

BY-LAW NO. 20

A SUBDIVISION BY-LAW

The council of the Municipality of the Village of Hillsborough, under the authority vested in it by subsection (1) of section 42 of the Community Planning Act, enacts as follows:

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Title

1. This be-law may be cited as the Village of Hillsborough Subdivision By-law.

Interpretation

2. In this by-law:
  - (a) "lot" means the minimum area of land used, or intended to be used, for a specific use; and
  - (b) "use" means the purpose for which land, or a building or structure, or any combination thereof, is designated, arranged, erected, intended, occupied or maintained.

Scope of By-Law

3. No subdivision plan of land in the municipality shall be approved by the Advisory Committee unless the proposed subdivision meets the requirements of the by-law and the zoning by-law.

Tentative Plan

4. A person seeking approval of a subdivision plan shall submit to the Development Officer four copies, or as many as may be required by the Advisory Committee, of a tentative plan, drawn to a scale of 2.5 cm to 30.5 m (1" to 100'), unless exempted by the

Development Officer together with a written application for approval of such a tentative plan.

5. (1) Streets in a Subdivision shall have a minimum width of 20 m (66').

(2) Courts shall have a maximum length of 183 m (600'), and shall terminate with a circular area having a minimum radius of 15 m (50').

(3) To the satisfaction of the Advisory Committee, streets shall be:

(a) located with due regard to topography, general traffic requirements, existing streets in or adjoining the subdivision, and the development of adjacent properties; and

(b) laid out so as to interest <sup>sect</sup> as nearly as possible at right angles, and in no case shall one street intersect another at an angle of less than 60 degrees.

(4) Where a subdivision abuts on, or includes, an existing or proposed arterial street, the Advisory Committee may require streets parallel thereto and such arrangement of lots, streets and screen planting as it may deem necessary to adequately protect residential properties from the effects of traffic.

(5) Reserve strips abutting on a street are prohibited except where such strips are vested in the municipality.

(6) The maximum gradient of streets in a subdivision shall be 8 per cent, except that the Advisory Committee may, in exceptional cases made necessary by the topography of the land in the subdivision, and with the consent of the council, increase the maximum gradient allowable to 10 per cent.

(7) Street names shall be subject to the approval of the Advisory Committee.

(8) The Advisory Committee may require, as a condition of approval of a subdivision plan of land that, where access will be gained to the subdivision by means of an existing street, such provision as the Advisory Committee deems necessary to be made by the person seeking approval of the subdivision plan to bring the existing street to the same standard as streets within the subdivision.

#### Blocks

6. (1) To the satisfaction of the Advisory Committee, the dimensions and shapes of blocks shall be determined with due regard to:

- (a) the provision of lots suitable for the intended use;
- (b) The requirements of the zoning be-law;
- (c) provision for convenient access, circulation and control of vehicular traffic to ensure the public safety; and
- (d) topography.

(2) Unless otherwise approved by the Advisory Committee, blocks shall not exceed 244m (800'), or be less than 122m (400'), in length and shall have a minimum width of two lots.

#### Lots

7. (1) Unless otherwise approved by the Advisory Committee every lot or other parcel of land in a subdivision shall abut on a street

(2) That lot sizes conform to the lot sizes of the zoning by-law.

(3) With respect to lots on a cul-de-sac turn-around, the minimum frontage shall be measured at the line of minimum set-back, as established by the zoning by-law, and such minimum width shall be maintained for a depth of at least 9 m (30') to the rear of such line of set-back.

Pedestrian Walkways

8. Pedestrian walkways, in a width deemed necessary by the Advisory Committee, shall be provided when deemed necessary by the Committee to provide access or circulation to school, libraries, playgrounds and other such facilities.

Easements

9. Easements shall be provided for utilities when necessary, and shall be at least 3 m (10') wide.

Conditions of Approval

10. (1) No approval of a subdivision plan shall be given unless, in the opinion of the Advisory Committee:

(a) the land is suited for the purpose for which the subdivision is intended and may reasonably be expected to be used for that purpose within a reasonable time after the subdivision plan is approved;

(b) the proposed subdivision conforms to the community plan, if one is adopted, and to the provisions of any by-laws in effect in the municipality; and

(c) the proposed manner of subdivision will not prejudice the possibility of further sub-dividing land in the subdivision, or the convenient subdivision of adjoining land.

(2) Where water or sewerage services are required by the zoning by-law for a use, no approval of a subdivision plan shall be given unless, in the opinion of the council:

(a) the council will be able in the foreseeable future to provide the proposed subdivision with the sewerage collection system or water service required, or the person proposing the subdivision has made satisfactory arrangements for providing such services; and

(b) the owner of the land has made satisfactory arrangements to install such services within the subdivision at his own expense or has delivered a performance bond acceptable to the council in an amount sufficient to cover such expenses.

Enforcement

11. The Development Officer and the building inspector are authorized by the council to enter, at any reasonable time, any land or building in the municipality for the purpose of making an inspection or examination relating to sub-divisions, or of administering or enforcing this by-law or any provision of the Community Planning Act relating to subdivisions.

12. Sub-division by-law No. 4 is hereby repealed.

APPROVED
Pursuant to s. 69
Community Planning Act
<i>Stewart Smith</i>
Minister of Municipal Affairs
May 31, 1982
Date

READ FIRST TIME: *April 5, 1982*

READ SECOND TIME: *April 5, 1982*

READ THIRD TIME AND ENACTED: *May 3, 1982*

*[Signature]*

CLERK

*[Signature]*

MAYOR