

**POLICY DIRECTIVE NO. G-6**

SUBJECT: SUBDIVISION AND DEVELOPMENT CONTROL

APPROVAL DATE: \_\_\_\_\_ LAST REVIEW DATE: June, 1997

REFERENCE: \_\_\_\_\_

---

**A. GENERAL:**

In this Policy Directive, unless specifically identified otherwise, the term “Bylaw” shall mean the Subdivision and Development Control Bylaw in force from time to time in the City of Chilliwack.

**B. ADMINISTRATION:**

1. The owner shall pay all costs incurred in the preparation and registration of rights-of-way and easements, and other legal documentation associated with subdivision or development whether prepared by the owner or the City on the owner’s behalf.
2. The City will co-operate with the owner by signing and certifying such correct documents as presented to it to assist the owner in obtaining the rebate of Federal Sales Tax on all materials eligible for such rebate used in the installation of municipal utilities in respect of a subdivision or development.
  - (a) The owner shall be responsible for determining from the Federal Tax Department which materials are exempt from Federal Tax and how the rebate is to be claimed.
  - (b) No claim for payment by the City may be made by the owner for loss resulting from failure on the part of the owner to obtain a tax rebate on materials.
3. “Schedule B – Design Criteria, Master Municipal Specifications, Requirements and Standard Drawings” to the Bylaw may be purchased in the form of a manual from the City. Updates to this manual may be purchased by each subscriber to the manual.
4. Applications for subdivision shall be made on forms available from the Municipal Development Department.
5. Building Permits:

In new subdivisions where Municipal services are being installed, all essential services shall be in place and accepted by the Director of Engineering in accordance with the following criteria prior to a request being made for occupancy/final inspection.

**ADMINISTRATION (continued)**

- (a) The owner in signing the Building Permit, acknowledges that there will be no request for occupancy/final inspection until all essential services have been accepted by the City for the lots upon which the homes have been built; and
  - (b) Essential services shall include water, sanitary sewer and/or septic disposal and storm sewer and/or storm drainage systems, road base construction, gas (where available), electrical and telephone.
6. Where Development Cost Charges (DCCs) are payable by an owner, and where the services for which the DCCs are collected are constructed by the owner, a credit will be given on the DCCs paid and will be calculated by the City as the lesser of:
- (a) The estimated current cost of construction of the services, including engineering design and inspection up to a maximum of 12% of the construction costs;
  - (b) The estimated DCC as provided for in the DCC bylaw; and
  - (c) The amount of the DCC payable for each service as set out in the DCC bylaw.
7. Credits will be applied towards DCCs payable as follows:
- (a) Where DCCs are paid as a lump sum, the rebate will be credited towards the lump sum payment; and
  - (b) Where DCCs are to be paid in installments, the credits will be deducted from the total DCC payable. If the net DCC payable qualifies for payment by installment, it shall be paid in three equal installments in accordance with the applicable DCC Regulations and Council policies. Otherwise, the net DCC payable shall be paid as a lump sum.

**C. APPROVALS:**

1. Preliminary Approval:

- (a) The Approving Officer may at any stage of processing the subdivision application refuse to approve the subdivision plan if he is of the opinion that the subdivision does not conform to:

**APPROVALS (continued)**

- (i) All applicable provisions of the *Local Government Act*;
  - (ii) All applicable provisions of the Land Title Act;
  - (iii) The respective municipal bylaws regulating the subdivision of land and zoning;
  - (iv) The Official Community Plan(s);
  - (v) The requirements of the Ministry of Transportation and Highways with respect to a Controlled Access Highway;
  - (vi) The Agricultural Land Commission Act; and
  - (vii) All other applicable Municipal or Provincial Legislation.
- (b) Where a proposed subdivision includes the creation of a highway across an established right-of-way or easement held by a railway company, a public utility or any other authority, the Owner shall be required to provide, at his own expense, from the holder of such right-of-way or easement, the necessary legal authorization approving the creation of the highway containing all necessary services and utilities before final approval for subdivision is granted.
- (c) The "PRELIMINARY APPROVAL" granted by the Approving Officer shall be effective for a period of 6 months, although by written request received from the Owner, the Approving Officer may extend this for a period of no more than six (6) additional months. If the legal plan of subdivision is not tendered for approval within this time limit, such plan may not be considered for final approval. The Owner may, however, reapply for subdivision and will be required to pay the prescribed fees.

2. Final Approval:

- (a) FINAL APPROVAL of a subdivision will be granted only when all the requirements of the Bylaw have been fulfilled;
- (b) An Owner wishing FINAL APPROVAL shall submit the following, as applicable:
  - (i) A letter requesting FINAL APPROVAL;
  - (ii) A Tax Certificate for all existing parcels affected by the subdivision;
  - (iii) Development Cost Charges pursuant to the applicable Development Cost Charge Bylaw;
  - (iv) Servicing Agreement, including all attachments, pursuant to "Schedule D" of the Bylaw;

**APPROVALS (continued)**

- (v) Working Easements agreements where additional working area is required for installation of works and services. The Owner will be required to obtain a release from the Owner prior to Substantial Completion;
  - (vi) Right-of-Way or Easement agreements with applicable survey plans of Right-of-Way or private easement as required;
  - (vii) Covenants for flooding, non disturbance, setbacks, no building, fill, exterior design control, lot grading or other specific purpose as applicable;
  - (viii) Approvals from other government agencies as may be required by the Bylaw;
  - (ix) The original Subdivision Plan, disc transfers and two white paper prints;
  - (x) Other documentation required pursuant to "Schedule B" of the Bylaw, where applicable;
  - (xi) Fees in accordance with "Schedule A" of the Bylaw; and
  - (xii) Any additional documentation or information set out as a requirement in the current Letter of Preliminary Approval.
- (c) Within 2 months from the date on which an application for subdivision is received for examination and approval, or within 2 months from the furnishing by the Owner of such further information, including satisfactory evidence that all of the relevant provisions of the Bylaw have been duly complied with, the Approving Officer shall either approve or reject the proposed subdivision.
- (d) Subdivision plans showing parcel size and location, and highway locations, shall be in substantial accordance with the plans which received "PRELIMINARY APPROVAL" except where permitted in writing by the Approving Officer.
- (e) Final Approval of the subdivision plan by the Approving Officer shall be valid for sixty days from the date thereof, after which time approval shall be deemed to have been revoked. Final Approval which has not been used for registration purposes, and which is deemed to be revoked as aforesaid, may be renewed on application in writing to the Approving Officer for a further period not exceeding thirty days, provided the time elapsed since the issue of the original certificate of Final Approval does not exceed six months and the re-approval fee has been paid. Thereafter, a new application for approval of the subdivision shall be required and shall be dealt with as an original application.

**APPROVALS (continued)**

- (f) If a subdivision is rejected, the Owner shall be so advised in writing by the Approving Officer, and the reasons for rejecting the subdivision shall be given. If subdivision plans were tendered with the application they shall be returned to the Owner unsigned, less the paper copies retained by the City.

**D. HIGHWAYS:**

1. Highway systems shall provide for physical extension and connection to existing or proposed systems adjacent to or beyond the subdivision. "Arterial" and "Collector" highways are designated on the Appendix "A" attached hereto, subject to revision from time to time.
2. In the event that all services and/or road cut and fill slopes for the subdivision or development cannot be contained within the prescribed minimum road right-of-way width, the Owner shall dedicate such additional right-of-way as may be required for that purpose parallel to the road right-of-way of sufficient width to contain the required services and/or road cut and fill slopes. Additional right-of-way dedication may be required:
  - (a) At intersections in order to provide traffic turn-lane channelization, or wide radius curves etc.;
  - (b) At intersections between lanes at right-angle turns. (e.g. corner cut offs); and
  - (c) To accommodate utility appurtenances, lift stations, pressure reducing stations, etc.
3. The Approving Officer may require:
  - (a) More than one sidewalk along any highway within the subdivision on which substantial pedestrian traffic is expected to be generated;
  - (b) Sidewalks along the side of a highway within the subdivision which fronts on or abuts a school, park, recreation facility, public building, shopping and commercial development;
  - (c) Sidewalks on each side of an arterial or collector highway within the subdivision;

**HIGHWAYS (continued)**

- (d) Walkways within the subdivision connecting points between which pedestrian movement will be generated. Walkways shall be contained within a 3 metre right-of-way;
  - (e) The right-of-way without compensation of community greenbelt lands for the protection of watercourses, for pedestrian/bridle path access purposes and for utility services purposes, as follows:
    - (i) the area to be right-of-way will generally include the greater of either the lands from top of bank to top of bank or a 9.0 metre width of land on either side of the watercourse as measured from the high water mark of the watercourse, whichever is the greatest width and where required, an additional 6.0 metre width of land for utility service purposes is to be dedicated;
    - (ii) where a pedestrian access is required to be dedicated, the 4.0 metre width of land to be dedicated for utility service purposes will be deemed to also provide for this pedestrian access;
    - (iii) the watercourses and adjacent greenbelt lands shall remain in a natural state unless conditions warrant relocation/re-channelization which shall be carried out to the satisfaction of the Director of Engineering; and
    - (iv) greenbelt lands shall be fenced in accordance with City standards and specifications.
4. All highways shall be designed in accordance with recognized Community Planning and Traffic Engineering principles and shall include, but not be limited to:
- (a) The suitability of the proposed highway system, having due regard for the existing highway system and the anticipated internal and external traffic flows;
  - (b) Discouragement of through traffic within residential subdivisions;
  - (c) Provision for right angles at intersections; and
  - (d) Restricting access to arterial highways, wherever practicable and alternative access to a parcel is possible.
5. In a subdivision where the road layout is such that a proposed highway will serve the adjoining properties outside the subdivision, the Approving Officer may allow the dedication and construction of new half-roads along the perimeter of the subdivision, provided however the following conditions are satisfied:

**HIGHWAYS (continued)**

- (a) The Right-of-way dedicated by the Owner is not less than twelve (12) metres in width in urban areas;
  - (b) The remainder of the right-of-way can reasonably be expected to be constructed within the near future;
  - (c) Co-operation from the adjacent property Owner can be obtained to provide a temporary working easement or dedication for highway and servicing purposes;
  - (d) Any underground services are extended to the opposite side of the right-of-way such that servicing of the second half would not involve trenching across the first; and
  - (e) Where necessary, additional right-of-way is obtained, or dedicated, to provide adequate two-way traffic flow and/or to provide for the adequate construction and installation of all required services and utilities.
6. Access from proposed highways to each proposed parcel in the subdivision must be practical and reasonable. Access details, traffic study and analysis may be requested as part of the engineering drawings and where deemed necessary by the Approving Officer actual construction of the access may be required as a condition of final subdivision approval.
7. Extension of roads in rural areas within dedicated but unconstructed right-of-way for the purposes of providing driveway access to the existing lot/s is permitted providing the road is constructed to the satisfaction of the Director of Engineering giving regard to the number of properties to be served.
8. No cul-de-sac in an urban area shall exceed a length of 225 metres as measured from the beginning of its turnaround to the nearest right-of-way line of an intersecting highway having more than one access, unless it can be shown that the road can physically be extended in the future.

In rural and suburban residential zones where subdivision of a parcel is constrained by topographic or other physical features, and where maintaining access to adjacent property is not required, the maximum length of a rural cul-de-sac may be increased to 400 metres where lot sizes are less than 1.1 ha and 600 metres where lot sizes are 1.1 ha or greater, unless the road proposed can be shown to form part of a future road network linking to an existing or future public road.

**HIGHWAYS (continued)**

9. No P-loop in an urban area shall exceed a total street length of 850 metres provided however that the length of the entrance leg to such P-loops shall not exceed 225 metres, and all P-loops shall be provided with an alternative lane access. The entrance leg shall have a right-of-way width not less than 20 meters and shall be constructed to a minimum 11 metre wide road standard.

The maximum total street length of a P-loop may be increased in rural and suburban residential zones; provided however that in no case such P-loop shall provide frontage to more than 60 lots created in a subdivision.

10. The lane access required in paragraph (9) above shall connect in a straight tangent from the loop road of a P-loop to an adjacent highway.

Lane accesses from road to road/park shall not be less than 4.0 metres in right-of-way width and shall be constructed in accordance with the standards set out in "Schedule B" of the Bylaw.

11. Where a development is phased, roads shall be provided as follows:
- (a) Where a proposed road fronts proposed lots, by dedication and construction;
  - (b) Where a proposed road abuts but does not front proposed lots and where the road is intended to provide future access to developable lands beyond the subject lands, by dedication and no construction;
  - (c) Proposed roads in a phased subdivision that do not front proposed lots or do not provide access to adjacent lands will not require dedication or construction. Protection of these proposed roads may be by means of a no-building restrictive covenant;
  - (d) The term "proposed lots" does not include any remainder parcels. The term "roads" includes associated services. The term "developable lands" implies that zoning is in place to accommodate subdivision; and
  - (e) Preliminary design will be required for the entire road pattern where clause (a) above is used.
12. Dedicated road rights-of-way less than those required by City Standards will be considered by the Director of Engineering in extenuating circumstances, providing that a right-of-way agreement for all purposes is given by the Owner covering the shortfall.



### **HIGHWAYS (continued)**

13. Where full road construction undertaken as part of a subdivision or development includes the installation of underground utilities across the frontage of currently unserviced lots, the City's Engineer shall direct the Owner to provide lot service connections to existing unserviced lots and such costs to the Owner would be recoverable in accordance with the City's Latecomer Policy.

The intent of this clause is to minimize future road cuts and to make it possible for fronting lots to connect at a reduced cost.

14. Where a development plan requires internal access/fire lane routes the following minimum standards shall apply:
- (a) Have a minimum unobstructed and approved surface for vehicular traffic of 6 metres for two-way traffic and 4 metres for one-way traffic. Depending on the type of building structure and building footprint sitings, additional width of surface for vehicular traffic may be required;
  - (b) Have a minimum width of 9 metres for all access route rights-of-way or common property for access purposes;
  - (c) Have a centreline radius of not less than 12 metres;
  - (d) Have an overhead clearance of not less than 5 metres;
  - (e) Have a change of gradient of not more than 1 in 12.5 (8%) over a minimum distance of 15 metres and have a longitudinal grade of not more than 15%;
  - (f) Access routes shall be designed to support expected loads imposed by fire fighting equipment and other vehicles used on public highways;
  - (g) Have turnaround facilities for any dead-end portion of the access route exceeding 90 metres in length using one of the following alternatives:
    - (i) A cul-de-sac with a minimum radius of 11.5 metres for the travelled portion of the access route; and
    - (ii) A hammerhead turnaround having minimum dimensions for the travelled portion of 6 metres by 26 metres centered at the end of the access route;
  - (h) The internal access routes shall be connected to a public highway;
  - (i) Such internal access routes shall be posted with appropriate signage as follows:

**HIGHWAYS (continued)**

'Firelane - No Parking'; and

- (j) Complete detailed drawings for gate houses and security gates where proposed shall be submitted at the building permit or subdivision stage as determined by the Director of Development.

**E. STORM DRAINAGE SYSTEM:**

1. In the design of a drainage collection system, provision shall be made for, but not limited to, the following:
  - (a) Roadway, lane, walkway, and sidewalk drainage facilities;
  - (b) Control of surface drainage across the land(s) and watercourses being subdivided;
  - (c) Protecting the established amenities of the existing and adjacent or adjoining land(s); and
  - (d) The impact of the proposed drainage system on the existing drainage system and the downstream adequacy of the existing system to accept the additional flows of the proposed system. Where the Director of Engineering deems the downstream drainage system to be inadequate to handle the additional post-development flows, on-site storm detention facilities will be required to be installed.
2. Drainage utilities shall be located within existing or proposed highway rights-of-way. Locating the utility within other than highway rights-of-way will be considered only if technically necessary, and at the discretion of the Director of Engineering.
3. Storm sewer extensions required at the time of subdivision or development shall be extended across the entire frontage of the original parcel.
4. Service connections to lots created for Industrial use shall not be installed at the time of subdivision unless the required type, size and location of these services are known at the time of Engineering plan acceptance and the requirements of the applicable Bylaw have been satisfied. It will be the responsibility of the Owner to make application for industrial connections at the time of Building Permit application.
5. For multi-family residential, commercial, industrial and institutional developments or subdivisions, a storm water management plan may be required at the time of a building permit application.

**STORM DRAINAGE SYSTEM (continued)**

6. Service connection installations from existing storm mains:
  - (a) Where there is a servicing agreement the Owner may, at the City's discretion, bond for and install service connections off existing mains; and
  - (b) Where there is no Servicing Agreement the Owner will make an application for the service and deposit the estimated cost. The City will install the service(s) and the Owner will pay the applicable fee.
7. Information relating to flood control is located within the City's Floodplain Bylaw No. 2395, available from the Municipal Development Department.
8. Where a development is phased, the overall storm management plan shall govern the development of subsequent phases.

**F. WATER DISTRIBUTION SYSTEM:**

1. Any extension(s) of the City water system must be within the Water District as specified by bylaw. Extensions outside the Water District must receive the prior approval of Council, and completion of the appropriate bylaw amendment.
2. Water utilities shall be located within existing or proposed highway rights-of-way. Locating the utility within other than highway rights-of-way will be considered only if technically necessary.
3. Water main extensions which are not the result of subdivision shall be extended across the total lot frontage to provide for convenient service connections.
4. Service connections to lots created for Industrial use shall not be installed at the time of subdivision unless the required type, size and location of the services are known at the time of Engineering plan acceptance and the requirements of the applicable Bylaw have been satisfied. It will be the responsibility of the Owner to make application for Industrial connections at the time of the Building Permit application.
5. All tie-ins of new mains to existing City services shall be performed by City forces at the Owner's cost or under direct City supervision as approved by the Director of Engineering.
6. All service connections to existing mains will be installed by the City. The Owner will make application for the service connection and at that time pay the prescribed fee.
7. Lots shall be serviced by a water main fronting the property, not by a connection through an adjoining lot.

**WATER DISTRIBUTION SYSTEM (continued)**

8. Operation of existing in-service water mains, valves, services, and hydrants as well as valves connecting new mains to existing in-service mains, shall be performed by City forces.

**G. SANITARY SEWAGE COLLECTION AND DISPOSAL SYSTEM:**

1. Any extension(s) of the City Sewerage System must be within the Sewerage District as specified by bylaw. Extensions outside the Sewerage District must receive the prior approval of Council and completion of the appropriate bylaw amendment.
2. Sewer utilities shall be located within existing or proposed highway rights-of-way. Locating the utility within other than highway rights-of-way will be considered at the discretion of the Director of Engineering.
3. Sewer main extensions required at the time of subdivision or development shall be extended across the entire frontage of the original parcel.
4. Service connections to lots created for Industrial use shall not be installed at the time of subdivision unless the required type, size and location of the services are known at the time of Engineering plan acceptance and the requirements of the applicable Bylaw have been satisfied. It will be the responsibility of the Owner to make application for industrial connections at the time of Building Permit application.
5. Service connection installations off existing mains:
  - (a) Where there is a Servicing Agreement the Owner may, at the City's discretion, bond for and install service connections off existing mains; and
  - (b) Where there is no Servicing Agreement the Owner will make an application for the service and deposit the estimated cost. The City will install the service(s) and the Owner will pay the prescribed fee.
6. Unless technically impossible, as determined by the Director of Engineering, lots shall be serviced by a sewer main fronting the property; not by a connection through an adjoining lot.

**H. COMPLETION OF WORKS:**

1. All engineering design drawings submitted for review must be sealed and signed by a Professional Engineer registered in the Province of B.C.

**COMPLETION OF WORKS (continued)**

2. Design drawings shall be prepared in accordance with good engineering practice and the design criteria, specifications, and standard drawings which form "Schedule B" to the Bylaw.
3. Where sub-consultants are employed in the design process the City will expect the prime consultant to represent their work for administrative and procedural purposes.
4. City review of design drawings submitted by the Owner's Engineer is procedural only and does not confirm the accuracy of the design. The City will not accept responsibility for any costs or damages incurred by the Owner due to errors, omissions, or deficiencies in the design.
5. Prior to the preparation of both a servicing agreement and detailed construction drawings, the Owner or his engineer shall submit to the Approving Officer for review, by the Director of Engineering, preliminary plans and profiles of the complete subdivision. The preliminary drawings shall show all proposed main sizes, approximate grades and invert elevations, street widths and approximate street grades, as well as original ground elevations and the proposed lot grading.
6. After review of the preliminary drawings, detailed engineering drawings shall be prepared and submitted.
7. Following acceptance in principle of the detailed engineering drawings, the Owner's Engineer shall submit to the Approving Officer those drawings required by the Director of Engineering. The Owner's Engineer shall submit detailed construction cost estimates for the works shown on the drawings in a format acceptable to the Director of Engineering. Such construction cost estimates are to identify each major work component with each estimate representing 100% of that component. Drawing acceptance is valid for one year from the date of review as stamped on the accepted drawings. Resubmission will be required on expired plans, if construction has not commenced.
8. Works and services shall be installed in accordance with the reviewed engineering plans, and changes to the plans shall not be permitted without prior written approval of the Director of Engineering.
9. The Owner's Engineer shall be responsible for the provision of layout and the co-ordination and inspection of the construction and installation of the required works and services, and prior to a request being made to inspect for "substantial completion" shall deliver "Service Connection Cards" to the Director of Engineering. Upon completion of the works and all deficiencies, the Owner's Engineer shall submit certified "As-Built" drawings to the City's Approving Officer and upon acceptance by the Director of Engineering, a certificate of substantial completion will be issued. "As-Built" drawings shall conform to the standards required by the Bylaw.

**COMPLETION OF WORKS (continued)**

If the Owner's Engineer subcontracts the layout and inspection works it shall be the Owner's Engineer who shall sign and seal the "as-built" records. It shall remain the responsibility of the Owner's Engineer to ensure inspection and certification is provided and it is the Owner's Engineer who shall sign Form F-2 of "Schedule B" to the Bylaw.

10. "FINAL APPROVAL" will not be granted until design drawings have been reviewed by the City and the works and services either installed and "accepted" or arrangements made to guarantee their installation pursuant to "Section 11" of the Bylaw.
11. No work shall proceed until the Director of Engineering provides the Owner with written permission to proceed with construction. (Form F-1 of "Schedule B" to the Bylaw)
12. During construction and the maintenance period the Owner's Engineer shall provide those services deemed necessary by the City's Engineer to ensure that works and services are constructed to the approved design drawings and the City's specifications. The works shall be verified by (but not limited to) the following reports submitted to the City's Engineer:
  - (a) soils report prior to design acceptance to identify soil profiles within the subdivision or development, soil permeability and/or hydraulic conductivity, rate of settlement of soils for design of settling basins, etc.;
  - (b) upon completion of backfilling; density tests of trench backfill under roads, lane accesses, road shoulders, curbs, sidewalks and walkways;
  - (c) prior to construction of surface works; density tests on the base for curbs, sidewalks, lane accesses and walkways;
  - (d) before paving; Benkelman Beam tests on the road base;
  - (e) after items (b), (c) and (d) above; sanitary sewer main tests and videos;
  - (f) after items (b), (c) and (d) above; storm sewer main tests and videos;
  - (g) after items (b), (c) and (d) above; water main tests; and
  - (h) concrete tests.
13. Inspection services provided by the City are for procedural purposes only and do not relieve the Owner's Engineer of his obligation to certify "Record Drawings" on Form F-2 (see paragraph 10 above).

**COMPLETION OF WORKS (continued)**

14. The City's Inspector shall not issue any direct order to the Owner's contractor except for stop work orders. All communication will be through the Owner's Engineer or his representative.
15. All materials used in the works must conform to the City's standards as provided in "Schedule B" of the Bylaw.
  - (a) Any materials not meeting the City's standards or the approval of the Director of Engineering shall not be incorporated in the works.
  - (b) At the request of the Director of Engineering, the Owner shall supply, at the Owner's expense, material samples for non-destructive or destructive testing.
16. The City permits partial refunds of security deposits when a complete segment of the works has been completed in all respects to the satisfaction of the Director of Engineering in accordance with the following:
  - (a) Release of security deposit shall be requested in writing by the Owner's Engineer in accordance with "Schedule B" to the Bylaw;
  - (b) Partial refunds on construction works will not be made more frequently than once per month;
  - (c) Partial refunds are possible only to the extent of reducing the deposit of the segment to 25% of the amount deposited; and
  - (d) Upon issuance of the certificate of substantial completion by the Owner's Engineer, the City will reduce the deposit to 10% of the actual cost of the total works as certified by the Owner's Engineer plus the estimated cost of all outstanding deficiencies.
  - (e) Upon receipt of substantial completion, "As-Built" drawings and the service location cards, all to the satisfaction of the City's Engineer, the City will reduce the deposit to 10% of the cost of the total works, plus the estimated cost of all outstanding deficiencies (minimum of \$1,000 and a maximum of \$20,000 plus deficiencies). This deposit will be retained to ensure payment of any maintenance or repair required during the maintenance period. This deposit does not apply to approved B.C. Hydro or B.C. Telephone installations.
  - (f) Any costs incurred by the City which are recoverable by the City from the Owner, will be deducted from any authorized partial refund irrespective of whether or not the recoverable amount relates to the segment of work for which a partial refund was authorized.

**COMPLETION OF WORKS (continued)**

17. No security deposited shall be returned unless and until all of the requirements for which the security has been deposited shall have been completed to the satisfaction of and approval of the Director of Engineering.
18. The security deposit shall be returned to the depositor of the security only.
19. Administration Fees:
  - (a) Any person who undertakes to install works and services at the time of subdivision or development shall be required to enter into a Servicing Agreement with the City as set out in "Schedule D" to the Bylaw.
  - (b) Pursuant to Section 26 of the Servicing Agreement, administration fees shall be paid in accordance with "Schedule A" to the Bylaw.
  - (c) Where a subdivision or development does not require a servicing agreement for the installation of works and services, a non-refundable administration fee as set out in "Schedule A" to the Bylaw will be applied.
20. Survey Monuments and Legal Posting:
  - (a) All legal survey posts and monuments placed by the Surveyor as indicated by the subdivision plan must be in place at the time the subdivision plan is tendered for examination and final approval. These posts and monuments must be in place for the final inspection.
  - (b) Co-ordinated survey monuments shall be constructed as required by the Director of Engineering and the survey monuments shall be incorporated in the works of subdivisions as specified by the Director of Engineering and referenced on the subdivision plan.
21. "Non-Refundable Deposits" paid in lieu of construction of works and services shall be calculated by the City on the basis of 1.10 times the estimated construction cost. Form F-9 ("Agreement to pay Non-Refundable Deposit") shall be completed.

**I. SERVICE LEVELS:**

1. Upon application for subdivision or development, the City will detail the works and services required on a site specific basis.
2. Where the Director of Engineering considers modifying the level of service, he shall consider:
  - (a) The extent of existing services in the area;



**SERVICE LEVELS (continued)**

- (b) The likelihood of achieving the required service level through further subdivision in the area; and
  - (c) The most likely process by which the required service level may be achieved (e.g. subdivision, building permit, local improvement, etc.).
- 3. The service level for water utility shall not be modified except in the case of building permits on lots which are already correctly zoned for the proposed use.
- 4. Service levels shall not be modified where the results of the modification will result in a contravention of a specific Council policy.
- 5. In areas of the City designated other than rural or agricultural under the City's Official Community Plan, extension of electrical, telephone and cablevision distribution systems and connections are to be underground unless otherwise provided for in this policy.
- 6. In those areas of the City required to install electrical, telephone and cablevision underground service connections pursuant to Sub-Section 5 above, the following exemptions would apply save and except all three phase secondary service connections are to be underground.

Underground dip services would not be required where:

- (a) A subdivision plan creates two or less additional single family or duplex lots and the existing properties in the area are connected to electrical, telephone and cablevision by way of overhead service; or
- (b) A single family or duplex building located on an existing lot, is removed, demolished or burns down, the new single family or duplex building constructed can be connected by way of a secondary electrical overhead service not exceeding a 200 amp single phase secondary service providing the existing residences along the street are connected by way of overhead service; or
- (c) For any existing property, the existing electrical service is to be reused and/or will not be increased in size above a 200 amp single phase secondary service in conjunction with any existing building or new building to be constructed; or
- (d) A property is located within a developed industrial area, fronts onto an existing Municipal road and a connection to hydro by way of a primary service is approved by B.C. Hydro; or

**SERVICE LEVELS (continued)**

- (e) The Director of Engineering and Operations determines that it would not be in the City's interest to install the distribution system or service underground.
7. Where a proposed development is "out of sequence" the Owner shall construct:
- (a) All "required services" on property frontages considered technically feasible by the Director of Engineering; and
  - (b) All "necessary services" between the development site and existing City services.
8. For the purpose of this clause the following definitions shall apply:
- "REQUIRED SERVICES" - shall mean those services required by the City's Engineer to provide a service level in conformance with the land use designated in the City's Official Community Plan;
- "NECESSARY SERVICES" - shall mean a proven water supply, an approved sewage disposal system, a proven drainage system and a proven road system constructed in accordance with the Bylaw and those works required for the issuance of a "Highway Access Permit";
- (a) "Required services" which are directly attributed to the subdivision or development as determined by the Director of Engineering and/or the Approving Officer and are not considered technically feasible to be installed at the time of subdivision or development shall be provided for by the payment of a NON-REFUNDABLE DEPOSIT calculated on the basis of the development property frontage.
  - (b) The development may proceed on the basis of providing those services considered technically feasible by the Director of Engineering with the balance of the services installed by the City at a later unspecified date using the funds on deposit.
  - (c) The City will not consider the installation of "works and/or services" for which a deposit is taken until a minimum of 70% of the lots fronting the street have been developed in accordance with the land use as designated in the official community plan.
  - (d) Non-refundable deposits taken pursuant to this policy will be based upon the estimated cost of construction times a multiplier of 1.10 to allow for engineering and contingencies (10%). Unfunded works shall be recovered by the City as a latecomer charge imposed on undeveloped properties who have not paid a non-refundable deposit towards the works to be constructed.

**SERVICE LEVELS (continued)**

- (e) A Latecomer Charge will be established pursuant to the City's Latecomer Policy Directive adopted from time to time, to allow the Owner to recover part of his investment from latecomers as they develop and take advantage of the services he installs.
9. Frontage improvements will be required in rural and agriculturally zoned areas in accordance with the following:
- (a) At time of building permit:
    - (i) No frontage works will be required other than those works associated with the proper installation of a driveway and its associated drainage works and the issuance of a highway access permit.
  - (b) At time of subdivision:
    - (i) No road improvements will be required where a property line adjustment is proposed and no additional lots are created. Notwithstanding the above, if City water or sanitary sewer facilities are available and the property is within the applicable designated service bylaw area, connection to City services will be required;
    - (ii) Where the creation of one additional lot is proposed as in the case of a home site severance or subdivision for a residence for relative "(i)" above would apply. Notwithstanding, in the case where the zoning allowed for further subdivision and this one lot subdivision proposal could be considered as Phase I of a multiphase subdivision frontage works may be required; and
    - (iii) The creation of two (2) or more additional lots, where the lots being created are less than 1.1 hectares in size, is considered a major subdivision and thus frontage works may be required or monies in lieu of doing the frontage works required.

**J. SUBDIVISION LAYOUT AND DESIGN:**

1. The design of any subdivision shall include the following:
- (a) Side lot lines of parcels created by a proposed subdivision shall be substantially at right angles or radial to street lines unless the Approving Officer is satisfied that it is impractical to comply;

**SUBDIVISION LAYOUT AND DESIGN (continued)**

- (b) Double frontage lots shall not be permitted unless it is impractical to provide suitable alternatives due to topography, orientation or other requirements of Section 9 hereof;
  - (c) Proposed parcels shall provide a building area of at least 7.5 m by 13.5 m exclusive of the building setback requirements of the Zoning Bylaw;
  - (d) Corner lots are to be oriented to favour driveway access to the street having the lesser road class designation unless the City Approving Officer is satisfied that it is impractical to comply with this requirement;
  - (e) In an urban growth area no parcel shall be permitted to cross an intermittent or continuous flowing creek, stream or other watercourse; and
  - (f) Except where a setback in respect to a highway is concerned, no subdivision shall be approved which would cause any existing building or structure, to contravene any zoning, building, or other regulation in force.
2. A pre-calculated lot layout plan showing all lot dimensions, lot areas and panhandle lot areas, (exclusive of the access strip area), highways, rights-of-way and easements shall be submitted to the City at the preliminary design stage prior to the start of detailed design. The purpose of this plan is to demonstrate that all dimension requirements of this Bylaw, the Zoning Bylaw and servicing can be achieved.
3. The provision of frontage to a lot by means of a panhandle access strip shall be considered:
- (a) On the turnaround section of a cul-de-sac;
  - (b) Where the existing topography of the parcel being subdivided prohibits subdivision in the conventional manner;
  - (c) To provide access to passive park, conservation areas and similar public use land;
  - (d) To provide secondary access for lots fronting onto Arterial or Collector and Provincial highways;
  - (e) Where the provision of a highway would serve no useful purpose for either the existing lot breakdown or future or adjacent subdivision;
  - (f) The area occupied by a panhandle shall be in addition to the parcel size minimum as required by the Zoning Bylaw.

**SUBDIVISION LAYOUT AND DESIGN (continued)**

4. In considering the provision of frontage to a lot by means of a panhandle access strip in paragraph (3), due regard shall be given to the following:
  - (a) Whether the parcel is capable of being further subdivided under existing regulations through conversion of all or part of the panhandle to highway which would be in general conformity with Official Community Plans;
  - (b) Whether the panhandle is wide enough to serve the proposed lot having due regard for topography, physical features, adjoining lands and the subdivision potential of such lot;
  - (c) For residential uses excluding suburban residential, the panhandle shall have a minimum width of 6 m, but in all cases shall be sufficient to accommodate a safe driveway of not less than 3.5 m of usable width;
  - (d) For industrial and commercial uses, rural and suburban residential uses, a panhandle shall have a minimum width of 10 m, but in all cases shall be sufficient to accommodate a safe driveway of not less than 7.5 m of usable width, provided that panhandle lots shall not be permitted on parcels within a zone or zones established by the Zoning By-law for commercial or industrial use which are not being subdivided to the highest density which can be reasonably expected during the structural lifetime of buildings anticipated;
  - (e) Whether an attempt is being made to assemble land which conforms substantially to the existing Official Community Plan;
  - (f) When there is an existing house on the lot to be subdivided and it is feasible to relocate the house to create two standard lots, the application for a panhandle lot will be denied; and
  - (g) The Owner may be required to provide fencing and/or screening of the panhandle lot. When this is required, the Owner shall provide a bond to the City equal to 1.5 times the value of the works prior to the subdivision plans being signed. Upon installation by the Owner of the accepted fencing and/or screening the bond shall be released.
  
5. Servicing to panhandle lots within areas of the City designated other than rural or agricultural must be as follows:
  - (a) Underground hydro and telephone ducts be installed to the land. In areas where existing overhead distribution fronts the property, "dip" services will be required; and
  - (b) Storm drainage, sanitary sewer and water services (where applicable) be installed to the land.

**SUBDIVISION LAYOUT AND DESIGN (continued)**

6. Except where no reasonable alternative exists, no parcel shall have direct access from an "Arterial", or Provincial Highway as designated in Appendix "A" of this Policy.

---

Chief Administrative Officer