

CHAPTER 120

SUBDIVISION REGULATIONS

In the matter of the Planning Act, and in the matter of the Town of Bridgewater.

The Council of the Town of Bridgewater, having requested the Minister of Municipal Affairs to prescribe regulations with respect to subdivision, the Minister, pursuant to Section 49 of Chapter 16 of the Acts of 1989, the Planning Act, repeals the Subdivision Regulations prescribed on December 5, 1955, as amended on December 8, 1975, and hereby prescribes for the Town of Bridgewater the following regulations respecting subdivision of land:

Subdivision Regulations of the Town of Bridgewater

(prescribed under Section 49 of Chapter 16 of the Acts of 1969,
the Planning Act)

Procedure for approval of tentative plans

1. Persons proposing to subdivide property shall submit ten (1) copies of tentative plans of the proposed subdivision to the Development Officer for approval. Where the plan of subdivision divides land into four lots or less, and where no roads and no central water and sewer services are required to be constructed, the Development Officer may waive the requirements that tentative plans be submitted.
2. The Development Officer, or where there is no Development Officer, the Clerk pursuant to Section 49(3) of the Planning Act, shall approve the tentative plan or notify, in writing, the person submitting it the objectionable features to it.
3. Tentative plans submitted must be drawn to a scale of not smaller than 50 feet to 1 inch or 100 feet to the inch where the application is for 20 lots or more, may be based on deed description of the property to be subdivided, preferably but not necessarily as surveyed, shall follow specifications as in Schedule "A", shall be accompanied by a location map of a scale not smaller than 1:50,000 and shall show the following:
 - (a) name of the proposed subdivision and names, addresses and telephone numbers of the subdivider and the surveyor or engineer;
 - (b) name and address of the owner, if he is not the subdivider or the submitter;
 - (c) name of owners of all abutting properties and existing uses of the properties;

- (d) acreage of proposed subdivided site and existing uses, and any existing buildings;
 - (e) proposed number, size and shape and area of lots and blocks;
 - (f) each lot numbered for identification;
 - (g) proposed use of each block and lot;
 - (h) proposed width, grade and location of existing and proposed streets;
 - (i) availability and nature of water supply;
 - (j) existing and proposed sewage facilities;
 - (k) location of existing streets, highways, railroads, and utility lines and access to existing streets and highways;
 - (l) contours at five (5) foot intervals;
 - (m) areas, if any, reserved for public purposes;
 - (n) north point, scale and date;
 - (o) lakes, streams, water courses, swamps, rocky areas, wooded areas, areas subject to flooding or other natural features which might affect the layout or the provision of services to the area where the subdivision is located;
 - (p) any other information which the Development Officer deems necessary to determine whether a plan of subdivision satisfies these Subdivision Regulations.
4. (a) When the Development Officer or the Clerk, as the case may be, is satisfied that a tentative plan contains the information required by Section 3, he shall forward a copy of the plan to the following for their comments and recommendations:
- (1) The Regional Director, Department of Highways;
 - (2) Department of Public Health;
 - (3) Department of the Environment;
 - (4) Town Engineer.

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- (b) No approval of a tentative or final plan of subdivision may be refused or withheld as a result of comments or recommendations made under subsection (1) unless the plan is clearly contrary to a law or regulation of the Province of Nova Scotia, the regulations of the regional plan, or to a by-law of the Town.

Procedure and Documents required for the Approval of Final Plans

5. A final plan of subdivision submitted for approval shall be accompanied by:
- (a) a request, in writing, of the owners of the land shown on such final plan for the approval of the subdivision; and
 - (b) a statement signed by the submitter that he is the owner or duly qualified agent of the owner of the land to be subdivided; and
 - (c) if, and to the extent that a Subdivision By-law requires a written agreement duly executed by the owner of the property, that he will meet all the requirements of the Zoning By-law; will construct all streets shown on the said plans, and will, where municipal sewer water services are available, lay water and sewer mains in such streets, all according to the appropriate specifications relating thereto, and within five (5) days after having been so requested, will convey the facilities and any land reserved for public purposes to the Town; and,
 - (d) any security or bonds required to be posted under the Subdivision By-law and proof of having met the requirements of the Subdivision By-law.
6. Four (4) copies of a final plan of subdivision must be submitted for approval. The requirements in Section 3 and the following additional information shall be shown on any final plans of subdivision:
- (a) name and address of submitter;
 - (b) the boundaries of the property surveyed, with accurate distances and bearings as determined by survey in the field, under the Nova Scotia Co-Ordinate Survey System if possible, with closure errors not exceeding one unit per thousand units by compass, and one unit per thousand units by transit;
 - (c) the length and bearings of the boundary lines of all lots, streets, right-of-way and easements as laid out; length of arc, degrees and points of curvature, radii, and tangent bearings in the case of curver lines;
 - (d) the width of all streets and right-of-way;

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- (e) the accurate location of one or more permanent monuments;
 - (f) the proposed lot numbers, and street names;
 - (g) any reservations, private or otherwise;
 - (h) contours for road grades and drainage;
 - (i) location of streets, houses and buildings on adjoining properties;
 - (j) north point (true or magnetic) scale and date;
 - (k) building lines, begin lines showing the position of a building in relation to the street side line.
7. Such final plans of subdivision shall also:
- (a) have a clear space of binding margin of at least one inch in width;
 - (b) conform to the requirements for registration in the Registry of Deeds;
 - (c) be certified by a Nova Scotia Land Surveyor in the manner required by the Registry Act and any other Act in force at the time of application for approval of subdivision.

Notification of Approval of Final Plans

8. Where a final plan has been approved but the requirements of Section 49(5) of the Planning Act, or of the Subdivision By-law of the Town have not been met, the Development Officer or the Clerk, as the case may be,
- (a) shall notify, in writing, the submitter that his plan has been approved subject to such requirements; and
 - (b) give the required notices, under Section 49(6) of the Planning Act, of such approval.

Endorsement of Approval of Final Plan

9. When the requirements of Section 49(5) of the Planning Act, the Subdivision Regulations and the Subdivision By-law of the Town are met, approval of a final plan of subdivision shall be endorsed by the Development Officer or Clerk, as the case may be, on two copies of the final plan and these shall be returned to the submitter.

General Provisions

10. Any street or road, whether a new street or road, or an extension of an existing street or road, must have a right-of-way of at least fifty feet.
11. Cul-de-sac or other dead end streets shall have a turn-around with a minimum radius of 61 feet from the center of the cul-de-sac.
12. The length of a cul-de-sac shall not exceed 350 feet from the intersection to the turning circle.
13. Streets shall intersect one another at right angles, or as nearly right angles as possible and shall not have a grade greater than eight percent. No intersection shall be located on or near a sharp road curve or below the crest of a steep hill or rise.
14. Local street and roads shall be laid out as to discourage through traffic.
15. Continuous street frontage shall not exceed 1200 feet in length. Where continuous street frontage exceeds 1000 feet, a pedestrian walkway of a width of not less than 10 feet shall be provided through and near the centre of the block to give access to adjacent streets.
16. There shall not be more than four street approaches in an intersection.
17. Repealed - February 1987.
- Amended
Feb.10/87 18. The distance between public street intersections shall not be less than 61 metres (200.13 feet).
19. Where a street in an adjoining subdivision abuts the boundaries of a subdivision submitted for approval, a street in the latter shall, if reasonably feasible, be laid out in prolongation of such street unless it would be a violation of these regulations.
20. (a) No plan of subdivision shall be approved unless all the lots in the plan meet the requirements of the Zoning By-law of the Town of Bridgewater.

(b) Where no central sewer service and central water system approved by the Board of Health is available, lots must be approved by the Board of Health and have a minimum area of 20,000 square feet per dwelling unit, and a minimum frontage of 100 feet and a minimum depth of 150 feet; and for waterfront lots, a minimum area of 40,000 square feet, minimum frontage of 150 feet and minimum depth from shoreline of 175 feet as defined in regulations respecting on-site sewage disposal systems made pursuant to Section 11 of the Public Health Act as set out in Order of Council 75-571 on May 20, 1975, and as amended from time to time;

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- (c) Where a lot fronts on a street which is not at right angles to the sides of the lot or is curved, the lot shall have the required minimum lot frontage measured at the minimum building line and the lot frontage shall not be less than two thirds of that required in the Zoning By-law.
 - (d) Lots which are to be used partly for residential and partly for other purposes shall only be approved if the requirements for all purposes are met.
21. Sidelines of lots shall be substantially at right angles to street lines or radial to curved street lines.
 22. The rear line of a series of adjoining lots shall have a sufficient extra width to permit appropriate building setback from both streets.
 23. Corner lots for residential use shall have a sufficient extra width to permit appropriate building setback from both streets.
 24. Where other laws, regulations or by-laws apply, a plan of subdivision and all lots in the plan must conform to such regulations or by-laws, and shall not be contrary to the Regional Plan.
 25. Where the type of sewage disposal proposed for a subdivision is by septic tank and disposal field, the subdivider will be responsible for arranging for soil tests of the lots to be subdivided, and shall submit with his application for final approval the results of the tests and recommendations by a professional engineer or a sanitary health inspector.
 26. (a) All lots approved in a plan of subdivision shall abut a public road.
(b) Notwithstanding subsection (1), a single lot which does not abut a public road may be approved where Town Council is satisfied that it is not feasible to lay out a new street or extend an existing street and the lot is served by a private road or private right-of-way which meets the right-of-way requirements of Section 10.
 27. Approval may be given to the subdivision of lands into lots all or some of which do not meet the requirements of Section 20 to 23 inclusive, if:
 - (a) any undersized lot so formed is to be added to and become part of another lot which meets the requirements of Sections 20 to 23, or which appears on a registered plan or deed, and if
 - (b) any remaining parcel or parcels meet the requirements of Sections 20 to 23.

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28. Land shall not be subdivided in such a manner as to prejudice the proper subdivision of adjoining land.
29. An application to amend or repeal a plan of subdivision shall be in accordance with Section 50 of the Planning Act and shall satisfy the requirements of these regulations concerning approvals of final plans of subdivision. In addition, such application shall refer to the subdivision as originally approved, and such reference shall include the file number of earlier subdivision plan filed at the office of the Registrar of Deeds for the County of Lunenburg.