



SUBDIVISION CONTROL BYLAW #168

Consolidated for Convenience March 14, 2002

This version of this bylaw is a consolidation of amendments to the original bylaw as of the date specified. This consolidation is done for the convenience of users and accurately reflects the status of the bylaw as of the specified date but must not be construed as the original bylaw and is not admissible in Court unless specifically certified by the Clerk of the Village of Chase. Persons interested in the definitive wording of this bylaw and its amendments should view the original sealed bylaws at the Village Office.

AMENDMENTS IN THIS CONSOLIDATION

<u>No.</u>	<u>Bylaw No.</u>	<u>Date</u>	<u>Amendment</u>
1	220	26/02/81	Changes new subdivision servicing requirement to Level 1 from Level 2
2	374	09/03/89	Added Divisions 4 & 5 and made the existing Division 4 Division 6
3	488	27/05/93	Amends wording of 6.01(g)(i).

VILLAGE OF CHASE
SUBDIVISION CONTROL BYLAW NO. 168, 1978

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THE CORPORATION OF THE VILLAGE OF CHASE

BYLAW NO. 168 - 1978

The council of the Village of Chase in open meeting assembled, enact as follows:

Subdivision Control Bylaw No. 15 of the Village of Chase, and all regulations pertaining to the subdivision of land formerly within the Thompson-Nicola Regional District. (in so far as such regulations apply within the boundaries of the Village of Chase) and all amendments thereto are hereby repealed.

DIVISION 1 PREAMBLE

1.01 Title

The Bylaw may be cited as the "Subdivision Control Bylaw" of the Village of Chase.

1.02 Purpose

To regulate and control the subdivision of land within the municipality.

1.03 Definitions

All words and phrases shall have their normal or common meaning except where the same is changed, modified or expanded by the definitions as set forth in Division 2 of this Bylaw.

All other words, terms and expressions in this Bylaw shall be understood and interpreted in accordance with their use in the Land Registry Act.

1.04 Severability

If any provision of the Bylaw is found invalid, such provision is severable.

DIVISION 2 DEFINITIONS

2.01 Acceptance, Preliminary

"Acceptance, Preliminary" means certification by the Approving Officer that as far as can be known from the information submitted in application for preliminary acceptance a subdivision plan corresponding to the proposal submitted in application for plan acceptance, would be approvable for deposit in the Land Registry Office upon compliance with the requirements of this Bylaw regarding the carrying out of works on the land.

2.02 Acceptance, Plan

“Acceptance, Plan” means certification by the Approving Officer that the Engineering drawings submitted for all works to be carried out, are approved and that the plan of subdivision submitted for plan acceptance in accordance with Section 80 or 0 Section 106 of the Land Registry Act would be approvable for deposit in the Land Registry Office upon compliance with the requirements of this Bylaw regarding the carrying out of works on the land, as detailed in the aforementioned Engineering drawings.

2.03 Approval, Final

“Approval, Final” means approval by the Approving Officer of all works required by this Bylaw to be carried out in the Subdivision of Land, and shall constitute approval for the deposit of the approved subdivision plan in the Land Registry Office in accordance with Section 88 of the Land Registry Act.

2.04 Applicant

"Applicant" means a person who is applying for approval of a proposed subdivision whether as the Owner or as an agent for the Owner of the land included therein.

2.05 Approving Officer

“Approving Officer” means any officer duly authorized by the Village Council to administer this Bylaw, for the purpose of approving plans of subdivision pursuant to the Municipal, Land Registry and Strata Titles Act.

2.06 Boulevard

“Boulevard” means that portion of a street between the curb lines or the lateral lines of a roadway and the adjoining property or between curbs on median strips or islands, but does not include any curbs, sidewalks, ditches, or driveways.

2.07 Village

“Village” means the Village of Chase.

2.08 Village Engineer

“Village Engineer” means the Village Engineer, the Director of Public Works or a duly appointed or authorized representative of the Village of Chase.

2.09 Design Standards Manual

“Design Standards Manual” is a manual containing current planning and engineering standards to be used by the applicant or his agent as a guide to the subdivision of land within the limits of the Village of Chase, and may herein be referred to alternately as the “specifications” or the “Village specifications”.

2.10 Cul-de-sac

“Cul-de-sac” means a Street with only one point of intersection with another and which, therefore, terminates in a vehicular turning area.

2.11 Frontage

"Frontage" means that length of a parcel boundary which immediately adjoins a street.

2.12 Frontage Road

“Frontage Road” is a road which is adjacent to an arterial street or controlled access highway and which provides access to abutting properties and protects them from through traffic.

2.13 Lane

“Lane” means a highway less than 10 metres in width, intended primarily to furnish secondary access to parcels. A lane is not a half street.

2.14 Municipal Plan

“Municipal Plan” means an expression of Council policy for any use or uses of land or the overall pattern of subdivision of land, and it may be expressed in maps, plans, reports, Council resolutions or any combination thereof.

2.15 Owner

“Owner” means the person registered in the books of any Land Registry Office as being the Owner of the land or of any charge on the land being or proposed to be subdivided, whether entitled thereto in his own right or in a representative capacity or otherwise.

2.16 Parcel

“Parcel” means any lot, block or other area in which land is held or into which land is subdivided but does not include a street or portions thereof.

2.17 Panhandle Lot

“Panhandle Lot” means any parcel which gains road frontage through the use of a narrow strip of land (hereinafter called the “access strip”) which is an integral part of the parcel, but is not included when calculating the area of such parcel.

2.18 Professional Engineer

“Professional Engineer” means a person currently certified under the provisions of the Engineering Professions Act of the Province of British Columbia.

2.19 Service Level

“Service Level” means the scope and standard of Municipal services required for development of subdivision.

2.20 Street

“Streets” includes all highways, roads, squares, thoroughfares and other public ways, but does not include lanes, trails, bridges, or walkways.

2.21 Street, Arterial

“Street, Arterial” means a street used primarily by fast or heavy traffic of which a significant portion has both its origin and destination outside of the subdivision area.

2.22 Street, Collector

“Street Collector” means a street which carries traffic from local streets to arterial streets and includes the principal entrance streets and streets for circulation of traffic within such a subdivision.

2.23 Street, Local

“Street, Local” means a street used primarily for travel and access to and from the parcels of land contiguous thereto.

2.24 Subdivision

“Subdivision” means any change in the existing size, shape, Number or arrangement of a registered parcel or parcels, whether or not involving the creation of a greater number of parcels than existing and whether carried out by survey plan or otherwise.

2.25 Surveyor

“Surveyor’s means a person currently registered in good standing with the Corporation of Surveyors of the Province of British Columbia.

2.26 Walkway

“Walkway” means a lane of ten feet (3 meters) in width, intended for pedestrian use only.

2.27 Water Connection

“Water connection” means the water service line extending from the water main lying within a public right-of-way or an easement, to the property line or easement boundary of the parcel requiring water service. A water connection supplies or will supply only one individual parcel of land.

2.28 Water Extension

“Water extension” means the water main which must be installed between the point of termination of the existing water main, and a parcel or parcels requiring a water connection; and which lies totally within a public right-of-way or an easement. A water extension supplies or will supply more than one water connection.

2.29 Water Main

“Water main” means any water pipe or related appurtenance which is used to transport water for public use; and which is under the care and control of the Village.

2.30 Zoning Bylaw

“Zoning Bylaw” means a bylaw governing the use of land within the Village of Chase.

DIVISION 3 GENERAL REQUIREMENTS AND CONDITIONS

3.01 Subdivision proposed to be carried out by metes and bounds description may be accepted for approval at the discretion of the Registrar of the Land Registry Office.

3.02 The Approving Officer may refuse approval of an application for subdivision. The note of refusal shall state the reason or reasons for refusal.

- 3.03 The layout of streets within the proposed subdivision shall be designed in compliance with:
- a) The urban street network;
 - b) The Municipal plan of the Village as may exist from time to time.
- 3.04 Where the applicant for subdivision is required to construct a roadway in excess of thirty-six (36) (11 metres) feet in paved width, the Village shall pay the additional costs involved in the construction and paving of such roadway in excess of the width of thirty-six (36) feet (11 metres) provided that:
- a) Such wider pavement is not made necessary to accommodate the traffic to be generated by that particular development; or,
 - b) It is advantageous to the Village to advance the construction of such additional width of roadway.
- 3.05 Where any new half road width is dedicated and constructed as a requirement of subdivision or development and such half road is adjacent to an existing dedicated half road allowance, the existing allowance if open but not constructed to Village specifications, shall be constructed and paved by the applicant, to the minimum standards required under this bylaw in conjunction with construction of the now dedication. The costs of construction of the roadway over the existing half road allowance shall be borne by the Village, which costs shall be certified by the Developer and approved by the Village.
- 3.06 Where the Village requires the applicant to provide larger sanitary sewers, storm sewer or water mains than required to serve the subdivision as a means of providing extra capacity for further extension of the system, the Village will bear the cost of oversizing as follows:
- Costs of installing oversize main - cost of installing main required to serve the subdivision = Village share of cost. The estimated cost of the required main shall be based upon estimates prepared by the applicant and approved by the Village Engineer.
- 3.07 Where any applicant for subdivision is required to construct an extension of the sanitary sewerage system, and or domestic water, and or storm sewer system, from an existing trunk sewer or water main in order to make these services available to his subdivision or development, he shall provide and install such extensions as required by the appropriate Village of Chase Bylaws.
- 3.08 (a) Every applicant for approval of a subdivision shall pay all current school, municipal and Regional District taxes, rates and charges, assessed and levied against the lands to be subdivided, and where such taxes, rates

and charges for the then current year have not been assessed, levied and imposed on the said lands at the date on which the approval of the subdivision is signed by the Approving Officer, pay the amount estimated by the Village Collector to be the total of school, municipal and Regional District taxes, rates and charges to be assessed, levied and imposed on the said lands for the then current year.

- (b) Where application for approval of a subdivision is signed by the Approving Officer at any time between the 30th (day) of September and the 31st of December in any year, the applicant therefore shall pay all school, municipal and Regional District taxes, rates and charges assessed and levied against the lands to be subdivided and which are outstanding and owing at the date of such application.
- (c) Every payment made pursuant to the provisions of Clause (a) and Clause (b) hereof shall be deemed to be monies to be applied at a future date in payment of taxes pursuant to Section 380 of the "Municipal Act", and every such payment shall be accepted by the Collector subject to the provisions of Section 381 of the "Municipal Act".

3.09 The owner of land being subdivided shall provide, without compensation, land for public open space in the locations and to the extent required by the Approving Officer for the purpose of providing sufficient open space within the proposed subdivision for park and public use.

Where land being subdivided adjoins a lake, river, stream or other body of water, the Approving Officer may, as a condition of approving the subdivision, require the dedication, without compensation, of a strip of land not exceeding 7 m. in width along the bank or shore for the purpose of providing public access, if, in his opinion, it is in public interest to do so.

Land to be dedicated as described above shall be measured from:

- (a) the high water mark, or
- (b) the controlled high water mark, or
- (c) the natural boundary of the lake, river, stream, or other body of water as defined by the Land Act.

whichever is applicable.

The amount of land required to be provided or dedicated under this section shall not exceed 5% of the land being developed. The provisions of this section do not apply:

- (a) to subdivisions of less than 3 lots, or
- (b) to subdivisions where the smallest lot being created is larger than 2 ha. (4.9 acres) or
- (c) to consolidations of existing subdivided parcels.

Where the applicant is required by the Village to convey land for park purposes, it shall be in a location and of a quality acceptable to the Village and suitable for its intended use.

- 3.10 The applicant shall be responsible for maintaining a continuous program to control blowing dust and debris within the subdivision during construction of works and services. The method of control shall be in accordance with all pertinent dust control regulations in effect from time to time within the Village and to the satisfaction of the Village Engineer.
- 3.11 Where an application is submitted for subdivision of land within the Village in Designated Areas not requiring the installation of all services, the approving officer may require as a condition of approval, the registration of a covenant to the effect that time Village shall not be responsible for supplying additional services to the subdivision at some future date. This clause does not preclude such services being installed at some future date on a benefiting area basis.
- 3.12 Every plan of subdivision shall conform with regulations made under the "Controlled Access Highway's Act" where applicable.
- 3.13 Rights-of-way to the satisfaction of the Village shall be provided where deemed necessary by the Approving Officer, for utilities and/or natural surface drainage watercourses. Such rights-of-way shall be provided at no cost to the Village.
- 3.14 The Approving Officer or other such person as he may designate may enter at all reasonable times upon the lands for which an application to subdivide has been made for the purpose of administering or enforcing this bylaw.
- 3.15 Land within the Municipality designated as "Agricultural Land Reserve" pursuant to the Land Commission Act shall be subject to:
 - (a) the Land Commission Act, and
 - (b) regulations under the Land Commission Act, and
 - (c) relevant orders of the Provincial Land Commission.

- 3.16 Where land within a plan of subdivision is subject to or could reasonably be subject to flooding, the Approving Officer shall not approve the subdivision without the prior consent of the Deputy Minister of Water Resources who may require as a condition of his consent, that the subdivider enter into a covenant registerable under Section 24A of the Land Registry Act. General flood control requirements are as set out in the Village of Chase Zoning Bylaw.
- 3.17 The applicant shall conform with the regulations as set out under the “Soil Conservation Bylaw” of the Village of Chase, where applicable.
- 3.18 Nothing contained in this Bylaw shall relieve the applicant from the, responsibility to seek out and comply with legislation applicable to his undertaking.

DIVISION 4 SERVICING REQUIREMENTS FOR DEVELOPMENTS WITH NO SUBDIVISION

As a condition of the issuance of a building permit on the land being developed, the Village of Chase may require that the owner of the land provide works and services which may include access roads, drainage, and wiring as set out in the following sections.

1. Access Roads and Parking Areas

For developments where an access road or parking area is required, each access road or parking area shall be provided in accordance with the following standards:

- 1.1 The intersection of the access road with a public roadway shall be defined through the use of curbing or landscaping.
- 1.2 The intersection of the access road with a public roadway shall be located a minimum of 60 m from an intersection of two public roadways. If the lot frontage does not allow a 60 m distance between the access road and the intersection, then the intersection of the access road with a public roadway shall be located a minimum of 40 m from an intersection of two public roadways.
- 1.3 The access road shall be a minimum of 6 m wide.
- 1.4 The access road and parking area shall be hard surfaced with asphaltic concrete, concrete or concrete paving stones.
- 1.5 The access road shall not exceed a grade of 2% for a distance of 10 metres from the public road curb line or shoulder line. The remainder of the access road shall not exceed a maximum grade of 10%.

- 1.6 Access roads shall not intersect with public roads where the grade of the public road exceeds 6%.
- 1.7 A clear line of sight must be maintained where the access road intersects with the public roadway. No fence, wall, structure, hedge, bush, tree or other high profile plantings are to be located within a triangular corner cut area 10 metres long next to the access road by 10 in long next to the public road.
- 1.8 The access road intersection with the public roadway shall be located to provide drivers approaching the site with a minimum sight distance of 160 metres to oncoming vehicles.

2. Drainage

The development shall be provided with drainage works and services in accordance with the following standards:

- 2.1 The site shall be graded to ensure positive drainage to the point of discharge of water not absorbed by the ground.
- 2.2 The recommended minimum and maximum gradients to ensure positive drainage are set out in Table 1. If the drainage design is certified by a professional engineer, gradients that do not conform to the recommendations in Table 1 may be accepted.

TABLE 1
Gradients

Driveways	Maximum Gradient	1:10	10%
	Minimum Gradient	1:100	1%
Parking	Maximum Gradient	1:17	6%
	Minimum Gradient	1:66	1.5%
Walkways	Maximum Gradient	1:10	10%
	Minimum Gradient	1:50	2%
Paved Utility Area	Maximum Gradient	1:17	6%
	Minimum Gradient	1:50	2%
Grass Areas	Maximum Gradient	1:30	33%
	Minimum Gradient	1:100	1%

- 2.3 The site shall be graded and planted in a manner that will prevent erosion of the ground.
- 2.4 Site runoff shall not flow onto adjacent properties.

- 2.5 For sites where any foreign material other than natural storm drainage might enter the drainage system, facilities to remove the foreign material shall be designed and sealed by a Professional Engineer and approved by the Ministry of Environment.
- 2.6 Where disposal is to the Chase Creek, the South Thompson River, or Little Shuswap Lake, the drainage system shall be designed and sealed by a Professional Engineer and submitted for approval to the Ministry of Environment.
- 2.7 Disposal of drainage water shall be achieved by one of the following methods:
 1. connection to the municipal storm sewer system where the system exists in a roadway adjacent to the parcel, or where the municipality requires the storm sewer system to be extended to the parcel;
 2. discharge to a surface drainage course (ditches) where a storm sewer system is not available and a surface drainage course runs adjacent to the site;
 3. discharge to a dry well where a storm sewer system or ditching is not available and soil conditions and water table level facilitate effective operation of a dry well. Where dry wells are required they must conform to the standards set out in the Village of Chase Subdivision Control Bylaw No. 168;
 4. discharge to a natural drainage course, Chase Creek, the South Thompson River or Little Shuswap Lake where they run adjacent to or through a site and other disposal methods are not available.

(For the readers information, meeting the standards set out in this bylaw does not preclude the necessity to apply for permits from other agencies. For example, any discharge to natural drainage courses, Chase Creek, the South Thompson River, and Little Shuswap Lake will require permits from the Ministry of Environment.)

3. Wiring

- a) For developments in areas set out in Schedule "B" of Bylaw No. 168 where underground wiring is required, on-site wiring shall be installed underground.

- b) For developments in areas set out in Schedule “B” of Bylaw No. 168 where overhead wiring is permitted, on-site wiring may be installed overhead or underground.

DIVISION 5 SERVICING REQUIREMENTS FOR HIGHWAYS ABUTTING A SITE BEING SUBDIVIDED OR DEVELOPED

As a condition of the approval of a subdivision or the issuance of a building permit, the Municipality may require that the owner of the land being developed provide works and services directly attributable to the development on that portion of a highway immediately adjacent to the site being subdivided or developed, up to the centreline of the highway, including:

1. Highway Improvements - clearing, grading and surfacing in accordance with the standards set out in the design and construction manual of Bylaw No. 168.
2. Water System Improvements - in areas set out in Schedule “B” of Bylaw No. 168 where connection to the community water system is required, construction of water distribution system components in accordance with the standards set out in the design and construction manual of Bylaw No. 168.
3. Sewer System Improvements - in areas set out in Schedule “B” of Bylaw No. 168 where connection to the community sanitary sewer systems is required, construction of sewer collection system components in accordance with the standards set out in the design and construction manual of Bylaw No. 168.
4. Drainage System Improvements - provision of drainage facilities shall be as required in Schedule “B” of Bylaw No. 168 and construction of specific drainage system improvements in accordance with the standards set out in the design and construction manual of Bylaw No. 168.

The required works and services on a highway immediately adjacent to the site being subdivided or developed shall not include specific works or services that are included in the calculations used to determine the amount of a development cost charge, unless the owner agrees to provide the works or services, in which case the calculation of the development cost charge is subject to Section 983(8) of the Municipal Act. The provision of works and services which results in excess or extended services is subject to Section 990 of the Municipal Act.

DIVISION 6 APPLICATION FOR APPROVAL

Application for Preliminary Acceptance

6.01 The applicant may submit to the Approving Officer the following:

- a) An application in writing for subdivision which may state:
 - i) The legal description and approximate location of the parcel or parcels to be subdivided.
 - ii) The name and authorization of the Owner, and the name and the owners authorization of the agent if applicable;
 - iii) The address to which notices are to be mailed;
- b) Five (5) copies of a plan or plans drawn to a suitable scale, preferably 1"=100' (1:1000), clearly indicating:
 - i) The dimensions of the parcel to be subdivided;
 - ii) The arrangement of the parcels and streets which would be created by the subdivision, including the widths of the proposed streets and the approximate dimensions and area of each parcel proposed;
 - iii) The relationship of the proposed subdivision to adjacent existing streets and parcels and the connections of proposed streets thereto;
 - iv) The existing use and the proposed use of the parcel or parcels to be subdivided;
 - v) Existing buildings and/or structures generally located and identified, and showing dimensions;
 - vi) Existing property lines and streets to be eliminated by the proposed subdivision;
 - vii) Utility and other existing rights-of-way located and identified;
 - viii) Watercourses, natural drainage channels and water frontages and high water marks;
 - ix) Existing topography based upon True datum.

- x) The scale and other plan identification to be shown together with the direction of North.
- c) A key plan showing the general location of the subject property in relation to the surrounding area. Such plans to be of a suitable scale, preferably 1"=400' (1:5000), and may be shown on the plan showing the proposed subdivision.
- d) Where the proposal is such that it is reasonable to expect eventual further subdivision of the parcel to be subdivided, or parcels contiguous thereto are to be subdivided, a plan indicating the possible further subdivision of the subject or contiguous parcel or parcels, as the case may be.
- e) A statement in writing regarding the intended use of the parcel being created or of any remaining portion of land being subdivided.
- f) A photocopy of the current certification of title of the parcel or parcels to be subdivided;
- g)
 - i) An examination fee of Twenty-five (\$25.00) Dollars for the first parcel to be created, plus Twenty-five (\$25.00) Dollars for each additional parcel.
 - ii) Where the examination fee exceeds the sum of One Hundred (\$100.00) Dollars, the applicant may elect to submit each fee as follows:
 - A minimum deposit of One Hundred (\$100.00) Dollars with application for preliminary acceptance;
 - The remainder of the fee with application for plan acceptance.

6.02 For the purpose of carrying out his duties under the subdivision control bylaw the Approving Officer may:

- a) Require the applicant to provide any addition information that he may deem necessary including having the subdivision marked out on the ground in a readily distinguishable manner.
- b) Require the applicant to submit a plan showing:
 - i) The location of any areas subject to unstable soil conditions or problem drainage patterns;

- c) Conduct such inspections and tests, and require such reports engineering studies, or examinations as he may deem necessary.
- d) Request the applicant to bring the proposal to the attention of the owners of neighbouring property, or of the Municipal Council, or of other Municipal officials and of other public bodies or officials, or of the utility companies for comment and recommendations.

6.03 The Approving Officer shall consider the application with regard to:

- a) The dimensions, proportions, and arrangements of parcels shall be in accordance with Schedule A hereto:
- b) The design and arrangement of streets in scheme of subdivision shall be in accordance with Schedule A hereto;
- c) All works and services shall be constructed in accordance with Schedules C and D hereto:
- d) The service level required to be provided shall be in accordance with the Designated Area requirements of Schedule B hereto.
- e) Conformity with all relevant statutes, bylaws, Municipal plans, and Federal and Provincial legislation;
- f) The cost to the Village of providing adequate public utilities and other municipal works and services to the proposed subdivision;
- g) The demand for school and park facilities that would be created by the anticipated development of the proposed subdivision;
- h) The effect of the anticipated development of the proposed subdivision on the established amenities of adjoining or adjacent properties;
- i) The effect on land within the subdivision and adjacent properties with regard to further future subdivision;
- j) The suitability of the proposed plan for the use intended and to the topography of the land being subdivided;
- k) Whether or not the anticipated development of the proposed subdivision would tend to create a public offence or nuisance, or a hazard to public health.

- 6.04 As soon as is practical, but in any event within sixty (60) days of receipt of the application of any additional information required under Section 6.02 the Approving Officer shall, in writing, either refuse or grant preliminary acceptance. Any requests for additional information required under Section 6.02 (a) shall be made where practical within thirty (30) days of the date of application.
- 6.05 In the case of refusal of preliminary acceptance, the notice of refusal shall state the reason, which may include but shall not be restricted to one or more of the following:
- a) That the proposed subdivision would be contrary to law, such law or laws to be specified;
 - b) That the cost to the Village of providing adequate public utilities or other municipal works or services to the proposed subdivision would be excessive;
 - c) That the proposed subdivision would injuriously affect the opportunity for further subdivision of the subject or adjacent property;
 - d) That the anticipated development of the proposed subdivision would injuriously affect the established amenities of adjoining or adjacent properties;
 - e) That the anticipated development of the proposed subdivision would be against the public interest;
 - f) That the proposed subdivision is not suited to the topography of the land or to the use intended.
 - g) That the proposed subdivision contains land lower than is required to comply with the Provincial Government 200 year plus 2 foot flood plain regulations unless dyked or brought to the required grade;
 - h) That the proposed subdivision contains land which because of inadequate or no drainage is unsuitable for the use intended;
 - i) That the proposed subdivision may be inundated by a land slip or subject to bombardment of loose boulders or other debris from adjacent parcel/parcels;
 - j) That the proposed subdivision contains land which when developed used or occupied may slip or cause adjacent parcel or parcels to slip;
 - k) That the proposed subdivision contains land which is subject to erosion;

- l) That the proposed subdivision contains land which is subject to high ground water levels which may adversely affect the proposed land use;
- m) That the proposed subdivision contains land that is contained within the Agricultural Land Reserve.

6.06 The Approving Office may also grant conditional preliminary acceptance, which shall authorize the applicant to apply for plan acceptance subject to compliance with conditions specified in the notice of preliminary acceptance.

6.07 Preliminary acceptance, whether conditional or unconditional shall be considered only as acceptance in principle, and except as may be hereinafter provided, shall not exempt the applicant from securing both plan acceptance and final approval prior to the deposit of the subdivision plan in the land registry office.

The granting of preliminary acceptance shall not bind the approving officer to grant either plan acceptance or final approval.

6.08 Preliminary acceptance shall be effective only for a period of ninety (90) days, provided that it may be renewed by the Approving Officer for further periods of not more than ninety (90) days. It shall become void upon the coming into effect of any law which would have caused it to be refused had such law been in effect at the time of application for preliminary acceptance.

6.09 If an application for plan acceptance or, where permissible, for final approval, is not submitted prior to the expiry of the preliminary acceptance, application for preliminary acceptance shall again be submitted.

Application for Plan Acceptance

6.10 The applicant may submit in writing to the Approving Officer an application for plan acceptance only after receiving preliminary acceptance in writing from the Approving Officer.

The Approving Officer may exempt an application for plan acceptance of a minor subdivision not involving Engineering works of any kind, from compliance with any requirement of this section not required under the Land Registry Act.

The Application for plan acceptance may consist of all of the following documents:

- a) A proposed subdivision plan or plans shall be prepared of the parcel or parcels to be subdivided, or any contiguous parcels held in the same ownership as the proposed subdivision and of adjacent land to a distance of at least 100 feet on all sides of the parcels to be subdivided. All plan sheets shall be accurately drawn to a scale of not smaller than 1"=100'

(1:1000) and shall be submitted in quadruplicate or as required showing, in addition to those items submitted under clause 6.01 (b);

- i) All existing buildings accurately located and identified unless designated to be removed;
 - ii) Street parcels showing tile possible subdivision of adjacent land where required by the Approving Officer;
 - iii) Existing and proposed rights-of-way
 - iv) The designation of all other proposed works on the ground;
- b) Two complete sets of detailed engineering drawings of all works to be carried out within the subdivision. The drawings shall be prepared in accordance with current Village standards as set out in the Village Design Standards Manual. The drawings shall be prepared using standard drawing paper provided by the Village to the applicant, at cost, so that on completion of construction of works the original drawings *may* be turned over to tile Village to provide a permanent record.

The drawings shall be at a scale of 1"=40' (1:500)

- i) general layout drawings showing all of the existing topography and other features and proposed works in plan;
 - ii) plan/profile drawings showing existing and proposed alignments and gradients for all surface improvements underground services and utilities and other data required by the Village Engineer.
- c) Where a proposed subdivision for residential use is submitted in which:
- i) The lots will be on natural ground sloped greater than a 25% gradient, and/or,
 - ii) Building sites will be located in areas which will require filling, and/or;
 - iii) The carport, garage floor or parking area elevation will be below, or greater than 8 feet (2.5 meters) above the adjacent finished street grades.

The approval of the subdivision plan may, in addition to all other requirements of this bylaw, require approval of site grading information which may include the following:

- Drawings showing in elevation the original and the proposed finished ground contour along a long parallel to and 50 feet (15 meters) back from the Street line, together with proposed subfloor elevations and proposed street centerline contour, all on the same drawing.
- An overall site grading plan showing existing and proposed ground contours or spot elevations.
- Other information which may be deemed necessary in unusual or extreme circumstances.

Said site grading plan approval shall be granted by the Approving Officer who shall have absolute discretion in the matter.

One complete set of plans shall be returned to the applicant together with notations of revisions required.

- d) In connection with the application for plan acceptance the applicant may be required to submit written evidence (to the satisfaction of the approving Officer) that the following agencies have had an opportunity to provide input to preparation of the plans:
 - School District
 - B.C. Hydro
 - Telephone Company
 - Natural Gas
- e) As detailed further in Schedule D herein, the applicant may be required to submit applications and obtain approvals from:
 - Pollution Control Branch (Where applicable)
 - Department of Highways where applicable)
 - Environmental Engineering Division, Department of Health

6.11 The Approving Officer may within 30 days:

- a) Require the applicant to provide any additional information which he considers is necessary to determine whether or not plan acceptance can be granted.

- b) Serve notice in writing of the proposed subdivision, on any person whom he may consider to be affected by the proposed subdivision.
- c) Obtain, verify, expand or supplement, as he may consider necessary, any information regarding the proposed subdivision or the land to be subdivided and examine, test, and prepare maps and/or documentary material relating to the land to be subdivided and adjacent land.

6.12 The Approving Officer shall consider the application with regard to:

- a) Conformity with all relevant Statutes, bylaws and Municipal plans, and with the application and plans for which preliminary acceptance was granted together with any requirements laid down as conditions of preliminary acceptance.
- b) The dimensions, proportions and arrangement of new parcels, the arrangement and dimensions of new streets, the suitability and adequacy of utility locations, and the relationship of proposed streets, parcels and other matters to topography and natural features;
- c) The arrangement of streets in relation to the alignment of existing streets and of any Street plans applicable to adjacent parcels, with a view to the creation of an integrated system of streets for the whole of the area in which the parcel to be subdivided is located.

6.13 Where a proposed scheme of subdivision is such that it is reasonable to anticipate eventual re-subdivision of the parcels to be created, the Approving Officer shall satisfy himself that the parcels could be re-subdivided in accordance with this Bylaw.

6.14 As soon as it is practical, but in any event within thirty (30) days of receipt of the application or of any additional information required under Clause (a) of Section 6.11 the Approving Officer shall, in writing either refuse the application, grant plan acceptance, or notify the applicant that plan acceptance is being withheld pending modification of the plan in such a manner as the Approving Officer may require within the provisions of this Bylaw.

6.15 In the case of refusal of the application for plan acceptance, the notice of refusal shall state the reason for refusal, which shall be one or more of the following:

- a) That the proposal submitted in application for plan acceptance is substantially different from that for which preliminary acceptance was granted.
- b) That the proposal submitted is contrary to the provisions of this division as specified;

- c) That the proposed subdivision would be otherwise contrary to law as specified.
- 6.16 Plan acceptance may be withheld only on one of the grounds for which it may be refused. Where plan acceptance is withheld, the Approving Officer shall notify the applicant in writing of the requirements which must be met before plan acceptance can be granted. The applicant shall within ninety (90) days resubmit to the Approving Officer the full number of copies required under Section 6.10 of any plan to which alterations were required by the Approving Officer. If the Approving Officer is satisfied that his requirements have been met, he shall grant plan acceptance within thirty (30) days of the revised plans.
- 6.17 Plan acceptance shall be considered only as certification by the approving officer that the plans of the proposed subdivision are in accordance with law and with the requirements of the approving officer, and shall not exempt the applicant from securing final approval prior to the deposit of the subdivision plan in the land registry office. Plan acceptance shall be effective only for a period of ninety (90) days, provided that it may be renewed by the approving officer for further periods of ninety (90) days. If an application for final approval is not submitted prior to the expiry of the plan acceptance, application for plan acceptance shall again be required to be submitted in accordance with section 6.16.

Application for Final Approval

- 6.18 The applicant may submit an application for final approval only upon;
- a) completion of all works required under this bylaw
 - b) or, following the execution of an agreement with the Village, whereby the applicant agrees to make a cash deposit or provide other forms of security acceptable to the Village to provide for the carrying out and completion of the required works and guaranteeing that all of the requirements of Section 6.21 shall be met to the satisfaction of the Village after granting of final approval. The amount of the cash deposit or other negotiable security shall be equivalent to the total value of constructing all works required under the bylaw and shall be determined at the absolute discretion of the Approving Officer.
- 6.19 An application for final approval shall take the form of the submission by the applicant of all material required under the Land Registry Act not submitted in application for plan acceptance and shall include:
- a) The final subdivision plan linen and transparent copies, together with five (5) copies all showing broken line outlines of any proposed easements or utility rights-of-way;

b) The plans required for registration of rights-of-way together with the necessary right-of-way agreements, which shall be submitted on forms provided by the Village together with either:

i) Written notification to the Approving Officer from the applicant, of completion of all required works to the required standards, together with submission of the complete "As Constructed" original drawings of the aforementioned works, prepared on Village of Chase drawing sheets, plus all other documentation required under Section 6.21; or

ii) Ratification of an agreement with the Village and to the satisfaction of the Approving Officer in accordance with Section 6.18(b). Such an agreement will provide for the staged release of the Applicant's securities on the basis of the following:

Eighty percent shall be released at the time of issuance of a letter from the Village Engineer accepting the works as complete for the following phases:

- Site grading and underground utilities
- Road base, curb and gutter, sidewalks
- Asphaltic concrete pavement

A further fifteen percent will be returned to the Applicant on receipt of a final construction completion certificate and letter of acceptance issued by the Village.

iii) Any covenants which may be required.

iv) The final five (5) percent of the security maybe applied against the requirements of section 6.21 (f).

6.20 On receipt of notification that all required works have been completed, a representative of the Village shall inspect the complete works and carry out or require examinations or tests he may deem necessary.

6.21 A letter of acceptance or Completion Certificate regarding the works will be issued to the applicant by the Village when the following conditions have been met:

a) All structures encroaching upon and obstructions of any kind to the free and uninterrupted use by the public of the full width and extent of all new

streets and lanes shall be removed therefrom, unless by prior arrangement with the Village.

- b) All legal survey posts in place. This shall include accurate replacement by a qualified Land Surveyor of all posts which have been destroyed, bent or otherwise damaged during construction;
- c) The Village may require, at the absolute discretion of the Approving Officer, the works to be certified by a qualified Professional Engineer stating that to the best of his knowledge they are complete and constructed in accordance with the specifications and standards as set out in this Bylaw;
- d) The Village Engineer has inspected the said works and notified the applicant in writing of their completion to his satisfaction, and in accordance with the plans, specifications and standards as herein contained;
- e) The layout of the proposed subdivision has been approved by the Approving Officer;
- f) The applicant has entered into an agreement with the Village in which the applicant covenants and agrees to:
 - i) Maintain all of the said works and services and remedy any defects appearing within one (1) year and pay to the Village for any damage to other works or property resulting therefrom, save and except for defects caused by reasonable wear and tear, negligence of the Village, its servants or agents or other parties outside of the control of the applicants;
 - ii) Deposit with the Village for a period of one (1) year from the date of acceptance of the said works and services a sum, letter of credit or other form of security acceptable to the Village equal to five (5) percent of the cost of the said works, as calculated by the applicant and approved by the Engineer and should the Owner fail to maintain the said works, remedy any defects, or pay for any damage resulting therefrom, the Village may deduct the cost of maintaining the said works, remedying any defects or paying any damages from the said deposit.
- g) The applicant has deposited with the Village one complete set of paper originals of the engineering drawings conforming to Village standards as set out in the Design Standards Manual showing complete details of the works actually constructed;

- h) The applicant has completed the service connection record cords supplied by the Village Engineering Department, to show the locations of each sanitary sewer, stone sewer, and water service connection.
- 6.22 As soon as is practical, but in any event within thirty (30) days of the receipt of the application for final approval, the Approving Officer shall either grant final approval or notify the applicant in writing that final approval is being withheld. If final approval is withheld, the reasons shall be stated in the notice to the applicant.
- 6.23 Final approval shall be withheld only on one of the following grounds:
- a) That the completed works are not in accordance with the plans for which plan acceptance was granted;
 - b) That the required works have not been carried out according to the requirements of this Bylaw, or an agreement satisfactory to the Village has not been achieved relating to the provisions of these works;
 - c) Taxes and allied charges have not been paid.
- 6.24 The granting of final approval shall be certified by the return to the applicant of the final subdivision plan required under Clause (a) of Section 6.19 signed and dated by the Approving Officer in accordance with the provisions of the and Registry Act, together with any right of way documentation required under Clause (b) of Section 6.19 duly signed and sealed by the Owner and the Village as required by the Land Registry Office for legal registration of such documents, or where no such subdivision plan is required, by a Certificate of Final Approval, signed and dated by the Approving Officer.
- 6.25 Final proof of registration of the subdivision and all related documents shall be submitted to the Approving Officer by the applicant in the form of a copy of the subdivision plan, and required right of way plans, and related agreements, all of which have been stamped by the Land Registry Office with the registration number. Such proof shall be submitted with fourteen (14) days of the date of registration.

SCHEDULE "A" STANDARDS FOR SUBDIVISION DESIGN

THIS IS SCHEDULE "A" OF THE VILLAGE OF CHASE SUBDIVISION CONTROL BYLAW NO. 168

- A.O1 All parcels created under any proposed plan of subdivision shall be adequate in area and logical in shape and dimensions, for the use intended. Triangular or otherwise irregularly shaped parcels shall be avoided wherever practicable. All subdivisions shall be suited to the configuration of the land being subdivided and not make impractical the further subdivision of any adjacent land.
- A.O2 The minimum area and frontage requirements for parcel shall be as set out in the appropriate division of the current Village of Chase Zoning Bylaw and amendments thereto,, for the use intended, provided that no parcel created by subdivision shall have less than one tenth (1/10) of its perimeter fronting on a street, unless relief is granted by Village Council pursuant to Section 712(2) of the Municipal Act.
- A.O3 Side boundary lines of parcels to be created by a plan of subdivision shall be substantially at right angles or radial to street lines unless the Approving Officer is satisfied that it is impractical to comply, and that the parcels as proposed are logical in shape and dimension for the use intended.
- A.O4 Panhandle lots will only be permitted in a plan of subdivision under the following conditions:
- (1)
 - a) The parcel is capable of further subdivision;
 - b) The access strip is wide enough to meet the Street width requirements as designated in Schedule B for the area in question;
 - c) The access strip is located such that as future subdivision occurs, it may be developed and registered as a street according to the desirable standards of intersection under Section B attached to this Bylaw;
 - d) The applicant shall register in the Land Registry Office a restrictive covenant prohibiting the construction of any building or structure within the boundary of the access strip;
 - (2) Where in the opinion of the Approving Officer the circumstances warrant special allowance, in such instances, approval of panhandle parcels shall be at the absolute discretion of the Approving Officer. In no case shall the width of the access strip be less than 20 feet (6 m) where no future resubdivision is possible.

- A.05 Parcels which are proposed to extend between two streets (double fronting) so that both ends of the parcel front upon a street, shall not be accepted, if other suitable alternatives for design of the subdivision, in the opinion of the Approving Officer can be provided.
- A.06 Where required by the Village Engineer, corner cut-offs shall be provided on corner lots, right angle bends in lanes, or wherever deemed necessary. Such corner cut-offs shall be 15' x 15' (4.6 m x 4.6 m) in dimension or as required by the Village Engineer.
- A.07 Where a parcel to be subdivided is traversed by a natural drainage course, there shall be provided either:
- a) A drainage right-of-way conforming to the general alignment of the drainage course and of such width as may be designated by the Approving Officer; or,
 - b) Provision made for an alternate drainage system to the satisfaction of the Village Engineer.
- A.08 No natural watercourse shall be altered or diverted, except with the written permission of the Village Engineer.
- A.09 Where utility rights-of-way are required they shall be not less than twenty (20) feet in width unless otherwise approved by the Approving Officer.
- A.10 The minimum width of any walkway shall be ten (10) feet.
- A.11 Any street which is a cul-de-sac shall have a terminal area for a turn-around, the radius of which shall not be less than fifty-five (55) feet (17 metres). Length of cul-de-sacs shall be a maximum of 350 feet (106.6 m) without alternative emergency or convenience access for lane service. In any case maximum length of cul-de-sacs shall be 500 feet (152.4m) from the access point to the turning bulb, unless otherwise approved.
- A.12 The following criteria shall be applied to design of subdivision:
- a) A minimum of fifty (50) feet of an intersection leg shall be as close to right angles as practical with intersecting street. This distance shall be measured at the boundary of the intersecting leg on the side of the contained angle.
 - b) No intersection shall be less than one hundred and twenty-five (125) feet from any other intersection or likely future intersection. Measurement shall be made along the centerline of the intersected highway and between centerlines of intersecting streets.

- c) Y-shaped intersection shall be avoided.
- d) Intersections with more than four legs shall not be approved.
- e) Intersections shall not be located in or near sharp horizontal curves or near the crest of any vertical curve.

Any variation from these standards shall be at the absolute discretion of the Approving Officer.

SCHEDULE "B" LEVELS OF SERVICE

THIS IS SCHEDULE "B" OF THE VILLAGE OF CHASE SUBDIVISION CONTROL BYLAW 168

B.01 Designated Areas

Purpose

For the purpose of determining the services which must be installed within new subdivisions, the concept of Levels of Service is hereby established. The levels shall be known as Level 1, Level 2 and Level 3 and are further described in Section B.02. At the time of writing of this Bylaw, the level of service required in any subdivision within the boundaries of the Village of Chase shall be Level 2, as shown on Drawing No. A143-A attached hereto. However, from time to time, as reflected by changing Village policies, the Village may be divided into Designated Areas, each area requiring separate and distinct levels of service. Therefore, from time to time this Bylaw shall be amended accordingly, with the Designated Areas shown on Drawing No. A143-A attached to and forming part of this Schedule.

B.02 Levels of Service

As described in Section B.01, the following services shall be installed by the applicant at no expense to the Village.

- (a) Level 1
 - i) Storm Sewers
 - ii) Sanitary sewers
 - iii) Water mains
 - iv) Street construction to sub-grade and placing of road base materials
 - v) Underground hydro and telephone service
 - vi) Ornamental Street lighting
 - vii) Curb, gutter and sidewalks
 - Viii) Asphaltic concrete paving
- (b) Level 2

- i) Water mains
 - ii) Storm sewers
 - iii) Street construction to sub-grade
 - iv) Placing of road base materials
 - v) Overhead hydro, Street lighting and telephone service
 - vi) Asphaltic concrete paving
- (c) Level 3
- i) Street construction to sub-grade including ditching
 - ii) Gravel surfacing
 - iii) Overhead hydro and telephone service

B.03 Storm sewers, sanitary sewers and water mains shall be constructed in accordance with:

- (a) Schedule "D" hereto
- (b) Village specifications and standards as outlined in the Design Standards Manual

B.04 Storm drainage systems may utilize in conjunction with pipelines, a system of open ditch drainage. All ditches and drainage courses shall be designed in accordance with:

- (a) Schedule "C" hereto
- (b) Village specifications and standards as outlined in the Design Standards Manual

B.05 Underground Power, Telephone and Natural Gas

- (a) it is the responsibility of the applicant to arrange with the power, telephone, and gas companies for the installation of underground services.
- (b) All pole line and underground line offset locations within the street right of way shall conform to Village standards.

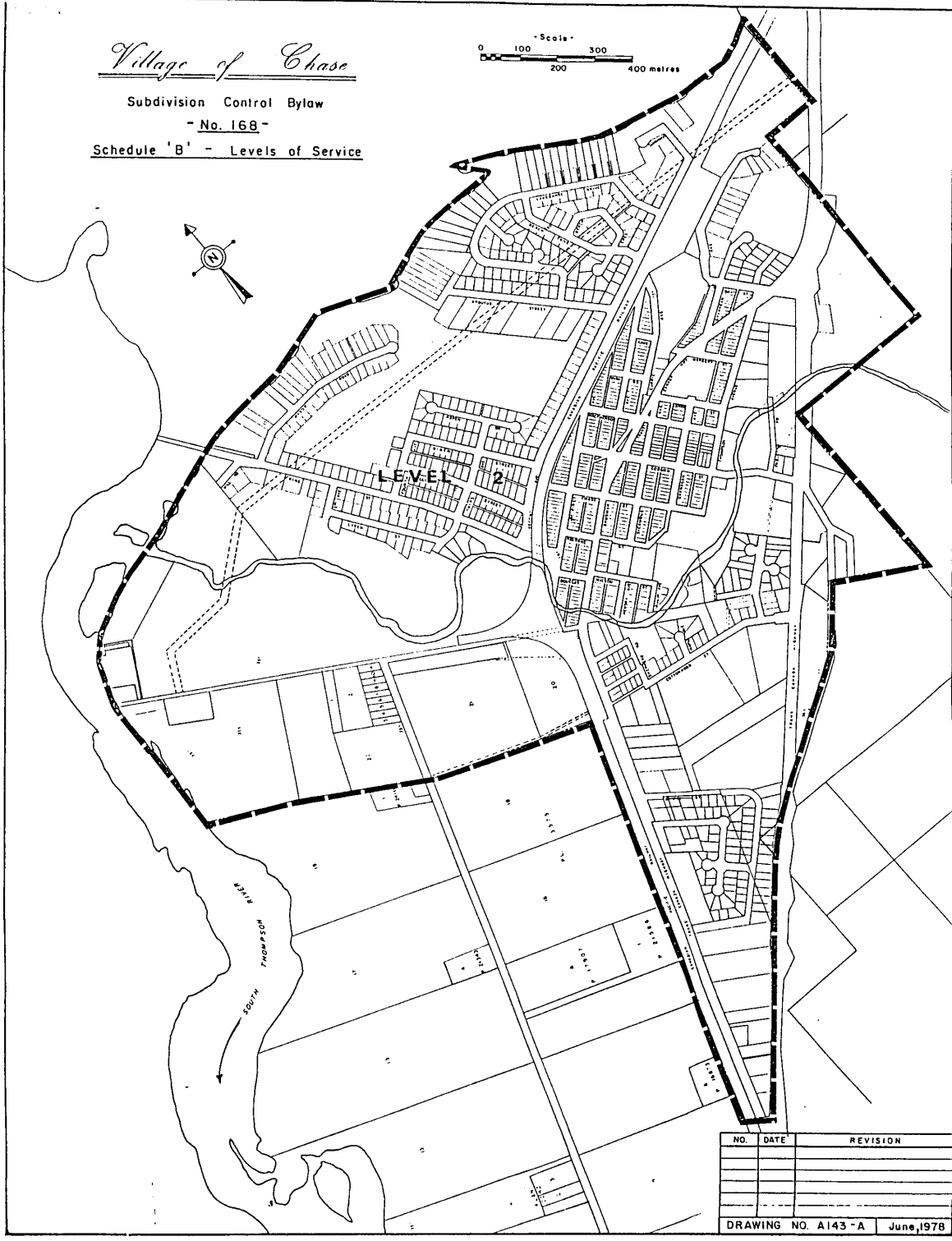
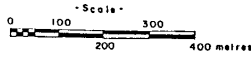
- (c) Overhead Street lighting shall be installed on the power poles in accordance with Schedule C.
- B.06 Locations and offsets for the mains and services comply with the standards layout for Village utilities as described in the Design Standards Manual.
- B.07 Streets and roadways shall be constructed in accordance with:
 - (a) Schedule "C" hereto
 - (b) Village specifications and standards as outlined in the Design Standards Manual.
- B.08 Sidewalks and curbs and gutters shall be constructed in accordance with:
 - (a) Schedule "C" hereto
 - (b) Village specifications and standards as outlined in the Design Standards Manual.
- B.09 Street Names
 - (a) Street names shall be assigned to new streets by the Village of Chase which shall have absolute discretion in this regard.

Village of Chase

Subdivision Control Bylaw

- No. 168 -

Schedule 'B' - Levels of Service



NO.	DATE	REVISION
DRAWING NO. A143-A June, 1978		

SCHEDULE "C" STANDARDS FOR STREET DESIGN

THIS IS SCHEDULE "C" OF THE VILLAGE OF CHASE SUBDIVISION CONTROL BYLAW 168

C.O1 The following standards for street widths* shall be adhered to;

Classification	Right-of-Way		Pavement Width						Width of Gravel Shoulders		
			Level 1		Level 2		Level 3		Level 1	Level 2	Level 3
Arterial	80	25	48	14.5	48	14.5	48	14.5	N/A	3	3
Collector	66	20	36	11	24	7.5	24	7.5	N/A	8	8
Local Streets	66	20	28	8.5	24	7.5	24	7.5	N/A	8	8
Cul-de-sac	50	16	28	8.5	24	7.5	24	7.5	N/A	4	4
Lanes	20	6	20	6	20	6	20	6	N/A	N/A	N/A
Walkways	10	3	10	3	10	3	10	3	N/A	N/A	N/A

Pavement width on roads with curb and gutter refers to width from face-of curb to face of curb.

* the first figure in each set above is expressed in feet the second in meters.

C.02 The following standards for road design shall be adhered to;

	Maximum Grade	Design Speed	
Arterial	8%	40 mph	60 km/p
Collector	10%	30 mph	50 km/h
Local Streets and Cul-de-sacs	10%	30 mph	50 km/h

C.03 The following standards for sidewalks shall be adhered to;

	Level 1	Level 2	Level 3
Arterial	sidewalks (both sides)	sidewalk (one side)	N/A
Collector	sidewalks (both sides)	sidewalk (one side)	N/A
Local Streets	sidewalk (one side)	N/A	N/A
Cul-de-sac	curb & gutter only	N/A	N/A

C.04 Clearing

- (a) All street rights-of-way, and lanes shall be cleared their full width, grubbed and all refuse completely disposed of, unless by prior arrangement with the Village Engineer, desirable natural cover has been allowed to remain.

Where possible, topsoil shall be removed and stored on site for later replacement on lots.

- (b) Individual leaning or dangerous trees or snags outside the clearing area shall be removed.

- (c) Burning shall be carried out in accordance with the Fire Regulations Bylaw.

C.05 Grading

Topsoil shall be removed for the full width of the right-of-way and the road, lane and boulevard areas shall be graded to the approved profiles and cross sections. The completed sub-grade profile shall be constructed to tolerance of +0.10 feet (30 mm) and all soft, spongy or unstable areas which may exist or develop shall be excavated to a firm base and back filled to grade with compacted selected material. All utility trenches within the sub-grade section shall be properly compacted as provided for in Village specifications for the full depth, so that settlement of the road surface, curb and gutter will be minimized. Embankment and cut slopes shall be neatly trimmed to Village specifications.

C.06 Open Channels

- (a) The construction of ditches or open channels will be permitted in Level 2 and Level 3 areas. Open channels, natural or constructed, shall be provided with engineering facilities as required to prevent excessive erosion. Ditches or open channels shall be constructed to the satisfaction of the 'Village Engineer.
- (b) Culverts may be either concrete or galvanized corrugated steel pipe designed to carry H.2O loading in accordance with A.A.S.H.O.
- (c) Culverts shall be designed to properly drain all of the area naturally draining into the channel or ditch feeding into the culvert, plus increased run off due to paving and other land development anticipated. The size shall be approved by the Village Engineer prior to installation.
- (d) Concrete headwalls or equivalent are required on all culverts other than driveway crossing culverts. Headwalls and outfall areas must be protected by riprapping to prevent erosion. All culvert installations must be carried out in accordance with Village specifications.

C.07 Lanes and Pedestrian Walkways

- (a) Service lanes for vehicular traffic shall be provided in commercially zoned subdivisions where required by the Approving Officer. Such lanes shall be a minimum of twenty (20) feet (6 metres) in width and the requirements for sub-grade preparation and surfacing shall be as for street surfacing.
- (b) Walkways shall be dedicated where required by the Approving Officer, to provide pedestrian access to schools, parks, recreation and commercial facilities.

- (c) Where pedestrian walkways are provided in the subdivision for access to parks, school sites, commercial areas or connecting residential streets of the subdivision, the walkways shall be cleared to property line, graded to provide proper surface drainage, organic wet, soft or frost susceptible material removed and a firm granular sub-grade prepared to true line and grade. Surfacing of the walkways shall be carried out in accordance with Village specifications. Walkways serving school sites shall be fenced at time of construction of the walkway, unless otherwise agreed to by the Village. Fencing material shall be 9 gauge, 2 inch mesh, galvanized chain link type or as stipulated by the Village Engineer. The fence height may be varied according to individual situations

C.08 Asphaltic Concrete Pavement and Related Works

- (a) All asphaltic concrete pavement for roads and lanes shall be manufactured and laid according to the Village of Chase specifications and only after all the required services are installed.
- (b) If a pavement cut is made for a utility installation, the pavement must be cut and replaced for a width equal to twice the trench width.
- (c) Before commencement of the works the applicant shall prepare a progress schedule satisfactory to the Village Engineer based upon completing the various phases or parts of the work. During installation and construction, the applicant shall call for periodic inspection of the work. The applicant shall not proceed to a subsequent construction phase prior to the inspection of the preceding phase by the Village Engineer. If the Village Engineer is not given proper notice and has not had ample opportunity to carry out the proper inspections, he may take whatever steps he deems necessary including exposing or removal of the works.
- (d) Where restoration work is necessitated by reason of construction through a built up or established area, work shall proceed in such a manner that testing, manhole construction, house service connections, restoration of private easements, boulevards, roads, and general site cleanup are completed no later than thirty (30) days after the completion of installation of the works. If the restoration is not completed within this time, the Village reserves the right to enter upon the property, carry out or complete the restoration and charge the cost of such work to the applicant.

C.09 Street Lighting

- (a) Where underground street light wiring and ornamental type street lighting is included in the subdivision, all materials and equipment to be incorporated into the system shall be C.S.A. approved and shall conform

to Village of Chase specifications and the requirements of the Provincial Inspector of Electrical Energy.

- (b) Ornamental street lighting may be required in subdivisions.
- (c) The street lighting system shall be laid out in accordance with good engineering design and in accordance with the "Canadian Standard Practice for Street and Highway Lighting." The minimum lighting level shall conform to the Village of Chase specifications.
- (d) The ornamental street lighting system shall utilize metal poles installed on reinforced concrete foundations and all wiring shall be inside the pole. In addition to the requirements of the Electrical Energy Inspector the applicant must work with the British Columbia Hydro and Power Authority in the installation of the street lighting system. The applicant shall be responsible to obtain all the electrical permits required and shall pay all fees in connection with these permits.
- (e) Where overhead power is permitted, the applicant is responsible for contacting B.C. Hydro to coordinate their pole installation with installation of the applicants' other underground utilities.

C.IO Private Utility Works

- (a) Where the installation of underground power, cable television and telephone distribution systems with service connections *is* required in Level 1 and Level 2 areas, the applicant shall be responsible for meeting all the requirements of the utility companies and government agencies concerned. The applicant shall obtain permits which may be required to carry out the system installation. Individual power, cable television and telephone connections shall be provided for each individual parcel in the subdivision.
- (b) Installation of underground power, natural gas, telephone, cable television, and any line crossings are to be complete before the streets are paved and improvements are installed.

C.II Boulevards

- (a) Unless otherwise approved, boulevards shall be graded to drain to the curb or ditch with slopes constructed to Village specifications.
- (b) The boulevard area shall be finished by excavation or filling as required to grade from the top elevation of curb to the property line. The top 4 inches (100 mm) of soil shall be good quality topsoil raked free of all roots and

other organic material and debris which is not conducive to the growing of grass.

C.12 Curb and Gutter

Curb and gutter shall conform to Village specifications and shall be installed to the true line and grade shown on the Engineering drawings. Rolled mountable curbs may be permitted for local streets, in low-density residential areas. All other streets shall have non-mountable curb and gutter.

C.13 Concrete Sidewalks

Concrete sidewalks shall conform to Village specifications and shall be installed true to the line and grade shown on the engineering drawings.

C.14 Drainage Ditches and Rock Pits

- (a) The design of drainage ditches, and rock pits shall be to Village specifications.
- (b) Where surface drainage is permitted, the drainage system shall be designed to minimize the concentration of runoff.
- (c) The Approving Officer may at his absolute discretion require a covenant to be placed on lots located in Level 2 and Level 3 areas relieving the Village of any responsibility for damages out of the lack of a piped drainage system.

SCHEDULE "D" STANDARDS FOR UTILITY DESIGN

THIS IS SCHEDULE "0" OF THE VILLAGE OF CHASE SUBDIVISION CONTROL BYLAW 168

Sanitary And Storm Sewers

D.01 Installation of Sanitary and Storm Sewer Mains

- (a) Where construction or extension of sanitary sewer facilities are part of a subdivision proposal, the applicant shall submit plans to and obtain approvals from:
 - i) Ministry of Health
 - ii) Ministry of the Environment, Pollution Control Branch Proof of approvals shall be submitted to the Approving Officer prior to granting of Plan Approval as set out in Section 6.10 (e) of this Bylaw.
- (b) Sanitary sewer mains and storm sewer mains shall be designed as separate systems and in no case shall there be any cross connection between the sanitary and storm systems, not shall any or either of the systems be designed as a combines sewerage system. No street, boulevard or private property surface drainage system shall be connected to the sanitary sewer system.

D.02 Materials

All materials to be incorporated in the sanitary and storm sewer systems shall conform to the specifications of the Village and shall be as approved by the Village Engineer.

- (a) The minimum pipe diameter for storm sewer mains shall be 10 inch (254 mm) nominal diameter.
- (b) The minimum pipe diameter for sanitary sewer mains shall be 8 inch (204 mm) nominal diameter.

D.03 Construction

- (a) All pipe, fittings, manholes and appurtenant structures shall be installed to Village specifications and all pipes shall be jointed in strict accordance with the manufacturer's recommended practice.

- (b) Force mains shall be installed to the same specifications as water mains and the same test criteria shall apply.
- (c) Where outfalls, pumphouses or other special structures are required, additional detailed specifications will be required.

D.04 Testing

At the request of the Village Engineer, the applicant shall provide the necessary labour and materials to test the sanitary and/or storm sewer works installed in the subdivision. Testing shall be carried out in accordance with Village specifications and to the satisfaction of the Village Engineer.

D.05 Service Connections

- (a) All materials to be incorporated in the sanitary and/or storm services shall be approved by the Village Engineer and shall conform to the specifications of the Village of Chase.
- (b) Each single family dwelling, and each dwelling unit of a semi-detached duplex, or row house project for individual ownership shall have an individual 4 inch (100 mm) diameter approved sanitary sewer connection. Individual ownership as referred to in this clause shall not include units within a Strata Conversion.
- (c) Service connections shall be installed to the property line. The method of connection to the main, and the gradient of the pipe shall be in accordance with Village specifications.
- (d) Water and sanitary sewer service shall, where possible, be installed in a common trench with a minimum horizontal and vertical separation of 1 foot (300 mm). The pipe sub-grade shall be carefully prepared, graded and compacted prior to installation of the service pipes in accordance with Village specifications. Requirements of Section 7.6.6.2 of the B.C. Plumbing Code shall apply to this section.

D.06 Community Sewage Disposal Systems

- (a) The Village may approve subdivisions utilizing a community septic tank system, only upon the following conditions being complied with.
- (b) The community system including pipe gradients and depths shall be designed to conform to an overall master sewer system for the area, so that at such time as an overall system is available the community system may be disconnected from the tank and connected to the overall Village system.

- (c) All pipe work in the Community system, as well as the septic tank and drain field shall be designed and constructed to Village of Chase Specifications. The Applicant shall be totally responsible for gaining the necessary approvals from the governing regulatory agencies, whether it be Provincial Ministry of Health or Pollution Control Branch, and must submit proof of such approval to the Approving Officer prior to Final Subdivision Approval.
- (d) The applicant shall deposit with the Village a negotiated sum for each system, to be used by the Village to defray the cost of maintaining the system until such a time as connection to the Village system may be achieved. Such deposit shall be made prior to and as a condition of final approval of the subdivision, and the total negotiated sum shall not be less than Five Thousand (5,000) Dollars.
- (e) It shall be a condition of Final Approval that the applicant shall maintain the septic tank system and related works for one (1) year under the same terms as outlined within said agreement for all other works within the subdivision. Ownership of the system shall then be transferred to the Village in conjunction with the transfer of all other works within the subdivision and under the same terms.
- (f) The applicant shall, at the time of registration of the subdivision plan, convey to the Village the parcel or parcels required as the site for the septic tank and drain field. Provision shall be made in the subdivision plan for access to the property, whether by street frontage or easement, in order that the Village may if desired in future, develop the property for park or other use.

D.07 Septic Tank Disposal Systems

- (a) In those areas not served by the municipal sanitary sewer system and where according to the Village of Chase Zoning Bylaw development is to permit utilizing septic tank disposal systems, no individual septic tank disposal system shall be designed or constructed to serve more than one parcel of property.
- (b) It shall be a condition of approval for subdivisions utilizing individual disposal systems for each lot that the applicant submit the following:

Where any parcel in a proposed subdivision is less than 5 acres and is not served by a community sewer system, a copy of the plans and test results and measurements required in Appendix 1 attached to this Schedule as applicable to that parcel shall be submitted by the Approving Officer to the Medical Health Officer or to the Director of Pollution Control, as the case

may be, for written reasons why he would or would not recommend approval of a subdivision based on the waste disposal capabilities of the soil on that parcel to meet with the requirements of this Bylaw or the "Pollution Control Act", as the case may be.

- (c) Where a parcel is less than 5 acres and is not served by a community sewer,
 - i) it shall meet the requirements of Appendix 1 which is attached to and forms part of this Schedule; or
 - ii) where the requirements of Section D.07 (b) cannot be met, consideration shall be given to alternate designs which will dispose of the liquid in the minimum size septic tank for a three bedroom, single family house, and which designs are in accordance with the requirements for alternate methods of disposal contained in the Provincial Sewage Disposal Regulations, and for which acceptable soil is available for disposal, and the parcel shall be sized accordingly, except that where the owner of the parcel does not wish to make the installation necessary for acceptable alternate design in accordance with the foregoing, the subdivision may be approved provided that the owner agrees in writing to registering a condition or covenant pursuant to Section 24A of the "Land Registry Act" in favour of the Village at the time the subdivision is registered. Such condition or covenant shall be satisfactory to the Approving Officer and shall restrict or prohibit the construction of buildings or structures on - and/or the use of any parcel until the necessary installations have been made, or until a community sewer is provided to serve the parcel. Copies of the results of all tests shall contain the signature, occupation and permanent address of the person undertaking the tests and shall accompany the plans of the proposed subdivision when it is submitted to the Approving Officer.
- (d) Except where the "Pollution Control Act" is applicable, where a parcel is less than 5 acres and is not served by a community sewer system and where the intended use has a greater design sewage flow per day than the minimum capacity septic tank for a three bedroom, single family house in accordance with the Provincial Sewage Disposal Regulations, the design sewage flow of the intended use shall be used in accordance with the Provincial Sewage Disposal Regulations to determine the area of soil required in Appendix 1 hereto and all requirements of Section D.07 (c) (ii) shall be met.
- (e) The Approving Officer may contact the Medical Health Officer for further written reasons why he would or would not recommend approval of a

subdivision based on the waste disposal capabilities of the soil on the parcel.

Domestic Water Systems

D.08 Installation of Water Mains

- (a) The applicant is responsible under Section 21(2) of the Health Act for obtaining a Final Certificate prior to extension or construction of water mains. The applicant shall submit proof of such certificate to the Approving Officer prior to granting of Plan Approval as noted in Section 6.10(e) of this Bylaw.
- (b) All materials, including pipefittings, shall be installed to applicable A.W.W.A. standards for the installation of the particular type or class of material being used and to any additional requirements as set out by the materials manufacturer. All water mains shall be installed to a minimum depth of 6 feet (1.8 metres) clear cover from the Crown of the pipe to the finished grade of the street directly above the pipe. All pipe shall be bedded, back-filled, and compacted in accordance with Village specifications. The minimum allowable main size shall be 6 inch (152 mm) nominal diameter, except in cul-de-sacs where no conceivable further extensions will be required, and fire hydrant connections are not required, the minimum size may be 4 inch (100 mm) diameter. Two inch (50 mm) blow offs shall be provided on dead ends.

D.09 Materials

All materials to be incorporated in the water distribution system shall conform to the specifications of the Village and shall be as approved by the Village Engineer.

D.10 Construction

- (a) All pipe fittings shall be installed to Village specifications, and in accordance with the manufacturers' recommended practice.
- (b) Connection of a new system to existing Village mains, or the turning on of water into new mains must be carried out by the Village. Application for connection must be made to the Village Engineering Department, providing adequate advance notice for the carrying out of such works. In no case shall the mains be put into service until approval has been granted by the Ministry of Health.

D. 11 Testing

- (a) Each section of water distribution piping installed by the applicant must be tested for pressure and leakage in accordance with Village specifications and the allowable leakage shall be as provided in the specifications. In the event that any section of the works installed does not meet the pressure and leakage tests, the applicant shall carry out repairs and retest until satisfactory tests have been obtained.
- (b) The applicant shall advise the Village Engineer 24 hours in advance of the leakage test being applied and the Village Engineer may elect to witness the test. All test data and leakage calculations shall be submitted to the Village Engineer with the test certificate supplied to the Village Engineer.
- (c) Disinfection and flushing of the water distribution system shall be carried out by the applicant in accordance with Village specifications prior to the system being placed in service. The Village's Waterworks Department shall be notified 24 hours in advance of the flushing operation to remove the disinfectant and a representative of the Village may be present to witness the procedure.

D.12 Fire Hydrants

- (a) Fire hydrants shall be complete as specified in the Village materials specifications, and shall meet the requirements of the Village Engineers specifications for materials and installation.
- (b) All new water systems shall meet the flow and pressure requirements of the Village specifications.
- (c) During construction of works and services within a subdivision the applicant shall ensure that all hydrant conditions affecting fire safety such as hydrants temporarily out of service, low water pressures, etc. are made known to the Village Engineer immediately.
- (d) All fire hydrants not yet in service shall be wrapped with burlap or black polythene plastic sheeting.
- (e) Maximum spacing between hydrants shall be 500 feet (150 metres).

D.13 Water Service Connections

- (a) All materials to be incorporated in the water services shall be approved by the Village Engineer and shall conform to the Village of Chase materials specifications and the regulations of the B.C. Plumbing Code.

- (b) Each single family dwelling, and each dwelling unit of a semi detached duplex, or row house project for individual ownership shall have an individual 3/4 inch (19 mm) diameter approved water service connection. Individual ownership as referred to in this clause shall not include units within a Strata Corporation.
- (c) Service connections shall be installed to the property line. Water service tapping shall be in accordance with the Village specifications. The minimum depth of the water service connection from the water main to the property line shall be 6 feet (1.8 metres) at any given point along the connection.

D.14 Trench

Water service connections shall be installed in accordance with B.C. Plumbing Code and Village of Chase regulations. The pipe subgrade shall be carefully prepared, graded and compacted prior to installation of the service pipes in accordance with Village specifications.

D.15 Park and Boulevard

Water service connections to the size and locations as determined by the Village Engineer shall be provided by the applicant for land designated for park, green strip or median boulevard use within, the subdivision.

APPENDIX 1

- 1.1 Percolation tests shall be carried out in the area of the proposed disposal field in accordance with the procedures in the Provincial Sewage Disposal Regulations. Percolation rates shall be 30 minutes per inch or less.
- 1.2 Depending on the percolation rate, no less area than given below shall be added to the minimum parcel size as specified in the Zoning By-law, where such minimum parcel size is 20,000 square feet or less:

Percolation Rate (minutes/inch)	Minimum Added to Parcel (ft. ²)
less than 5	0
5 and more but less than 10	500
10 and more but less than 15	1,000
15 and more but less than 20	1,500
20 and more but less than 25	2,000
25 and more but less than 30	2,500

- 1.3 Depending on the slope of the parcel measured from the uppermost point on the parcel to the lowest point on the parcel, the results obtained in Section A2 shall be increased in accordance with the following:

Steepest Slope (%)	Minimum Area Added to Parcel (ft. ²)
less than 10	0
10	500
for each 5% or part thereof greater than 10	500

- 1.4 Regardless of the smallest parcel size permitted in accordance with Sections A2 and A3, the parcel shall contain for each unit of daily sewage flow that may originate on the parcel, an area of soil suitable for sewage disposal not smaller than the following, as determined by the percolation rate:

Percolation Rate (minutes/inch)	Minimum Size of Area of Soil (ft. ²) Per Unit of Daily Sewage Flow
less than 5	1,000
5 and more but less than 10	1,500
10 and more but less than 15	2,000
15 and more but less than 20	2,500
20 and more but less than 25	3,000
25 and more but less than 30	3,500

The area of soil suitable for sewage disposal must conform to the requirements for absorption fields in the Provincial Sewage Disposal Regulations.

For the purposes of Section A4 the unit of daily sewage flow shall be the volumes equivalent to one half the minimum liquid capacity of a septic tank as specified in the Provincial Sewage Disposal Regulations for a three bedroom, single family dwelling.

- 1.5 There shall be a minimum of 80 inches of natural porous topsoil above the highest ground water table in the area of soil referred to in Section A4, and a representative number of test holes shall be dug in that area to a minimum depth of 80 inches to demonstrate this.

READ A FIRST TIME this 12th day of January, 1978.

READ A SECOND TIME this 12th day of January, 1978.

READ A THIRD TIME this 14th day of September, 1978.

RECONSIDERED AND ADOPTED this 28th day September, 1978.

"Ivor M. Humphreys"
Mayor

"Shirley Timpany"
Clerk

I hereby certify that this is a true and correct copy of By-law No. 168 of the Village of Chase, cited as the "Village of Chase Subdivision Control By-law No. 168, 1978."

"Shirley Timpany"
Clerk