

VILLAGE OF CHASE

BY-LAW NO. 15

A BY-LAW TO REGULATE THE SUBDIVISION OF LAND AND TO ESTABLISH A
STANDARD OF SERVICES TO BE PROVIDED IN NEW SUBDIVISIONS

NOW THEREFORE, the Council of the Village of Chase, in open meeting assembled, enacts as follows:

SECTION ONE: GENERAL PROVISIONS

TITLE

- 1.01 This By-Law may be cited for all purposes as Subdivision Control By-Law No. 15, 1970.

Purpose

- 1.02 The purpose of this By-Law is to regulate the subdivision of land, especially the dimensions, shape, and arrangement of parcels of land so created, and to ensure that access to each may be obtained in a safe and convenient manner and to preserve the amenity and wellbeing of the community as a whole by requiring that subdivisions proceed in a safe, orderly and economical manner and that each is suitable to the use intended.

SECTION TWO: DEFINITIONS

- 2.01 For the purposes of this By-Law, the words and expressions set forth hereunder shall be understood to have the following meaning:

"Applicant" means a person submitting plans for a proposed subdivision whether as the owner thereof or as agent for the owner, as authorized by him.

"Approving Officer" means approving officer designated as such pursuant to the Land Registry Act.

"Cul-de-sac" means a street with only one point of intersection with another and which therefore terminates in a vehicular turning area.

"Final Approval" means approval by the Approving Officer of all works required by this By-Law 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.

"Highway" shall include any public right-of-way but not a private right-of-way on private property.

"Lane" means a narrow highway, intended primarily to furnish second access to parcels, but a lane is not a half road.

"Major Street" means a street which is so designated on any current applicable municipal plan of streets or proposed streets; or a street which is designed to form part of a major or arterial street system and carries on, is intended to carry, a substantial volume of traffic other than traffic having its origin or destination in streets abutting on the street.

"Minor Street" means a street which is so designated on any current applicable municipal plan of streets or proposed streets or a street which is used and intended to be used primarily for access to and from abutting parcels.

2.01 "Owner" means a 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.

"Parcel" means a lot, block or other area in which land is subdivided, but does not include a highway or portion thereof.

"Plan Acceptance" means certification by the Approving Officer that the plan of subdivision submitted would be approvable for deposit in the Land Registry Office upon compliance with the requirements of this By-Law regarding the carrying out of works on the land.

"Street" means a highway as defined in Section 2 of the Land Registry Act.

"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 plan, by metes and bounds description, or otherwise.

"Walkway" means a narrow highway for the use of pedestrians only, not less than ten (10) feet in width.

All other words, terms and expressions in this By-Law shall be understood to have their ordinary or common meaning except as otherwise defined, used or required by the Land Registry Act.

SECTION THREE: APPLICATION FOR ACCEPTANCE

3.01 The applicant shall submit to the Approving Officer the following:

- (a) An application in writing for subdivision which shall state the name and postal address of the applicant, his interest in the property and the legal description and approximate location of the parcel to be subdivided;
- (b) Four (4) copies of a plan drawn to a suitable scale which shall be noted on the plan, 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 of the proposed parcels;
 - iii. The relationship of the proposed subdivision to adjacent streets and the connections of proposed new streets thereto;
 - iv. The topography, including contour information where relevant and other natural and man-made features;
 - v. The existing use and the proposed use of the parcel or parcels to be subdivided.
- (c) 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;
- (d) An examination fee of two Dollars (\$2.00);

3.02 For the purpose of carrying out his duties under sub-section 3.01 the Approving Officer may:

- (a) Require the applicant to provide any additional information that he may deem necessary including having the subdivisions marked out on the ground in a readily distinguishable manner;

- 3.02 (b) Conduct such inspections and tests and require such reports or examinations as he may deem necessary.
- (c) (1) Where a physical examination of land is required, the approving office may, at the cost of the owner of the land proposed to be subdivided, personally examine or have an examination made or a report made on the proposed subdivision but the owner shall not be charged an amount greater than Ten(\$10.00) dollars for each parcel within the subdivision.
- (2) If the subdivision plan is not approved the owner is not liable to be charged.
- 3.03 (a) The design and arrangement of streets in a scheme of subdivision shall be in accordance with schedule "A".
- (b) The dimensions, proportions and arrangement of parcels shall be in accordance with Schedule "B".
- (c) No plan of subdivision shall be accepted in which location height, floor area or site coverage of an existing building in relation to a parcel to be created by the subdivision would not conform to the requirements of the Building By-law or of the Zoning By-law as adopted by the Municipality.
- (d) No plan of subdivision shall be accepted which does not conform with the regulations made under the "Controlled Access Highways Act" where applicable.
- (e) Utility easements shall be provided where necessary, and where the parcel to be subdivided is traversed by a watercourse, drainage channel or stream there shall be provided a drainage easement conforming to the general alignment of the water course, channel or stream and of adequate width.
- 3.04 The Approving Officer shall consider the application with regard to:
- (a) Conformity with any official community plan and with this By-law.
- (b) The cost to the Municipality of providing public utilities and other municipal works and services to the proposed subdivision.
- (c) The effect on land within the subdivision and adjacent properties with regard to further subdivision.
- (d) The suitability of the proposed plan for the use intended and to the topography of the land being subdivided.
- 3.05 As soon as 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 sub-section 3.02 the Approving officer shall in writing, either refuse or grant acceptance.
- 3.06 In the case of a refusal, the notice of refusal shall state the reason, which shall be one or more of the following:
- (a) That the proposed subdivision would be contrary to law.
- (b) That the cost to the municipality of providing 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 proposed subdivision is not suited to the topography of the land or to the use intended.
- 3.07 The Approving Officer may also grant conditional acceptance, subject to sub-section 3.04 above which shall authorize the applicant to apply for approval subject to compliance with conditions specified in the notice.

3.08 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 to his undertaking and securing final approval prior to the deposit of the subdivision plan in the Land Registry Office.

3.09 The granting of acceptance shall not bind the Approving Officer to grant final approval. It shall be effective only for a period of ninety (90) days, provided that it may be renewed by the Approving Officer for further periods each of not more than ninety (90) days. If an application for final approval is not submitted prior to the expiry of the acceptance, application shall again be submitted in accordance with sub-section 3.01.

SECTION FOUR: APPLICATION FOR FINAL APPROVAL

4.01 The applicant may submit an application for final approval only on completion of all works required under this section or following the execution of an agreement in accordance with sub-section 4.05.

4.02 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 acceptance, together with either:

(a) Written notification to the Approving Officer from the applicant of completion of all required works to required standards.

or

(b) Written notification to the Approving Officer from the Municipal Clerk that an agreement has been executed in accordance with sub-section 4.05.

4.03 On receipt of notification that all required works are completed, an appointed municipal representative shall inspect the completed works and carry out any examinations or tests he may deem necessary.

4.04 The works required precedent to final approval shall be in accordance with Schedule "C" and Schedule "D" and the following:

(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 before approval of any subdivision plan is granted, unless by prior arrangement with the municipality.

i. These are allowed to remain for a stated and limited period of time.

ii. Desirable trees may be allowed to remain if they do not obstruct the travelled portion of the road allowance.

(b) Iron posts all in place.

4.05 All required works shall be completed at the sole expense of the applicant prior to the granting of final approval, unless a bond or other agreement in writing, registerable as a charge against the affected lands, has been executed between the applicant and the municipality, providing for the carrying out and completion of the required works after the granting of approval.

4.06 All current taxes and allied charges shall be paid.

4.07 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

4.07 in writing that final approval is being withheld. If final approval is withheld, the reasons shall be stated in the notice to the applicant.

4.08 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 acceptance was granted;
- (b) That the required works have not been carried out according to the requirements of this By-Law or to the satisfaction of the Approving Officer, or an agreement satisfactory to the municipality has not been achieved relating to the provisions of these works.
- (c) Taxes and allied charges have not been paid.

4.09 The granting of final approval shall be certified by the return to the applicant of the subdivision plan required under clause (b) of sub-section 3.01 signed and dated by the Approving Officer in accordance with the provisions of the Land Registry Act, or where no such subdivision plan is required, by a certificate of final approval signed and dated by the Approving Officer.

Read a first time this 27 day of November, 1969.

Read a second time this 15th day of January, 1970.

Read a third time this 11 day of ~~JUNE~~, 1970.

Reconsidered and Adopted this 9 day of ~~July~~, 1970.

S. Alex Brown
Mayor

Donald [Signature]
Clerk

I hereby certify that this is a true copy of By-law No. 15 of the Village of Chase, cited as "Subdivision Control By-law No. 15, 1970".

Donald [Signature]
Clerk.

A true copy of By-law No. 15 registered in the office of the Inspector of Municipalities this 14th day of AUGUST, 1970.

M. K. Smith
Deputy Inspector of Municipalities

SCHEDULE "A" - STREETS

This is Schedule "A" referred to in the attached Subdivision Control By-Law No. 15, 1970.

- A.01 As required under the Land Registry Act, every lot or parcel for which separate title may be obtained shall be adequately served by a dedicated public highway. For the purpose of this section, a "highway" shall not include a "walkway".
- A.02 The minimum highway allowance for vehicular use in any proposed subdivision shall be sixty-six (66) feet, provided that:
- (a) The Approving Officer may, at his discretion, accept a lesser width to a minimum of fifty (50) feet if it is adequate and more suitable to the design considered.
 - (b) He may accept the dedication of a half road, where he may assure himself that further subdivision will proceed in such a manner as to complete the dedication of the entire right-of-way.
- A.03 Notwithstanding A.02 above, where a half road is accepted, it shall not be less than thirty-three (33) feet.
- A.04 A cul-de-sac shall terminate in a turn-around area large enough to contain a circle of fifty (50) feet radius, provided that:
- (a) Where the street serves fewer than ten (10) houses, or;
 - (b) Where secondary access is provided by a rear lane, or;
 - (c) Where a road right-of-way less than sixty-six (66) feet is permitted, or;
 - (d) Where it may be demonstrated that the strict application of this clause would render abutting lots inadequate in area or otherwise cause undue hardship to the applicant.
- The Approving Officer may at his discretion accept a minimum radius of forty (40) feet.
- A.05 The subdivider shall have due regard in the preparation of his plans to the hierarchy of streets, bearing in mind the definition of major and minor streets as provided by this By-Law. Subdivision design shall generally be such that individual parcels are served by minor streets which shall flow logically into the pattern of major streets. Major streets should not be allowed to bisect a residential area unless adequate planning and provision is made for their location.
- Any block of lots which is more than one thousand (1,000) feet long, that is, it exceeds this distance between flanking streets shall contain provision for a walkway as close to the centre as possible.
- A.06 Consideration shall be given to the intersection of all existing and proposed streets within or contiguous with the subdivision. The following consideration shall guide the location and design of such intersections:
- (a) The number of such intersections shall be kept to a minimum.
 - (b) To ensure reasonable vertical and horizontal sight distance at all practicable, intersections shall not be located in or near sharp curves or near the crest of trough of hills, nor shall any road terminate in excessive cut to gain access to grade to any other road.

- A.06 (c) Three-legged "T" intersections shall be used at the junction of minor streets or at the junction of a minor street with a major street wherever practicable. Such points of intersection shall desirably be one hundred and twenty-five (125) feet from one another, measured along the centre line of the highway so intersected.
- (d) Unless extreme terrain or existing subdivision precludes it, all streets shall intersect at right angles with one another, at least to a distance of seventy-five (75) feet, measured back along the centre line of the intersecting street from the centre line of the street so intersected.
- (e) Intersections comprising the junction of more than four (4) streets shall not be permitted.
- (f) No lane shall intersect with a major street.
- A.07 The Approving Officer may require the dedication of frontage roads to provide access to parcels adjoining controlled access highways pursuant to the Controlled Access Highways Act.
- A.08 Lanes shall not be required in any subdivision indicated for ordinary residential use, provided that, at his discretion, the Approving Officer may require the dedication and construction of lanes:
- (a) In areas where there are existing lanes;
- (b) In commercial or industrial subdivisions or any subdivision containing commercial or industrial parcels;
- (c) In areas where multiple family housing is indicated or anticipated.
- A.09 Where a lane is required it shall not be less than twenty (20) feet.

SCHEDULE "B" - PARCELS

This is Schedule "B" referred to in the attached Subdivision Control By-Law No. 15, 1970.

- B.01 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 and, in particular:
- (a) Where a parcel is proposed for low density residential use and is serviced by community water but not by a community sewer, the minimum allowable area shall be seven thousand five hundred (7,500) square feet, provided that this may be decreased to seven thousand (7,000) square feet if the Approving Officer is satisfied with the validity of the applicant's written claim that the former size cannot reasonably be achieved because of unusual terrain or the limitations of existing subdivision and that at the decreased size the Medical Health Officer having jurisdiction in the area certifies that each site is adequate to accept the normal domestic sewage produced by the intended use.
 - (b) Where a parcel is proposed for low density residential use and is serviced by community water and an approved community sewer, the minimum allowable area shall be six thousand (6,000) square feet.
 - (c) The minimum area for residential parcels other than for low density use shall be as set out in the Zoning By-Law No. 16, 1970.
 - (d) The minimum area for commercial parcels shall be as set out in the Zoning By-Law No. 16, 1970.
 - (e) The minimum area for industrial parcels shall be as set out in the Zoning By-Law No. 16, 1970.
 - (f) Notwithstanding the provisions of this or any other By-Law, any lot not served by community sewer shall be of sufficient depth that the low point or outfall of any individual private sewerage treatment system on the site shall be no closer than one hundred (100) feet from the high water mark of the nearest stream, lake or drainage channel.
- B.02 The minimum frontage of a parcel shall be ten percentum (10%) of the perimeter of the parcel, except that the Council may exempt the applicant from this provision if it may be demonstrated to his satisfaction that the provision is unreasonable having regard to topography or existing subdivision.
- B.03 Where a parcel is a pan-handle lot capable of further subdivision, the pan-handle shall be not less than sixty-six (66) feet in width and be located in such a manner that, as future subdivision occurs, it may be developed and registered as a street according to the desirable standards of intersection under A.06 above.

SCHEDULE "C" - WORKS

This is Schedule "C" referred to in the attached Subdivision Control By-Law No. 15, 1970.

C.01 For the purpose of Section 4, the following works upon land to these standards shall be completed or an agreement as to their provision satisfactory to the municipality shall be finalized.

C.02 Gravelling Roads

This shall consist of supplying, hauling and depositing as directed, Selected Granular Base Course and Road Maintenance Material of such nature that will conform to the specifications and the approval of the Engineer. The purpose shall be to provide a suitable foundation where required, for the pavement or other surface.

C.03 Materials

Materials shall be processed or selected to conform to the requirements herein described for Selected Granular Base Course, from deposits of pit run gravel, talus rock, disintegrated granite or other granular materials which have a physical structure not affected by water or the elements. Materials such as shales will not be accepted.

All materials shall have good binding properties and shall be approved by the Engineer as hereinafter described. Materials shall conform to the sizes and grading as outlined herein. The grading shall not show marked fluctuations from extremes of the limiting sizes herein provided.

Materials from deposits acceptable as to quality of the particles but deficient in sizes to provide the required gradings, may be accepted if the subdivider furnishes and satisfactorily incorporates into the product, supplementary sizes from other sources to produce required grading.

C.04 Gravel and Grading Requirements - Class "A" and "C"

Tyler Screen Sizes

<u>Square Openings</u>	<u>Percent of Total Sample Passing</u>	
	<u>Class A Uncrushed</u>	<u>Class C 3/4 Crushed</u>
1/4" - 1"	Well graded	
1"	Rock or gravel	100%
5/8"	Maximum size	70 - 100%
#4	Not to exceed	35 - 60%
#10	That passing	20 - 40%
#14	4" sieve	15 - 35%
#48		5 - 15%
#200		0 - 10%

C.05 Class "A" (Uncrushed Material)

This material shall not require crushing but shall be graded to ensure a suitable foundation. The maximum size of any particle shall not exceed that passing the four (4) inch square opening. Particles exceeding this size shall be rejected from the material. Where deposits contain more than four percentum (4%) of the oversized particles, the contractor shall have these removed by screening.

C.05 Class "C" (Crushed Material):

This material shall be processed by crushing. No fragment greater in size than the maximum specified herein for this class of material shall be permitted. Material shall not qualify as Class "C" unless it has been processed by crushing regardless of material particle size.

C.06 Base Course

The base course shall be an integral part of the base for the sidewalks and the curb and gutter, if required.

- (a) In the residential zones, it shall be laid to a consolidated thickness of six (6) inches and shall consist of four (4) inches of Class "A" material, and two (2) inches of Class "C" material.
- (b) In commercial and industrial zones, it shall be laid to a consolidated thickness of sixteen (16) inches and shall consist of fourteen (14) inches of Class "A" material and two (2) inches of Class "C" material.

After each course is laid it shall be watered and rolled to ensure proper consolidation.

C.07 Inspection and Acceptance of Materials

Prior to any road construction, the Engineer shall inspect the pit or pits of the Tenderer and shall determine whether the material is apparently suitable for screening tests in accordance with the Grading Requirements. If so, a specimen selected at random over chosen portions of the pit shall be gathered and forwarded to local testing laboratories for screening. The results of the screening tests will in part provide the determination of acceptance or otherwise of the Tender.

C.08 Engineer's Approval

Materials delivered to the site or supplied under the Contract of which this specification forms part, will be considered unsuitable even though particle sizes are within the limits of the grading sizes herein provided, if particle shapes or any other characteristics preclude satisfactory compaction or fail to provide a roadway suitable for traffic. The Engineer reserves the right to reject material in any portion of the pit at any time or to require blending of materials from several portions of the pit, if materials in place do not meet the requirements of the above grading.

C.09 Placing

The actual method of placing of materials on the site shall be at all times in accordance with the instructions of the Engineer. Class "A" and Class "C" materials shall be placed so as to provide for most efficient operations of the grading and rolling equipment. Particles or entire portions of Class "A" and Class "C" materials rejected on the road shall be disposed of as directed by the Engineer at the expense of the subdivider.

C.10 Drainage

This shall be provided as instructed by the Engineer to the following general specifications:

- (a) Adequate ditches, 18 inch minimum below crown of road or as instructed by the Municipal Engineer, on both sides of the road. All ditches must drain.

- C.10 (b) Permanent type cross culverts required.
- (c) Proper size culverts to take care of maximum water flow, minimum 12 inch culvert. (Check with Municipal Official on proposed culvert sizes.)
- (d) Cover to be at least 1/2 diameter of pipe.
- (e) Ditches to be cleared of rocks, roots, etc.
- (f) Outfall of all road drainage is to be conveyed to a natural water course by a ditch. It may be required that this be on a surveyed drainage right-of-way to be shown on the sub-division plan.

The subdivider is responsible for the placing of asphalt as follows:

- C.11 The subdivider shall furnish all materials, labour, equipment and services necessary to place and finish all asphaltic pavement as specified herein.

C.12 Prime Coat

When the base course is dry and air temperatures is over fifty (50) degrees F., an application of MCO bituminous primer shall be uniformly made by an approved pressure distributor at a rate of one-third (1/3) gallon per square yard or as otherwise directed by the Engineer, and at an application temperature of between 90 degrees F. and 110 degrees F. All traffic shall be kept off the primed area until the prime has been absorbed. The contractor shall repair any disturbed areas at his own cost.

Road Mix (Mix in Place)

Asphaltic pavement shall be laid to a consolidated thickness of two (2) inches in residential zones and three (3) inches (two - one and a half inch lifts) in commercial and industrial zones.

Aggregate

All aggregate material shall be composed of hard, durable crushed stone particles or screened gravel particles free from deleterious materials such as clay and silt balls or loose coatings.

All aggregate material shall be supplied in the necessary sizes to produce a blend meeting the following graduations:

U.S. Standard Sieve Sizes	Cumulative % Passing by Weight	
	Lower Course	Surface Course
3/4"	100	
1/2"	100 - 70	100
3/8"	90 - 55	100 - 80
#4	70 - 35	80 - 45
#8	57 - 25	64 - 32
#16	45 - 18	51 - 24
#30	34 - 13	40 - 17
#50	26 - 8	29 - 13
#100	17 - 5	18 - 7
#200	8 - 2	10 - 3

Where material passing the number 200 sieve is not available, the subdivider shall supply mineral filler approved by the Engineer. Mineral filler shall consist of all mineral matter which will pass the No. 200 sieve, and may consist of fine particles of the course of fine aggregate or of finely ground particles of limestone, hydrated lime, portland cement or other selected mineral matter. It shall be dry from organic matter, clay particles or lumps.

SCHEDULE "D" of By-law No. 15, 1970

- D.01 For the purpose of Section 4 the following works regarding water main extensions to these standards shall be completed or an agreement as to their provision satisfactory to the Municipality shall be finalized.
- D.02 The Applicant for approval of a subdivision shall extend or have extended the mains of the Village water system in such a manner that water shall be available to each lot in the subdivision.
- D.03 All such extensions shall be made at the expense of the subdivider.
- D.04 All work shall be done by the Municipal force or by forces approved by the Municipality and in accordance with the specifications of the Municipal Engineer.
- D.05 Should the installation be installed by the Municipality the Applicant shall make payment to the Municipality an amount equal to the estimated cost of the extension, as determined by the Public Works Superintendent, before work has commenced.
- D.06 At the completion of the extension, the Public Works Superintendent shall certify to the Collector the actual cost of the extension. The Collector, in the event that the amount tendered by the applicant exceeds the actual cost, shall refund any amount in excess. In the event that the actual cost exceeds the amount tendered by the Applicant, the Collector shall send a statement to the Applicant who shall pay the amount of such deficiency.
- D.07 No extension will be made which does not conform to the plan of the development of the Municipality as expressed by the policy of the Council and the appropriate Planning By-Laws.
- D.08 Should the Applicant receive approval to construct the works through his own force or by way of a Contract Tender, he shall be responsible for the complete maintenance of the installation for a period of one year, commencing from the date of final acceptance of the said installation by the Municipal Engineer.
- D.09 When the works are to be constructed by the Applicant a Performance and Maintenance Bond equal to Fifty (50) percent of the tendered or estimated cost of the installation shall be required from either the Applicant or his Contractor. The Bond shall be for the period of one year as defined in Section D.08.
- D.10 All facilities installed under the provisions of this By-Law, whether by the Municipality or other persons, shall become the sole property of the Municipality.
- D.11 The minimum size of watermain for any extension shall be six inches inside diameter except for a short Cul-de-sac not exceeding 300 feet in length, or as otherwise determined by the Municipal Engineer.
- D.12 Where an extension is to be undertaken pursuant to the provisions of this By-Law and where the Municipality, in its discretion, may desire to provide extra capacity, over and above the capacity required to service the lands for which an application for an extension has been made, namely to provide extra capacity to permit extension beyond the boundaries of the lands to be immediately serviced thereby, or to provide extra capacity to facilitate and become part of the major supply pipe network system, the Municipality shall pay the cost of providing such extra capacity provided that the funds required are available and have been specifically allocated therefor in the annual budget. This provision shall apply to only those mains in excess of six-inches inside diameter or in excess of the size of main required to service the said subdivision - which ever main is the larger diameter.