



COUNCIL POLICY

Subject: Subdivision

Policy No: 07-230
Previous Policy No: 07-155
Approved by Council: 2011-03-28
Revised by Council: 2016-05-30

1. Purpose

- 1.1 To set out the matters to be considered by the Approving Officer when reviewing subdivision applications.

2. Background

- 2.1 This policy is a product of the Subdivision and Development Servicing Bylaw 2011 No. 4861, as amended, and outlines the process of subdivision related items for consideration by the Approving Officer when reviewing subdivision applications.

3. Related Policy

- 3.1 07-150 Subdivision – Approving Officer

4. Policy

4.1 APPLICATION

- 4.1.1 An application for a subdivision decision letter shall be submitted to the Municipality on the prescribed form. The application form is to be completed and application fees submitted, as authorized under Development Application and Fee Bylaw 1987 No. 2470, as amended.

4.2 DECISION LETTER.

- 4.2.1 A subdivision decision letter expires 12 months after it is issued. If the conditions of a subdivision decision letter are not completed within the time specified, the decision letter shall be deemed to be void and of no further force or effect and the application for a subdivision decision letter shall be deemed to have been withdrawn.
- 4.2.2 Should the requirements of the decision letter not be completed prior to its expiry, the applicant may request a six-month extension prior to expiry of the current decision letter. An extension may be considered for applicants that have been actively pursuing finalization of their decision letter requirements. A maximum of one extension for a six-month period may be granted per application.
- 4.2.3 Prior to the final subdivision survey plans being signed by the Approving Officer, the applicant shall complete all the requirements of the subdivision decision letter.

4.3 APPLICATION RECORD

- 4.3.1 The Approving Officer shall maintain a record of all subdivision applications submitted, which shall indicate their final disposition.

4.4 LAYOUT AND DESIGN

- 4.4.1 Side lot lines of parcels created by a proposed subdivision shall be substantially at right angles or radial to street lines unless the Approving Officer is satisfied that it is impractical to comply.
- 4.4.2 Double frontage lots shall not be permitted unless it is impractical to provide suitable alternatives due to topography, orientation or other municipal requirements.
- 4.4.3 Proposed single family parcels, excluding compact lots, shall provide a minimum building area of at least 6 metres by 12 metres, exclusive of any encumbrances including building setback requirements of the Zoning Bylaw 1987 No. 2500 as amended, right-of-ways and restrictive covenants.
- 4.4.4 The minimum frontage for corner parcels shall have a frontage sufficient to permit the "Building Area" as described in Section 4.4.3 to be advantageously oriented to both streets.
- 4.4.5 In Service Levels 1, 2 and 3, where practical, no lot line or parcel access shall be permitted to cross a creek, stream or other watercourse as defined by Streamside Protection Bylaw 2006 No. 4485, as amended.
- 4.4.6 Except where a setback with respect to a highway is concerned, no subdivision shall be approved which would cause any existing building or structure, to contravene any zoning, building, or other regulation in force.

4.5 PANHANDLE LOTS

- 4.5.1 The provision of frontage to a lot by means of what is commonly referred to as a panhandle access strip may be considered:
- a) Where the existing topography of the parcel being subdivided prohibits subdivision in the conventional manner.
 - b) To provide access to passive park, conservation areas and similar public use of land.
 - c) To provide secondary access for lots fronting onto Arterial or Collector and Provincial Highways.
 - d) Where the provision of a highway would serve no useful purpose for either the existing lot breakdown or future or adjacent subdivision.
- 4.5.2 In considering the provision of frontage to a lot by means of a panhandle access strip in section 4.5, due regard shall be given to the following:
- a) Whether the parcel is capable of being further subdivided under existing regulations through conversion of all or part of the panhandle to highway which would be in general conformity with official community plans.
 - b) Whether the panhandle is wide enough to serve the proposed lot having due regard for topography, physical features, adjoining lands and the subdivision potential of such lot.
 - c) For urban residential uses, the panhandle shall be a minimum of 6 metres in width. For industrial, commercial, rural and suburban residential uses, a panhandle access shall have a minimum width of 10 metres. In all cases, the panhandle shall be sufficient to accommodate a safe driveway of not less than 6 metres in width.
 - d) Whether an attempt is being made to assemble land which conforms substantially with existing community plans.

- e) When there is an existing house on the lot to be subdivided and it is feasible to relocate the house to create two standard lots, the application for panhandle lot will be denied.
- f) The Developer may be required to provide fencing and/or screening of the panhandle lot. When this is required, the Developer shall provide security for the value of the works prior to the subdivision plans being considered for final approval (based upon the estimated cost of construction).
- g) The Approving Officer will ensure that immediate neighbours are notified at the time of application for the panhandle lot subdivision; unless the proposed panhandle lot would accommodate an existing legal conforming dwelling.
- h) The height of the new home(s) on the proposed panhandle lot(s) shall be compatible with the surrounding homes.

4.6 MINIMUM FRONTAGE

- 4.6.1 Proposed cul-de-sac parcels where the full frontage is located on the turn-around or bulb portion of a permanent urban residential cul-de-sac may have a minimum frontage of 8 metres for residential lots and 10 metres for commercial and industrial lots.

4.7 EXISTING DWELLINGS

- 4.7.1 Existing dwellings to be retained following subdivision must be upgraded to a state compatible with new development in the proposed subdivision. Particular attention must be given to the resulting orientation of the existing dwelling relative to new lot lines (for example, where the rear of the dwelling becomes a side or front face). In such cases, the Developer must demonstrate how the dwelling will be modified/upgraded to relate to the homes to be located on the proposed new lots.
- 4.7.2 Upgrading of existing homes must address exterior design changes and materials to be used, landscaping and/or fencing, and driveway surfacing. Special consideration will be given to homes that are deemed to have heritage value in order to retain their heritage characteristics.
- 4.7.3 Where the Approving Officer approves an existing dwelling to remain as part of a subdivision, subject to modifications and/or upgrading, the conditions of approval must be completed prior to final subdivision approval. The Approving Officer may allow the work to be completed after final subdivision approval, where the developer has entered into an agreement with respect to the work to be done and deposits with the Municipality a cash deposit, or an irrevocable letter of credit, equal to the value of the works.

4.8 HALF ROADS

- 4.8.1 In a subdivision where the road layout is such that a proposed highway will serve the adjoining properties outside the subdivision, the Approving Officer may allow the dedication and construction of new half-roads along the perimeter of the subdivision, provided however the following conditions are satisfied:
 - a) The dedication by the owner is not less than 10.0 metres in width, plus a 1.5 metre dedication or right-of-way on the adjoining property. The Township may consider a 10.0 metre dedication for a half road if the developer cannot negotiate a 1.5 metre right-of-way from neighbouring properties.

- b) The remainder of the dedication can reasonably be expected to be constructed in the short term.
 - c) The provision for a sufficiently wide temporary working easement from the adjacent property owner, if required, to the acceptance of the Municipal Engineer.
 - d) Additional dedication is obtained where necessary to provide adequate two-way traffic flow and/or to provide for the adequate construction and installation of all required services and utilities.
- 4.8.2 Full road dedication and construction is required where a proposed subdivision is located adjacent to the Agricultural Land Reserve.
- 4.8.3 Half roads will not normally receive final lift of asphalt pavement until such time as the other half is completed and the entire road surface can be capped. In lieu of construction, the Developer will deposit with the Municipality, the secured amount for this final lift of asphalt (based upon the estimated cost of construction plus 20% contingency).