
PART 9 - PLANNING
Division 11 - Subdivision

Subdivision 1 - General

- 9.11.1. 1. Every subdivision shall:
- a. be suited to the configuration of the land being subdivided;
 - b. be suited to the use to which it is intended;
 - c. be so arranged that the future subdivision of land within the proposed subdivision or within any adjacent land is not made impractical; and
 - d. be such that the proposed development is not at variance with any of the provisions of the Municipal Code.
2. Where the whole or any portion of the land being subdivided is subject to intermittent or periodic flooding, approval of the plan shall be withheld until appropriate steps are taken to prevent the occurrence of flooding.
3. The Approving Officer shall be supplied with one transparency on film of each registered plan within 30 days of registration in accordance with the BC Land Title Act.
4. Any subdivision application shall be accompanied by payment of the processing fee specified below

<u>Subdivision Type/Size</u>	<u>Processing Fee</u>
a. Consolidating or altering lot lines without creating new parcel(s)	\$ 50.00
b. Creating 1 - 5 parcels	\$ 200.00
c. Creating 6 - 12 parcels	\$ 400.00
d. Creating 13 - 25 parcels	\$ 800.00
e. Creating 26 - 50 parcels	\$1,600.00
f. Creating more than 50 parcels	\$3,200.00

Subdivision 1 - General (Continued)

- 9.11.1. 5. All works and services required to be constructed and installed at the expense of the owner of land proposed to be subdivided shall be constructed and installed to standards prescribed in the Municipal Code prior to the approval of the subdivision by the Approving Officer, unless:
- a. the owner of the land deposits with the municipality a bond in the form and for the amount satisfactory to the Approving Officer having regard for the cost of installing and paying for all works and services required pursuant to the Municipal Code; and
 - b. the owner of the land enters into an agreement with the municipality to construct and install the prescribed works and services by specified date or forfeit the amount secured by the bond to the municipality.
6. The District of Kitimat will not accept the works and services or any part of the work required to be completed by the owner until:
- a. the works have been certified by a Professional Engineer to have been completed and constructed in accordance with the Municipal Code, and the municipal specifications and according to good engineering practices;
 - b. the owner has deposited with the District one set of reproducible drawings showing the works as actually constructed, certified as correct by a Professional Engineer;
 - c. the Municipal Engineer has received the certification specified in 9.11.1.6.a. and is satisfied that the certification covers all of the works required to be constructed and installed;
 - d. the owner of the land deposits with the municipality a bond in the amount of 5% of the cost of construction of the said works and services and in a form satisfactory to the Approving Officer to expire not earlier than one year after all the requirements of 9.11.1.6.a., 9.11.1.6.b., and 9.11.1.6.c., have been met; and

Subdivision 1 - General (Continued)

- 9.11.1 . 6. e. the owner of the land enters into an agreement with the municipality to maintain and repair the prescribed works and services to the satisfaction of the Municipal Engineer for a period of one year as described in 9.11.1.6.d. above or forfeit all or part of the amount secured by the said bond to the municipality.

Subdivision 2 - Lot Subdivision

- 9.11.2. 1. Every lot shall abut a street unless special circumstances justify other means of access under the BC Land Title Act.
2. Side lot lines of residential lots shall be at right angles or radial to street lines unless extenuating circumstances warrant a minor variance from such a right angle or radial intersection.

Subdivision 3 - Highways and Pedestrian Malls

9.11.3. Layout

1. Local access highway shall be laid out in such a way as to discourage use by through traffic.
2. Major arterial highways in residential areas shall be located at the periphery of neighbourhoods.
3. Within any subdivision, any lot which is adjacent a Limited Access Highway on the Municipal Road Designation Map shall be served by a Local Access Highway.
4. Proposed highways shall extend to the boundaries of the subdivision. This provision may be waived, if it can be shown that access to land beyond this subdivision will not be required due to topography.
5. Wherever a dead-end highway is carried to the boundary line of a subdivision, a temporary turn-around with a minimum right-of-way dimension of 30 metres diameter shall be provided by a right-of-way registered in the Land Registry Office in favour of the municipality or by dedication.

Subdivision 3 - Highways and Pedestrian Malls (Continued)

- 9.11.3 6. As a condition of approval of any subdivision plan by the Approving Officer, the developer shall provide for the clearing, grading, draining, paving and improving of highways, lanes, walkways, pedestrian malls and parking lots to at least the standards prescribed in this Code.

Clearing of Highways, Lanes, Walkways, Pedestrian Malls and Parking Lots

7. All highways, lanes, walkways, pedestrian malls and parking lots shall be cleared to the full extent of their rights-of-way as follows:
- a. as applied to any right-of-way, "clearing" shall mean complete removal of all trees, bush, logs, decaying timber, or any artificial structures or obstructions which shall be burned up clean, or otherwise removed. Any standing timber which may, after falling, be outside or partly outside the said right-of-way shall be wholly destroyed or removed as aforesaid. Clearing of the whole right-of-way must be completed before any grading is done;
 - b. as applied to any right-of-way intended for a driving surface or the location of any shoulder, sidewalk, drainage ditch or utility, clearing shall meet all the requirements of 9.11.3.7.a. and in addition, the complete removal of all stumps, roots, vegetable matter and like material up to a depth of at least .6 metres below finished grade. Both clearing and grubbing of all these parts of the road right-of-way must be completed before any grading is done.

Subdivision 3 - Highways and Pedestrian Malls (Continued)

9.11.3. 8. Highways, walkways, pedestrian malls and parking lots shall comply with the following requirements:

Highway Type	<u>Right-of-Way</u> (Minimum)	Radii of <u>Curvature*</u> (Minimum)	<u>Visibility*</u> (Minimum)	Grade	
				Maximum	Minimum
Major Arterial (incl. periphery boulevards)	40 metres	150 metres	180 metres	7%	0.5%
Major Industrial	30 metres	150 metres	180 metres	7%	0.5%
Major Collectors (including minor Service Centre Collectors and Residential Avenues)	25 metres	60 metres	60 metres	7%	0.5%
Minor Collector (including minor Service Centre Collector and Residential Avenue)	20 metres	60 metres	60 metres	7%	0.5%
Local Residential (loop street, cul-de-sac and crescent)	18.7 metres	25 metres	30 metres	7%	0.5%
Lane	8 metres	25 metres	30 metres	7%	0.5%
Walkway	6 metres			10%	0.5%
Pedestrian Mall				5%	0.5%
Parking Lot				3%	0.5%

* Radii of curvature shall be measured at the centre line.

** Visibility shall be measured between .75 metres and 3 metres above centre line.

Subdivision 3 - Highways and Pedestrian Malls (Continued)

9.11.3. Highways

9. All highways shall, at no expense to the municipality, be cleared as required in 9.11.3.7.
10. All highways shall be graded and laid with a gravel base in accordance with Section B of Municipal Specifications, February 1972, as amended from time to time. Except in the case of major arterial highways, this shall be done at no expense to the municipality.
11. All highways shall be constructed to final grade and improved by the construction of pavement, curbs, gutters, and installation of street lighting in accordance with Sections C and E of Municipal Specifications, February 1972, as amended from time to time, except in the case of major arterial highways, this work shall be done at no expense to the municipality.
12. Notwithstanding anything contained in 9.11.3.11., rural-type road cross sections with gravel pavement and ditch drainage shall be permitted in M1, M2-B and M3 zones.
13. Road carriageways shall be designed and built at intersections to provide a minimum radius of curvature of 7.5 metres.
14. All changes in highway grades shall be connected by vertical curves of proper design in accordance with the latest edition of "A Policy on Arterial Highways in Urban Areas" by the American Association of State Highway Officials.
15. The Approving Officer, where necessary, shall ensure that highway rights-of-way are wide enough to contain all areas of associated "cut and fill".
16. Highways shall be designed so that tangents connect all curves. Reverse curves in highway alignment shall be separated by tangents at least 30 metres long.
17. Each highway intersection shall be as near to a right angle as is practicable but no highways shall intersect at an angle less than 70°.

Subdivision 3 - Highways and Pedestrian Malls (Continued)

- 9.11.3. 18. All highways shall be provided with a storm sewer system satisfactory to the Approving Officer who may require the installation of storm sewer pipes. Except in the case of major arterial highways, all highway storm sewer systems, whether surface drainage or piped drainage, shall be constructed at no expense to the municipality.

Road Naming: See Part 3, Division 9

Lanes

19. Lanes are permitted in areas zoned M2, M2-A and M2-B only.
20. All lanes shall be cleared and provided with a gravel base in accordance with Section B of Municipal Specifications, February 1972, as amended from time to time, at no expense to the municipality.
21. All lanes shall be brought from gravel base to final grade in accordance with Section C of Municipal Specifications, February 1972, as amended from time to time, at no expense to the municipality.
22. All lanes shall be improved by installation of street lighting in accordance with Section E of Municipal Specifications, February 1972, as amended from time to time, at no expense to the municipality.
23. All lanes shall be provided with a storm drainage system satisfactory to the Approving Officer who may require the installation of storm sewer pipes. All storm sewer systems on lanes whether surface drainage or piped drainage, shall be constructed at no expense to the municipality.
24. Inside corners of lanes shall be cut off not less than 5 metres measured each way from the corner except where such corners intersect with a street.
25. Intersections of lanes with streets shall be at right angles.
26. Dead end lanes are not permitted.

Subdivision 3 - Highways and Pedestrian Malls (Continued)

9.11.3. Walkways, Pedestrian Malls and Parking Lots

27. Except as provided in 8.1.5.3. to 8.1.5.5. all the area under pedestrian traffic in pedestrian malls and all the area under parking lots shall be cleared, brought to final grade, provided with a storm sewer system, street lighting system and paved in accordance with Sections A, B, C, and E of Municipal Specifications, February 1972, as amended from time to time, at no expense to the municipality.
28. Inside corners of walkway intersections shall be cut off not less than 5 metres measured each way from the corner, except where such corners represent an intersection with a street, in order to allow for the turning of snow clearing and other equipment.
29. Steps in walkways are prohibited.

Subdivision 4 - Drainage and Grading

- 9.11.4. 1. Throughout any subdivision, there shall be provided a storm drainage system which will cause all storm water from the property to drain into the municipal storm sewage disposal system. The storm sewer system provided shall be in accordance with Section A of Municipal Specifications, February 1972, as amended from time to time. Except in the case of major arterial roads, the work required by this Subdivision shall be performed at no expense to the municipality.
2. Block and lot grading shall conform to Part 13 of the Kitimat Municipal Code.

Subdivision 4 - Drainage and Grading (Continued)

- 9.11.4. 3. Prior to approval of any subdivision plan by the Approving Officer:
- a. a block and lot grading plan shall be submitted which clearly indicates:
 - (1) the existing contours and spot elevations; and
 - (2) the proposed final contours and spot elevations;
- as may be required to determine drainage of land to the satisfaction of the Approving Officer.
4. All land within the boundaries of the proposed subdivision shall be graded in conformance to 9.11.4.3.a.(2) to the satisfaction of the Approving Officer.

Subdivision 5 - Sanitary Sewage Disposal

- 9.11.5. 1. As a condition of approval of any subdivision plan by the Approving Officer, except as provided in Part 13 of the Kitimat Municipal Code, all areas shall be provided with a sanitary sewage collection system, designed and constructed in accordance with Section D of Municipal Specifications, February 1972, as amended from time to time.
2. Provision shall be made for the connection of any sanitary sewage collection system required under 9.11.5.1. with the established municipal collection system, in accordance with Section D of Municipal Specifications, February 1972, as amended from time to time.

Subdivision 6 - Water Supply

- 9.11.6. 1. All areas within a subdivision, which in the opinion of Council merit connection to the public waterworks system, shall be provided with a complete and fully operative system of water mains, valves, valve chambers and hydrants designed and constructed in accordance with Section D of Municipal Specifications, February 1972, as amended from time to time.

Subdivision 7 - Street Lighting, Power and Communication Services

- 9.11.7. 1. All power and communication services shall conform to Part 6, Division 1.
2. As a condition of approval, street lighting shall be installed on all highways, lanes, pedestrian malls and walkways in accordance with Section E of Municipal Specifications, February 1972, as amended from time to time.

Subdivision 8 - Land Improvements for Subdivision

- 9.11.8. 1. The Approving Officer may approve a subdivision only after all of the following have been completed.
- a. the clearing of any highway, lane, parking lot, pedestrian mall or walkway in accordance with 9.11.3.7.;
 - b. providing a base for any highway, lane, parking lot, pedestrian mall or walkway in accordance with Section B of Municipal Specifications, February 1972, as amended from time to time;
 - c. providing water supply, sanitary and storm sewer systems in accordance with Sections A and D of Municipal Specifications, February 1972, as amended from time to time;
 - d. installing of any of the power and communication services in accordance with Part 6, Division 1;
 - e. bringing to final grade any highway or lane by paving and supplying with curbs and gutters in accordance with Section C of Municipal Specifications, February 1972, as amended from time to time;
 - f. bringing to final grade any parking lot, pedestrian mall or walkway by paving in accordance with Section C of Municipal Specifications, February 1972, as amended from time to time;
 - g. providing street lighting system for any highway, lane, pedestrian mall or walkway in accordance with Section E of Municipal Specifications, February 1972, as amended from time to time.

Subdivision 8 - Land Improvements for Subdivision (Continued)

- 9.11.8. 2. Notwithstanding 9.11.8.1., the Approving Officer may approve the subdivision if the following arrangements are made to complete any or all of the work included in the said section within a period of time specified by the Approving Officer:
- a. the developer registers a mortgage against the property in Land Title Office in favour of the municipality;
 - b. the value of the mortgage shall be determined by the municipality and shall be sufficient to complete the work.

Subdivision 9 - Rights-of-Way

- 9.11.9. 1. If the most suitable and reasonable locations for sewers, storm drains and drainage facilities, water and other utilities required to serve the proposed subdivision do not lie wholly within its boundaries, the Approving Officer may require that rights-of-way be provided for the location of such utilities outside the subdivision. Such requirements may be satisfied by the provision of rights-of-way properly registered in the Land Title Office, in favour of the municipality. The width of any right-of-way so provided shall be no less than 7 metres except that in case of residential lots, the minimum width may be 3.5 metres.
2. Where a subdivision contains a drainage way, gully, channel, stream, or other watercourse, the banks of which exceed the slope of four horizontal to one vertical the following alternatives shall be taken:

Subdivision 9 - Rights-of-Way (Continued)

- 9.11.9. 2. a. a strip of land running the full length of that part of the slope which lies within the subdivision shall be conveyed to the municipality, such strip being adequate to reduce the banks to a slope not exceeding four horizontal to one vertical but no less than 8 metres in width as measured between the top of the slope and a line running parallel to the top of the slope; or
- b. at no expense to the municipality, the slope shall be reduced by filling or cutting to a degree which does not exceed a slope of four horizontal to one vertical.
3. Prior to conveyance to the municipality of any area containing any drainage way, gully, channel, stream or other watercourse, such area shall be cleared of all trees, brush, logs, decaying timber or debris of any other kind.
4. If an area to be subdivided contains any natural watercourse which crosses a proposed new highway, provision shall be made for the crossing of such watercourse. Any culvert, bridge, or other means of crossing required by this Subdivision shall be constructed at no expense to the municipality.
5. Where by reason of the creation of any subdivision, the necessity arises for public street access across a railway right-of-way, an order of the Railway Transport Committee of the Canadian Transport Commission shall be obtained at no expense to the municipality other than making formal application, declaring such crossing of the railway right-of-way to be a public crossing. The land developer shall provide the municipality with necessary surveys, plans and documents to accompany the formal application and shall bear any other costs that may be incurred.