

# Municipality of the District of Yarmouth

## SUBDIVISION BY-LAW S-0810-97

Effective Date:  
Dec. 10, 1997

### Part 1 – Title

- 1.01 This By-law may be cited as the Subdivision By-law for the Municipality of the District of Yarmouth which shall apply to all lands within the Municipality.

### Part 2 – Interpretation

- 2.01 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. All other words shall carry their customary meaning except those defined hereinafter.

### Part 3 – Definitions

- 3.01 **Act** means the Municipal Government Act, Chapter 18 of the Statutes of Nova Scotia and amendments thereto.
- 3.02 **Agreement** means a written contract entered into between the subdivider and the Municipality relating to the construction, conveyance and the posting of bonds for municipal public roads, sanitary sewer and water systems as outlined in this By-Law.
- 3.03 **Area of Land** means any existing lot or parcel as described by its boundaries.
- 3.04 **CAO** means the Chief Administrative Officer of the Municipality of the District of Yarmouth.
- 3.05 **Council** means the Council of the Municipality of the District of Yarmouth.
- 3.06 **Department of the Environment** means the Nova Scotia Department of the Environment and Labour.
- 3.07 **Department of Transportation** means the Nova Scotia Department of Transportation and Public Works.
- 3.08 **Development Officer** means that person, appointed by the Council pursuant to the **Act** and having the power and duty to administer this By-law.
- 3.09 **Engineer** means the engineer of the Municipality of Yarmouth and includes a person acting under the supervision and direction of the engineer.
- 3.10 **Frontage** shall be measured the same as set out in the Land Use By-law.

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- 3.11 **Land Use By-law** means the Land Use By-law for the Municipality of the District of Yarmouth.
- 3.12 **Lot** means any parcel to be created by the filing of a plan of subdivision or the registering of an instrument of subdivision.
- 3.13 **Lot Lines** means lot lines as defined in the Land Use By-law.
- 3.14 **Minister** means the Minister of Service Nova Scotia and Municipal Relations.
- 3.15 **Municipality** means the Municipality of the District of Yarmouth.
- 3.16 **Municipal Planning Strategy** means the Municipal Planning Strategy for the Municipality of the District of Yarmouth.
- 3.17 **Municipal Sewer** means a sewer controlled by the Municipality.
- 3.18 **Private Road** means any road which is not public shown on a plan of subdivision which:
- a) extends to and has access to a public road and where not totally located within the area of land being subdivided, the private road shall have an easement for right-of-way and access which has been clearly granted by deed, registered in the Registry of Deeds for the County of Yarmouth; and
  - b) includes any private road approved by the Department of Transportation and shown on an approved plan of subdivision prior to the first day of August, 1987 and filed in the Registry of Deeds;
- 3.19 **Professional Engineer** means a registered member, in good standing, of the Association of Professional Engineers of Nova Scotia or; one who is licensed to practice in the Province of Nova Scotia.
- 3.19a **Proposed Lot** means any lot being proposed to be created by a plan or instrument of subdivision, including a remainder lot;
- 3.20 **Province** means Her Majesty the Queen in right of the Province of Nova Scotia.
- 3.21 **Public Road** includes any road owned and maintained by the Municipality or the Province; and
- a) **Municipal Public Road** means any road owned and maintained by the Municipality;

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b) Provincial Public Road means any road owned and maintained by the Department of Transportation excluding designated controlled access highways pursuant to Section 20 of the **Public Highways Act**.

3.22 **Registry of Deeds** means the office of the Registrar of Deeds for the County of Yarmouth.

3.23 **Right-of-way** means an easement for a right-of-way and access extending to and having access to a public road or water frontage.

3.24 **Sanitary Sewer** means a sewer receiving and carrying liquid and water carried waster and to which storm, surface or groundwater are not intentionally admitted.

3.25 **Sewer** means a pipe or conduit for carrying sewage, groundwater or surface runoff, and includes all sewer drains, storm sewers, clearwater sewers, storm drain and combined sewers vested in, or under the control of the Municipality.

3.26 **Subdivider** means the owner of the area of land proposed to be subdivided and includes anyone acting with the owner's written consent.

3.27 **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.

3.28 **Surveyor** means a registered member, in good standing, of the Association of Nova Scotia Land Surveyors.

3.29 **Water Frontage** shall be measured the same as set out in the Land Use By-law.

3.30 **Water System** means an assembly of pipes, fittings, central valves, hydrants and appurtenances owned and maintained by the Town of Yarmouth Water Utility.

#### **Part 4 – Procedure for Approval of Plans or Instruments of Subdivision**

##### **General**

4.01 Application for approval of a plan or instrument of subdivision shall be made to the Development Officer in the form specified in Schedule "A" of this By-law.

4.02 The Development Officer shall comply with the notification and approval provisions of the **Act**.

4.03 A copy of a plan or instrument of subdivision shall be forwarded to:

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- a) in areas not served by a municipal sewer, the Department of the 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 (96,878.4 square feet),
    - ii) has a width of 76 metres 249.3 feet or more, and
    - iii) the applicant has certified on the application that the proposed lot is not intended for a purpose requiring an on-site sewage disposal system.
    - iv) 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
  - b) in areas served by a municipal sewer system, the authority having jurisdiction for central sewer.
  - c) the authority having jurisdiction for public roads; and
  - d) any other agency of the Province or the Municipality which the Development Officer deems necessary.
- 4.03(a) A plan or instrument of subdivision that shows a proposed lot referred to in sections 6.06, 7.06c or 9.06 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.
- 4.04 Any agency which has been forwarded a copy of the plan or instrument of subdivision pursuant to Section 4.03 shall forward a written report of their assessments or recommendations to the Development Officer.
- 4.05 Approval of a plan or instrument of subdivision may not be refused or withheld as a result of the assessment or recommendations made by the Department of the Environment, the Department of Transportation or any other agency of the Province or the Municipality unless the plan or instrument 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 for lot area and lot frontage contained in the Land Use By-law.

### Approval of Tentative and Final Plans and Instruments of Subdivision

- 4.06 The Development Officer shall:

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- a) forward a copy of the approved tentative plan of subdivision to the applicant and the surveyor.
- b) forward an endorsed copy of the final plan or instrument of subdivision to the applicant and the surveyor.

#### **Refusal to Approve Tentative and Final Plans and Instruments of Subdivision**

4.07 Where the Development Officer refuses to approve a tentative plan, final plan, or instrument of subdivision, the Development Officer shall:

- a) notify the applicant pursuant to Section 277(3) of the **Act**, give reasons for refusal and advise the applicant of the appeal provisions of Section 284 of the **Act**; and
- b) give notice of the refusal to all agencies which were forwarded a plan or instrument of subdivision pursuant to Section 4.03.

#### **Other Conveyances Executed Before Approval of Final Plans or Instruments of Subdivision**

4.08 A final plan or instrument of subdivision showing lots to be approved pursuant to Section 287(3) of the **Act** by special note on the final plan or instrument shall:

- 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.

#### **Fees**

4.09 At the time of final application, the subdivider shall submit to the Development Officer the fees contained in the **Costs and Fees Act** and regulations made thereunder, for

- a) filing the endorsed final plan of subdivision or an amendment to a plan of subdivision, and registering a notice of approval of the plan,
- b) registering an instrument of subdivision or an amendment to an instrument of subdivision; or

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- c) registering a repeal of a plan or instrument of subdivision; and
- d) processing fees of \$175.00 plus HST per final application for subdivision approval and \$50.00 plus HST per application to amend or repeal a plan or instrument of subdivision made payable by cheque or money order to the Municipality or in a form acceptable to the Municipality.

4.10 Where the Development officer refuses to approve, amend or repeal a final plan or instrument of subdivision, the Development Officer shall return the fees referred to in Section 4.09 (a), (b) and (c) to the subdivider.

#### **Part 5 – General Provisions**

5.01 In accordance with the zoning provisions established in the Land Use By-law lots shall abut and front upon a public road or private road; or

- a) are to be served by an existing right-of-way and where a new right-of-way is created, it shall have a minimum width of 20 feet where:
  - i) a maximum of one lot is created within an area of land which abuts a public road or private road; or
  - ii) a maximum of two lots are created, both approved or one approved and one a remainder, within an area of land which does not abut a public road or private road.
- b) have water frontage of a minimum width of 20 feet or are served by a right-of-way of a minimum width of 20 feet to water frontage where:
  - i) a maximum of two lots are created, both approved or one approved and one a remainder, within an area of land which is landlocked and the lots are not to be accessed other than by water; or
  - ii) the lots are created on an island that does not contain public roads, private roads or rights-of-way.
- c) the lots abut and front upon the Breakwater Wharf Road in the Residential Hamlet (RH) Zone in the Hamlet of Port Maitland.

5.02 For the purpose of Clauses 5.01(a) and (b), "area of land" means any lot or parcel described by its boundaries as they existed on April 1, 1987 whether or not there has been any alteration to said boundaries subsequent to the aforementioned date.

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#### **Minimum Lot Requirements**

- 5.03 All lots shall meet the applicable dimensions for minimum lot area and lot frontage contained in the Land Use By-law except as required by Section 9.02 of this By-law.

#### **Lots Deemed to Meet Minimum Lot Area Requirements**

- 5.04 Notwithstanding the minimum lot area requirements of any zone excluding the Lake George Watershed (LGW) and Rural Development (RD) Zones (Part 33(10) and (13) respectively of the Land Use By-law), the Development Officer may approve a final plan of subdivision, where an authorized person of the Department of the Environment has assessed the proposed lots shown on a final plan of subdivision and approved such lots for the installation of on-site sewage disposal systems, such lots shall be deemed to meet the lot area requirements contained in the Land Use By-law.

#### **Relaxation of Minimum Lot Area and Frontage Requirements**

- 5.05 Notwithstanding Section 5.03, the Development Officer may approve a maximum of two lots, shown on a final plan of subdivision, in accordance with Section 279 of the **Act**, having:
- a) areas or frontages or both not less than 90 percent of the minimum required by the Land Use By-law provided the lots are served by a municipal sewer ; or
  - b) frontages not less than 90 percent of the minimum lot frontage required by the Land Use By-law provided the lots are served by on-site sewage disposal systems; and
  - c) provided, in all cases, that all other requirements of this By-law are met.
- 5.06 The Development Officer may approve a final plan of subdivision for a lot which is a maximum of 5,005 square feet in area for a special use permitted by the Land Use By-law, provided the lot does not contain an existing on-site sewage disposal system or is not to be connected to municipal sewer.

#### **Lot Boundary Alterations**

- 5.07 Notwithstanding Sections 5.01, 5.02 and 5.03, the Development Officer may approve a final plan of subdivision altering the boundaries of two or more areas of land where:

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- a) no additional lots are created; and
- b) each lot meets the minimum dimension for lot frontage as required by the Land Use By-law or has not had its frontage, if any, reduced; and
- c) each lot meets the minimum dimension for lot area as required by the Land Use Bylaw or has not had its area reduced.

5.08 Where the proposed lot is not surveyed, the final plan of subdivision prepared pursuant to Section 5.07 shall:

- a) be certified and stamped by a Nova Scotia Land Surveyor that the boundaries of the parcel 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;
- b) notwithstanding Section 8.03(b), other than the new boundaries which have been surveyed pursuant to Clause (a), show the remaining boundaries of the resulting lot for which approval is requested described graphically as a lighter solid line;  
  
and
- c) have the following notation, complete and signed by the surveyor, affixed to the plan adjacent to the certification required by the Nova Scotia Land Surveyors Act and regulations made under the **Act**:

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.

### Encroachment Conditions

5.09 Notwithstanding Sections 5.03 where a development component of a permanent nature such as a building, structure, well, on-site sewage disposal system or drive-way 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.



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- 5.10 Where a lot created pursuant to Section 5.09 is not surveyed, the provisions of Section 5.08 shall apply.

#### **Two or More Main Buildings**

- 5.11 Notwithstanding Section 5.03, where an area of land contains more than one main building built or placed on the land prior to November 9, 1984, the Development Officer may approve a final plan of subdivision creating the same number of lots or fewer as there are main buildings provided:
- a) each lot containing a main building shall have the approval of the Department of Environment; or
  - b) where required, each lot containing a main building shall be served by a municipal sewer; and
  - c) each lot containing a main building shall, as close as is practicable, comply with the minimum lot frontage requirements of the Land Use By-law; and
  - d) the common lot line or lines between lots containing a main building shall, as close as is practicable, comply with the minimum yard requirements of the Land Use By-law.

#### **Minimum Lot Width and Depth**

- 5.12 Lots shall not be subdivided to create a width or depth of less than 20 feet.

#### **Public Roads**

- 5.13 All proposed municipal public roads shall be shown on a final plan of subdivision and shall be approved by the municipal engineer.
- 5.14 All proposed municipal public roads shown on a final plan of subdivision approved in accordance with Section 5.13 shall be designed and constructed in accordance with Part 14 of this By-law and the deed accepted by the Municipality prior to the endorsement of approval on a final plan of subdivision by the Development Officer.

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- 5.15 The minimum width of the right-of-way of a proposed municipal public road shown on a plan of subdivision shall be 66 feet unless a lesser width is accepted pursuant to Section 14.02.
- 5.16 Where a proposed municipal public road intersects a provincial public road, that intersection shall be approved by the Department of Transportation.
- 5.17 All proposed lots which abut a public road shall have an access point to the public road which meets the stopping sight requirements of the Department of Transportation.  
Where lots abut:
- a) a provincial public road, access shall be approved by the Department of Transportation.
  - b) a municipal public road, the subdivider shall provide the municipal engineer with written certification that access meets the requirements of the Department of Transportation.
- 5.18 Where a plan or instrument of subdivision shows a proposed lot abutting an existing public road, the authority having jurisdiction shall verify that the road is a public road.

#### **Private Roads**

- 5.19
- a) A private road may be approved as a separate lot and is deemed to meet minimum lot area and lot frontage requirements of Section 5.03.
  - b) Where the boundary of a private 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.
  - c) No part of a private road shall be included in the calculation of lot area for the purposes of meeting the lot area requirements.
- 5.20 The intersection of a private road with a public road shall be approved by the authority having jurisdiction over the public road.
- 5.21 All proposed private roads or extensions to existing private roads shall be shown on a final plan of subdivision and shall comply with the design specifications of Part 14 and construction specifications of Part 15 of the By-law and the private road provisions contained in the Land Use By-law prior to the endorsement of approval of a final plan of subdivision by the Development Officer.

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#### **Intersections**

- 5.22 There shall not be more than four public road or private road approaches or any combination thereof in an intersection.

#### **Adjoining Subdivision**

- 5.23 Where a public road in an adjoining subdivision abuts the boundaries of a plan of subdivision submitted for approval, a public road in the latter shall, if reasonably feasible, be laid out in prolongation of such public road unless it would be in violation of this By-law.
- 5.24 Where a private road in an adjoining subdivision abuts the boundaries of a plan of subdivision which is to be served by a private road submitted for approval, the private road in the latter shall, if reasonably feasible, be laid out in prolongation of such private road unless it would be in violation of this By-law.

#### **Side Lot Lines at Right Angles**

- 5.25 Wherever possible, side lot lines shall be substantially at right angles to a public road or private road, or radial to a curved public road or private road.

#### **Continuous Rear Lot Lines**

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

#### **Part 6 – Preliminary Plans of Subdivision (optional)**

##### **Procedure**

- 6.01 The procedure for processing preliminary plans of subdivision is contained in Part 4 of this By-law.
- 6.02 The person proposing to subdivide an area of land may submit to the Development Officer 4 copies of the preliminary plan of subdivision drawn to scale showing the following:
- a) the name of the owner of the area of land being subdivided;
  - b) the names of all owners of all properties abutting the area of land being subdivided;

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- ba) the unique Parcel Identifier (PID) of all areas of land being subdivided;
- c) the civic number of main buildings on the area of land being subdivided;
- d) a location plan showing the approximate distance between the area of land being subdivided and the nearest prominent landmark;
- e) the shape, dimensions and area of the proposed lots;
- f) 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.
- g) no duplication of lot identifiers;
- h) the approximate location of railway easements;
- i) the location of existing and proposed public roads and private roads;
- j) the name of existing and proposed public roads (and the public road number) and private roads as approved by the Municipality;
- k) the graphic representation of proposed lots shown by solid lines, and vanishing boundaries of existing areas of land being resubdivided, consolidate or both, shown as broken lines;
- l) the location of existing buildings within 15 metres (49.2 feet) of a property line;
- m) the general location of watercourses and wetlands;
- n) the north point;
- o) the scale;
- p) any other information necessary to determine whether the subdivision conforms to this By-law

6.03 Where a preliminary plan of subdivision is to be forwarded to the Department of Environment pursuant to Section 4.03 (a), the information listed in Section 6.04 is required for the following proposed lots:

- a) a proposed lot which is being created for a purpose that will require the

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construction of an on-site sewage disposal system; or

- b) a proposed lot being divided from an existing area of land, contains an on-site sewage disposal system; and
  - i) is 9000 square metres (96,878.4 square feet) or less in area; or
  - ii) has a width of less than 76 metres (249.3 feet).

6.04 Unless the information already has been submitted to the Department of environment, the following additional information is required for proposed lots referred to in Section 6.03:

- a) the lot layout including any proposed building, on-site sewage disposal system, driveway and water well;
- b) 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;
- c) the surface slopes and directions;
- d) the location of any test pit;
- e) the proposed on-site sewage disposal system, selected or designed;
- f) an explanation of the extent, volume and type of usage to which the on-site sewage disposal system will be subjected;
- g) 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
- h) any other information necessary to determine whether the subdivision meets the **On-Site Sewage Disposal Systems Regulations**;

6.05 For the 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 buildings, driveway, on-site sewage disposal system and well shall be provided.

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- 6.06 For the 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 Scheduled "A" must be completed.

#### **Part 7 – Tentative Plans of Subdivision**

##### **Procedure**

- 7.01 The procedure for processing tentative plans of subdivision is contained in Part 4 of this Bylaw.

##### **Plan Requirements**

- 7.02 The person proposing to subdivide an area of land shall submit to the Development Officer 8 copies of the tentative plan of the proposed subdivision meeting the requirements of Sections 7.04 through 7.06C inclusive of this By-law.
- 7.03 Notwithstanding Section 7.02, the Development Officer may waive the requirement that tentative application and plan of subdivision be submitted, where:
- a) lots abut an existing public road, an existing private road, except where lots are created without frontage pursuant to Sections 5.01, 5.02, 5.09 and 5.11;
  - b) a sanitary sewer is not being installed; and
  - c) all lots to be served by on-site sewage disposal systems
    - i) are 9,000 square metres (96,878.4 square feet) or more in area; or
    - ii) have been evaluated by an authorized person of the Department of the Environment and the Development Officer has been informed in writing by the authorized person that the information already provided by the subdivider is satisfactory.
- 7.04 Tentative plans of subdivision submitted to the Development Officer shall be:
- a) drawn to a scale or scales sufficient for clarity all particulars on the tentative plan of subdivision;
  - b) based on a description of the area of land to be subdivided, preferably but not necessarily as surveyed; and

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- 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.

7.05 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 in the title block;
- c) a clear space for stamping being a minimum of 225 centimetres square (36 sq. in.) with a minimum width of 8 centimetres (3 in.);
- d) the 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) the unique Parcel Identifier (PID) of all areas of land being subdivided;
- g) the civic number of main buildings on the area of land being subdivided;
- h) the names of all owners or the identifiers of all properties abutting the proposed subdivision;
- i) 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,
- j) the shape, dimensions, and area of the proposed lots;
- k) 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;
- l) no duplication of lot identifiers;
- m) the boundaries of proposed lots shown by solid lines, and the vanishing boundaries of existing area of land being resubdivided, consolidated or both, shown as broken lines;

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- n) the location of existing buildings within 15 metres (49.2 ft.) of a property boundary;
- o) the location of existing and proposed public roads and private roads;
- p) the name of existing and proposed public roads (and the public road number) and private roads as approved by the Municipality;
- q) the width and location of railway easements;
- r) the general location of any watercourse, wetland or prominent rock formation;
- s) the width, location, and nature of any easements on or affecting the area of land proposed to be subdivided;
- t) where applicable, a notation stating the lots are serviced by a municipal sewer and/or water system;
- u) the north point;
- v) the date on which the plan of subdivision was drawn and the date of any revisions;
- w) the scale to which the plan of subdivision is drawn, and
- x) any other information necessary to determine whether or not the tentative plan of subdivision conforms to this By-law.

7.06 Where a tentative plan of subdivision is to be forwarded to the Department of Environment pursuant to Section 4.03 (a), the information listed in Section 7.06A is required for the following proposed lots:

- a) a proposed lot which is being created for a purpose that will require the construction of an on-site sewage disposal system; or
- b) A proposed lot being divided from an existing area of land, contains an on-site sewage disposal system; and
  - i) is 9000 square metres (96,878.4 square feet) or less in area; or
  - ii) has width of less than 76 metres (249.3 feet).

7.06A Unless the information already has been submitted to the Department of Environment , the following additional information is required for proposed lots referred to in Section 7.06:

- a) the lot layout including any proposed building, on-site sewage disposal system,



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driveway and water well;

b) 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 easements;

c) the surface slopes and directions;

d) the location of any test pit;

e) the proposed on-site sewage disposal system, selected or designed;

f) an explanation of the extent, volume and type of usage to which the on-site sewage disposal system will be subjected;

g) 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

h) any other information necessary to determine whether the subdivision meets the **On-Site Sewage Disposal Systems Regulations**;

7.06B For the 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 buildings, driveway, on-site sewage disposal system and well shall be provided.

7.06C For the 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.

7.07 In addition to meeting the requirements of Sections 7.04 through 7.06C where the proposed lots front on a proposed public road or proposed private road, 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 **Nova Scotia Land Surveyors Act** and the Regulations made thereunder,

b) be accompanied by 4 copies of a plan showing:

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- i) contours at 2 meters or 5 foot intervals, and drainage patterns only in the case of proposed public roads, and
  - ii) the width and location of proposed public roads or private roads and their intersection with existing public roads or private roads; and
  - iii) the location, size, type of material used of existing municipal sewer and/or water system and any proposed sanitary sewer and/or water systems including a plan view at a scale of 1:500 (1"=40') or 1:200 (1"=20') and a profile view to a vertical scale in the ratio of vertical to horizontal of 1:10.
- c) be accompanied by 2 copies of centreline profiles of proposed public roads together with the necessary cross sections.
  - d) where plans or drawings or centreline 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.

7.07A For a proposed lot that will have access to a public road, the tentative plan of subdivision may be accompanied by or show stopping sight distances information in the form specified in Schedule "G1" completed by a Nova Scotia Land Surveyor.

7.08 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 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 endorsed by the Development officer and filed in the Registry of Deeds."

### **Part 8 – Final Plans of Subdivision**

#### **Procedure**

8.01 The procedure for processing final plans of subdivision is contained in Part 4 of this By-

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law.

#### Plan Requirements

- 8.02 The subdivider proposing to subdivide an area of land shall submit to the Development Officer 12 copies of the final plan of subdivision meeting the requirements of Section 8.03 of this By-By-law.
- 8.03 Final plans of subdivision submitted to the Development Officer shall be:
- a) drawn to a scale or scales sufficient for clarity of all particulars of the final plan of subdivision;
  - b) certified and stamped by a Nova Scotia Surveyor that the lots for which approval is requested and any proposed street and road have been surveyed in the manner required by the **Land Surveyors Act** and their regulations, except for a final plan of subdivision prepared pursuant to Sections 5.08 and 5.09 of this By-law;
- 8.04 Before approving a final plan of subdivision that adds or consolidates parcels or areas of land in different ownership the Development Officer shall have received:
- 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 pursuant to Part V of the **Act**.
- 8.05 A final plan of subdivision shall meet the requirements of Section 7.05 through 7.06A inclusive except that:
- a) clause 7.05(b) does not apply,
  - b) proposed public roads or private roads shall be surveyed, and
  - c) the geographical and mathematical location of all buildings within 15 metres (49.2feet) of a proposed boundary shall be shown.
- 8.05A 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

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square feet) in area with a width of 76 metres (249.3 feet) or more, the lot layout including buildings, driveway, on-site sewage disposal system and well shall be provided.

- 8.05B 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.
- 8.05C For a proposed lot that will have access to a public road, the final plan of subdivision may be accompanied by or show stopping sight distances information in the form specified in Schedule "G1" completed by a Nova Scotia Land Surveyor.
- 8.06 Where plans or drawings or centreline 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.
- 8.07 Final plans of subdivision shall be accompanied by a copy of the agreement, entered into between the Municipality and the subdivider pursuant to Section 11.02 outlining the terms for the installation of the services.
- 8.08 The following information shall be stamped or written and completed by the Development Officer 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 (Lot(s) approved and/or remainder) 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 purpose which does not (Lot(s) approved and/or remainder) require an on-site sewage disposal system and will not be eligible for a permit to install a system unless the requirements of

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the Department of the Environment are met".

iii) \_\_\_\_\_ (is, are) served by an existing on-site sewage (Lot(s) approved and/or remainder) disposal 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 road 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 roads;

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

iii) a notation stating which lots abut a private road and that no provincial or municipal services shall be provided to these lots.

d) where there are provincial public roads which are to be owned and maintained by the Province, the words "The following roads and highways are owned and maintained by the Department of Transportation and Public Works of the Province of Nova Scotia:

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e) where there are municipal public roads which are to be owned and maintained by the Municipality, the words "The following roads are owned and maintained by the Municipality of Yarmouth:

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f) where there are private roads, the words "The following roads are private roads and are not entitled to any provincial or municipal services including but not limited to grading, ditching, snowplowing, gravelling, garbage collection or street lighting.

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- 8.09 Within seven (7) days of approving the final plan of subdivision, the Development Officer shall forward to the Registry of Deeds:
- a) one (1) approved copy 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 8.04 of this By-law.

### **Part 9 – Instrument of Subdivision**

#### **Procedure**

- 9.01 The procedure for processing an instrument of subdivision is contained in Part 4 of this Bylaw.

#### **Instrument Requirements**

- 9.02 A subdivider may subdivide an area of land by an instrument of subdivision where:
- a) each lot has a minimum of 9000 square metres (96,878.4 square feet) and dimensions that would permit it to contain a circle of a diameter of 76 metres (249.3 ft.) within its boundaries; or
  - b) an existing lot is being increased in size; and
  - c) the lot being decreased in size, if any, meets the requirements of this by-law other than those contained in clause (a).
- 9.03 All lots created by instrument of subdivision are required to be approved.
- 9.04 Before approving an instrument of subdivision that adds or consolidates parcels or areas of land in different ownership the development office shall have received:
- 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, pursuant to Part V of the **Act**.
- 9.05 In addition to the application form required by Section 4.01, the subdivider proposing to subdivide an area of land by instrument of subdivision shall submit to the Development

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Officer a completed instrument of subdivision on the form specified in Schedule "E" of this By-law.

- 9.06 The graphic representation included as part of Schedule "E" shall meet the requirements of Section 7.05(d) to (u) inclusive and Section 7.06 and 7.06A of this By-law.
- 9.06A For a proposed lot that is being divided from an existing area of land and contains an existing on-site sewage disposal system, the lot layout including buildings, driveway, on-site sewage disposal system and well shall be provided.
- 9.06B 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.
- 9.07 The following information shall be stamped or written and completed by the Development Officer on any instrument of subdivision which is approved:
- a) where applicable:
    - i) " \_\_\_\_\_ (is, are) suitable for the construction or installation (Lot(s) approved and/or remainder) 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 purpose which does not (Lot(s) approved and/or remainder) 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 on-site system (lot(s) approved and/or remainder) and should a replacement system become necessary in future, approval of the replacement system from the Department of the Environment is required."
  - b) where applicable:
    - i) a notation stating that access to the public road as shown has been approved for the lots created by this instrument of subdivision and any conditions which apply are listed on the instrument or are contained in a report dated , available from the authority having jurisdiction for public roads;

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- ii) where a lot which abuts a public or private road does not have a safe access point along the road, a notation stating that direct access to the road is not permitted; and
  - iii) a notation stating which lots abut a private road and that no provincial or municipal services shall be provided to these lots.
  - c) where there are provincial public roads which are to be owned and maintained by the Province, the words "The following roads and highways are owned and maintained by the Department of Transportation and Public Works of the Province of Nova Scotia:
  - d) where there are municipal public roads which are to be owned and maintained by the Municipality, the words "The following roads are owned and maintained by the Municipality of Yarmouth:
  - e) where there are private roads, the words "The following roads are private roads and are not entitled to any provincial or municipal services including but not limited to grading, ditching, snowplowing, gravelling, garbage collection or street lighting.
- 9.08 Within seven (7) days of approving the instrument of subdivision, the development Officer shall forward to the Registry of Deeds:
- a) one (1) approved copy of the instrument of subdivision; and
  - b) if applicable, the items required by 9.04 of this By-law.

#### **Part 10 – Repeal of a Plan or Instrument of Subdivision**

- 10.01 Where a plan or instrument of subdivision has been approved, the approval may be repealed for any or all of the lots created by the plan or instrument of subdivision.
- 10.02 Any person requesting a repeal shall submit to the Development Officer an application in the form specified in Schedule "C" for a plan or Schedule "F" for an instrument of subdivision.
- 10.03 The notification and approval provisions of the **Act** which apply to the approval of a plan or instrument of subdivision shall also apply to a repeal.
- 10.04 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 or instrument of subdivision.



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- 10.05 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 or instrument of subdivision filed at the Registry of Deeds on the same day as the repeal is filed.
- 10.06 Parts 5 to 8 inclusive of this By-law do not apply to the repeal of a plan or instrument of subdivision.
- 10.07 The Development Officer shall forward to the Registry of Deeds the repeal in the form specified in Schedule "D" for a plan or Schedule "G" for an instrument of subdivision.
- 10.08 The Development Officer shall forward a copy of the repeal referred to in Section 10.07 to a) the subdivider, and b) any agency which provided an assessment or recommendations on the original plan or instrument of subdivision.
- 10.09 At the time of application for the repeal of a subdivision the subdivider shall submit to the Development Officer the fees contained in Section 4.09.
- 10.10 Where the Development Officer refuses to repeal a subdivision, the Development Officer shall return the fees referred to in clause 10.09 to the subdivider.
- 10.11 Where the Development Officer refuses to repeal a subdivision, the development officer shall give notice of the refusal to the subdivider and to all agencies which were forwarded the application for repeal pursuant to Section 10.08.

#### **Part 11 – Requirements of Subdivider**

- 11.01 The subdivider shall, before endorsement of a final plan of subdivision is given by the Development Officer:
- a) construct any proposed public road in accordance with Part 14 of this By-law.
  - b) where applicable, construct and connect to the municipal sewer , any proposed sanitary system including collectors and laterals to the boundaries of the proposed lots in accordance with Part 16 of this By-law.
  - c) where applicable, construct and connect to the water system, any proposed water

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system including mains and laterals to the boundaries of the proposed lots in accordance with Part 17 of this By-law.

- d) construct any proposed private road in accordance with Part 15 of this By-law.

11.02 Notwithstanding Section 11.01 (a), (b) and (c), the Development Officer may endorse approval of a final plan of subdivision prior to the construction of a public road, a sanitary sewer and/or water system only where the subdivider enters into an agreement with the Council which states that the subdivider :

- a) shall construct the public road, sanitary sewer and/ or water system in accordance with Part 14, 16 and 17 of this By-law within a period of time set out in the agreement; and
- b) shall convey title of such road, sanitary sewer and/or water system in fee simple free of all encumbrances to the Municipality within a period of time set out in the agreement; and
- c) shall post a performance bond or certified cheque pursuant to Part 12 to assure that the road, sanitary sewer and/or water system will be constructed in accordance with Part 14, 16 and 17 of this By-law.

11.03 No public road, sanitary sewer and/or water system constructed pursuant to Sections 11.01 and no agreement pursuant to Section 11.02 shall be entered into with the Council prior to the issuance of all required approvals by any authority having jurisdiction.

11.04 The subdivider shall provide to the Municipality, prior to acceptance a public road , sanitary sewer and/or water system:

- a) the "as built" reproducible engineering drawings for all public roads, sanitary sewer and water systems which are stamped and signed by a professional engineer; and
- b) the results of all required test reports; and
- c) all operating and procedural manuals for sanitary sewer and water systems; and
- d) the warranty deeds for all municipal public roads and easements associated with sanitary sewer and water systems.

### **Part 12 – Performance Bond**

12.01 Where Section 11.02 applies, the subdivider shall post a performance bond or certified

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cheque in the amount of one hundred and twenty-five (125) percent of the total estimated cost of constructing the public road and installing sanitary sewer and/or water systems.

- 12.02 The performance bond or certified cheque shall be posted prior to the endorsement of approval of the final plan of subdivision.
- 12.03
- a) The subdivider shall submit to the Council for approval an estimate of the cost of constructing a municipal public road; installing sanitary sewer and/or water system.
  - b) The Council, on the advice of the municipal engineer, may revise the estimate if the estimate is, in the opinion of the municipal engineer, inadequate and shall advise the subdivider of the effect upon the amount of the performance bond or certified cheque.
  - c) The subdivider may require Council to submit the revised estimate to arbitration in accordance with the provisions of the Arbitration Act.
- 12.04 The performance bond or certified cheque shall be in favour of the Municipality, duly executed by the subdivider and issued by a Surety Company authorized by law to carry on business in the Province of Nova Scotia, conditioned on the execution and completion of the agreement in accordance with the terms of the agreement, and with the provisions of this By-law and shall not be subject to cancellation, termination or expiration during the period of time required for the completion of the work.
- 12.05 Construction of the public road and the installation of sanitary sewer and/or water systems shall commence within twelve (12) months of the date of the endorsement of approval of the final plan of subdivision by the Development Officer, and shall be complete in accordance with the agreement of Section of 11.02 or the performance bond or certified cheque shall be forfeited.

### **Part 13 – Maintenance Bond**

- 13.01 After completion of the public road, sanitary sewer and/or water systems and prior to acceptance by the Municipality the subdivider shall post a maintenance bond in the amount of ten (10) percent of the actual cost of constructing the public road and the installation of sanitary sewer and/or water systems to safeguard the road and systems for a period of two years.

### **Part 14 – Municipal Public Road Specifications**

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#### Design

- 14.01 All Municipal public roads shall be designed in accordance with **Specifications for Subdivision Roads in Urban and Rural Areas** prepared by the Department of Transportation.
- 14.02 Notwithstanding Section 14.01, where Council accepts road construction to a reduced standard under Section 14.04, Council may, upon the recommendation of the municipal engineer, accept a right-of-way width of less than 66 feet provided:
- a) that the right-of-way width is not less than 50 feet; and
  - b) that the right-of-way width is sufficient to contain road slopes, ditches and back slopes.

#### Construction

- 14.03 All Municipal public roads shall be constructed in accordance with **Specifications for Subdivision Roads in Urban and Rural Areas** published by the Department of Transportation.
- 14.04 Notwithstanding Section 14.03, the minimum construction standards for a Municipal public road may be waived provided the road meets the requirements set out in Chapter H.3, "Low Volume Roads" in the Roads and Transportation Association of Canada's publication **Manual of Geometric Standards for Canadian Roads** appended to this By-law as Schedule "H" using the following criteria:
- a) the length of the road does not exceed 1,000 feet;
  - b) a design speed of 40 km/hr.;
  - c) a two-lane, two-way travel way not less than 20 feet in width;
  - d) road drainage is constructed in accordance with the road design under Section 14.02 (b);
  - e) clearing, grubbing, construction procedure and construction materials shall be in accordance with **Specifications for Subdivision Roads in Urban and Rural Areas** published by the Department of Transportation;
  - f) inspection procedures shall be carried out by the Municipal Engineer.

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#### **Part 15 – Private Road Specifications Design**

15.01 The right-of-way width for the private road shall be a minimum of 66 feet.

#### **Construction**

15.02 A two-way travel surface of not less than 20 feet in width shall be constructed within the right-of-way.

15.03 The Development Officer or the Municipal Engineer shall inspect the travel surface for the width requirement prior to the approval of the final plans of subdivision.

#### **Part 16 – Sewer Specifications**

#### **Design Criteria**

16.01 Where the proposed sanitary sewer forms or may form part of a continuing system to provide municipal sewer to surrounding areas, the proposed sanitary system shall:

- a) be installed wholly within the limits of a public road right-of-way or some other parcel of land abutting the public road right-of-way, title to which shall be transferred to the Municipality ; and
- b) be designed and constructed in accordance with the **Nova Scotia Standards and Guidelines Manual for Collection, Treatment and Disposal of Sanitary Sewage by the Nova Scotia Department of the Environment** 1992 edition, as may be amended.

#### **Standard Specifications**

16.02 Except as modified by the following Supplementary Specifications, the proposed sanitary sewer shall be constructed in accordance with the latest edition of the Standard Specification for Municipal Services as developed and published by the NSRBA and NSCEA Joint Committee on Contract Documents.

#### **Supplementary**

#### **Specifications Metal Castings**

16.03 Metal castings shall be I.M.P. Type R-110 or equivalent as approved by the municipal engineer.

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#### **Manhole Ladders**

- 16.04 Manhole ladders shall be I.M.P. type L.1 or equivalent as approved by the municipal engineer.

#### **Testing**

- 16.05 There shall be no leakage for polyvinyl chloride (PVC) pipe.

#### **Inspection**

- 16.06 A mandril test shall be carried out after backfilling all polyvinyl chloride (PVC) pipes by drawing a mandril that is 92.5% of the diameter of the pipe. Should mandril fail to pass through the pipe, the pipe shall be considered defective and repairs required. Repair any defects found by these operations and retest or inspect as appropriate.

### **Part 17 – Water System Specifications**

#### **Design Criteria**

- 17.01 Where the proposed water system forms or may form part of a continuing network to provide water services to surrounding areas, the proposed water system shall be installed wholly within the limits of a public road right-of-way or some other parcel of land abutting the public road right-of-way, title to which shall be transferred to the municipality; and the waterline sizes shall be designed to accommodate the following:

- (a) The Town of Yarmouth shall provide the location(s) and available water flow from existing mains.

Fire Demand shall:

- i) be calculated in accordance with the latest published requirements of Canadian Underwriters Association. Minimum pressure at the hydrant to be 20 psi at the required flow.
- ii) the demand used for main size selection shall be fire demand plus maximum daily demand. Minimum main size shall be eight (8) inches in diameter.
- iii) the applicant shall install larger mains at the request of the Town of

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- (b) Normal water pressure within the distribution network shall be a minimum of 30 psi and a maximum of 80 p.s.i. Water pressure within a proposed distribution network which falls outside this range, must be approved by the Town of Yarmouth Water Utility.
- (c) Notwithstanding clause (b) of this Section, the Town of Yarmouth may require either boosting of water pressure, or the installation of pressure operated reduction valves to ensure normal pressure to the proposed distribution network.
- (d) The Municipality may, at its discretion, request a certificate, signed by a Nova Scotia Land Surveyor, showing the location of all water mains, appurtenances, fittings, laterals, shutoff etc., in relation to adjacent property boundaries. The location of water mains and laterals in relation to other underground services shall be governed by, but not limited to the Department of the Environment.
- (e) Hydrants shall be provided at maximum intervals of five hundred (500) feet. Hydrant laterals shall be a minimum diameter of 6 inches and shall have breakaway couplings within six (6) inches of finished grade. Installation of hydrants shall be the responsibility of the Municipality. A gate valve shall be provided in every hydrant lateral.
- (f) The following control valves shall be provided on every water main:
  - i) Four (4) valves per cross intersection.
  - ii) Three (3) valves per tee intersection.
  - iii) One valve per 1000 feet where there are no intersections.
  - iv) All valves shall be accessible through valve boxes.
- (g) All water service connections shall be installed in the road right-of-way during construction. Water service connections between the main stop and curb stop shall be a minimum of 3/4 inch diameter.
- (h) All water distribution system pipes shall be bedded to a minimum depth of 4 feet unless otherwise specified by the Engineer.
- (i) The applicant shall bear the costs for all testing which shall be supervised by the Town Engineer of the Town of Yarmouth.

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- (j) The applicant shall, prior to construction of a water distribution system, obtain permission from the Town of Yarmouth to connect such system to the Town's system.

#### Standard Specifications

- 17.02 Except as modified by the following Supplementary Specifications, the water distribution system shall be constructed in accordance with the latest edition of the Standard for Municipal Services as developed and published by the NSRBA and NSCEA Joint Committee on Contract Documents.

#### Supplementary Specifications

##### Pipe Materials

- 17.03 Diameter of pipe and fittings as indicated on the drawings. Pipe material shall be ductile iron, Class 52, coated externally with an AWWA approved bituminous compound applied by the manufacturer and cement mortar lined or polyvinyl chloride (PVC) to CSA B137.3-M, cast-iron outside diameter.

##### Hydrants

- 17.04 Hydrants shall be M67 McAvity or Canada Valve Century types to the Town of Yarmouth standards.

##### Gate, Branch and Hydrant Valves

- 17.05 (a) all gate valves shall be McAvity iron body, bronze mounted solid wedge gate with inside screw or an approved equivalent.
- (b) Branch valves and hydrant valves shall be rodded to the tees or crosses using  $\frac{3}{4}$ " threaded steel rod.

##### Valve Boxes

- 17.06 All valve boxes shall be Type V-1 as manufactured by IMP or as approved by Engineer.

##### Service Pipe and Fittings

- 17.07 (a) All water service connections between the main stop and curb stop shall be a



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minimum of three-quarter (3/4) inch diameter, type "K" soft copper to ASTM B88, minimum pressure rating 1035 KPA or polyethylene (PE) to CSA B137. 1-M, type PE, Series 160, minimum pressure rating 1035 KPA.

- (b) Corporation stops shall be Mueller A-15008 with a Mueller tread inlet and a compression copper outlet or an approved equivalent.
- (c) All curb stops shall be of the inverted key type and shall be Mueller H-15217 with compression connections or equivalent.
- (d) All curb stops shall have valve boxes with telescopic stems, expanding from four feet, six inches (4'6") to five feet, six inches (5'6") and shall be set at the appropriate level of finish grade.

**Air Release Valve and Chamber**

17.08 The size and type of air release valve, chamber and associated fittings shall be as indicated on the drawings.

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**SCHEDULE "A" MUNICIPALITY OF YARMOUTH  
APPLICATION FOR SUBDIVISION APPROVAL**

<b>FOR OFFICE USE ONLY File No: _____</b>	Office of the Development Officer/Building Inspector Court House Building, Yarmouth, Nova Scotia P.O. Box 152, Phone 742-9691, Fax 742-3164
<b>SUBDIVIDER RELATED INFORMATION</b> NAME OF LAND OWNER(S) _____ ADDRESS OF LAND OWNER(S) _____ POSTAL CODE PHONE SUBDIVISION NAME (IF DIFFERENT FROM OWNER) _____ DOCUMENTS TO BE RETURNED TO _____ CORRESPONDENCE TO BE DIRECTED TO _____	
<b>LAND TO BE SUBDIVIDED</b> LOCATION _____ MUNICIPALITY _____ PARCEL IDENTIFIER _____ <input type="checkbox"/> TYPE OF APPLICATION G <input type="checkbox"/> Preliminary (Optional) <input type="checkbox"/> Tentative (Optional) <input type="checkbox"/> Final <input type="checkbox"/> Instrument FEES ATTACHED <input type="checkbox"/> Yes <input type="checkbox"/> No APPROVAL REQUESTED FOR LOT(S) # _____ APPROVAL REQUESTED FROM DEPARTMENT OF ENVIRONMENT <input type="checkbox"/> YES <input type="checkbox"/> NO IS THERE A REMAINDER LOT? <input type="checkbox"/> Yes <input type="checkbox"/> No TYPE OF DEVELOPMENT PROPOSED <input type="checkbox"/> Single unit dwelling <input type="checkbox"/> Other (specify) _____ (This applies to all proposed lots including remainder lots)	
<b>CERTIFICATION-ON-SITE SYSTEM NOT REQUIRED (unserviced areas)</b> I certify that _____ (is, are) being created for a purpose _____ <small>(Lot(s) being approved and/or remainder lot) (Specify purpose)</small> that will not require the installation of an on-site sewage disposal system. SIGNATURE _____	

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SUBDIVISION BY-LAW S-0810-97	<b>Effective Date:</b> Dec. 10, 1997
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WATER SERVICES	SEWER SERVICES	ACCESS
Existing   Proposed	Existing   Proposed	Existing   Proposed
MUNICIPAL SYSTEM <input type="checkbox"/> <input type="checkbox"/>	MUNICIPAL SYSTEM <input type="checkbox"/> <input type="checkbox"/>	MUNICIPAL PUBLIC STREET <input type="checkbox"/> <input type="checkbox"/>
DRILLED WELL <input type="checkbox"/> <input type="checkbox"/>	ON-SITE <input type="checkbox"/> <input type="checkbox"/>	PROVINCIAL PUBLIC STREET <input type="checkbox"/> <input type="checkbox"/>
DUG WELL <input type="checkbox"/> <input type="checkbox"/>	OTHER (SPECIFY) _____	PRIVATE ROAD <input type="checkbox"/> <input type="checkbox"/>
OTHER (SPECIFY) _____		OTHER (SPECIFY) _____

I certify that I am the owner or am acting with the owner's written consent (pertains only to final and instrument applications).

SIGNATURE OF APPLICANT \_\_\_\_\_ DATE \_\_\_\_\_

**SCHEDULE "G1"**

STOPPING SIGHT DISTANCES								
LOT NO.	SPEED ZONE	DISTANCE FROM LOT CORNER LEFT/RIGHT	LEFT		RIGHT		PASS OR FAIL *	COMMENT
			GRADE	DISTANCE	GRADE	DISTANCE		

\* According to the Government of Nova Scotia Management Manual 23, Department of Transportation and Public Works Management, Chapter 8, Construction and Maintenance.

Signed: \_\_\_\_\_

Nova Scotia Land Surveyor

**Municipality of the District of Yarmouth**

SUBDIVISION BY-LAW  
S-0810-97

**Effective Date:  
Dec. 10, 1997**

I, \_\_\_\_\_, Clerk of the Municipality of the District of Yarmouth do hereby certify that this is a true copy of the Subdivision By-law of the Municipality of the District of Yarmouth adopted by a majority vote of the whole council of the Municipality of the District of Yarmouth on the 10<sup>th</sup> day of December, A.D., 1997.

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Municipal Clerk