

VILLAGE OF MCADAM

BY-LAW NO. 37

SUBDIVISION BY-LAW

The Council of the Village of McAdam under authority vested in it by section 42 of the Community Planning Act, enacts as follows:

INTERPRETATION

1. In this By-law.
 - (a) “lot” means a parcel of land or two or more adjoining parcels held by the same owner and used or intended to be used as the site for a building or structure or an appurtenance thereto; and
 - (b) “width” means, in relation to a lot,
 - (i) where the side lot lines are parallel, the distance measured across the lot at right angles to such lines, or
 - (ii) where the side lot lines are not parallel, the distance measured across the lot along a line parallel to a line joining the points at which the side lot lines intersect the limits of the abutting street, such parallel line being drawn through the point at which the line of minimum set-back (required by by-law or regulation) intersects a line from the midpoint of and perpendicular to the line to which it is parallel.

SCOPE

2. This by-law provides for regulation of the subdividing of land in the municipality.
3. (1) In a subdivision, unless otherwise stipulated by Council,
 - (a) every street shall have a width of 66 feet
 - (b) a cul-de-sac shall not exceed 600 feet in length, and shall terminate with a circular area having a radius of 50 feet; and
 - (c) no street may have a gradient in excess of 8 percent.
- (2) Where entry will be gained to a subdivision by means of an existing street or other access, by whomever owned, the person seeking approval of the plan of such subdivision shall make provision to bring the existing access to the same standard as is required for streets within the proposed subdivision.
- (3) Reserve strips abutting a street in a subdivision are prohibited, except where such strips are vested in the municipality.
- (4) In arriving at a decision regarding a recommendation with respect to the location of streets in a proposed subdivision, the Advisory Committee shall give consideration to the relationship between such location and
 - (a) the topography of the land;
 - (b) the provision of lots suitable for the intended use;
 - (c) street intersections and interceptions being as nearly as possible at right angles;
 - (d) convenient access to the proposed subdivision and to lots within it; and
 - (e) the convenient further subdividing of the land or adjoining land.

- (5) Names of streets in a subdivision are subject to the approval of the Advisory Committee.

LOTS, BLOCKS AND OTHER PARCELS

4. (1) Every lot, block and other parcel of land in a subdivision shall abut
- (a) a street owned by the crown or the municipality; or
 - (b) such privately – owned street or other access as being advisable for the development of land.
- (2) The dimensions and area of a lot in a subdivision are subject to the requirements of the zoning by-law.
- (3) Subject to subsection (4), a block in a subdivision are subject to the requirements of the zoning by-law.
- (a) shall be at least 400 and not more than 1,000 feet long.
 - (b) shall have a depth of not less than two lots.
- (4) Where a proposed subdivision contains a series of crescents and cul-de-saca, a block may exceed 1,000 feet in length if pedestrian walkways are provided for access or circulation to schools, libraries, playgrounds or other such facilities.

MUNICIPAL FACILITIES

5. Where a person proposes to subdivide land in such manner that pursuant to section 4, a street is required to be provided, or in such location that pursuant to the zoning by-law, municipal water or sewer facilities or both are required to be provided, the development officer shall not approve a subdivision plan unless in the opinion of the Council,
- (a) Council will be able in the foreseeable future to provide a street, and where required water and sewer lines or both, to the boundaries of the subdivision, or such person has made satisfactory arrangements for providing such facilities; and
 - (b) such person has deposited a sum or a performance bond with the municipality or has entered into an agreement with Council that is binding on his heirs, successors and assigns to pay the cost of facilities required within the subdivision.

CONDITIONS PRECLUDING APPROVAL OF A SUBDIVISION PLAN

6. The development officer shall not approve a subdivision plan if in his opinion and in the opinion of the Advisory Committee,
- (a) the land is not suited to the purpose for which it is intended or may not reasonably be expected to be used for that purpose within a reasonable time after the plan is approved; or
 - (b) the proposed manner of subdividing will prejudice the possibility of further subdividing the land or the convenient subdividing of adjoining land.

BY-LAW REPEALED

7. By-law No. 15, the Subdivision By-law, is repealed.

Read first time: April 27, 1977

Read second time: April 27, 1977

Read third time and enacted: May 25, 1977

Original signed by: Marjorie O'Keefe

Clerk

Original signed by Frank M. Carroll

Mayor