

DISTRICT OF CHETWYND  
SUBDIVISION SERVICING  
BYLAW NO. 448, 1989

November 1989

Prepared by  
KLM Engineering Group Ltd.

DISTRICT OF CHETWYND  
SUBDIVISION SERVICING  
BYLAW NO. 448.1989

TABLE OF CONTENTS

<u>DESCRIPTION</u>	<u>PAGE</u>
1.0 TITLE	1
2.0 REPEAL	1
3.0 JURISDICTION	1
4.0 SEVERABILITY	2
5.0 SCHEDULES	2
6.0 DEFINITIONS	2
7.0 GENERAL	7
8.0 HIGHWAYS	8
9.0 WATER SYSTEM	11
10.0 FIRE HYDRANT SYSTEM	12
11.0 SEWAGE COLLECTION AND DISPOSAL SYSTEM	12
12.0 DRAINAGE SYSTEM	13
13.0 APPROVALS	14
14.0 CONNECTIONS	14
15.0 COMPLETION AND ACCEPTANCE	15

SCHEDULE "A" - SUBDIVISION SERVICING STANDARDS

DISTRICT OF CHETWYND  
SUBDIVISION SERVICING  
BYLAW NO. 448,1989

A BYLAW TO REGULATE THE SUBDIVISION OF LAND AND  
TO ESTABLISH A STANDARD OF WORKS TO BE PROVIDED  
AT THE TIME OF SUBDIVISION.

WHEREAS Council is empowered to regulate and require works and services in respect to the subdivision of land, pursuant to the provisions of the Municipal Act;

NOW THEREFORE the Council of the DISTRICT OF CHETWYND in open meeting assembled enacts as follows:

1.0 TITLE

- 1.1 This Bylaw may be cited for all purposes as the "District of Chetwynd Subdivision Servicing Bylaw No. 448,1989."

2.0 REPEAL

Bylaw No. 215,1978 cited as "Village of Chetwynd Subdivision Control Bylaw No. 215,1978" and all amendments hereto are hereby repealed.

3.0 JURISDICTION

- 3.1 No subdivision of land within the municipality shall be allowed unless the subdivision is in accordance with the provisions of this Bylaw and is approved by the Approving Officer of the Municipality.

DISTRICT OF CHETWYND  
SUBDIVISION SERVICING  
BYLAW NO. 448.1989

4.0 SEVERABILITY

4.1 If any portion of this Bylaw is for any reason held invalid by a Court of competent jurisdiction, the invalid portion shall be severed without affecting the remainder of the Bylaw.

5.0 SCHEDULES

5.1 Schedule "A" as listed below and annexed to this Bylaw is part of the Bylaw:

Schedule "A" Subdivision Servicing Standards

6.0 DEFINITIONS

In this Bylaw:

6.1 "Applicant" means a person applying for approval of a subdivision whether as owner or as a duly authorized agent;

6.2 "Approval" means approval in writing from the authority having jurisdiction;

6.3 "Approving Officer" means the person authorized by the Municipal Council pursuant to the Land Title Act to act as Approving Officer;

6.4 "Certificate of Completion" means a written acknowledgment by the Municipality over the signature of the Approving Officer or other person authorized by Council, that all or a specified portion of the works have been completed;

DISTRICT OF CHETWYND  
SUBDIVISION SERVICING  
BYLAW NO. 448,1989

- 6.5 "Controlled access highway" means a highway designated as a controlled access highway pursuant to the Highway Act;
- 6.6 "Community drainage system" means a system of storm water drainage works owned, operated and maintained by the Municipality;
- 6.7 "Community fire hydrant system" means a system of fire hydrants owned, operated and maintained by the Municipality.
- 6.8 "Community sewer system" means a common sewer, or system of sewerage or sewage disposal, which serves two or more parcels and which is owned, operated and maintained by the Municipality;
- 6.9 "Community water system" means a system of waterworks approved by the Ministry of Health which serves two or more parcels and which is owned, operated and maintained by the Municipality;
- 6.10 "Cul-de-sac" means a length of local highway made for vehicular use, the end of which is designed to be permanently closed by the pattern of subdivision or which is terminated by a natural feature such as inaccessible terrain;
- 6.11 "Developer" means the person or persons who cause subdivision of land to take place or who cause development to take place in a subdivision;
- 6.12 "Engineer" means the Engineer of the Municipality or other person appointed by Council to act as Engineer under this Bylaw;
- 6.13 "Frontage" means that length of a parcel boundary which immediately adjoins a highway other than a lane or walkway;

DISTRICT OF CHETWYND  
SUBDIVISION SERVICING  
BYLAW NO. 448.1989

- 6.14 "Frontage road" means that length of a highway which on one side adjoins a highway designated as a controlled access highway and from which access is permitted to parcels on the other side;
- 6.15 "Highway" includes a street, road, lane, bridge, viaduct and any other way open to the use of the public, but does not include a private right-of-way on private property;
- 6.16 "Highway, Arterial" means a highway intended to carry large volumes of traffic primarily between major traffic generators, and it is not intended to directly serve adjacent land.
- 6.17 "Highway, Collector" means a highway located within an area of major traffic generation and which is used primarily for the collection and distribution of traffic between arterials and local streets as well as to serve some adjacent land.
- 6.18 "Intersection" means the intersection of highways and includes the intersection with a highway of a parcel created pursuant to Section 11 of Part 2 of B.C. Regulation 334/79;
- 6.19 "Lane" means a highway more than 6.0 metres but not greater than 9.0 metres in improved width which provides secondary vehicular access to an abutting parcel;
- 6.20 "Local street" means a street used or intended to be used primarily for access to abutting residential parcels rather than for through or commercial traffic;
- 6.21 "Medical health officer" means the medical health officer appointed under the Health Act and having jurisdiction over the area in which a proposed subdivision is located;

DISTRICT OF CHETWYND  
SUBDIVISION SERVICING  
BYLAW NO. 448,1989

- 6.22 "Municipality" means the District of Chetwynd;
- 6.23 "Natural boundary" means the visible high-water mark of any lake, river, stream or other body of water where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark upon the soil of the bed of the lake, river, stream or other body of water a character distinct from that of the banks thereof, in respect to vegetation as well as in respect to the nature of the soil itself as defined in Section 1 of the Land Act and includes the best estimate of the edge of dormant or old side channels and marsh areas;
- 6.24 "Notice of Acceptance" means notice in writing issued by the Municipality confirming that ownership of all or part of the works in a subdivision have been accepted by the Municipality;
- 6.25 "Official Community Plan" means an official community plan adopted by the Council of the District of Chetwynd pursuant to the Municipal Act;
- 6.26 "Owner" in respect of real property means the registered owner of an estate in fee simple, and includes
- a) the tenant for life under a registered life estate;
  - b) the registered holder of the last registered agreement for sale;
  - c) the holder or occupier of land held in the manner mentioned in Sections 409 and 410 of the Municipal Act;
- 6.27 "Parcel" means any lot, block, or other area in which land is held or into which land is subdivided or any remaining portion of the land being subdivided, but does not include a highway;

DISTRICT OF CHETWYND  
SUBDIVISION SERVICING  
BYLAW NO. 448.1989

- 6.28 "Pipeline" means a pipe for the conveying of water, storm water or runoff, sewage, liquid wastes, oil or natural gas or their by-products, and includes culverts;
- 6.29 "Potable water" means water which is approved for drinking purposes by the Medical Health Officer;
- 6.30 "Professional Engineer" means a person who is registered or duly licensed as such under the provisions of the Engineers Act;
- 6.31 "Roadway" means that portion of a highway that is improved, designed or ordinarily used for vehicular traffic;
- 6.32 "Site area" means the minimum site area required by the District of Chetwynd Zoning Bylaw;
- 6.33 "Sidewalk" means that portion of a highway improved for pedestrian traffic;
- 6.34 "Slip" means the downward and outward movement of slope-forming materials composed of natural rock, soils, artificial fills, or combinations of these materials, which movement may proceed by any falling, sliding, or flowing or any combination thereof;
- 6.35 "Subdivision" means (a) a subdivision as defined in the Land Title Act, and (b) a subdivision under the Condominium Act.
- 6.36 "Subdivision servicing standards" means those specifications, drawings, general conditions and design criteria which are shown in Schedule "A" of this Bylaw;

DISTRICT OF CHETWYND  
SUBDIVISION SERVICING  
BYLAW NO. 448,1989

- 6.37 "Walkway" means a highway less than 3 metres in width for the use of the pedestrian public only;
- 6.38 "Watercourse" means any natural drainage course or source of water, whether natural or man-made, having defined banks and a bed 0.6 metres or more below the surrounding land, whether usually containing water or not, and includes any lake, river, creek, spring, ravine, swamp, gorge or source of ground water;
- 6.39 "Works and services" means the improvements required under this Bylaw to be made to subdivided land or land to be developed including the installation of water, fire hydrant, sewage and drainage systems and construction of highways, and all other services, matters and things required of the owner by this Bylaw;
- 6.40 "Zone" means a zone established under the Zoning Bylaw of the District of Chetwynd;
- 6.41 "Zoning Bylaw" means the Zoning Bylaw currently in force in the Municipality;

7.0 GENERAL

- 7.1 All subdivisions in the Municipality shall be serviced by a community water system, a community sewer system, a storm drainage system, a community fire hydrant system, paved public roadways, sidewalks, curb, gutter, street lighting, gas, cablevision and telephone, subject to this Bylaw. Services shall be installed by the Developer in accordance with standards, specifications, and drawings as shown

DISTRICT OF CHETWYND  
SUBDIVISION SERVICING  
BYLAW NO. 448.1989

in the Subdivision Servicing Standards which is marked Schedule "A" and forms part of this Bylaw.

7.2 Where any power line or pipeline crosses or is situated on the land which is being proposed to be subdivided, the subdivision shall be designed so that such power line or pipeline is incorporated within the limits of a highway or is adjacent and parallel thereto, so that no parcel upon which a building is intended to be situated is created where such building shall:

- a) in the case of a power line be sited no closer than 6 metres measured horizontally to any part of the power line or its structure;
- b) in the case of a pipeline be sited no closer than 10 metres to the centre line of the pipeline or centre line of the pipeline right-of-way, whichever is the greater.

8.0 HIGHWAYS

8.1 Subdivision

No parcel shall be created by subdivision unless it abuts a highway improved to the standards prescribed in Schedule "A" of this Bylaw. No subdivision shall be approved until the owner of the land provides works and services, in accordance with Schedule "A" of this Bylaw, on that portion of a highway immediately adjacent to the site being subdivided or developed, up to the centre line of the highway.

DISTRICT OF CHETWYND  
SUBDIVISION SERVICING  
BYLAW NO. 448.1989

8.2. Standards and Specifications

All highways created by subdivision, including widened strips of existing highways and walkways, shall be designed, cleared, drained, surfaced and constructed in accordance with the standards prescribed in Schedule "A" of this Bylaw.

8.3 Alignment and Gradient

No land shall be subdivided unless the alignment and gradient of the proposed highways conform with the standards prescribed in Schedule "A" of this Bylaw.

8.4 Parcels on Controlled Access Highways

No parcel shall be created by subdivision adjacent to a controlled access highway, unless the parcel also abuts a lane or local or collector street.

8.5 Intersecting Highways

- a) In a subdivision containing any parcel more than 80 metres in width, local streets shall be provided and spaced at intervals of not more than 400 metres on the arterial or collector streets, except:
- i) where natural features render vehicle access impractical, or
  - ii) where the pattern of existing subdivision precludes the necessity of providing access.

DISTRICT OF CHETWYND  
SUBDIVISION SERVICING  
BYLAW NO. 448,1989

- b) In a subdivision containing any parcel less than 80 metres in width, local streets shall be spaced at intervals of not more than 200 metres on arterial or collector streets.
- c) The number of highway intersections within a subdivision shall be kept to a minimum, and where practicable:
  - i) Y-shaped intersections shall be avoided;
  - ii) T-shaped intersections shall be used when the intersecting highway is to carry a small amount of local traffic;
  - iii) intersections with more than four legs shall be avoided;
  - iv) intersections shall not be located in or near sharp curves or near the crest of any rise.

8.6 Lanes

- a) Lanes shall be a minimum of 6 metres in width, free from curbs, and be provided with triangular corner cutoffs measuring not less than 3 metres each way from the corner of bends or where lanes intersect with highways or other lanes.
- b) Lanes shall be arranged with continuity from block to block so that the lanes run straight through blocks.
- c) In the case of a lane which does not terminate at an intersection with another highway, there shall be a turning area of not less than 12.0 metres square.

DISTRICT OF CHETWYND  
SUBDIVISION SERVICING  
BYLAW NO. 448,1989

8.7 Cul-de-sacs

- a) The length of a cul-de-sac shall not exceed 180 metres measured to the most distant point of turnaround. In unusual cases where this is impractical, the Approving Officer may accept a greater length.
- b) Cul-de-sacs shall incorporate a turnaround right-of-way having a radius of not less than 17.50 metres.

8.8. Street Lighting

Where any parcel is being subdivided and a highway or portion thereof is being created, street lighting shall be located and constructed in accordance with the standards prescribed in Schedule "A" of this Bylaw.

8.9. Sidewalks and Boulevards

Where any parcel is being subdivided and a highway or portion thereof is being created, sidewalks and boulevards shall be located and constructed in accordance with the standards prescribed in Schedule "A" of this Bylaw.

9.0 WATER SYSTEM

- 9.1. Where any parcel is proposed to be subdivided, every parcel in the subdivision created shall be served by a water distribution system and connected to a community water system in accordance with the standards prescribed in Schedule "A" of this Bylaw.

DISTRICT OF CHETWYND  
SUBDIVISION SERVICING  
BYLAW NO. 448.1989

- 9.2. Where a parcel proposed to be subdivided abuts a trunk water main, the trunk water main shall be extended through the land to be subdivided by the owner whether or not the capacity of the main exceeds that required to service the subdivision.
- 9.3. Where a proposed subdivision does not abut a community water system, the owner shall extend a water trunk main from the community water system to the subdivision.

10.0. FIRE HYDRANT SYSTEM

- 10.1. Where a parcel is proposed to be subdivided, every parcel created as a result of the subdivision shall be served by a fire hydrant system in accordance with the standards prescribed in Schedule "A" of this Bylaw.
- 10.2. Where a parcel proposed to be subdivided abuts a trunk fire hydrant main, the trunk fire hydrant main shall be extended through the land to be subdivided by the owner, whether or not the capacity of the main exceeds that required to service the subdivision.
- 10.3. Where a subdivision does not abut a community fire hydrant system, the owner shall extend a fire hydrant main from the community fire hydrant system to the subdivision.

11.0. SEWAGE COLLECTION AND DISPOSAL SYSTEM

- 11.1. Where any parcel is proposed to be subdivided, every parcel in the subdivision created shall be provided with a sewage collection system

DISTRICT OF CHETWYND  
SUBDIVISION SERVICING  
BYLAW NO. 448,1989

and connected to a community sewer system in accordance with the standards prescribed in Schedule "A" of this Bylaw.

- 11.2. Where a parcel proposed to be subdivided abuts a trunk sewer main, the trunk sewer main shall be extended through the land to be subdivided by the owner, whether or not the capacity of the main exceeds that required to service the subdivision.
- 11.3. Where a proposed subdivision does not abut a community sewer system, the owner shall extend a sewer trunk main from the community sewer system to the subdivision.

12.0. DRAINAGE SYSTEM

- 12.1. Where any parcel is proposed to be subdivided, every parcel in the subdivision created shall be served by a community drainage system in accordance with the standards prescribed in Schedule "A" of this Bylaw.
- 12.2. Where a parcel proposed to be subdivided abuts a trunk main which is part of a community drainage system, the trunk main shall be extended through the land to be subdivided by the owner, whether or not the capacity of the main exceeds that required to service the subdivision.
- 12.3. Where a proposed subdivision does not abut a community drainage system, the owner shall extend a trunk main from the community drainage system to the the subdivision.

DISTRICT OF CHETWYND  
SUBDIVISION SERVICING  
BYLAW NO. 448,1989

13.0. APPROVALS

13.1. The design, materials, construction and testing of any community water system, community sewer system and public highways to service any proposed subdivision shall be in accordance with the requirements of any senior government regulations or statutes which are applicable thereto.

13.2. Notwithstanding the requirement of Subsection 1 of Section 13 of this Bylaw, a subdivision may be approved prior to the construction of the required services provided that an arrangement pursuant to Section 991 of the Municipal Act has been made.

13.3. Subdivision Fees

An application for approval in principle shall be accompanied by a fee of \$25.00 for the first parcel to be created by the proposed subdivision and \$10.00 for each additional parcel.

14.0. CONNECTIONS

14.1. General

Where an owner constructs and installs the works required under this Bylaw, the owner shall not connect such works to any of the sewage, drainage, water or fire hydrant systems of the Municipality, and the Municipality shall not give final notice of acceptance to all or any part of the works constructed and installed by the owner until:

DISTRICT OF CHETWYND  
SUBDIVISION SERVICING  
BYLAW NO. 448,1989

- a) the proposed subdivision has been approved by the Approving Officer; and
- b) the owner has caused to be registered in the Land Title Office and has deposited with the Municipality a plan of all rights-of-way required; and
- c) the owner has deposited with the Approving Officer "as constructed" drawings of the works prepared and sealed by a Professional Engineer; and
- d) a Certificate of Completion has been issued by the Municipality.

14.2. Supervision of Connections

Connections to municipal water, fire hydrant, sewage and drainage systems shall be made under the supervision of and in accordance with the instructions of the Approving Officer and 72 hours notice shall be required.

15.0. COMPLETION AND ACCEPTANCE

15.1. Completion of Works

No works required under this Bylaw shall be considered complete until a Certificate of Completion has been issued. Separate Certificates of Completion may be issued for highway, water, fire hydrant, sewer and drainage works.

15.2. Acceptance of Works

Subsequent to receipt of "as built" drawings sealed by a Professional Engineer and upon the issuance of a Certificate of Completion, the

**DISTRICT OF CHETWYND**  
**SUBDIVISION SERVICING**  
**BYLAW NO. 448,1989**

Municipality may by Certificate of Acceptance, accept ownership of any and all works installed by the owner, provided they are located within a highway or statutory right-of-way or are on land owned by the Municipality.

15.3. **Warranty and Maintenance Period**

Notwithstanding any acceptance of ownership of works by the Municipality, the owner shall be responsible for any maintenance and repairs to the works until the issuance of a Certificate of Acceptance for the works. The warranty and maintenance period shall start on the date specified in the Certificate of Completion and shall be in effect for one (1) year.

15.4. **Failure to Maintain or Repair**

Upon failure of the owner to maintain or repair works, the Municipality may at the expense of the owner undertake maintenance or repairs.

DISTRICT OF CHETWYND  
SUBDIVISION SERVICING  
BYLAW NO. 448,1989

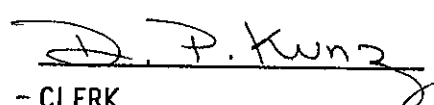
READ A FIRST TIME THE 19 day of December, 1989.

READ A SECOND TIME THE 19 day of December, 1989.

READ A THIRD TIME THE 6 day of March, 1990.

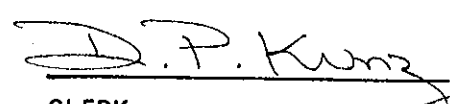
RECONSIDERED, FINALLY PASSED AND ADOPTED THE 20 day of  
March, 1990.

  
MAYOR

  
Deputy - CLERK

CERTIFICATION

I HEREBY CERTIFY that the foregoing is a true and correct copy of Bylaw No. 448, cited as the "District of Chetwynd Subdivision Servicing Bylaw No. 448,1989."

  
Deputy - CLERK