is greater than 9,000 square metres (96,878.36 square feet), has a width of 76 metres (249.34 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
 - (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 subsection (i).
 - (c) any authority having jurisdiction for public streets within 500 metres (1,640.42 feet) of the limits of the proposed lots; and
 - (d) any other agency of the Province or the Town which the Development Officer deems necessary.
- 7.** The Development Officer shall forward a copy of the concept plan and any supplementary information to appropriate agencies in order to evaluate the concept plan in terms of:
- (a) the design's consideration of topography, natural features, and other site constraints and restrictions;
 - (b) the street layout, pedestrian routes, phasing sequence, and connections with existing and proposed transportation links on a local and regional scale;
 - (c) the feasibility of servicing with applicable services, and the effect of the development on existing municipal services and the provision of future municipal services where applicable;
 - (d) the new or expanded infrastructure which may be required by the subdivision;
 - (e) public open space; and
 - (f) any proposed community and commercial uses.
- Vacant lots not intended for development **8.** A plan of subdivision that shows a proposed lot referred to in Subsection 40(d) shall be forwarded to the Department of Environment for confirmation that the Department is in agreement that the proposed lot does not require an on-site sewage disposal system.
- Report by agencies **9.** Any agency to whom a copy of a plan of subdivision has been forwarded pursuant to Sections 6, 7 or 8 shall forward a written report of their assessments or recommendations to the Development Officer.
- Plan not to be refused based on agencies' report **10.** Approval of a plan of subdivision may not be refused or withheld as a result of the assessment or recommendations made by the Department of Environment, the Department of Transportation or of any other agency of the Province or the Town unless the final plan of subdivision is clearly contrary to a law of the Province or regulation made pursuant to a law of the Province, including any applicable requirements contained in a land use by-law of the Town.
- Fees **11.** (a) The subdivider shall pay:
 - (i) the fees contained in the *Costs and Fees Act* and its regulations for filing the approved final plan of subdivision,

- certifying a copy of the plan, and registering a notice of approval of the plan; and
- (ii) for review and approval of a tentative plan of subdivision, a processing fee of \$25.00; and
 - (iii) for review and approval of a final plan of subdivision, a processing fee of \$75.00 plus \$4.00 for each lot for which approval is being requested; and
 - (iv) where a final plan of subdivision shows proposed public streets, an additional processing fee of \$200.00.
- (b) The fees referred to in Clause (a)(i) shall be paid at the time of application for approval of the plan of subdivision by cheque or money order made payable to the "Registry of Deeds".
 - (c) The fees referred to in Clauses (a)(ii) and (iii) shall be paid at the time of application for approval of the plan of subdivision by cheque or money order made payable to the "Town of Windsor".
 - (d) The fee referred to in Clause (a)(iv) is a one-time fee which shall be paid prior to acceptance of the public street by the Town, by cheque or money order made payable to the "Town of Windsor".
 - (e) Where the Development Officer refuses to approve a final plan of subdivision, the Development Officer shall return the fees referred to in Clause (a)(i) to the subdivider.
- 12.** Copy of approved plan to subdivider and surveyor
- (a) The Development Officer shall forward a copy of the approved tentative or final plan of subdivision to the subdivider and the surveyor.
 - (b) The Development Officer shall forward a copy of the approved concept plan to the subdivider.
- 13.** Subdivision that adds or consolidates
- Before approving a final plan of subdivision that adds or consolidates parcels or areas of land in different ownerships, the Development Officer shall be provided with:
- (a) the executed deeds suitable for registering to effect the addition or consolidation;
 - (b) the fees for registering the deeds;
 - (c) the affidavit of value including particulars of any exemption, if any, pursuant to Part V of the Act;
 - (d) where applicable, the deed transfer tax; and
 - (e) all completed forms required under the *Land Registration Act* to record documents at the Registry of Deeds.
- 14.** Notice of refusal to agencies
- Where the Development Officer refuses to approve a concept, tentative or final plan of subdivision, the Development Officer shall give notice of the refusal to all agencies to whom a plan was forwarded pursuant to Sections 6, 7 or 8.
- 15.** Notice of refusal to subdivider
- Where the Development Officer refuses to approve a concept, tentative or final plan of subdivision, the Development Officer shall inform the subdivider of the reasons for the refusal in writing and advise the subdivider of the appeal provisions of Section 284 of the *Act*.
- 16.** Section 287(3) approval
- A final plan of subdivision showing lots to be approved under circumstances described in Subsection 287(3) of the *Act* shall, by special

note on the plan:

- (a) identify such lots;
- (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.

B - Lot Requirements

- | | | |
|---------------------------------|------------|---|
| Lots shall abut public street | 17. | All lots to be approved on a plan of subdivision shall abut a public street. |
| Land Use By-law | 18. | All lots for which approval is requested and the remainder lot, if any, for which no approval is requested, shall meet the applicable requirements contained in the <i>Land Use By-law</i> . |
| | 19. | Sections 20, 21, 22 and 23, do not apply unless the <i>Land Use By-law</i> permits development on any lot created pursuant to these sections and the <i>Municipal Planning Strategy</i> provides for both the subdivision and development of such lots. |
| Section 279 variance | 20. | <ul style="list-style-type: none"> (a) Notwithstanding the lot area and frontage requirements of Section 18, the Development Officer may approve a maximum of two lots, shown on a plan of subdivision, in accordance with Section 279 of the <i>Act</i>, provided all other requirements of this By-law are met. (b) Subsection (a) does not apply if the area requirements established by the Department of the Environment for the construction or installation of an on-site sewage disposal system are not met. |
| Subdivision altering boundaries | 21. | <ul style="list-style-type: none"> (a) Notwithstanding Section 17 and the lot area and frontage requirements of Section 18, the Development Officer may approve a subdivision altering the boundaries of two or more areas of land where: <ul style="list-style-type: none"> (i) no additional lots are created; and (ii) each resulting lot <ul style="list-style-type: none"> (1) meets the minimum dimensions for lot frontage of the <i>Land Use By-law</i>; or (2) has not had its frontage, if any, reduced; and (iii) each resulting lot <ul style="list-style-type: none"> (1) meets the minimum requirement for lot area of the <i>Land Use By-law</i>; or (2) has not had its area reduced. (b) Where the proposed lot is not surveyed, the final plan of subdivision prepared pursuant to Subsection (a) shall: <ul style="list-style-type: none"> (i) be certified and stamped by a Nova Scotia Land Surveyor that the boundaries of the parcel or area of land proposed to be added to the existing area of land have been surveyed and shown as a heavy solid line, except the common boundary between the existing areas of land, which is surveyed and certified as being the common boundary and shown as a heavy broken line; and (ii) notwithstanding Clause 56(a)(ii), other than the new boundaries which have been surveyed pursuant to Clause |

(b)(i), show the remaining boundaries of the resulting lot for which approval is requested described graphically as a lighter solid line; and

(iii) have the following notation, completed and signed by the surveyor, affixed to the plan adjacent to the certification required by the *Land Surveyors Act* and the regulations made thereunder:

“NOTE: The only boundaries shown on this plan which have been surveyed are the boundaries of _____. The common boundary between the existing areas of land 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 Lot _____ 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.”

Encroachments **22.** (a) Notwithstanding the lot area and frontage requirements of Section 18, 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 area of land, the Development Officer may approve a plan of subdivision to the extent necessary and practical to remove the encroachment.

(b) Where a lot created pursuant to Subsection (a) is not surveyed, the provisions of Subsection 21(b) shall apply.

Main buildings on lot before Nov. 7, 1974 **23.** (a) For purposes of Subsection (b), “main building” is a building which is not an accessory building to another building on the area of land.

(b) Notwithstanding the lot area and frontage requirements of Section 18, where an area of land contains more than one main building built or placed on the land prior to November 7, 1974, 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:

(i) each proposed lot has minimum lot frontage of 6 metres (19.68 feet), and

(ii) each proposed lot:
 (a) is served by a central sewage system and meets the lot area requirements of Section 18, or
 (b) meets the requirements of the Department of Environment for the installation of an on-site sewage disposal system, and

(iii) the remainder lot, if any, meets the lot area and lot frontage requirements of Section 18.

Minimum lot width and depth **24.** Lots shall not be subdivided to create a width or depth of less than 6 metres (19.68 feet).

Rear lot lines **25.** Wherever possible, the rear lot lines of a series of adjoining lots shall be continuous, not stepped or jogged.

Side lot lines to be at right angles

26. Wherever possible, side lot lines shall be substantially at right angles to a public street, or radial to a curved public street.

PART 5: PUBLIC STREETS

A - General

Maximum four approaches

27. There shall be not more than four public street approaches in an intersection.

Connection to streets in adjoining subdivisions

28. (a) Where an area of land being subdivided abuts an existing or approved subdivision, the street layout in the proposed subdivision must be designed to connect to all existing or approved stub streets, dead end streets and road reserves that abut the boundary of the land being subdivided, except where deemed not feasible by the Development Officer.

Connection to adjoining undeveloped land

(b) Where an area of land being subdivided abuts a vacant parcel, undeveloped remainder parcel or a parcel with a high likelihood for future infill development, redevelopment or intensification, the street layout in the proposed subdivision must provide for adequate future street and pedestrian connections to adjacent undeveloped or underdeveloped lands.

Future Streets Map (Map 1)

(c) Where an area of land being subdivided includes or abuts land that contains a Required Street Connection as identified on the Future Streets Map (**Map 1**), the general layout of new streets in the proposed subdivision shall conform to the Future Streets Map. The location of such new streets is not required to be an exact match of the Future Streets Map, but must allow for, in the opinion of the Development Officer, the future continuation and completion of any Required Street Connection.

Shown on a plan

Design

Construction

Approval by engineer

29. (a) All proposed Town public streets shall be:

(i) shown on a final plan of subdivision;

(ii) designed in accordance with the Municipal Specifications and the requirements of this section;

(iii) constructed and paved in accordance with the Municipal Specifications prior to approval of the final plan of subdivision by the Development Officer; and

(iv) approved by the Engineer prior to approval of the final plan of subdivision by the Development Officer.

Approval of intersection by DOT

(b) Where a proposed Town public street intersects a provincial public street, that intersection shall be approved by the Department of Transportation.

Lot access to be approved

(c) A proposed lot which abuts a public street shall have any access approved by the authority having jurisdiction for the public street which will be accessed, based on adequate stopping sight distance, as determined by the authority having jurisdiction.

Existing street

(d) Where a plan of subdivision shows a proposed lot abutting an existing public street, the authority having jurisdiction shall verify that the street is a public street.

(e) A right-of-way access to adjacent property must be provided and

Right-of-way to adjacent property		conveyed to the Town. Where practical, these accesses shall be no greater than 400 metres (1,312.34 feet) apart, except where this requirement would prejudice the proper subdivision of the land proposed to be subdivided or the adjacent land.
Pedestrian walkway	(f)	Where continuous street frontage exceeds 300 metres (984.25 feet), a pedestrian walkway in accordance with the Municipal Specifications shall be provided through and near the centre of the block to give access to adjacent streets.
Engineer's certificate of compliance	30.	Prior to approval of the final plan of subdivision by the Development Officer, the subdivider shall provide a certificate from a professional engineer which certifies that the public street has been constructed in compliance with the design and construction requirements of Section 29.
Testing	31.	The subdivider shall be responsible for the following: <ul style="list-style-type: none"> (a) arranging for complete testing of the installation of a street at various stages as required by the Municipal Specifications; and (b) giving reasonable notice to the Engineer of the proposed test date, site, and time; and (c) allowing the Engineer to inspect the installation at any stage or to verify or confirm any required test.
Alternative to complete construction	32.	As an alternative to the complete construction and acceptance of a Town public street as required by Sections 29, 30, 31 and 39, the subdivider may, before approval of the final plan is given, enter into a written agreement with the Town in accordance with Part 7, and post a performance surety in accordance with Part 8.

PART 6: WATER AND SEWER SYSTEMS

Central sanitary sewer and water systems	33.	(a) Where a proposed subdivision is in an area or immediately adjacent to an area serviced by a municipal sewer and water, and where a new public street is proposed, the subdivider shall, prior to approval of the final plan of subdivision by the Development Officer: <ul style="list-style-type: none"> (i) construct a sanitary sewer system including collectors and laterals to the boundary of the proposed lots and connect to the existing central sanitary sewer system; (ii) construct a water system including mains and laterals to the boundary of the proposed lots and connect to the central water system; and (iii) all sanitary sewer systems and water systems required by Clauses (a)(i) and (ii) shall be designed by a professional engineer and shall comply with the Municipal Specifications.
Storm drainage	(b)	The subdivider shall install a storm water system in conformance with a drainage plan, properly designed by a professional engineer, to remove any surface drainage that may enter the area being subdivided or be generated within the proposed subdivision, and to adequately dispose of the waters so as not to negatively affect any downstream properties. All drainage plans and storm drainage systems shall comply with the Municipal Specifications.
	(c)	The specifications referred to in Clause (a)(iii) and Subsection (b)

Accepted engineering practice

herein may be waived or varied by the Engineer in accordance with accepted engineering practice.

Engineer's certificate of compliance

34. Prior to approval of the final plan of subdivision by the Development Officer, the subdivider shall provide a certificate to the Development Officer from a professional engineer which certifies that the developer has complied with the design and construction requirements of Clause 33(a)(iii) and Subsections (b) and (c).

Testing of services

35. The subdivider shall be responsible for the following:

- (a) arranging for complete testing of the installation of the water, sewer, and storm drainage systems at various stages as required by the Municipal Specifications; and
- (b) giving reasonable notice to the Engineer of the proposed test date, site, and time; and
- (c) allowing the Engineer to inspect the installation at any stage or to verify or confirm any required test.

Alternative to complete construction

36. As an alternative to the complete construction and acceptance requirements for water, sewer and storm drainage systems, as contained in Sections 33, 34, 35 and 39, the subdivider may, before endorsement of approval of the final plan is given, enter into a written agreement with the Town as provided for in Part 7, and post a performance surety as provided for in Part 8.

PART 7: SERVICING AGREEMENT

Contents of agreement

37. Where an agreement is entered into between the subdivider and the Town pursuant to Sections 32 or 36, the agreement shall contain provisions satisfactory to the Town with respect to any or all of the following:

- (a) the time within which any construction of streets and services shall be commenced and completed;
- (b) the phasing of any construction of streets and services;
- (c) the acceptance of any streets and services by the Town;
- (d) the provision and acceptance of easements and rights-of-way; and
- (e) any other matter related to the requirements of this By-law and Municipal Planning Strategy and Land Use By-law relative to the subdivision and servicing of land.

PART 8: PERFORMANCE SURETY

125% of cost to complete

38. Where a subdivider proposes to complete construction of any streets, sewer, or water services after receiving approval of any final plan of subdivision, the following shall be required:

Cost estimate

- (a) the subdivider shall post a performance surety, satisfactory to the Town, in the amount of one hundred twenty-five percent (125%) of the estimated cost to complete the streets and services;
- (b) the subdivider shall submit to the Development Officer for approval an estimate of costs to complete the construction of the streets and services and the Development Officer may revise the estimate if it is, in the opinion of the Engineer, inadequate, and the

decision of the Engineer shall be final. Such estimates shall include all construction related costs including but not limited to professional engineering contract management and site supervision and inspection of all construction and work;

Surety posted before plan approval

(c) the performance surety shall be posted before approval of any final plan of subdivision is given by the Development Officer;

Form of surety

(d) the performance surety shall be in favour of the Town and may be in the form of cash, certified cheque or letter of credit, or bond issued by a bank, surety, or guarantee company licensed by the Province of Nova Scotia and conditional on the execution and completion of the agreement in accordance with terms of the agreement and the requirements of this By-law and shall not be subject to cancellation, termination, or expiration during the period of time for completion of the work;

Cash held without interest

(e) where the performance surety is paid in cash or by certified cheque, the cheque will be cashed and all monies paid in cash will be held by the Town and returned without interest to the subdivider upon completion of the work;

Portion of surety may be returned less holdback for deficiencies

(f) where the Engineer determines that the work is substantially complete, the Town may, in its sole discretion, return a portion of the performance surety, less any amount held back for deficiencies, prior to complete construction and acceptance by the Town; and

Forfeit of surety

(g) where construction of the proposed streets and services does not commence within twelve (12) months of the date of approval of the final plan of subdivision and according to the approved time schedule, the subdivider shall forfeit the performance surety.

PART 9: ACCEPTANCE REQUIREMENTS

Prior to acceptance

39. Within thirty (30) days following completion of any public streets and services and prior to acceptance by the Town of any streets and services, the subdivider shall:

Maintenance bond

(a) post a maintenance bond, satisfactory to the Town, in the amount of ten percent (10%) of the actual cost of construction of the streets and services. The maintenance bond shall be in favour of the Town and may be in the form of cash, certified cheque, irrevocable letter of credit, or bond issued by a bank, surety, or guarantee company licensed by the Province of Nova Scotia. The bond shall be for a period of twelve (12) months and shall state that it is a guarantee against deficiencies in the construction and installation of streets and services. Where the maintenance bond is paid in cash or by certified cheque, the cheque will be cashed and all monies paid in cash will be held by the Town and returned without interest to the subdivider;

Record drawings for services

(b) provide the reproducible record drawings of engineering design showing all the actual constructed systems including sanitary sewers, water systems, and storm drainage;

As built drawings for

(c) provide “as built” digital and reproducible engineering design drawings for the street including plan and profile of streets drawn

street		to the required scale and certified by a professional engineer;
Manuals and test results	(d)	provide the results of all test reports, and all operating and procedural manuals for each public water or public sewer system, demonstrating that the required streets and systems have been constructed and are operating according to the standards set out in this By-law and the Municipal Specifications;
Plan of streets, drainage ROW, road reserves, easements	(e)	provide four (4) copies of the final plan of subdivision showing the Town public streets and all drainage rights-of-way outlined in red, road reserves outlined in yellow, and easements outlined in green;
Conveyance	(f)	provide deeds, easements, or bills of sale to the Town, free of encumbrances, for streets, rights-of-way, easements, and services. All conveyances of real property and easements shall be by warranty deed or warranty easement, conveyances of services shall be by warranty bill of sale, and the subdivider shall provide to the Town from his or her legal counsel a solicitor's certificate of title certifying that all property conveyed is free from all encumbrances. In the event that the conveyance is not free from encumbrances, an unqualified undertaking from the subdivider's solicitor to release the encumbrances may be accepted by the Town;
Registration costs	(g)	pay all document registration and other costs associated with the requirements of this section; and
Completed Forms	(e)	provide all completed forms required under the <i>Land Registration Act</i> to record documents at the Registry of Deeds.

PART 10: PRELIMINARY PLANS OF SUBDIVISION (Optional)

A - Requirements

Ten copies of plan	40.	(a)	<p>A person proposing to subdivide an area of land may submit to the Development Officer an application in the form specified in Schedule "A", together with ten (10) copies of the preliminary plan of subdivision drawn to scale showing:</p> <ul style="list-style-type: none"> (i) the name of the owner of the area of land being subdivided; (ii) 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 for this Municipality; (iii) the names of all owners of all properties abutting the area of land being subdivided; (iv) the unique parcel identifier (PID) of all areas of land being subdivided; (v) the civic number of main buildings on the area of land being subdivided; (vi) a location plan showing the approximate distance between the area of land being subdivided and the nearest prominent landmark; (vii) the shape, dimensions, and area of the proposed lots;
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- (viii) each proposed lot identified by a number except in cases where a parcel is being added to or subtracted from an existing area of land, in which case the parcel shall be identified by a letter and the new lot identified by the existing area of land identifier, where available, and the letter;
- (ix) no duplication of lot identifiers;
- (x) the approximate location of railways and railway rights-of-way;
- (xi) the location of existing and proposed public streets;
- (xii) the name of existing and proposed public streets (and the public street number), as issued pursuant to the civic addressing system;
- (xiii) the graphic representation 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;
- (xi) the location of existing buildings within 10 metres (32.81 feet) of a property line;
- (xii) the general location of watercourses and wetlands;
- (xiii) the north point;
- (xiv) the scale; and
- (xv) any other information which the Development Officer deems necessary to determine whether the preliminary plan conforms to this By-law.

DOE
requirements

- (b) Where the preliminary plan of subdivision is to be forwarded to the Department of Environment, the following additional information, if required by the Department of Environment, shall be part of, or included with, the preliminary plan:
 - (i) the lot layout including any existing and proposed building, on-site sewage disposal system, driveway, and water well;
 - (ii) the location of any watercourse, wetland, marine 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;
 - (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 9,000 square metres (96,878.36 square feet) in area with a width of 76 metres (249.34 feet) or more, the lot layout including buildings, driveway, on-site sewage disposal system and well shall be provided.
- (d) For a proposed lot 9,000 square metres (96,878.36 square feet) or less in area or with a width of less than 76 metres (249.34 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 form must be completed.

B - Procedure

- | | | |
|---------------------|------------|---|
| Processing | 41. | The procedure for processing preliminary plans of subdivision is contained in PART 4: General Provisions. |
| Report to applicant | 42. | Upon receipt of all written reports from the review agencies to whom plans were forwarded pursuant to Sections 6 or 8, the Development Officer shall inform the applicant in writing of the results of the evaluation of the preliminary plan of subdivision. |

PART 11: CONCEPT PLANS

A - Requirements

- | | | |
|--------------------|------------|--|
| Ten copies of plan | 43. | Where an area of land is being subdivided in phases or will contain new public streets, a person shall submit to the Development Officer for approval an application in the form specified in Schedule "A", together with ten (10) copies of a concept plan of the entire area of land. |
| Contents | 44. | <p>Concept plans shall be at a scale sufficient for clarity of all particulars of the plan and shall show the following:</p> <ul style="list-style-type: none"> (a) the words "Concept Plan" located in the title block, along with an estimated lot yield figure, based on the requirements of the <i>Land Use By-law</i> and the Department of the Environment, as applicable; (b) name of the property owner(s) and names of all abutting land owners; (c) the unique parcel identifier (PID) for all areas of land being subdivided; (d) the proposed internal street system with connections to existing streets; (e) the location of all watercourses and wetlands within and adjacent to the area of land, any prominent rock formation, wooded area, area subject to flooding and any other prominent natural feature which might affect the provision or layout of central sanitary sewer systems, storm water systems, central water distribution systems, or public streets; (f) the proposed location of public open space; (g) the location of existing development, if any; (h) the location of any Town service boundary; |

- (i) the north point;
 - (j) contours at 5 metre (16.40 foot) intervals; and
 - (k) any other information the Development Officer deems necessary to determine if the subdivision meets with Town standards and accepted engineering practice as determined by the Engineer.
- Traffic study **45.** The concept plan shall be accompanied by a traffic impact analysis, prepared by a professional engineer, the level of detail of which shall be relative to the scope of the development.
- Approval lapses within 2 years **46.** Approval of a concept plan lapses if a complete application for tentative or final subdivision plan approval is not received within two (2) years of the date of approval of the concept plan.
- Approval for concept prior to tentative or final **47.** Where a concept plan is required under this By-law:
- (a) no tentative or final plan of subdivision shall be considered for approval unless the Development Officer has granted approval of the concept plan; and
 - (b) no tentative or final plan of subdivision shall be approved that is inconsistent with the approved concept plan.
- Tentative or final to be consistent with concept

B - Procedure

- Processing **48.** The procedure for processing concept plans of subdivision is contained in PART 4: General Provisions.
- Stamps **49.** 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. Such approval lapses if a tentative or final subdivision plan is not submitted for approval within two years of the date of approval of the concept plan."
 - (b) the date of the approval of the concept plan; and
 - (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 approved by the Development Officer and filed in the Registry of Deeds."

PART 12: TENTATIVE PLANS OF SUBDIVISION

A - Requirements

- Ten copies of plan **50.** Where an area of land is being subdivided in phases or will contain new public streets, a person shall submit to the Development Officer for approval an application in the form specified in Schedule "A", together with ten (10) copies of the tentative plan of the proposed subdivision meeting the requirements of Section 51 of this By-law.
- Contents **51.** (a) Tentative plans of subdivision submitted to the Development Officer shall be:
- (i) drawn to a scale or scales sufficient for clarity of all particulars on the tentative plan of subdivision;
 - (ii) based on a deed description of the area of land to be subdivided, preferably but not necessarily as surveyed; and
 - (iii) folded to approximately 20 x 30 centimetres (8 x 12 inches) 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.

- (b) Tentative plans of subdivision shall show the following:
- (i) the words "PLAN OF SUBDIVISION" located in the title block;
 - (ii) the words "TENTATIVE PLAN" located above the title block;
 - (iii) a clear space for stamping being a minimum of 225 square centimetres (36 square inches) with a minimum width of 8 centimetres (3 inches);
 - (iv) the name of the subdivision, if any, and the name of the owner of the area of land;
 - (v) 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 for this Town;
 - (vi) the unique parcel identifier (PID) of all areas of land being subdivided;
 - (vii) the civic number of main buildings on the area of land being subdivided;
 - (viii) the names of all owners or the identifiers of all properties abutting the proposed subdivision;
 - (ix) 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;
 - (x) the shape, dimensions, and area of the proposed lots;
 - (xi) each proposed lot identified by a number, except in cases where a parcel is being added to or subtracted from an existing area of land, in which case the parcel shall be identified by a letter and the new lot identified by the existing area of land identifier, where applicable, and the letter;
 - (xii) no duplication of lot identifiers;
 - (xiii) 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;
 - (xiv) the location of existing buildings within 10 metres (32.81 feet) of a property boundary;
 - (xv) the location of existing and proposed public streets;
 - (xvi) the name of existing and proposed public streets (and the public street number), as issued pursuant to the civic addressing system;
 - (xvii) the width and location of railroads and railway rights-of-way;
 - (xviii) the general location of watercourses, wetlands, or

- prominent rock formations;
- (xix) the width, location, and nature of any easements on or affecting the area of land proposed to be subdivided;
- (xx) where applicable, a notation stating the lots are serviced by a municipal sewer and/or water system;
- (xxi) the north point;
- (xxii) the scale to which the plan of subdivision is drawn;
- (xxiii) the date on which the plan of subdivision was drawn and the date of any revisions; and
- (xxiv) any other information which the Development Officer deems necessary to determine whether or not the plan of subdivision conforms to this By-law.

DOE requirements

- (c) Where the tentative plan of subdivision is to be forwarded to the Department of Environment, the plan shall meet the requirements of Subsections 40(b), (c) and (d) and the proposed on-site sewage disposal system selected or designed shall be identified.

Requirements where lots front on proposed street

- 52.** In addition to meeting the requirements of Section 51, where the proposed lots front on a proposed public street, a tentative plan of subdivision shall:
 - (a) show 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 *Land Surveyors Act* and its regulations;
 - (b) be accompanied by four (4) copies of a plan showing
 - (i) contours at 2 metre (6.56 foot) intervals and drainage patterns;
 - (ii) the width and location of proposed public streets and their intersection with existing public streets; and
 - (iii) the location of existing and proposed central sewer and water systems and proposed connections thereto; and
 - (c) be accompanied by four (4) copies of centerline profiles of proposed public streets;
 - (d) be accompanied by four (4) copies of a storm drainage plan applying acceptable engineering practices for the proper removal of surface drainage from the proposed subdivision and in compliance with Subsection 33(b);
 - (e) be accompanied by any other information which the Development Officer deems necessary to determine whether the plans referred to in Subsections (b), (c), and (d) conform to this By-law.
 - (f) Where plans or drawings or centerline profiles are prepared by or under the supervision of a professional engineer, they shall be signed and sealed by the professional engineer in accordance with the *Engineering Profession Act*.

B - Procedure

Processing

- 53.** The procedure for processing tentative plans of subdivision is contained in PART 4: General Provisions.

Stamps

- 54.** The following information shall be stamped or written and completed by

the Development Officer on any tentative plan of subdivision which is approved together with any other information, including conditions, 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 years of the date of the approval of the tentative plan.";
- (b) the date of the approval of the tentative plan; and
- (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 approved by the Development Officer and filed in the Registry of Deeds."

PART 13: FINAL PLANS OF SUBDIVISION

A - Requirements

- | | | |
|-----------------------------|------------|--|
| Fourteen
copies of plan | 55. | (a) A subdivider proposing to subdivide an area of land shall submit to the Development Officer for approval an application in the form specified in Schedule "A" of this By-law, together with fourteen (14) copies of the final plan of subdivision meeting the requirements of Section 56 of this By-law. |
| Security | | (b) A final plan of subdivision submitted for approval shall be accompanied by any security or bonds required to be posted under this By-law. |
| Contents | 56. | (a) Final plans of subdivision submitted to the Development Officer shall be: <ul style="list-style-type: none"> (i) drawn to a scale or scales sufficient for clarity of all particulars of the final plan of subdivision; (ii) certified and stamped by a Nova Scotia Land Surveyor that the lots for which approval is requested and any proposed street and road have been surveyed in the manner required by the <i>Land Surveyors Act</i> and its regulations, except for a final plan of subdivision prepared pursuant to Subsection 21(b) of this By-law; and (iii) folded to approximately 20 x 30 centimetres (8 x 12 inches) 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. |
| | | (b) Final plans of subdivision shall meet the requirements of Subsections 51(b) and (c) and Section 52, except that: <ul style="list-style-type: none"> (i) Clause 51(b)(ii) does not apply; (ii) proposed streets and roads shall be surveyed; and (iii) the geographical and mathematical location of all buildings within 3 metres (9.8 ft) of a proposed boundary shall be shown. |
| Stopping sight
distances | 57. | For a proposed lot that will have access to a provincial public highway, the final plan of subdivision may be accompanied by or show stopping sight distance information in the form specified in Schedule "E" completed by a Nova Scotia Land Surveyor or the authority having jurisdiction for |

public streets.

B - Procedure

Processing

58. The procedure for processing final plans of subdivision is contained in PART 4: General Provisions.

Stamps

59. The following information shall be stamped or written and completed by the Development Officer on any final plan of subdivision which is approved:

(a) "This final plan of subdivision is approved for Lots _____";

(b) where applicable,

(i) "_____ (is,are) suitable for the

(lot(s) approved and/or remainder)

construction or installation of an on-site sewage disposal system for _____ and any conditions

(proposed use)

which apply are contained in a report dated _____ and available from the Department of the Environment.", or

(ii) "IMPORTANT NOTICE

_____ (has, have) been created for a
(lot(s) approved and/or remainder)

purpose which does not require an on-site sewage disposal system and will not be eligible for a permit to install a system unless the requirements of the Department of the Environment are met."; or

(iii) _____ (is,are) served by an existing

(lot(s) approved and/or remainder)

on-site system and should a replacement system become necessary in future, approval of the replacement system from the Department of the Environment is required".

(c) where applicable,

(i) a notation stating that access to the public street as shown has been approved for the lots created by this final plan and any conditions which apply are listed on the plan or are contained in a report dated _____, available from the authority having jurisdiction for public streets; and

(ii) where a lot which abuts a public street does not have an approved access point along the street, a notation stating that direct access to the street is not permitted;

Registry of Deeds

60. Within seven days of approving the plan, the Development Officer shall forward to the Registry of Deeds:

(a) five (5) approved copies of the final plan of subdivision and a notice of approval in the form specified in Schedule "B" of this By-law; and

(b) if applicable, the items required by Section 13 of this By-law.

PART 14: PARKLAND DEDICATION

61. Prior to approval by the Development Officer of the final plan of

subdivision, the subdivider shall either:

- Transfer of land (a) transfer to the Town, free of encumbrances, for parks, playgrounds, and similar public purposes, an area of useable land within the area being subdivided equal to five percent (5%) of the area of the lots to be approved, as shown on the final plan of subdivision, exclusive of streets, easements, and the residue of the land of the subdivider; or
- Cash in lieu (b) provide to the Town a sum of money equivalent to five percent (5%) of the market value, as determined by an assessor, of the lots to be approved, as shown on the final plan of subdivision, exclusive of streets, easements, and the residue of the land of the subdivider; or
- Equivalent value (c) where the Council agrees, provide to the Town equivalent value, in any combination as determined by the Town; or
- Transfer of land outside area being subdivided (d) where the Council agrees, transfer to the Town, free of encumbrances, an area of useable land of equal value outside the area being subdivided but within the boundaries of the Town, in lieu of the land in the subdivision required to be transferred under Subsection (a).

62. Land with water frontage Where the area of land being subdivided has frontage on a river or a lake, any land transferred in accordance with Subsection 61(a) shall include either useable land with frontage on the river or lake, or land suitable for public access to the river or lake.

- 63.** Useable land (a) For the purposes of Sections 61 and 62, useable land shall be defined as land that:
- (i) has an average slope over the entire parcel of not more than fifteen percent (15%), provided that any part of the parcel with a slope of fifteen percent (15%) or more shall not exceed one-quarter (¼) of the area of the entire parcel;
 - (ii) consists of a parcel having an area of one-half (½) acre or more;
 - (iii) is serviced by central water and sewer systems, or is capable of supporting an on-site sewage disposal system, unless the parcel is intended for recreational purposes, such as linear walking or cycling trails, which do not require an on-site sewage disposal system or services;
 - (iv) is not a clearing and grubbing disposal area;
 - (v) is not subject to flooding or classified as wetland;
 - (vi) is not an electrical transmission corridor; and
 - (vii) where applicable, is able to meet the requirements for lot area and lot frontage contained in the Land Use By-law.

- Useable land criteria may be waived (b) The criteria in Subsection (a) may be waived if the land to be transferred is considered unique by the Development Officer in that the parcel is:
- (i) land suitable for preservation as an interpretive natural reserve area based on the opinion of a qualified professional;
 - (ii) land of significant historical or archaeological value to the

		Town;
		(iii) land adjacent to parkland or open space owned by the Town; or
		(iv) land deemed by the Town's Recreation Department to be required for recreational purposes.
Land to be accessible	(c)	Any land to be conveyed to the Town other than that meeting the requirements of Subsection (b) shall abut a public street. Land to be conveyed to the Town pursuant to the requirements of Subsection (b) shall be accessible by a public street or by a public easement a minimum of 6 metres (19.68 ft) in width and providing a connection to a public street.
Bond	64.	(a) The subdivider may, with the approval of the Council, provide a bond or other security acceptable to the Council for the conveyance to the Town of land in a future phase of the subdivision rather than conveying land from the approved phase of the subdivision or equivalent value.
Agreement	(b)	Where Council approves the use of a bond or other security under Subsection (a), the subdivider shall enter into a written agreement with the Town, which agreement may contain provisions satisfactory to the Town with respect to the time within which any land or equivalent value shall be transferred to the Town, the land which may be used to satisfy the requirements of this Part, and any other matter related to the parkland dedication requirements of this By-law.
Certification of title	65.	Any conveyance of land to the Town under this Part shall be by warranty deed, and the subdivider shall provide to the Town from his or her legal counsel a solicitor's certificate of title certifying that all property conveyed is free from all encumbrances. In the event that the conveyance is not free from encumbrances, an unqualified undertaking from the subdivider's solicitor to release the encumbrances may be accepted by the Town.
Subdivider responsible for costs	66.	The subdivider shall be responsible for all document registration and other costs associated with the requirements of this Part.
Section 61 shall not apply	67.	Section 61 shall not apply:
	(a)	to the consolidation or re-subdivision of land where no additional lots are created;
	(b)	to the subdivision of land owned by the Town; or
	(c)	where the lot is being created pursuant to Section 23.

PART 15: INFRASTRUCTURE CHARGES

Approval of lots in a charge area	68.	(a) Pursuant to the provisions of the Municipal Government Act, Council may identify areas within which infrastructure charges shall apply. A Map clearly identifying the infrastructure charge area(s) as well as a Schedule of Fees clearly outlining the purposes for which infrastructure charges shall be levied and the amount or method of calculating each infrastructure charge shall be included as part of this Bylaw.
	(b)	Before a final plan of subdivision is approved in any infrastructure charge area, the subdivider shall pay an infrastructure charge to Council

		pursuant to the Schedule of Fees.
Payment of charges	69.	Final subdivision approval shall not be granted unless the infrastructure charge established under this By-law is paid or the subdivider has entered into an agreement with the Town deferring the payment of the infrastructure charge.
Infrastructure charges agreement	70.	The Town and the subdivider may enter into an infrastructure charges agreement which may contain reasonable provisions with respect to any or all of the following: <ul style="list-style-type: none"> (a) the payment of infrastructure charges in instalments; (b) the provision of security to ensure that the infrastructure charges are paid when due; or (c) any other matter necessary or desirable to effect the agreement.
Additional costs to the Town	71.	Infrastructure charges shall not be payable if an infrastructure charge has been paid with respect to the area of land, unless further subdivision of the land will impose additional costs on the Town.
Use of charges	72.	A charge paid pursuant to this By-law shall only be used for the purpose for which it has been collected.
Lien on property	73.	A charge imposed pursuant to this By-law constitutes a lien upon the property with respect to which the charge has been levied in the same manner and with the same effect as rates and taxes under the <i>Assessment Act</i> .

PART 16: REPEAL OF A PLAN OF SUBDIVISION

Repeal of lots approved	74.	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.
Application	75.	Any person requesting the repeal of a plan of subdivision shall submit to the Development Officer an application in the form specified in Schedule "C".
Notification & approval	76.	<ul style="list-style-type: none"> (a) The notification and approval provisions of the Act which apply to the approval of a plan of subdivision shall also apply to a repeal. (b) Notwithstanding subsection (a), the notification and approval provisions of the Act do not apply to a repeal of a plan of subdivision that consolidates two or more parcels and for which no deed to effect the consolidation has been registered in the Registry of Deeds or Land Registration Office if the applicant certifies that to the applicant's knowledge, no deed to effect the consolidation exists.
Application to review agencies	77.	When the Development Officer is satisfied that an application for repeal is complete, the Development Officer may forward a copy to any agency which provided an assessment or recommendations on the original plan of subdivision.
Buildings on subject lands	78.	Where buildings have been erected on the subject lands after the date of the subdivision approval sought to be repealed, no repeal shall be granted which would cause these buildings to be in violation of any building code regulations, land use by-law, or sewage disposal regulations unless the violation can be rectified by the approval of a new plan of subdivision filed at the Registry of Deeds on the same day as the repeal is filed.

- | | | |
|--------------------------------------|------------|---|
| Sections do not apply | 79. | Sections 4 to 73 inclusive of this By-law do not apply to the repeal of a plan of subdivision. |
| Repeal to Registry of Deeds | 80. | The Development Officer shall forward to the Registry of Deeds the repeal in the form specified in Schedule "D". |
| Copy to subdivider, review agencies | 81. | The Development Officer shall forward a copy of the repeal referred to in Section 80 to: <ul style="list-style-type: none"> (a) the subdivider; and (b) any agency which provided an assessment or recommendations on the original plan of subdivision. |
| Fees | 82. | (a) At the time of application for the repeal of a subdivision, the subdivider shall submit to the Development Officer: <ul style="list-style-type: none"> (i) the fees contained in the <i>Costs and Fees Act</i>, and its regulations for registering a repeal of a plan of subdivision; and (ii) a processing fee of \$50.00 per final application for repeal of a subdivision. (b) Where the Development Officer refuses to repeal a subdivision, the Development Officer shall return the fees referred to in Clause (a)(i) to the subdivider. |
| Notice of refusal to review agencies | 83. | Where the Development Officer refuses to repeal a plan of subdivision, the Development Officer shall give notice of the refusal to the subdivider and to all agencies to whom the application for repeal was forwarded pursuant to Section 77. |

PART 17: REPEAL OF BY-LAW

- 84.** The Subdivision By-law approved by the Minister of Municipal Affairs on June 24, 1993 and any amendments thereto are repealed.

Schedule “B” – Notice of Approval

**NOTICE OF APPROVAL
IN ACCORDANCE WITH SECTION 285(1)(3) OF
THE *MUNICIPAL GOVERNMENT ACT***

Name of Owner(s): _____

Windsor Plan #: _____

Name of Subdivision: _____

Location: _____

Date of Approval: _____ For: _____

Surveyor: _____ Date of Plan: _____

Dated this _____ day of _____, _____.

Development Officer

Plan of subdivision filed in the Registry of Deeds as Plan # _____

Dated this _____ day of _____, _____.

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

1. The lots' eligibility for on-site sewage disposal systems.
2. The availability of public sewer and water systems.
3. Information indicating whether or not the lots abut a public street or private road.

Schedule "C" – Application for Repeal of a Subdivision

APPLICATION FOR REPEAL OF A SUBDIVISION

Plan of Subdivision <input type="checkbox"/>	File Number: _____
--	--------------------

APPLICANT INFORMATION

Name of Land Owner(s): _____ Phone: _____

Address of Land Owner(s): _____ Postal Code: _____

Documents to be returned to: _____

Correspondence to be directed to: _____

INFORMATION ON THE SUBDIVISION SOUGHT TO BE REPEALED

Name of applicant for subdivision approval: _____

Location: _____ Municipality: _____

The subdivision was approved on the _____ day of _____, _____

and is filed in the Registry of Deeds at _____ in the Municipality of

_____ the County of _____ As # _____

Lot(s) # _____ was/were approved and

repeal is sought for approval of Lot(s) # _____.

Registration fee submitted.

CERTIFICATION OF FACTS (Reasons For Repeal)
(If more space is required, attach additional sheet)

OWNER'S CERTIFICATE

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

Signature of owner/agent

Date

Co-Signer

Date

Schedule “D” – Repeal of a Subdivision

REPEAL OF A SUBDIVISION

Plan of Subdivision 9

Name of Owner(s): _____

Name of Subdivision: _____

Location: _____

Date of Approval of the Subdivision: _____

Being Registration #: _____ at the Registry of Deeds.

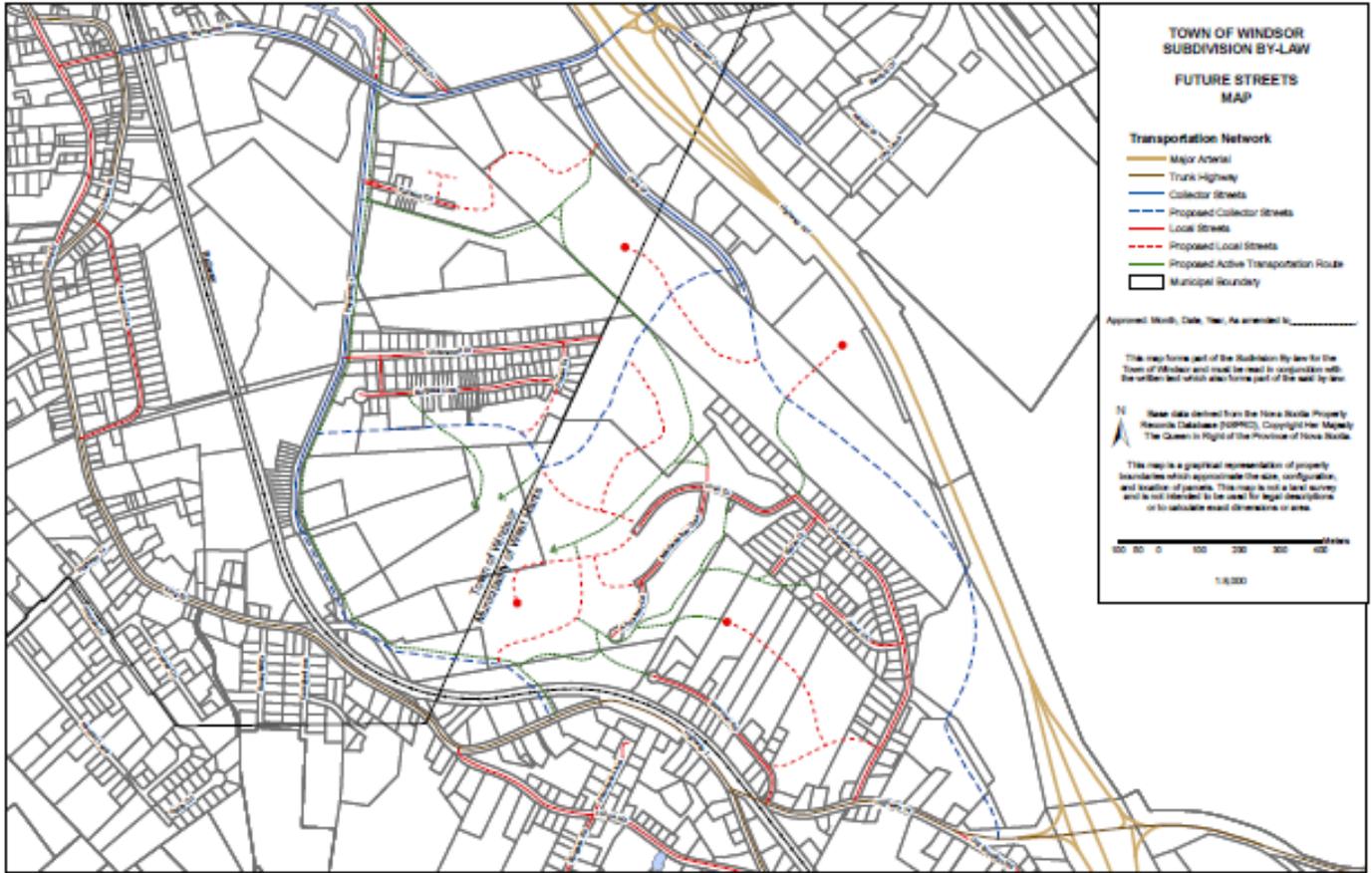
THIS SUBDIVISION IS REPEALED

Entire Plan or Only Lots #: _____

Dated at _____ in the _____, Province of Nova Scotia,
this _____ day of _____, _____.

Development Officer

Please note: Any lots or parcel created by this repeal may not be eligible for development.



Future Streets Map approved by Council on February 25, 2014, effective on March 13, 2014