

## **APPENDIX 'A'**

### **SUBDIVISION DEVELOPMENT POLICY**

- 1.1 Definitions
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## **1.1 DEFINITIONS**

### 1.1.1 Phase I Work:

Phase I work consists of all work relating to installation of water, sanitary and storm sewer systems, construction of all street right of ways including base course asphalt, curb and gutter and development of open space areas and accesses to these areas.

### 1.1.2 Phase II Work:

Phase II work consists of all work relating to the construction of above ground work including but not limited to surface course asphalt, landscaping of areas other than open space areas, sidewalks and walkways.

### 1.1.3 Developer:

A person or company who has applied for and has been granted approval to subdivide or service an existing parcel of land.

Development Permit - gives the Developer approval to proceed to the final design stage of project.

### 1.1.4 Consulting Engineer:

A professional engineer, registered in the Province of Newfoundland and Labrador, retained by the Developer to be responsible for design and supervision of the works.

Construction Permit - gives the Developer approval to proceed with construction work as per development agreement.

## **1.2 DEVELOPMENTAL APPROVAL**

### 1.2.1 Requirements:

The applicant will be required to submit three copies of the proposed subdivision plan showing the street and lot layout, water courses, buffers and public open space. This plan should be a 1:500 scale and have contours at one (1) meter intervals. The applicant will

also be required to submit a location plan (1:2500 scale).

1.2.2 Approval:

The subdivision plan will be reviewed for the following:

(a) Access

The plan will be evaluated for impact on traffic flows and ease of access to and from the subdivision.

(b) Water Supply

The water supply to the subdivision will be evaluated to determine if adequate pressures and flows exist in the Town's system.

(c) Sanitary Sewer Generation

The Town's system will be evaluated to determine if the current configuration has the capacity available to accommodate the calculated flows to be generated.

(d) Storm Sewer Generation

The Town's system will be evaluated to determine if the current configuration has the capacity available to accommodate the calculated flows to be generated.

(e) Internal Street Layout

The street layout will be reviewed for general conformance to the design criteria as given in these Subdivision Design and Construction Standards. Approval at this stage is preliminary and will not negate further changes that may become necessary during the detailed design.

(f) Public Open Space

The Town may require the applicant to convey to the Town for a nominal consideration of one dollar (\$1.00) a parcel of land for public recreation purposes not to exceed ten percent (10%) of the total subdivision area. Council may choose to negotiate an alternate agreement with the Developer in lieu of the above.

The Town may also require a strip of land to be reserved and remain undeveloped along the banks of any significant river, brook, pond or wetland and this land may, at the discretion of Council, constitute the requirement of land for public open space.

If upon review of the above a deficiency is determined to exist, then:

1. The application may be recommended for rejection.
2. The applicant may be required to undertake further studies to determine the extent of any problems and corrective action required.
3. The application may be recommended for Conditional Approval subject to the applicant taking any necessary corrective action as determined by the Town.

If there have not been any problems or concerns noted during the review, then the application will be recommended for Conditional Approval. Conditional Approval shall be valid for one year only from the date of granting by the Town during which time an application for Final Approval shall be submitted.

### **1.3 FINAL APPROVAL**

#### 1.3.1 General:

The subdivision is to be designed and constructed in accordance with the Town's Design and Construction Standards, the Government of Newfoundland's Municipal Water, Sewer and Road Specifications and the requirements of any other authority having jurisdiction.

#### 1.3.2 Requirements:

The application for Final Approval should be made within one year of the granting of the Developmental Approval and be accompanied by the following:

- (a) Subdivision Plan - The plan should be drafted as per the standard Subdivision Plan (Section 2.0) with the following items shown:
  - (i) Water, sanitary and storm sewer layout (invert information is not required);
  - (ii) Street alignment information (coordinates for PI and street intersections are not required);
  - (iii) Lot meets, bounds, area and number;
  - (iv) Right of ways, easements and carriageways;
  - (v) Canada Post locations;
  
  - (vi) Driveway locations;

- (vii) Open space areas;
- (viii) Bench mark locations and elevations;
- (ix) Direction of flow for sanitary and storm sewer systems;
- (b) Engineering Drawings - Plan and profile drawings showing all streets, watermains and sewers to be constructed. Detailed drawings are required for any items not covered by the Standard Drawings in the Municipal Water, Sewer and Roads Specification Book.
- (c) Lot Grading Plan - as per the Town's Standard
- (d) Sanitary Sewer Calculations - Calculations are to be submitted on standard forms and accompanied by a detailed drainage plan.
- (e) Storm Sewer Calculations - Calculations are to be submitted on standard forms and accompanied by a detailed drainage plan.
- (f) Federal Fisheries and Oceans - Copies of any approvals required for works under the jurisdiction of Fisheries and Oceans.
- (g) Provincial Environment and Lands - Copies of any approvals required for works under the jurisdiction of Environment and Lands, both the civil sanitary and water resources divisions.
- (h) Canada Post - Copies of approval for the proposed Canada Post locations.
- (i) Legal plan and description for Newfoundland Power and any other utility easements.

#### 1.3.3 Approval:

The detailed subdivision design will be reviewed for conformance with the Town's Regulations. If any problems are noted the Applicant will be required to make necessary revisions and resubmit the drawings for approval.

If there have not been any problems or concerns noted, then "Final Approval" will be recommended and the Applicant will be asked to submit (3) three copies of the Subdivision Plan and Engineering Drawings.

Final Approval is valid for a period not exceeding two years.

Final Approval shall not prevent the Town from thereafter requiring the correction of any errors or revisions to items which were not noted at the time of application.

Revisions to the approved Subdivision Plan and Engineering Drawings shall not be made without the prior approval of the Town. Upon approval of any revision, (3) three copies of the revised drawing shall be submitted.

## **1.4 FINANCIAL REQUIREMENTS**

### 1.4.1 Assessments:

- (a) Capital Recover Assessments - All outstanding assessments on the property to be developed as recorded by the Town must be paid prior to the Subdivision Development Agreement being executed. The assessments will be for items such as:
- Water, sanitary and storm sewer systems;
  - Street improvements;
  - Sidewalks;
  - Oversizing;
  - Recreational or as otherwise required by Town.
- (b) Trunk Sewer Assessments - If the subdivision is within the drainage area of a Sanitary Trunk Sewer, for which there is an assessment registered, then the assessment must be paid prior to the execution of the Subdivision Development Agreement. This assessment is an area assessment and is a fixed rate per hectare serviced.

### 1.4.2 Development Fee

This fee is to be addressed with the Town Planning Officer prior to obtaining developmental approval.

### 1.4.3 Securities

The amount of any securities required will be determined by the Town. All securities must be in the form of cash, certified cheque, bond or letter of credit from an approved surety

company.

- (a) Phase I Security - To be in the amount of 10% of the estimated cost of Phase I works, and must be in place prior to issuance of a construction permit (Amended June 2005).
- (b) Phase I Warranty Security - This security will be equal to 10% of the value of Phase I work and must be in place prior to the acceptance of Phase I works, and shall remain in effect for twelve (12) months following the date of the letter of acceptance for Phase I works.
- (c) Phase II Security - this security will be equal to 1000% of the estimated cost of the Phase II works and must be in place prior to issuance of a construction permit (Amended June 2005).
- (d) Phase II Warranty Security - This security will be equal to 10% of the value of Phase II work and must be in place prior to the acceptance of Phase II works and remain in effect for twelve (12) months following the date of the letter of acceptance for Phase II works.

One thousand dollars (\$1,000.00) of the Phase II security will be retained for each undeveloped lot (at the time of Phase II acceptance) to cover possible damages to the curb, gutter, sidewalk and surface course asphalt. The Developer shall initiate the review of securities held.

## **1.5 PHASE I WORKS**

### **1.5.1 Schedule**

Phase I works shall not commence until Final Approval has been issued, all financial requirements have been met and the Subdivision Agreement has been executed.

All work shall receive continuous site supervision by the Consulting Engineer.

All work shall be in accordance with the government of Newfoundland's Municipal Water, Sewer and Road Specifications and any subsequent Town supplementary document.

#### 1.5.2 Acceptance of Phase I Works

Phase I works will be accepted by the Town when all work has been completed and the following submitted and approved:

- .1 As-built Engineering Drawings as per Town standards;
- .2 Subdivision Plan as per Town standards;
- .3 House service information forms;
- .4 Lot grading plans;
- .5 Test results as required for the water, sanitary and storm sewer systems.
- .6 Inspection of the water, sanitary and storm sewer systems by the Town.
- .7 Phase I warranty period security;
- .8 Correction of all deficiencies noted;
- .9 Concrete test results for curb and gutter works;
- .10 Asphalt test results for the base course asphalt;
- .11 Compaction test results for sub-grade works.

#### 1.5.3 Building permits

Building permits will not be approved until Phase I Works have been accepted by the Town, however, if the deficiencies noted are of a minor nature or security has been provided to cover the cost of the Phase I and Phase II works, then the building permits may be approved. The developer is cautioned that no occupancy permits will be issued until completion and acceptance of Phase I works.

#### 1.5.4 Warranty Period

The Developer shall at his own expense rectify and make good any defect or fault,

however caused, appearing within a one year period from the date of acceptance of the Phase I works. The Phase I warranty security will be released at the end of the warranty



period providing all noted deficiencies have been corrected.

## **1.6 PHASE II WORKS**

### **1.6.1 Schedule**

Phase II works shall not commence until Phase I works have been accepted. Base course asphalt and curb and gutter must be placed prior to the Town undertaking any snow clearing operations. The Town will not accept responsibility for damage to and maintenance of any Phase I works until all Phase II work has been completed and accepted by the Town. The surface course asphalt shall not be placed without the approval of the Town Manager. Approval will not normally be granted until eighty percent (80%) of the lots have been built upon and rough grading completed.

### **1.6.2 Acceptance of Phase II Works**

Phase II Works will be accepted by the Town when all work has been completed and the following submitted and approved:

1. Concrete test results for sidewalk;
2. Asphalt test results for surface course asphalt;
3. As-built information for bench mark installations;
4. Legal plans and descriptions for all lands to be transferred to the Town (ie. Street right of ways, easements and open space);
5. Phase II warranty period security;
6. Inspection of Phase II works by the Town;
7. Correction of all deficiencies noted;
8. Master survey of development, both plan and description.

### **1.6.3 Warranty Period**

The Developer shall, at his own expense, rectify and make good any defect or fault, however caused, appearing within a one year period from the date of acceptance of the

Phase II works.

The Phase II Warranty security will be released at the end of the warranty period providing all noted deficiencies have been corrected.