

Town of Digby Subdivision By-law – September 15, 1988

TOWN OF DIGBY

SUBDIVISION BY-LAW

Adopted by Council of the Town of Digby on September 15, 1988

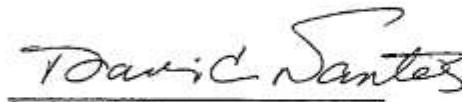
Recommended for approval with amendments.

  
Christine McCulloch  
Departmental Solicitor

The Subdivision Bylaw of the Town of Digby which was adopted at a meeting of Town Council held on September 15, 1988, is approved pursuant to Section 24 of the Municipal Affairs Act, with the following amendments:

1. Section 21. on page 13 is amended by:
  - (i) deleting the word and numbers "August 6, 1984" in the second and third lines and substituting therefor the words "the effective date of this By-law"; and
  - (ii) inserting the word and abbreviation "or C-4" after the abbreviation "R-1" in the second line of clause (d).
2. Section 43. on page 19 is amended by inserting the words "and the storm drainage systems" after the word "systems" in the second line of clause (d).
3. Section 45. on page 20 is amended by inserting the words "and storm drainage systems" after the word "systems" in the fourth line.
4. Section 52. on page 22 is amended by deleting the words and numbers "Sections 50 and 51" in the first line and substituting therefor the words and number, "land and money as described in Section 50".

DATED at Halifax this 5<sup>th</sup> day of December, 1988.

  
David Nantes  
Minister Responsible for the  
Department of Municipal Affairs

(91) 

Town of Digby Subdivision By-law – September 15, 1988

TOWN OF DIGBY SUBDIVISION BY-LAW

JUNE, 1988

DRAFT

CERTIFICATE

This is to certify that the within and attached Subdivision By-law is a true copy of the Subdivision By-law passed by a majority vote of the Whole Council of the Town of Digby, at a duly called meeting of the Town Council held on the 15th day of September 1988.

GIVEN UNDER the hand of the  
Town Clerk and under the  
corporate seal of the said  
Town of Digby, this 16th day  
of September 1988.

  
J. M. WHEELHOUSE  
TOWN CLERK

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**SUBDIVISION BY-LAW FOR THE**  
**TOWN OF DIGBY**

**PART 1: TITLE**

1. This by-law may be cited as the "Subdivision By-law" for the Town of Digby and includes requirements contained within the regulations previously prescribed by the Minister of Municipal Affairs for the Town of Digby.

**PART 2: INTREPRETATION**

2. In this by-law the word "shall" is mandatory and not permissive. Words used in the present tense shall include the future. Words used in the singular shall include the plural except where otherwise indicated and words used in the plural number shall include the singular. All other words shall carry their customary meaning except those defined hereinafter. The Schedules attached to this By-law are deemed a full part of this By-law.

**PART 3: DEFINITIONS**

3.
  - a) **Agreement** means a written contract entered into between the sub-divider and the Council relating to the provision of services as outlined in this by- law;
  - b) **Area of land** means any lot or parcel as described by its boundaries;
  - c) **Council** means the Council of the Town of Digby
  - d) **Department of Health** means the Department of Health and Fitness of the Province of Nova Scotia;
  - e) **Director** means the Provincial Director of Planning;
  - f) **Existing Street** means any public street;
  - g) **Frontage** means the horizontal distance between the side lot lines which shall be measured perpendicularly to a line joining the middle of the front lot line with the middle of the rear lot line, at a point along this equal to the minimum applicable front yard as contained in the Land Use By-law.

## **Town of Digby Subdivision By-law – September 15, 1988**

- h) **Professional Engineer** means a registered member, in good standing of the Association of Professional Engineers of Nova Scotia;
- i) **Public Sewer System** means any sanitary sewer system which is owned by the Town;
- j) **Public Street** means any street owned and maintained by the Town;
- k) **Public Water System** means any water system which is owned by the Town;
- l) **Storm Drainage System** means any drainage system owned and maintained by the Town whether above or below ground constructed to collect, control and transport storm water from the area of land being subdivided to a point of discharge.
- m) **Sub-divider** means the owner or owners of the area of land proposed to be subdivided and includes anyone acting with his written consent;
- n) **Subdivision** means the division of any area of land into two or more parcels, and includes a re-subdivision or a consolidation of two or more parcels;
- o) **Town** means the Town of Digby;

### **PART 4: PRELIMINARY PLANS OF SUBDIVISION** (Optional First Step)

- 4. (1) The sub-divider proposing to subdivide property may submit to the Development Officer three (3) copies of a preliminary plan of the proposed subdivision together with the following information and documentation:
  - a) name and address of the sub-divider, and if the sub-divider is not the owner of the area of land proposed to be subdivided, the name of the owner,
  - b) names and addresses of all owners or the lot identifiers of all properties abutting the land proposed to be subdivided, and

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- c) a plan or sketch of the land proposed to be subdivided to scale or scale sufficient for clarity of all particulars on the plan showing:
- i. the dimensions and area of the area of land to be subdivided,
  - ii. the nature of the proposed subdivision and the lots therein,
  - iii. the approximate location of watercourses or other natural features on the land proposed to be subdivided that might affect the number of lots on the area proposed to be subdivided, and
  - iv. a key plan at a scale not smaller than 1:50,000 showing the general location of the area of land and indicating the north point.

(2) The Development Officer shall, if applicable, forward a copy of all material received pursuant to subsection (1) to:

- a) the Department of Health for an evaluation to determine what lot size is generally appropriate to meet the requirements of the provincial Regulations Respecting Subdivision of Land to be Serviced by On-Site Sewage Disposal Systems,
- b) the Superintendent of Public Works,
- c) any other agency of the Province or the Town the Development Officer deems necessary.

(3) The Department of Health, the Superintendent of Public Works, and any other agency of the Province or Town which has been forwarded a copy of the Preliminary Plan shall forward a written report of their findings to the sub-divider and the Development Officer.

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### PART 5: PROCEDURE FOR APPROVAL OF TENTATIVE PLANS OF SUBDIVISION

5. The sub-divider proposing to subdivide an area of land shall submit to the Development Officer for approval an application in the form specified in Schedule "A" of this by-law together with 6 copies of the tentative plan of the proposed subdivision meeting the requirements of Part 6 of this by-law.
6. Notwithstanding Section 5, the Development Officer may waive the requirement that tentative application and plan of subdivision be submitted, where:
  - a) the lots abut an existing street, and
  - b) no public sewer or water systems are to be installed,provided that, if required, an assessment of the lots has been completed pursuant to the Regulations Respecting Subdivision of Land to be Serviced by On-site Disposal Systems by the Department of Health and the Development Officer is advised in writing by the Department of Health of the classification of such lots pursuant to the Regulations.
7. When the Development Officer is satisfied that an application and tentative plan of subdivision are complete he shall, if applicable, forward a copy to the Department of Health, the Superintendent of Public Works and any other agency of the Province or Town the Development Officer deems necessary.
8. The Development Officer shall comply with the notification and approval provisions of Section 96(2) and (3) of the Planning Act.
9. Approval of a tentative plan of subdivision may not be refused or withheld as a result of the assessment or recommendations made by the Department of Health, the Superintendent of Public Works or any other agency of the province or the Town unless the tentative plan of subdivision is clearly contrary to a law of the Province or by-law of the Town made pursuant to a law of the province, including any applicable dimensions for lot area and lot frontage contained in a land use by-law of the Town.
10. (1) The following information shall be stamped or written on any tentative plan of subdivision which is approved together with any other information necessary for the tentative plan to proceed to the final plan stage:

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- a) "This tentative plan of subdivision is approved for lots \_\_\_\_\_ . Such approval lapses if the lots are not shown on a final plan of subdivision approved within two years of the date of the approval of the tentative plan."
  - b) the date of the approval of the tentative plan.
  - c) "This tentative plan of subdivision shall not be filed in the Registry of Deeds as no subdivision takes effect until a final plan of subdivision is endorsed by the Development Officer and has been filed by him in the Registry of Deeds."
11. (1) Within 5 days of approving a tentative plan of subdivision, the Development Officer shall forward a copy of the approved tentative plan to the sub-divider and notify in writing, where applicable, the Superintendent of Public Works, Department of Health, and any other agency of the Province or Town the Development Officer requested to review the plan, of his decision to approve the tentative.
- (2) Where the Development Officer refuses to approve a tentative plan of subdivision, he shall notify the sub-divider pursuant to Section 96(3) (c) of the Planning Act, advising the sub-divider of the appeal provisions of Section 103 of the Planning Act,

### **PART 6: TENTATIVE PLAN OF SUBDIVISION REQUIREMENTS**

12. (1) Tentative plans of subdivision submitted to the Development Officer shall be:
- a) drawn to scale or scales sufficient for clarity of all particulars on the tentative plan of subdivision,
  - b) based on a description of the property to be subdivided, preferably but not necessarily as surveyed, and
  - c) folded to approximately 20x30 cm. (8x12 in.) with the face of the folded print being the title block which is located in the lower right-hand corner of the tentative plan of subdivision.

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- (2) Tentative plans of subdivision shall show the following:
- a) name of the subdivision, if any, and the name of the owner of the area of land,
  - b) names of all owners or the lot identifiers of all properties abutting the area of land proposed to be subdivided,
  - c) a location map, drawn to a scale not smaller than 1:50,000 (such scale to be shown on the map), preferably with the same orientation as the area of land,
  - d) the words "TENTATIVE PLAN" located above the title block,
  - e) a clear space for stamping measuring at least 15 centimetres (5.90 in.) wide by 15 centimetres (5.90 in.) high,
  - f) the approximate dimensions of the area of land proposed to be subdivided,
  - g) the proposed dimensions and shape of lots and blocks,
  - h) the area of each lot including the approximate area of the remainder lot, if any,
  - i) each proposed lot individually identified without duplication of lot identifiers, and where practicable, where a parcel is being added to or subtracted from an existing lot or where a lot shown on a plan of subdivision is being divided, the proposed lot or lots shall be identified by the existing lot identifier and a letter,
  - j) approximate location of existing main buildings on the area of land proposed to be subdivided with the graphical location for all buildings within 3 metres (9.8 feet) either side of the boundaries of the proposed lot,

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- k) the boundaries of proposed lots shown by solid lines, and the vanishing boundaries of existing lots being re-subdivided, consolidated or both, shown as broken lines,
  - l) the scale to which the tentative plan of subdivision is drawn,
  - m) the width and location of railroads, and existing and proposed public streets, including intersections and turning circles,
  - n) the names of existing and proposed public streets,
  - o) a notation stating whether or not the lots for which approval is requested are serviced by sanitary sewer and water systems,
  - p) the identification, location, dimensions, and area of land proposed to be reserved for park, playground, and similar public purposes,
  - q) the width, location and nature of any easements or rights-of-way affecting the area of land proposed to be subdivided,
  - r) north point,
  - s) the date on which the tentative plan of subdivision was drawn and the date of any revisions,
  - t) the location of any watercourse, prominent rock formation, area subject to flooding and any other prominent natural features which might affect the layout or provision of public streets and services to the area where the subdivision is to be located, and
  - u) any other information which the Development Officer deems necessary to determine whether a tentative plan of subdivision conforms to this subdivision by-law.
- (3) In addition to meeting the requirements of subsections (l) and (2), where the proposed lots front on a proposed public street, a tentative plan of subdivision shall:

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- a) show a boundary survey of the area of land proposed to be subdivided, excluding the remainder lot, certified and stamped by a Nova Scotia Land Surveyor in the manner required by the Nova Scotia Land Surveyors Act and the Regulations made thereunder,
  - b) be accompanied by four copies of a plan showing
    - i. contours at 2 metre (5 foot) intervals, and drainage patterns, and
    - ii. the width and location of existing and proposed public streets, including intersections and turning circles, and
    - iii. the location of existing and proposed public sewer, public water, and storm drainage systems, and proposed connections thereto, and
  - c) be accompanied by two copies of a plan showing the centre line profiles of the proposed public streets, and
  - d) be accompanied by any other information which the Development Officer deems necessary to determine whether the plan and drawing referred to in subsections (b) and (c) conform to this subdivision by-law.
- (4) Where plans or drawings or centre-line profiles are prepared by or under the supervision of a professional engineer, they shall be signed and sealed by the professional engineer in accordance with the Engineering Profession Act.

### **PART 7: PROCEDURE FOR APPROVAL OF FINAL PLANS OF SUBDIVISION**

13. The sub-divider proposing to subdivide an area of land shall submit an application in the form specified in Schedule "A" of this by-law and 8 copies of the final plan of subdivision meeting requirements of Part 8 of this by-law to the Development Officer for approval.

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14. The Development Officer shall comply with the notification and approval provisions of Section 96(2) and (3) of The Planning Act.
15. When the Development Officer is satisfied that an application and final plan of subdivision are complete he shall, if applicable, forward a copy to the Department of Health, the Superintendent of Public Works and any other agency of the Province or Town the Development Officer deems necessary.
16. Approval of a final plan of subdivision may not be refused or withheld as a result of the assessment or recommendations made by the Department of Health, the Superintendent of Public Works or any other agency of the Province or the Town unless the final plan of subdivision is clearly contrary to a law of the Province or by-law of the Town made pursuant to a law of the Province, including any applicable dimensions for lot area and lot frontage contained in a land use by-law of the Town.
17.
  - (1) Upon approval by the Development Officer of the final plan of subdivision, the Development Officer shall notify in writing the sub-divider, and where applicable, the Superintendent of Public Works, Department of Health, and any other agency of the Province or Town the Development Officer requested to review the plan, of his decision to approve the final plan.
  - (2) Where a Development Officer refuses to approve a final plan of subdivision, he shall notify the sub-divider pursuant to section 96 (3) (c) of the Planning Act, advising the sub-divider of the appeal provisions of Section 103 of the Planning Act.

### **PART 8: FINAL PLAN OF SUBDIVISION REQUIREMENTS**

18.
  - (1) Final plans of subdivision submitted to the Development Officer shall be:
    - a) drawn to a scale or scales sufficient for clarity of all particulars on the final plan of subdivision,
    - b) certified and stamped by a Nova Scotia Land Surveyor that the lots for which approval is requested have been surveyed in the manner required by the Nova Scotia Land Surveyors Act and the regulations

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made thereunder, except for a final plan of subdivision prepared pursuant to Section 22(2) of this bylaw.

- c) folded to approximately 20x30 cm. (8x12 in.) with the face of the folded print being the title block which is located in the lower right-hand corner of the final plan of subdivision.

(2) Final plans of subdivision shall show the following:

- a) name of the subdivision, if any, and the name of the owner of the area of land,
- b) a location map, drawn to a scale not smaller than 1:50,000 (such scale to be shown on the map), preferably with the same orientation as the area of land,
- c) the length of the boundaries of all existing and proposed lots, streets, and rights-of way and easements including the length of arc, points of curvature and radius in the case of curved lines,
- d) names of all owners or the lot identifiers of all properties abutting the proposed subdivision,
- e) a clear space for stamping measuring at least 15 centimetres (5.90 in.) wide by 15 centimetres (5.90 in.) high,
- f) the dimensions of the area of land proposed to be subdivided,
- g) approximate location of existing main buildings on the area of land proposed to be subdivided with the graphic location for all buildings within 3 metres (9.8 feet) either side of the boundaries of the proposed lot,
- h) the shape, dimensions and area of lots, blocks, and the remainder lot, if any,

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- i) each proposed lot individually identified without duplication of lot identifiers, and where practicable, where a parcel is being added to or subtracted from an existing lot or where a lot shown on a plan of subdivision is being divided, the proposed lot or lots shall be identified by the existing lot identifier and a letter,
- j) the bearings of the boundaries of proposed lots,
- k) the width and location of railroads, and existing and proposed public streets, including intersections and turning circles,
- l) the boundaries of proposed lots shown by solid lines, and the vanishing boundaries of existing lots being re-subdivided, consolidated or both, shown as broken lines,
- m) a notation stating whether or not the lots for which approval is requested are serviced by public sewer and water systems,
- n) the identification, location, dimensions, and area of land proposed to be reserved for park, playground, and similar public purposes,
- o) the width, location and nature of any easements or rights-of-way on or affecting the area of land proposed to be subdivided,
- p) the date on which the final plan of subdivision was certified with all revisions to be identified, dated and initialed,
- q) north point,
- r) the scale to which the final plan of subdivision is drawn,
- s) the names of existing and proposed public streets, and
- t) any other information which the Development Officer deems necessary to determine whether a final plan of subdivision conforms to this by-law.

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- (3) Where the design or layout of the subdivision was designed by an individual or firm other than the individual or firm of the professional land surveyor who has certified the final plan of subdivision, the name of such individual or firm and the nature of the work performed shall be shown in the title block of the final plan of subdivision.
- (4) a) Final plans of subdivision shall be accompanied by detailed engineering design drawings for the public water, public sewer and storm drainage systems to be installed
- i. prepared in accordance with the specifications contained in Schedules "B", "C" and "D" of this by-law, and
  - ii. stamped by a Professional Engineer,
- b) In addition to the requirements in subsection (1) (a) the drawings shall show the location and dimensions of existing public water and sewer systems.
- (5) Final plans of subdivision shall be accompanied by detailed engineering design drawings for the public streets to be constructed
- i. prepared in accordance with the specifications contained in Schedule "E" of this by-law, and
  - ii. stamped by a Professional Engineer,

### **PART 9: GENERAL PROVISIONS**

19. (1) All lots to be approved and the remainder lot, if any, shown on a final plan of subdivision shall abut a public street.
- (2) A proposed public street shown on a final plan of subdivision shall have a minimum right-of-way of 15.24 metres (50 feet).

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20. All lots for which approval is requested shown on a final plan of subdivision and the remainder lot, if any, for which no approval is requested, shall meet the applicable dimensions for minimum lot area and lot frontage contained in the Land Use By-law.
- 20A. Notwithstanding Section 20, in the R-1 zone from King Street west to the Town boundary and between Shore Road and Lighthouse Road, an area of land existing as of the effective date of this By-law having less than 30.5 metres (100 feet) of frontage but not less than 21.4 metres (70 feet) of frontage may be subdivided to create two (2) lots provided that one such lot has a frontage of at least 15.3 metres (50 feet) and that both lots meet the requirements of the land use bylaw for minimum lot area. For such lots, the variance provisions of Section 22A shall not apply.
21. Notwithstanding Section 20, where an area of land contains more than one main building which were built or placed prior to the effective date of this by-law the Development Officer may approve a final plan of subdivision showing the same number or fewer of lots as there are main buildings and a remainder lot, if any, for which no approval is requested, provided that:
- c) each proposed lot has minimum lot frontage of 6 metres (19.7 feet), and
  - d) each proposed lot:
    - a) is served by a central sewage system and meets the lot area requirements of Section 20, or
    - b) meets the requirements of Section 20 and is approved by the Department of Health for the installation of an on-site sewage disposal system and the Development Officer is notified in writing of such approval, and
  - e) the remainder lot, if any, meets the lot area and lot frontage requirements of Section 20.
  - f) Notwithstanding the lot area requirement of subsection (b), where the proposed lot is within the R-1 or C-4 zone and contains more than one main residential building, the minimum lot area for each lot created shall be waived.

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22. (1) Notwithstanding Section 20, the Development Officer may approve a final plan of subdivision altering the boundaries of two or more areas of land where:

- a) no additional lots are created, and
- b) each lot:
  - i. meets the minimum dimensions for lot frontage of the land use by-law, or
  - ii. has not had its frontage, if any, reduced, and
- c) each lot:
  - i. meets the dimensions for lot area of the land use by-law, or
  - ii. has not had its area reduced.

(2) The final plan of subdivision prepared pursuant to subsection (1) shall

- a) be certified and stamped by a Nova Scotia Land Surveyor that the boundaries of the parcel proposed to be added to the existing area of land have been surveyed, shown as a heavy solid line, except the common boundary between the existing lots is surveyed and certified as being the common boundary shown as a heavy broken line, and
- b) notwithstanding clauses 18(1)(b) and 18(2) (j) and (1), other than the new boundaries which have been surveyed pursuant to the clause (a), show the remaining boundaries of the resulting lot for which approval is requested described graphically as a lighter solid line, and
- c) have the following notation affixed to the plan adjacent to the certification required by the Nova Scotia Land Surveyors Act and Regulations made thereunder, and such notation is signed by the surveyor:

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"NOTE: The only boundaries shown on this Plan which have been surveyed are the boundaries of Parcel \_\_\_\_\_. The common boundary between existing Lots \_\_\_\_\_ and \_\_\_\_\_ which is shown by a heavy broken line is hereby certified as having been the common boundary.

The remaining boundaries of resulting Lot \_\_\_\_\_ shown on this plan are a graphic representation only and do not represent the accurate shape or position of the lot boundaries which are subject to a field survey.

- 22A. Notwithstanding Section 20, the Development Officer may approve a maximum of two lots as shown on a plan of subdivision in accordance with the variance provisions of Section 98 of the Planning Act.
- 22B. Notwithstanding Section 20, the Development Officer may approve a maximum of two lots out of each of the lots listed in Schedule F, "Existing Narrow Through Lots", provided that the lot frontage is not reduced and the depth of the lots created is at least 30.5 metres (100 feet).
23. All lots to be approved on a tentative or final plan of subdivision, and a remainder lot if any, shall have a minimum width and minimum depth of at least 6 metres (19.7 feet).
24. A public street, unbroken by an intersection shall not exceed 365 metres (1,197.51 feet) in length unless such would prejudice the proper subdivision of land or adjoining land.
25. There shall be no more than four public street approaches in an intersection.
26. Where a proposed public street intersects a public street, the minimum sight distance along the public street shall be 65 metres (213.3 ft.).
27. The distance between public street intersections shall not be less than 61 metres (200.13 feet).

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28. (1) The length of a proposed cul-de-sac shall not exceed 107 metres (351.05 feet) from an intersection to the turning circle.
- (2) Proposed cul-de-sacs or other dead-end public streets shall have a turnaround with a minimum radius of 16.5 metres (54.13 feet) from the centre of the proposed cul-de-sac.
29. The grade of a proposed public street measured for at least 30 metres (98.43 feet) shall be a maximum of 8% and a minimum of 0.5%.
30. All proposed intersecting streets must intersect at an angle of 70 to 90 degrees for a minimum distance of 30 metres (98.43 feet) from the intersection measured from the respective centre lines.
31. Where a public street in an adjoining subdivision abuts the boundaries of a plan of subdivision submitted for approval, the public street in the latter shall, if reasonably feasible, be laid out in prolongation of such public streets, unless it would be in violation of this by-law.
32. Wherever possible, side lot lines shall be substantially at right angles to a public street, or radial to a curved public street.
33. Wherever possible, the rear lot lines of a series of adjoining lots shall be continuous, not stepped or jogged.
34. (1) An application to amend or repeal an endorsed plan of subdivision or a plan of subdivision drawn prior to August 6, 1984 shall be in accordance with Section 102 of the Planning Act and shall satisfy the requirements of this by-law concerning approvals of final plans of subdivision.
- (2) The application to amend or repeal shall refer to the plan of subdivision as originally endorsed or drawn, and such reference shall include the file number of the earlier subdivision plan filed at the office of the Registrar of Deeds for this town.

### **PART 10: WATER, SEWER, AND OTHER SERVICES**

35. (1) Subject to Section 39, a sub-divider who proposes to subdivide an area of land in the Town shall install a public water system for the area of land proposed to be subdivided.

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- (2) The public water system shall include all control, fire protection and system safety appurtenances and mains and laterals to the boundaries of the proposed lots and the system shall be designed by a Professional Engineer and shall comply with the specifications set forth in Schedule "B" of this by-law.
36. (1) A sub-divider who proposes to subdivide an area of land in the Town shall install a public sewer system for the area of land proposed to be subdivided.
  - (2) The public sewer system shall include chambers, collectors and laterals to the boundaries of the proposed lots and the system shall be designed by a Professional Engineer and shall comply with the specifications set forth in Schedule "C" of this by-law.
37. (1) A sub-divider who proposes to subdivide an area of land in the Town shall install a storm drainage system for the area of land proposed to be subdivided.
  - (2) The storm drainage system shall be designed by a Professional Engineer and shall comply with the specifications set forth in Schedule "D" of this by-law.
38. (1) A sub-divider who proposes to subdivide an area of land shall layout and construct all proposed public streets as shown on the final plan of subdivision.
  - (2) The public street shall include all roadway culverts curbs, catch basins, gutters, sidewalks and drainage ditches and the public street shall be designed by a Professional Engineer and shall comply with the specifications set forth in Schedule "E" of this by-law.
39. Notwithstanding Sections 35 and 36, on-site services will be permitted in those areas of the Town which have been zoned Residential Rural (R3) in the Land Use By-law.
40. Prior to endorsement of approval on the final plan of subdivision the Development Officer shall have received joint approval of the water and sanitary sewer systems from the Department of Health and the Department of the Environment.
41. (1) The sub-divider shall satisfy the requirements of Sections 35, 36, 37, and 38 by any one of the following alternatives:

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- a) The sub-divider shall agree in writing with the Town to install the required systems and construct the public streets prior to endorsement of approval on the final plan of subdivision, or
- b) The sub-divider shall agree in writing with the Town to install the required systems and construct the public streets after receiving endorsement of approval on the final plan of subdivision and shall deposit with the Clerk, prior to endorsement
- i. cash, or
  - ii. a certified cheque, or
  - iii. a bond of indemnity acceptable to the Council,
- in an estimated amount sufficient to cover 125% of installation costs of the required systems and 125% of construction costs of the public streets, such estimates to be approved by the Superintendent of Public Works, or
- c) The Council shall agree in writing with the sub-divider to install the required systems and construct the public streets and the sub-divider shall give to the Clerk, prior to endorsement of approval on the final plan of subdivision
- i. a certified cheque or cash in an amount sufficient to cover the costs of design of the services, as estimated by the Superintendent of Public Works, and
  - ii. a certified cheque or cash in an amount equal to 125% of the costs of installation of the services, and 125% of the costs of construction of the public streets, as estimated by the Superintendent of Public Works.

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42. (1) An agreement entered into between the Town and the sub-divider pursuant to Section 41 shall be executed in duplicate, signed by the Mayor and the Clerk on behalf of the Town and by the sub-divider and shall be given to the Clerk and the sub-divider prior to endorsement of approval on the final plan of subdivision.
- (2) The agreement shall contain terms with respect to:
- a) commencement and completion dates for construction and installation of services,
  - b) such phasing as may be agreed upon by the sub-divider and the Town,
  - c) the terms and conditions of any security posted with the Town,
  - d) the provision and acceptance of easements and rights-of-way associated with the services, and
  - e) any other matter required by the provisions of this by-law.
43. In addition to Section 42, where the sub-divider is responsible for the installation of public sewer and water systems and storm drainage systems and the construction of public streets, he shall:
- a) arrange and pay for engineering design specifications for the services in accordance with the specifications set forth in Schedules "B", "C", "D" and "E" of this by-law;
  - b) arrange for complete testing of the systems, and shall advise the Town Engineer of proposed test dates, sites and times;
  - c) allow the Town to inspect the construction and installation at any stage;
  - d) following completion of the public sewer and water systems and the storm drainage system and the construction of all public streets, convey the services free of encumbrances from the sub-divider to the Town, at no cost to the Town.

## Town of Digby Subdivision By-law – September 15, 1988

44. In addition to Sections 42 and 43, where the sub-divider is responsible for the installation of public water and sewer systems and storm drainage systems and the construction of public streets, and he posts security with the Town, the following conditions shall be met:
- a) The security shall be made in favour of the Town, conditional on the execution and completion of the agreement in accordance with its terms and the terms of this by-law, and shall not be subject to cancellation, termination, or expiration during the period of time for completion of the services; and
  - b) Where installation of the public water and sewer systems and storm drainage systems and the construction of public streets is not completed in accordance with the agreed upon commencement and completion dates, the sub-divider shall forfeit the cash deposit, certified cheque or bond of indemnity.
45. Where the alternative in Section 41(c) is chosen the sub-divider shall be responsible for no more than 125% of the estimated and approved actual costs of the installation of public sewer and water systems and storm drainage systems and 125% of the estimated and approved actual costs of construction of the public streets, and upon completion of the services, if actual costs are lower than the amount of the certified cheque or cash deposit, any balance shall be refunded to the sub-divider.
46. Following construction of public streets and installation of the required public sewer and water systems and storm drainage systems and before acceptance by the Town of the services, the sub-divider shall:
- a) provide the "as built" reproducible engineering drawings for all services stamped by a Professional Engineer, and
  - b) provide all operating and procedural manuals for each public water or public sewer system, and
  - c) provide the results of all required test reports of the systems demonstrating that the required systems have been constructed and are operating according to the standards of the agreement and this by-law, and

## Town of Digby Subdivision By-law – September 15, 1988

- d) provide all easements and rights-of-way associated with the services, and
  - e) post a maintenance bond acceptable to the Council made in favour of the Town in an amount equal to 10% of the actual costs of construction and installation of services, such bond to be posted for one (1) year.
47. The deed to any proposed public street shown on a final plan of subdivision shall be accepted by the Town free of encumbrances prior to endorsement of approval on the final plan of subdivision by the Development Officer.
48. (1) When not required to do so pursuant to Section 35, 36 or 37, but where the sub- divider wishes to install services, and/or construct streets the sub-divider shall:
- a) agree in writing with the Town to construct and install the services prior to endorsement of approval on the final plan of subdivision, or
  - b) agree in writing with the Town to construct and install the services after receiving endorsement of approval on the final plan of subdivision.
- (2) Where the sub-divider agrees in writing pursuant to Section 48(1)(b), the sub-divider shall deposit with the Clerk, prior to endorsement of approval on the final plan of subdivision
- a) cash, or
  - b) a certified cheque, or
  - c) a bond of indemnity acceptable to the Council,
- in an estimated amount sufficient to cover 125% of construction and installation costs, such estimate to be approved by the Superintendent of Public Works.
49. (1) The public water system installed pursuant to Section 48(1) shall include all control, fire protection and safety system appurtenances and mains and laterals to the boundaries of the proposed lots and the system shall be designed by a Professional Engineer and shall comply with the specifications set forth in Schedule "B" of this by-law.

## **Town of Digby Subdivision By-law – September 15, 1988**

- (2) The public sewer system installed pursuant to Section 48(1) shall include collectors and laterals to the boundaries of the proposed lots and the system shall be designed by a Professional Engineer and shall comply with the specifications set forth in Schedule "C" of this by-law.
- (3) The storm drainage system installed pursuant to Section 48(1) shall be designed by a Professional Engineer and shall comply with the specifications set forth in Schedule "D" of this By-law.
- (4) In addition to the requirements of Section 48 and Section 49(1), (2) and (3), the provisions contained in Sections 42, 43, 44 and 45 shall apply.

### **PART 11: PARKLAND TRANSFERS**

50. (1) Before endorsement of approval on the final plan of subdivision by the Development Officer, the sub-divider shall reserve and convey to the Town free of encumbrances, for park, playground or similar public purposes, an area of useable land equal to 5% of the area of land shown on the final plan of subdivision, exclusive of public streets and the remainder lot, if any. An area of useable land must occupy at least 465 square metres (5003.4 square feet), not exceed 10 percent in slope, not provide natural storm water drainage and must lie above the high tide mark.
- (2) In the alternative to subsection (1), the Clerk shall accept for park, playground or similar public purposes, a sum of money equal to 5% of the assessed value of the new lots created, exclusive of public streets and the remainder lot, if any.
51. In the alternative to Section 50, before endorsement of approval on the final plan of subdivision a sub-divider may offer to Council, and at Council's option the Clerk may accept an amount of useable land of equivalent value to that required under Section 50, outside the area of land to be subdivided and within the boundaries of the Town.
52. At the option of Council a combination of land and money as described in Section 50 may be accepted by the Clerk providing that it is equivalent in value to that required under Section 50.

## Town of Digby Subdivision By-law – September 15, 1988

53. Notwithstanding Sections 50 - 52, requirements of these sections will be waived where the applicant is requesting approval for consolidation or re-subdivision of existing lots providing no additional lots are being created.

### PART 12: REQUIREMENTS FOR ENDORSEMENT AND FILING OF FINAL PLANS OF SUBDIVISION

54. (1) When the requirements of The Planning Act, this by-law and the Regulations Respecting Subdivision of Land to be Serviced by On-Site Sewage Disposal Systems pursuant to the Health Act have been met and the final plan of subdivision has been approved by the Development Officer, approval shall be endorsed on the final plan of subdivision by the Development Officer.
- (2) The Development Officer shall forward a copy of the endorsed final plan of subdivision to the sub-divider.
- (3) The Development Officer shall give notice of the endorsement of approval on the final plan of subdivision to:
- a) the Council of the Town in which the land is located,
  - b) the Surveyor, and
  - c) any other department or agency of the province or the Town who has been requested to review the final plan of subdivision.
55. The following information shall be written or stamped on any final plan of subdivision which is endorsed:
- a) "This final plan of subdivision is approved for lots \_\_\_\_\_."
  - b) the classification of each lot within one of the classes A, B, C or D, including the definition of such class, specified in Schedule "A" to the Regulations Respecting Subdivision of Land to be Serviced by On-Site Sewage Disposal Systems or "Lots \_\_\_\_\_ are serviced with a sanitary sewer";

## **Town of Digby Subdivision By-law – September 15, 1988**

56. Pursuant to Section 100(2) of the Planning Act, the Development Officer shall forward by certified mail or hand deliver one endorsed copy of the final plan of subdivision to the office of the Registrar of Deeds for the registration district in which the land is located and pay the fees required under Part 13 of this by-law to file the final plan.
57. In accordance with Section 100(213) of the Planning Act, the Development Officer shall register a notice, in the form specified in Schedule "G", in the Registry of Deeds which indicates approval of the final plan of subdivision and shall forward to the Registrar of Deeds the fees required to be paid by the sub-divider pursuant to Section 58 of this by-law.

### **PART 13: FEES FOR THE FILING OF A FINAL PLAN OF SUBDIVISION**

58. (1) The sub-divider shall pay the fees contained in the Costs and Fees Act, R.S.N.S., 1967, c.63, for filing the endorsed final plan of subdivision for certification of a copy of such plan by the Registrar of Deeds and for registering a notice of approval of the plan.
- (2) The fee referred to in subsection (1) shall be paid at the time of application for approval of the final plan of subdivision by cheque or money order made payable to the Registry of Deeds.
- (3) Where the final plan of subdivision does not receive endorsement of approval by the Development Officer, the sub-divider shall be entitled to the return of the cheque or money order referred to in subsection (2).

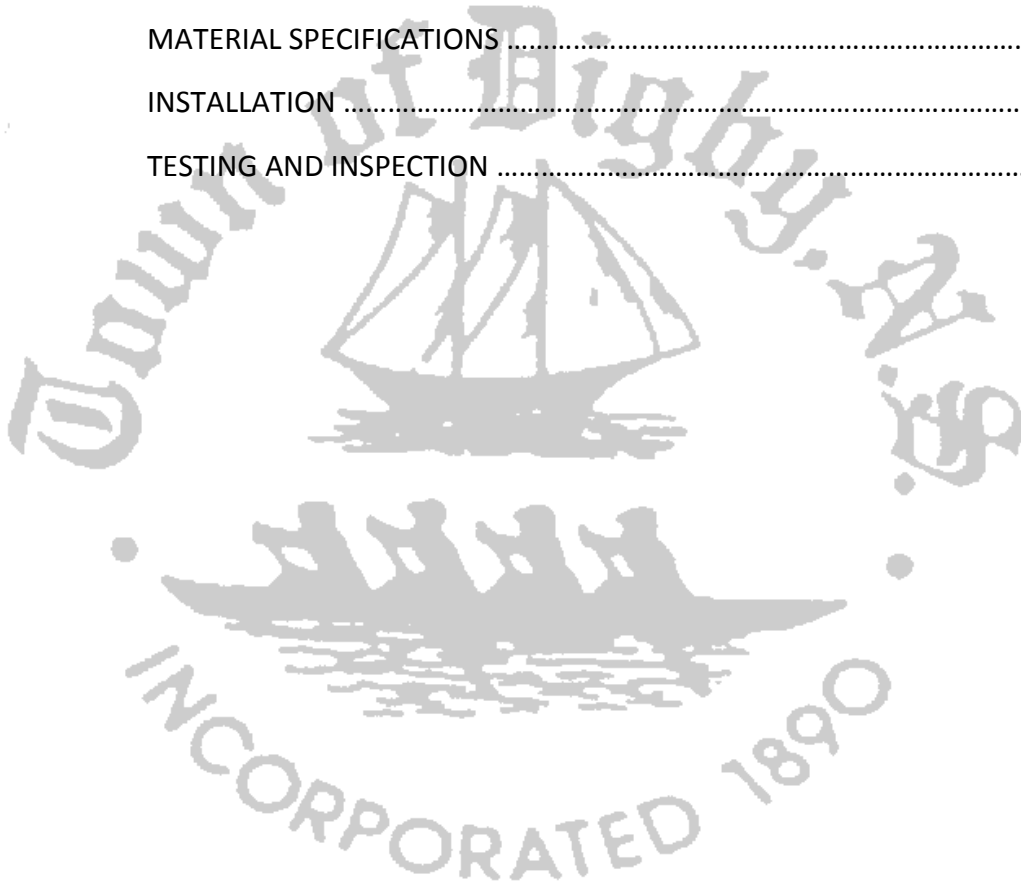


**Town of Digby Subdivision By-law – September 15, 1988**

**SCHEDULE B**

**SPECIFICATIONS - PUBLIC WATER SYSTEMS**

<b><u>SECTION</u></b>	<b><u>TITLE</u></b>	<b><u>PAGE</u></b>
B.1	TITLE .....	B.1
B.2	DESIGN CRITERIA .....	B.1
B.3	MATERIAL SPECIFICATIONS .....	B.3
B.4	INSTALLATION .....	B.4
B.5	TESTING AND INSPECTION .....	B.5



# Town of Digby Subdivision By-law – September 15, 1988

## SCHEDULE B

### SPECIFICATIONS - PUBLIC WATER SYSTEMS

#### B.1 GENERAL

Public water systems shall conform to the following minimum specifications and design criteria except where otherwise required by the Town or other authorities having jurisdiction. It should be noted that these specifications outline the minimum required and that in certain instances, higher standards may be applicable including the standards of the American Water Works Association (AWWA). These specifications, in no case, preclude these higher standards when they are warranted.

Except as supplemented or modified by these specifications, materials and installation shall conform to the requirements in the "Standard Specifications for Municipal Services" dated January, 1987, and amendments and additions thereto which have been developed by the Nova Scotia Road Builders Association and the Nova Scotia Consulting Engineers Association Joint Committee, and are hereinafter referred to as the "Standard Specifications".

#### B.2 DESIGN CRITERIA

B.2.1 Public water systems shall be capable of accommodating fire demand plus maximum daily demand at a minimum residual pressure at the fire of 20 p.s.i.

Fire demand shall be calculated in accordance with the latest requirements contained in "Water Supply for Public Fire Protection" prepared by Fire Underwriters Survey of the Insurance Bureau of Canada.

B.2.2 Maximum daily demand shall be 75 I.G.P.C.D.

B.2.3 A population density of 3.5 persons per dwelling unit shall be used for design.

B.2.4 The Hazen-Williams formula shall be used for the design of the public water system. A friction factor (C) of 120 shall be used for analysis.

Hazen Williams Formula:  $Q = 0.232 C^{0.635} D^{2.635} S^{0.54}$

Where Q = flow in pipe, million Imperial gallons per day.

C = pipe friction factor, dimensionless.

D = pipe diameter, feet.

S = slope of the energy grade line, ft/ft.

Nomographs may be used.

## **Town of Digby Subdivision By-law – September 15, 1988**

- B.2.5 Public water system shall be planned to minimize the number of dead-end mains.
- B.2.6 Minimum pipe diameter for street mains shall be 200 mm (8 inches).
- B.2.7 Minimum pipe diameter for service laterals shall be 25mm (1 inch).
- B.2.8 Minimum pipe diameter for sprinkler services shall be 100 mm (4 inches).
- B.2.9 Only one water service and one sprinkler lateral, if a sprinkler system is required, shall be provided per lot. Combined sprinkler and water service connections will be permitted provided the water service taps the sprinkler lateral a minimum of 1.5m (5 feet) outside the building foundation and a valve is provided at the tee.
- Maximum water service diameter off 100 mm (4 inch) and 150 mm (6 inch) diameter sprinkler line shall be 25 mm (1 inch) diameter. Maximum water service diameter off a 200 mm (8 inch) diameter sprinkler line shall be 50 mm (2 inch) diameter. Combined connections of larger diameters must be approved by the Town.
- B.2.10 Fire hydrants shall be spaced as recommended by the Fire Underwriter's Survey of the Insurance Bureau of Canada but not greater than 90 m (300 feet) apart in congested and industrial areas and 150 in (500 feet) apart in residential areas. Hydrants shall be placed at street intersections, at the mid points of long blocks and at the end of dead-end streets.
- B.2.11 Fire hydrant laterals shall have a minimum diameter of 150 mm (6 inches) and shall be provided with a gate valve of the same size.
- B.2.12 Water distribution mains shall be provided with valves at a maximum spacing of 400 m (1300 feet) on arterial mains, 250 m (800 feet) on mains in residential areas and 150 in (500 feet) in commercial areas. There shall be a minimum of 3 valves per cross intersection and 2 valves per tee intersection.
- B.2.13 Where water mains are to be installed adjacent to or in the same trench as sanitary sewers and force mains then the joint policy of the Nova Scotia Departments of Health and Environment, issued in January, 1984, on the installation of gravity sewers, sewage force mains and water mains in combined and separate trenches shall apply to the sub-division.
- B.2.14 For water mains not constructed within a public street right-of-way a minimum easement width of 5 meters (16.5 feet) shall be deeded to the Town by the sub-divider for maintenance access.

## Town of Digby Subdivision By-law – September 15, 1988

### B.3 MATERIALS

B.3.1 Water distribution mains, sprinkler laterals and water service piping 100 mm (4 inch) diameter and larger shall be cement mortar lined ductile iron pipe or polyvinyl chloride (PVC) pipe, Series 150. Pipe and fittings shall meet the referenced standards and the following requirements:

- (a) Minimum pressure rating for pipe and fittings shall be equal to or greater than 1.5 times the working pressure of the main at its lowest point and not less than 1035 kPa (150 p.s.i.)
- (b) Minimum pipe thickness for ductile iron pipe shall be Class 52 for buried service and Class 53 for use in chambers and above ground.
- (c) Push-on or mechanical joints shall be used for pipes in buried service. Only mechanical joints shall be used for fittings in buried service. Flange and groove-type joints shall be used for all joints in chambers and above ground.
- (d) PVC pipe shall be used for buried service only.

B.3.2 Valves shall meet the following requirements:

- (a) All exposed bolts, threads and nuts in buried service shall be coated with Denso-tape or equal.
- (b) Gate valves shall be 300 mm (12 inch) diameter or smaller. Where larger valves are required, butterfly valves shall be used.
- (c) Butterfly valves shall conform to the requirements of the latest revision of AWWA Standard C504 and shall be designed for buried installation.
- (d) Valve boxes shall be installed with all buried valves. Valve shall be provided with centering disc.
- (e) Direction of opening shall be Town's standard.

B.3.3 Service connections smaller than 100 mm (4 inch) diameter shall be Type K annealed copper tubing or polyethylene Type PE, Series 160. Minimum pressure rating shall be 1035 kPa (150 p.s.i.).

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**B.4 INSTALLATION**

**B.4.1 Water main piping:**

- (a) All pipelines shall be installed with a minimum cover of 1.5 m (5 feet) and place in a bed of compacted fine granular material as specified in the Standard Specifications.
- (b) If cover is less than 1.5 m (5 feet), protect pipe from frost penetration by covering with 25 to 50 mm (one to two inches) of rigid styrofoam insulation, equal to DOW HI-40, in accordance with the following table.

TABLE

<u>Depth of Backfill</u> <u>Over Insulation – Feet</u>	<u>Required Insulation</u> <u>Thickness – Inches</u>
2	2
3	1.5
4	1

**B.4.2 Hydrants:**

- (a) Hydrants shall be installed with pump nozzle facing street curb.

**B.4.3 Service Connections:**

- (a) Service connections shall be installed with a minimum of 1.5 m (5 feet) cover. If shallower, cover pipe with 25 to 50 mm (1 to 2 inches) thickness of DOW HI-40 styrofoam, or equal, rigid insulation as outlined in Clause 0.4.1(b).
- (b) All service connections from the main to the lot line, including corporation cock and curb stop, shall be installed by the sub-divider. If not continued immediately into the building, termination shall be indicated by a blue marker stake marked "water".
- (c) Sprinkler lines shall be similarly installed and marked, complete with gate valve and valve box located 300 mm (12 inches) inside street line.

## Town of Digby Subdivision By-law – September 15, 1988

### **B.5 TESTING AND INSPECTION**

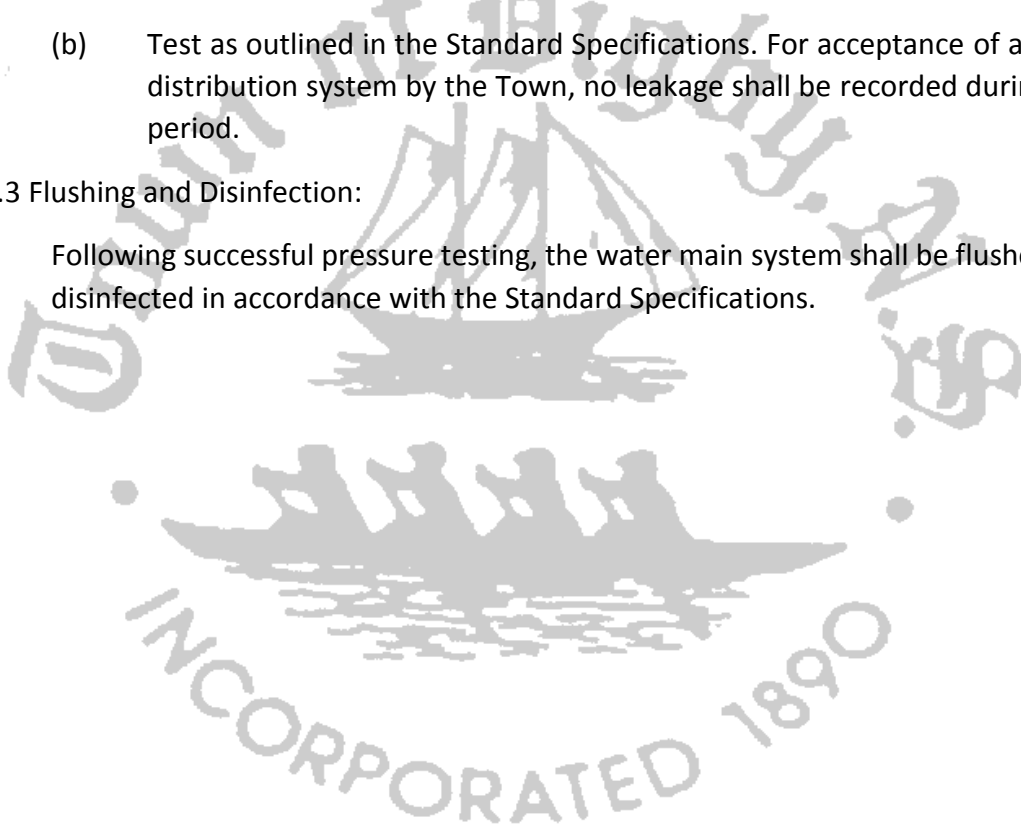
B.5.1 All buried pipe and fittings shall be inspected by the Town's designated representative during installation. The sub-divider shall not bury any pipe or fittings until they have been inspected by Town forces unless prior written permission has been received from the Town. Pipe or fittings which have not received visual inspection in place, prior to bury without written consent from the Town, will not be accepted.

B.5.2 Hydrostatic and Leakage Testing:

- (a) All water main pipe and fittings shall be pressure tested before installation of building services and acceptance by the Town.
- (b) Test as outlined in the Standard Specifications. For acceptance of a water distribution system by the Town, no leakage shall be recorded during test period.

B.5.3 Flushing and Disinfection:

Following successful pressure testing, the water main system shall be flushed and disinfected in accordance with the Standard Specifications.

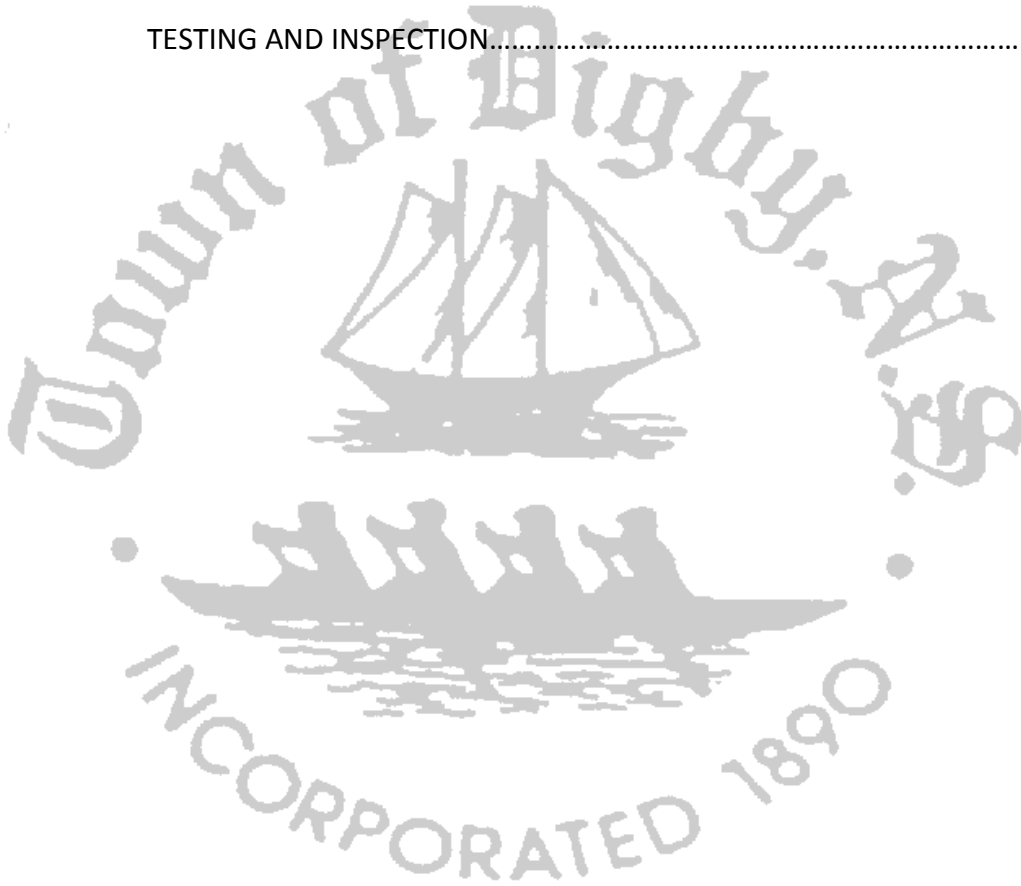


**Town of Digby Subdivision By-law – September 15, 1988**

**SCHEDULE C**

**SPECIFICATIONS - PUBLIC SEWER SYSTEMS**

SECTION	TITLE	PAGE
C.1	GENERAL.....	C.1
C.2	DESIGN CRITERIA.....	C.1
C.3	MATERIALS.....	C.3
C.4	INSTALLATION.....	C.3
C.5	TESTING AND INSPECTION.....	C.3



# Town of Digby Subdivision By-law – September 15, 1988

## SCHEDULE C

### SPECIFICATIONS - PUBLIC SEWER SYSTEMS

#### C.1 GENERAL

Public sewer systems shall conform to the following specifications and design criteria except where otherwise required by the Town or other authorities having jurisdiction. It should be noted that these specifications outline the minimum required and that in certain instances, higher standards may be applicable. These specifications, in no case, preclude these higher standards when they are warranted.

Except as supplemented or modified by these specifications materials and installation shall conform to the requirements of the "Standard Specifications for Municipal Services" dated January, 1987, and amendments and additions thereto which have been developed by the Nova Scotia Road Builders Association and the Nova Scotia Consulting Engineers Association Joint Committee, and are hereinafter referred to as the Standard Specifications.

#### C.2 DESIGN CRITERIA

- C.2.1 Public sewer systems for residential areas shall be designed for an average daily flow of 40 imperial gallons per person per day with a peaking factor of 4 plus an infiltration allowance of 3,000 imperial gallons per acre per day.
- C.2.2 A population density of 3.5 persons per dwelling unit shall be used for design.
- C.2.3 Capacity of sanitary sewers shall be determined by the Manning formula using a Manning roughness coefficient of 0.013. Pipes shall be designed to handle peak flow when flowing half-full.

$$\text{Manning formula: } V = \frac{1.49}{N} R^{2/3} S^{1/2}$$

Where V = Velocity, feet per second

n = Manning roughness coefficient, dimensionless

R = Hydraulic radius, feet.

S = slope of the energy grade line, feet/foot

Nomographs and hydraulic elements charts for hydraulic capacity of circular pipes may be used to determine pipe flow capacity.

## **Town of Digby Subdivision By-law – September 15, 1988**

- C.2.4 Sanitary sewers shall be a minimum of 200 mm (8 inches) in diameter. 200 mm diameter sewers shall be laid at a minimum slope of 0.50 percent.
- C.2.5 Sanitary sewer flow velocities shall be a minimum of 2 feet per second and a maximum of 15 feet per second.
- C.2.6 Sanitary sewers shall not decrease in diameter downstream; each pipe shall be the same diameter or larger than the pipes upstream.
- C.2.7 Laterals for single family homes shall be a minimum of 100 mm (4 inches) in diameter laid at a minimum slope of 2.0 percent. Capacity of laterals serving more than 4 dwelling units shall be determined using the Manning Formula (Clause C.2.3). Do not include the allowance for infiltration. Peak flow shall be determined using the Fixture Method outlined in Water Pollution Control Federation Manual of Practice No. 9.
- C.2.8 Manholes shall be placed at every change in direction, grade or pipe diameter, at all pipe intersections and at intervals not exceeding 100 in (328 feet).
- C.2.9 Manholes shall be pre-cast concrete a minimum of 1050 mm (42 inches) in diameter.
- C.2.10 Only one lateral shall be allowed for each lot.
- C.2.11 Where lift stations are required, they shall be designed by a professional engineer. No lift station shall be installed until the design has been approved by the Town.
- C.2.12 Force mains from lift stations shall be sized to ensure a minimum flow velocity of 0.9 m/sec (3.0 feet per second). They shall discharge freely at atmospheric pressure and their maximum length shall be such that the entire contents of the force main is discharged at least twice per 24 hour period.
- C.2.13 Where sanitary sewers and force mains are to be installed adjacent to or in the same trench as a water main then the joint policy of the Nova Scotia Departments of Health and Environment, issued in January, 1984, on the installation of gravity sewers, sewage force mains and water mains in combined and separate trenches, shall apply to the sub-division.
- C.2.14 For sanitary sewers and force mains not constructed with a public street right-of-way, a minimum easement width of 5 meters (16.5 feet) shall be deeded to the Town by the sub-divider for maintenance access.

## **Town of Digby Subdivision By-law – September 15, 1988**

### **C.3 MATERIALS**

- C.3.1 Sanitary sewer mains shall be SDR 35 PVC or pre-cast concrete. Concrete pipe strength will be determined using the methods recommended by the pipe manufacturer using a factor of safety of 1.5.
- C.3.2 Sanitary sewer laterals 200 mm (8 inch) diameter and larger shall be SDR 35 PVC pipe. Smaller laterals shall be SDR 28 PVC pipe.
- C.3.3 All sanitary sewer laterals shall be white in colour.
- C.3.4 Force main piping shall be ductile iron mechanical joint, PVC or polyethylene rated for not less than 1.5 times the working pressure of the main at its lowest point, including surge pressure associated with pumping operations as calculated in accordance with accepted engineering formula.
- C.3.5 Manhole frames and covers shall be IMP RIO type or approved equal.

### **C.4 INSTALLATION**

- C.4.1 Sanitary sewer piping shall be installed with a minimum cover of 1.2 m (4 feet). Pipes shall be installed, bedded and backfilled in accordance with the Standard Specifications.
- C.4.2 Sanitary sewer laterals shall be constructed as specified in the Standard Specifications.
- C.4.3 Sanitary sewer lateral connections shall be provided from the sanitary main to the lot line by the sub-divider. If not continued immediately into the building, termination shall be marked with a red marker stake marked "sanitary".

### **C.5 TESTING AND INSPECTION**

- C.5.1 Inspection:

The sub-divider shall not bury any pipe or appurtenances until they have been inspected by the Town's designated representative unless prior written permission has been received from the Town. Pipe or appurtenances which have not received visual inspection in place, prior to bury without written consent from the Town, will not be accepted by the Town.

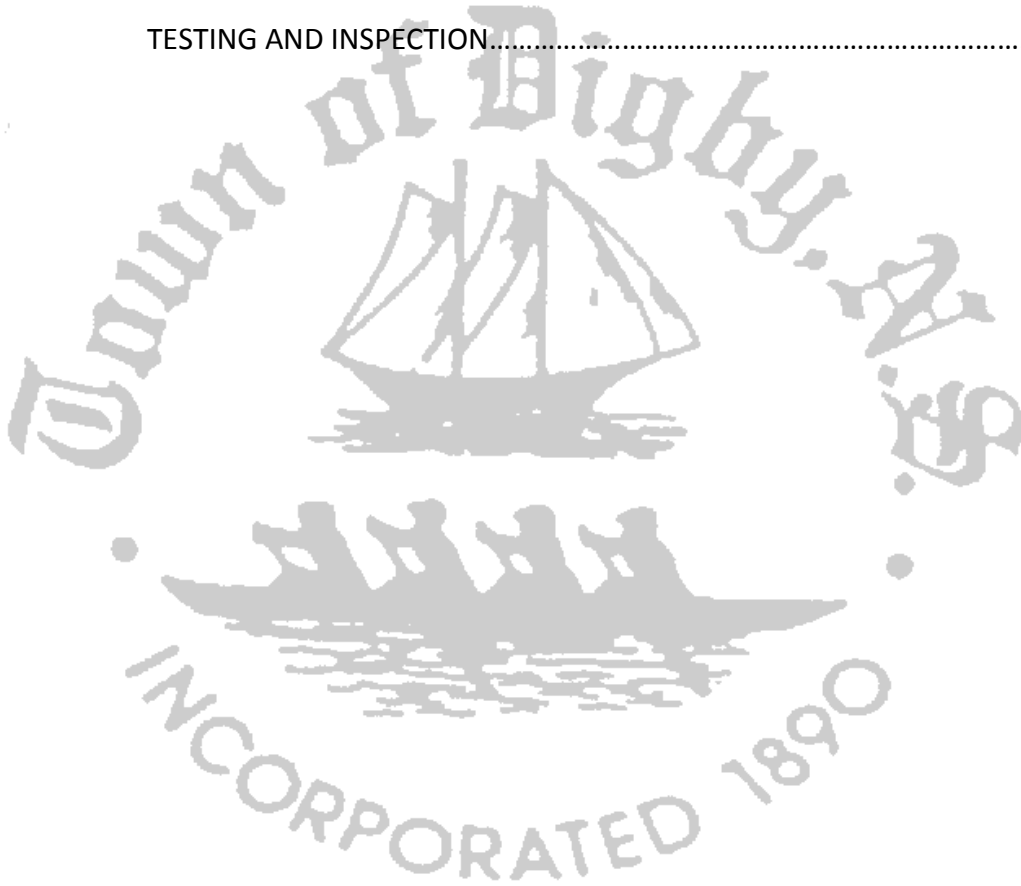
- C.5.2 Testing will be carried out in accordance with the requirements set out in the Standard Specifications.

**Town of Digby Subdivision By-law – September 15, 1988**

**SCHEDULE D**

**SPECIFICATIONS - STORM DRAINAGE SYSTEMS**

SECTION	TITLE	PAGE
D.1	GENERAL.....	D.1
D.2	DESIGN CRITERIA.....	D.1
D.3	MATERIAL SPECIFICATIONS.....	D.6
D.4	INSTALLATION.....	D.7
D.5	TESTING AND INSPECTION.....	D.7



# Town of Digby Subdivision By-law – September 15, 1988

## SCHEDULE D

### SPECIFICATIONS - STORM DRAINAGE SYSTEMS

#### D.1 GENERAL

Pipe and ditch storm drainage systems shall conform to the following minimum specifications and design criteria. It should be noted that these specifications outline the minimum required and that in certain instances, higher standards may be applicable. These specifications, in no case, preclude these higher standards when they are warranted.

Except as supplemented or modified by these Specifications materials and installation shall meet the requirements of the "Standard Specifications for Municipal Services" dated January, 1987, and amendments and additions thereto which have been developed by the Nova Scotia Road Builders Association and the Nova Scotia Consulting Engineers Association Joint Committee, and are hereinafter referred to as the Standard Specifications.

#### D.2 DESIGN CRITERIA

- D.2.1 Underground street drainage systems and roadway ditch systems shall be designed as minor drainage systems, unless required otherwise by the Town. The design of the minor drainage system shall be based on the rainfall duration/intensity curve corresponding to an average storm frequency of 1 in 5 years for all land uses except commercial and industrial areas designated by the Town which shall be designed to accommodate an average storm frequency of 1 in 10 years unless greater capacity is required to conform with Clause D.2.3.
- D.2.2 The major drainage system shall be designed to handle, in combination with the minor system, a peak flow based on the rainfall duration/intensity curve corresponding to an average storm frequency of 1 in 100 years. The major drainage system shall discharge to existing water courses or bodies of water.
- D.2.3 The tributary area for storm drainage design shall include all areas which naturally drain toward the design location. Drainage shall not be diverted to another watershed unless permission is obtained in writing from the Town and the Nova Scotia Department of the Environment.
- D.2.4 Run-off calculations shall be based on total development of the tributary area.

**Town of Digby Subdivision By-law – September 15, 1988**

Where oversized pipes are required to service areas outside of the proposed development under the terms of this By-law, the Tom will pay for the additional material and installation costs directly associated with the oversizing.

D.2.5 The Rational Method shall be used for computing storm water run-off quantities.

Rational Formula:  $Q = C \cdot A \cdot i$

Where

Q = maximum rate of run-off, in cubic feet per second (c.f.s.)

C = run-off coefficient, dimensionless

A = area tributary to the point of design, in acres

i = average rainfall intensity, having a duration equal to the time of concentration of the drainage area, in inches per hour.

D.2.6 Runoff Coefficients:

- (a) The value of runoff coefficients for design storms of 1 in 5 year or 1 in 10 year frequency shall be determined using Table 0.1 below.

**TABLE D.1**

**RUNOFF COEFFICIENTS**

**For 1 in 5 year and 1 in 10 year storms**

<b><u>Area Classification</u></b>	<b><u>Runoff Coefficient</u></b>
Commercial	0.90
Residential	0.50
Industrial	0.85
Green Areas	0.30

- (b) The value of runoff coefficients for design storms of 1 in 100 year frequency shall be determined using Table 0.2 below.

**Town of Digby Subdivision By-law – September 15, 1988**

**TABLE D.1**

**RUNOFF COEFFICIENTS**

**For 1 in 100 year storms**

<b><u>Area Classification</u></b>	<b><u>Runoff Coefficient</u></b>
Commercial	0.90
Residential	0.50
Industrial	0.85
Green Areas	0.30

D.2.8 Time of concentration shall be based on an inlet time of 10 minutes.

D.2.9 Intensity of design storms shall be determined using Figure 0.1.

D.2.10 Storm Sewers:

- (a) Capacity of storm sewers shall be determined by the Manning formula using a Manning roughness coefficient of 0.013. Pipes shall be designed to handle peak flow when flowing full, without surcharge.

$$\text{Manning formula: } V = \frac{1.49}{n} R^{2/3} S^{1/2}$$

Where V = Velocity, feet per second

n = Manning roughness coefficient, dimensionless

R = Hydraulic radius, feet.

S = Slope of the energy grade line, feet/foot

Nomographs and hydraulic element charts for hydraulic capacity of circular pipes may be used to determine pipe flow capacity.

- (b) Storm sewer laterals shall have a minimum diameter of 150 mm (6 inch).
- (c) Storm sewers shall be a minimum of 300 mm (12 inches) in diameter.
- (d) Flow velocities in storm sewers shall be a minimum of 3 feet per second and a maximum of 20 feet per second.
- (e) Storm sewer pipes shall not decrease in diameter downstream; each pipe shall be the same diameter or larger than the pipes upstream.

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- (f) Manholes shall be placed at every change in direction, grade or pipe diameter, at all pipe intersections and at intervals not exceeding 130 m (427 feet). Deflection angles of sewer lines at manholes shall not be greater than 90 degrees to the direction of the flow.
- (g) Manholes shall be precast concrete a minimum of 1050 mm (42 inches) in diameter.

### D.2.11 Catch basins:

- (a) Catch basins shall be installed on the straight portion of each curb immediately upstream of intersections, and at low points in gutters. Catch basin spacing shall be adequate to prevent ponding on streets in storm events corresponding to the design of the minor system. Catch basin spacing shall not exceed 9D m (295 feet).
- (b) Catch basins shall be precast concrete with minimum 600 mm (24 inch) diameter.
- (c) Minimum diameter of catch basin leads shall be 270 mm (10 inch).
- (d) Catch basins shall discharge directly into the storm sewer. They shall not be connected to manholes.

### D.2.12 Open Channels:

- (a) Open channels shall be designed to carry the design flow (major and/or minor) based on the Manning formula.
- (b) Width and/or depth of roadway ditches may be increased to accommodate design flow with a minimum freeboard of 300 mm (12 inches).
- (c) Maximum velocities in open channels shall not exceed values set forth in Table D.3, unless the channel is lined, or check dams' provided, to the satisfaction of the Town.

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**TABLE D.3**  
**MAXIMUM PERMISSIBLE MEAN**  
**CHANNEL VELOCITIES**  
**IN STRAIGHT, UNIFORM CHANNELS**

<u>Channel Material</u>	<u>Maximum Mean Channel Velocity (ft./sec.)</u>
Sand	2.0
Sandy Silt	2.0
Silt Clay	3.5
Clay	4.0
Fine Gravel	4.0
Grass Lined	5.0
Coarse Gravel	6.0
Poor Rock	8.0
Good Rock	15.0

D.2.13 Culverts

- (a) No culvert shall be less than 450 mm (18 inches) in its smallest dimension, or smaller than any upstream culvert.
- (b) Hydraulic capacity of culverts shall be determined by methods described in the manufacturer's literature or comparable references.
- (c) Culverts shall generally be designed to carry peak design flow (major and/or minor) with a headwater depth not greater than the vertical dimension of the pipe. Upstream water levels associated with design headwater depth shall be determined in relationship to expected elevations of structures and ground surface.
- (d) Culvert outlet designs shall provide protection from downstream channel erosion.
- (e) Culvert inlet designs shall provide protection from erosion that could result in culvert failure.

D.2.14 Outfalls:

Design of outfalls from storm drainage systems into receiving waters shall take into consideration:

- (a) Public safety, especially entry by children;
- (b) erosion control;

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- (c) appearance.

D.2.15 Roads and Intersections:

- (a) In storms corresponding to the basis of design of the minor drainage system it is expected that roadways will remain free of water other than that accumulated between inlets.
- (b) Storm drainage design shall provide that the depth of flow in a 1 in 100 year storm will not exceed 150 mm (6 inches) at the gutter. Provision shall be made to remove runoff into drainage channels, watercourses and pipe systems at low points and at intervals that will assure this criteria is observed.

0.2.16 Easements:

Where storm sewers and open drainage channels are not constructed within the boundaries of public property or approved streets then easements having the following minimum widths shall be deeded to the Town by the sub-divider for maintenance access:

for storm sewer	5 meters (16.5 feet)
for open drainage ditch or channel	top width of the required waterway plus 5 meters (16.5 feet)

**D.3 MATERIALS**

D.3.1 Storm Sewer Piping:

- (a) Storm sewer pipe shall be pre-cast concrete pipe.
- (b) Pipe strength shall be determined using the methods recommended by the pipe manufacturer. A factor of safety of 1.5 shall be used.
- (c) All pipe joints shall be gasketed.

D.3.2 Culverts shall be constructed of precast concrete pipe, asphalt coated corrugated steel pipe or corrugated polyethylene pipe. Corrugated polyethylene pipe shall be "Big 0" type or approved equal. Pipe strength shall be determined using the methods recommended by the pipe manufacturer. A factor of safety of 1.5 shall be used.

D.3.3 Storm sewer laterals, shall be precast concrete as specified in Clause D.3.1 or SDR 28 PVC pipe conforming to the latest revision of GSA Standard 13182.1. Laterals shall be non-white in colour.

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- D.3.4 Manhole frames and covers shall be IMP R11 Type or approved equal.
- D.3.5 Catch basins, frames and grating shall be the combined inlet type with bicycle-proof grating and adjustable curb.

### **D.4 INSTALLATION**

- D.4.1 Storm sewer piping shall be laid at a constant grade and in a straight line between manholes. 300 mm (12 inch) diameter storm sewers shall be laid at a minimum grade of 0.50 percent. Catch basin leads shall be laid at a minimum grade of 2.0 percent. Pipes shall be bedded and backfilled in accordance with the Standard Specifications.
- D.4.2 Laterals shall be laid in a straight line at a minimum grade of 2.0 percent and bedded and backfilled in accordance with the Standard Specifications.
- D.4.3 Storm sewer laterals where permitted shall be installed from the storm sewer main to the property line by the sub-divider. If not continued immediately into the building, termination shall be marked with a green marker stake marked "storm".

### **D.5 INSPECTION**

- D.5.1 The sub-divider shall not bury any pipe or appurtenances until they have been inspected by the Town's designated representative unless prior written permission has been received from the Town. Pipe or appurtenances which have not received visual inspection in place, prior to bury without written consent from the Town, will not be accepted by the Town. The Town may inspect installed sewers by television camera, or other visual means before deciding to accept sewers. Any defects found shall be repaired and corrected by the sub-divider before the Town's acceptance of the system.

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**SCHEDULE E**

**SPECIFICATIONS - PUBLIC SPACES AND STREETS**

SECTION	TITLE	PAGE
E.1	GENERAL .....	E.1
E.2	PUBLIC SPACES AND RECREATIONAL AREAS .....	E.1
E.3	PUBLIC STREETS .....	E.2
E.4	TESTING AND INSPECTION .....	E.4



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## SCHEDULE. E

### SPECIFICATIONS - PUBLIC SPACES AND STREETS

#### E.1 GENERAL

Public spaces and streets shall conform to the following minimum specifications and design criteria except where otherwise required by the Town or other authorities having jurisdiction. It should be noted that these specifications outline the minimum required and that in certain instances, higher standards may be applicable. These specifications, in no case, preclude these higher standards when they are warranted.

Except as supplemented or modified by these Specifications materials and installation shall conform to the requirements of the "Standard Specifications for Municipal Services" dated January, 1987, and amendments and additions thereto which have been developed by the Nova Scotia Road Builders Association and the Nova Scotia Consulting Engineers Association Joint Committee, and are hereinafter referred to as the Standard Specifications.

#### E.2 PUBLIC SPACES AND RECREATIONAL AREAS

E.2.1 All lands which are offered for conveyance to the Town in accordance with Part II of the Town subdivision by-law shall be suitable for the development of park, playground or similar public purposes and the construction of appropriate buildings thereon.

Swamp land, flood plains, clearing and grubbing disposal areas and other unsuitable lands will not be accepted.

E.2.2 Lands conveyed to the Town shall be located as near as possible to the center of the proposed subdivision, and those lands which have been disturbed by construction activities, shall be graded and sodded before being conveyed to the Town.

Grading shall be such as to ensure adequate drainage of the area.

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### **E.3 PUBLIC STREETS**

#### **E.3.1 Design Criteria:**

- (a) Public streets shall be designed in accordance with the requirements listed below, the additional requirements listed in Part 9 of the Town's subdivision by-law and the Manual of Geometric Design Standards for Canadian Roads published by the Roads and Transportation Association of Canada.
- (b) A design speed of 65 km/hr (40 mi./hr.) shall be used for design. The posted speed limit will be 50 km/hr (30 mi./hr.). In some instances land availability, physical constraints or other limitations may restrict design parameters. The design speed and corresponding posted speed limit may be reduced accordingly as approved by the Town.
- (c) A sidewalk measuring a minimum of 1.5 m (5 feet) wide shall be constructed on one side of every street. Two sidewalks shall be provided in commercial areas and along arterial streets (as defined in the Municipal Planning Strategy).
- (d) Streets shall be of curb and gutter construction with storm sewers. Alternatively ditch and culvert type construction will be permitted.
- (e) The sub-divider is encouraged to place utility lines underground wherever feasible. Where underground utility lines are not provided, the sub-divider is encouraged to place utility lines at the rear of lots.

#### **E.3.2 Materials:**

- (a) Construction materials shall meet the requirements of Nova Scotia Department of Transportation Standard Specification.
- (b) Concrete for sidewalk and curb construction shall be air entrained to 6% air by volume with a minimum 28 MPa (4,000 p.s.i.), 28 day strength.

#### **E.3.3 Street Construction:**

- (a) The entire area within the boundary lines of the street right-of-way shall be grubbed and all stumps, sod and foreign material removed from the site.

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- (b) The street right-of-way including the street-bed, ditches, and sidewalks shall be excavated and filled to prepare a proper subbase as required in accordance with the approved plan and profile.
- (c) Adequate provision shall be made for surface drainage in accordance with Schedule 'D'.
- (d) The sub-divider shall be responsible for access to all proposed lots, with suitable culverts where required.
- (e) The street-bed and embankments shall be shaped and compacted to within 38 mm (1.5 inches) of design subgrade elevation and to 95% Standard Proctor Density.
- (f) A base course of 150 mm (6 inches) of Class C gravel shall be spread uniformly over the entire street-bed and compacted to 100% Standard Proctor Density.
- (g) A surfacing course of 100 mm (4 inches) of Class B gravel shall be spread uniformly over the base course of gravel and compacted to 100% Standard Proctor Density.
- (h) No final grading of street shall be carried out until all required underground services have been installed.

### **E.3.4 Asphaltic Concrete Paving:**

- (a) Asphaltic paving of sub-division roads shall be completed after all track vehicles and equipment have finished work on the site.
- (b) Fine grade Class B gravel course and then apply asphalt primer to the fine-graded surface of all areas which are to receive asphalt pavement.
- (c) Complete asphalt paving in accordance with the Standard Specifications.

### **E.3.5 Sidewalks:**

- (a) Sidewalks shall be constructed of concrete by hand or mechanical means in accordance with the Standard Specifications.
- (b) Sidewalks shall be minimum 100 mm (4 inches) in depth except at driveways and ramps where minimum depth will be 150 mm (6 inches).

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- (c) Concrete for sidewalk shall be placed on minimum 150 mm (6 inch) layer of compacted Class B Gravel.

### E.3.6 Curb and Gutter:

- (a) Curb and gutter shall be constructed of concrete by hand or mechanical means in accordance with the Standard Specifications.
- (b) Concrete for curb and gutter shall be placed on a minimum 150 mm (6 inch) layer of compacted Class B gravel.
- (c) Curb and gutter cross-section shall conform to Nova Scotia Department of Transportation Type 'A'.

### E.4 TESTING AND INSPECTION

#### E.4.1 Inspection:

Town representatives will inspect street construction during the progress of the work. No gravels shall be placed until the subgrade has been inspected and approved by the Town's designated representative. No paving shall be permitted until the sub-base has been inspected and approved by the Town's designated representative.

#### E.4.2 Testing:

- (a) Concrete strength tests will be carried out in accordance with CSA Standard A23.2 as directed by the Town at the expense of the sub-divider. Three test cylinders shall be provided for every 50 cubic yards of concrete placed.
- (b) The Town may require sieve analyses or other tests to verify the quality of materials. The sub-divider shall supply sufficient samples of material for sampling. If the materials do not meet the specifications, the sub-divider shall pay the costs for the tests and shall replace the defective materials.

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### SCHEDULE F

#### EXISTING NARROW THROUGH LOTS

Lots the subdivision of which is specifically enabled under Section 22B.

<u>ASSESSMENT NUMBER</u>	<u>PROPERTY OWNER</u>	<u>LOCATION</u>
03715000	CARDOZA, Victor	139 Queen Street
03587000	MARSHALL, Robert	115 Montague Row
03588000	WEBBER, Hymie	113 Montague Row
03368000	SULIS, Edwin	67 Montague Row
03669000	LEGGE, Ann Marie	63 Montague Row
03543000	CROWELL, Helen	37 Montague Row
03544000	THIBODEAU, Andrew	35 Montague Row
03545000	COMEAU, Melbourne	33 Montague Row
03387000	HALLIDAY, Merle	62 Queen Street
03388000	CLAYTON, Shirley	64 Queen Street
03389000	ATKINSON, Milton	66 Queen Street
03667000	DAKIN, Charles	114 First Avenue
03745000	MARITIME TEL & TEL	133 First Avenue
03744000	TOWN OF DIGBY	131 First Avenue
03788000	SAUNDERS, G.L. Enterprises	192 Queen Street
03789000	MILBURY, Richard	194 Queen Street
03779000	MORTON, Edward	191 Queen Street
03780000	WILSON, Douglas	189 Queen Street
03783000	RICHARDSON, Estate of Ernest B.	183 Queen Street
03709000	TURNBULL, James	159 Queen Street
03699000	WALLACE, June	134 Second Avenue
03618000	POULIN, C. & ELLIOTT, D.	93 Queen Street
03619000	HERSEY, Charles	91 Queen Street
03620000	SNOW, Vincent	87 Queen Street
03621000	RAYMOND, Evelyn	93 Queen Street
03623000	BELLERISE, Bernard	81 Queen Street
03396000	MULEY, Roger	57 Queen Street
03672000	PULISFER, Gordon	130 King Street
03673000	JEFFREY, Nola	132 King Street
03684000	MELANSON, Carl	162 King Street
03636000	MCCARLIE, Vincent	87 First Avenue
03878000	BRITAIN, W. Jean	11 Water Street

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<b>ASSESSMENT NUMBER</b>	<b>PROPERTY OWNER</b>	<b>LOCATION</b>
03881000	REIGHARD, Helen	19 Water Street
03884000	BERNEN ENTERPRISES	35 Water Street
03885000	FASHION CLEANERS LTD.	27 Water Street
03888000	KAYWIN LIMITED	51 Water Street
03890000	FANCY, Harold	57 Water Street
03891000	FANCY, Harold	57i Water Street
03665000	MORAN, Theodore	123 First Avenue
03103000	LEVY, Ella F.	813 King Street
03675000	WOOD, Thomas	135 King Street
03480000	THOMAS, Richard	30 West Street
03492000	BAXTER, Gordon	33 King Street
03491000	LEWIS, Stanley	35 King Street
03229000	OUTHOUSE, Grafton	131 King Street
03160000	STONEHOUSE, L. Russell	155 King Street
03159000	HOARE, Gerald	157 King Street
03118000	WOODS, Hilma	Third Avenue
03117000	LEVY, Donna	Third Avenue

