

REGIONAL DISTRICT OF KITIMAT-STIKINE

BY-LAW NO. 18

"A By-Law to regulate and control the subdivision of land in the Regional District of Kitimat-Stikine pursuant to the provisions of Division (4), Part XXI and Division (2), Part XXIV of the Municipal Act."

The Board of the Regional District of Kitimat-Stikine, in open meeting assembled, hereby enacts as follows:

PART I - INTERPRETATION AND ADMINISTRATION

1.1.0 Title

This By-Law may be cited as the "Subdivision Control By-Law No. 1, 1970."

1.2.0 Application

This By-Law shall be applicable to the unincorporated areas of the Regional District as defined in the Letters Patent and amendments thereto.

1.3.0 Definitions

In this By-Law unless the context otherwise requires:

"Approval" - means approval in writing from the Approving Officer;

"Approval, Final" - means approval of a subdivision for the purpose of the Land Registry Act;

"Approving Officer" - means the Officer designated as such pursuant to the Land Registry Act;

"Board" - means the Board of Directors of the Regional District of Kitimat-Stikine;

"Community Sewer System" - means a common sewer, or a system of sewerage or sewage disposal approved under the provisions of the Health Act.

"Community Water System" - means a system of waterworks approved under the provisions of the Health Act which is owned, operated and maintained by an Improvement District under the Water Act or the Municipal Act, or a Regional District, or which is regulated under the Public Utilities Act;

"Cul-de-sac" - means a length of local vehicular highway the end of which is permanently closed by the pattern of subdivision so that there is no alternate route to a highway;

"Frontage" - means that length of a parcel which immediately adjoins a highway or a waterbody where access is via water. In the case of a parcel fronting on more than one highway, the narrower side of the parcel abutting a highway shall be its frontage;

"Half Road" - means one half of a highway dedicated on one side of its future centre line which is an existing property line;

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"Highway" - means all public streets, roads, trails, lanes, thoroughfares, bridges, and any other public way as defined by the Highway Act;

"Housing, Row" - means a residential complex of attached houses, in rows of three or more units arranged either in groups or in one large parcel or in such a fashion as to allow individual land ownership;

"Lane" - means a highway less than twenty-five (25) feet wide which is not a half road;

"Medical Health Officer" - means a Medical Health Officer or in his absence a Public Health Inspector appointed under the Health Act, who has jurisdiction over the area in which a subdivision is located;

"Owner, Registered" - means any person registered in the books of any Land Registry Office as owner of land or of any charge on land whether entitled thereto in his own right or in a representative capacity or otherwise;

"Parcel" - means any lot, block or other area in which land is held or into which land is subdivided;

"Parcel, Corner" - means a parcel of land having frontage on two or more intersecting highways;

"Parcel, Utility" - means a parcel in a subdivision to be used for public utility installations;

"Plan, Regional" - means a statement of this Board, adopted in conformity with Section 795 of the Municipal Act;

"Plan, Sketch" - means a sketch plan of a proposed subdivision with approximate measurements for the purpose of illustrating the wishes of a subdivider;

"Planning Area" - means any area so designated and marked on a map which accompanies and is part of this By-Law;

"Subdivision" - means the division of land into two or more parcels whether by plan or by metes and bounds description or otherwise;

"Walkway" - means a narrow highway for the exclusive use of pedestrians only;

"Water, Potable" - means water which is approved for drinking by the Medical Health Officer or a Public Health Inspector;

- 1.3.1 Unless otherwise defined herein, any word or expression in this By-Law shall have the same meaning as any similar word or expression contained in the Land Registry Act.

PART II - GENERAL PROVISIONS

2.1.0 Prohibition

No land shall be subdivided contrary to this By-Law or any other By-Laws in effect in the Regional District.

- 2.1.1 No land shall be subdivided which is contrary to a regional plan adopted by the Board.

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2.2.0

Basic Provisions

Without affecting the generality of the Land Registry Act, no subdivision shall be approved unless:

- (a) it is suited to the configuration of the land being subdivided;
- (b) it is suited to the use to which it is intended;
- (c) it does not make impracticable the future subdivision of land within the proposed subdivision;
- (d) it does not make impracticable the future subdivision of any adjacent land;
- (e) the alignments, drainage, grades and other geometrics of highways within the subdivision are in accordance with the standards prescribed hereunder;
- (f) the water supply, storm drainage and sewage disposal systems proposed within the subdivision meet the requirements of the Public Utilities Commission, the Water Act, the Health Act, and the Pollution Control Act and any regulations made pursuant to any of the aforementioned acts.

PART III - STANDARDS

3.1.0 Frontage

The minimum frontage of any parcel of land in the proposed subdivision shall be sixty (60) feet or one-tenth of the perimeter of the parcel, whichever is greater, except where the parcel is neither served by community water supply nor by community sewer system the minimum frontage shall be one hundred (100) feet.

- 3.1.1 Notwithstanding 3.1.0, where both a community water system and a community sewer system are available, the minimum frontage of any parcel shall be fifty (50) feet or one-tenth of the perimeter of the parcel whichever is greater.

3.2.0 Parcel Area

The minimum area of a parcel into which land within Planning areas may be subdivided shall be in accordance with the following table:

MINIMUM PARCEL AREA		
With Community Water Supply and Community Sewer System	With Community Water but no Community Sewer System	With no Community Water Supply nor Community Sewer System
6,000 sq. ft.	7,500 sq. ft.	18,000 sq. ft.

- 3.2.1 Planning Areas are those areas shown on the plan or described in the metes and bounds description all contained in Schedule "A" hereto which Schedule is made a part of this By-Law.

- 3.2.2 The minimum area of a parcel into which land outside Planning Areas may be subdivided shall be ten (10) acres.

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3.3.0 Roads, Lanes, and Walkway Requirements

Highways, - the minimum allowance required in a proposed subdivision is sixty-six (66) feet and where a highway is a frontage road it shall have a minimum width of fifty (50) feet, unless the Approving Officer deems a lesser minimum width better suited to use or to local conditions.

- 3.3.1 Lanes in any subdivision shall have a minimum width of twenty (20) feet.
- 3.3.2 Walkways in any subdivision shall have a minimum width of fifteen (15) feet.
- 3.3.3 Where a highway is designated as a cul-de-sac the end of the highway shall be enlarged with a minimum radius of fifty (50) feet to facilitate turning of vehicles.
- 3.3.4 The gradient of any portion of a highway in a proposed subdivision shall not be greater than eight (8) per centum.
- 3.3.5 Highway intersection shall be as near a right angle as practicable but no highway shall intersect at an angle less than seventy (70) degrees. Where a more acute angled intersection is unavoidable at least fifty (50) feet of each highway measured along the centre lines shall form a right angle at the intersection.
- 3.3.6 All highways and services within a subdivision shall be constructed in accordance with the provisions and Regulations of the Local Services Act as contained in Schedule "B" hereto which schedule is made part of this By-law, and B.C. Department of Highways Requirements Covering Submission of Subdivision Plans for Unorganized Territory as contained in Schedule "C" hereto which schedule is made part of this By-law.

Sewage Disposal

- 3.4.0 Except where a proposed subdivision is served by a community sewer system a parcel shall have the capability to comply with the requirement of the Health Department pertaining to the use for which the parcel is intended.

READ a first time this 18 day of June, 1970.

READ a second time this 28 day of April, 1971.


READ a third time this 28 day of April, 1971.

RECEIVED THE APPROVAL OF THE LIEUTENANT*GOVERNOR IN COUNCIL

this 9th day of September, 1971

RECONSIDERED and finally adopted this 19th day of November, 1971.

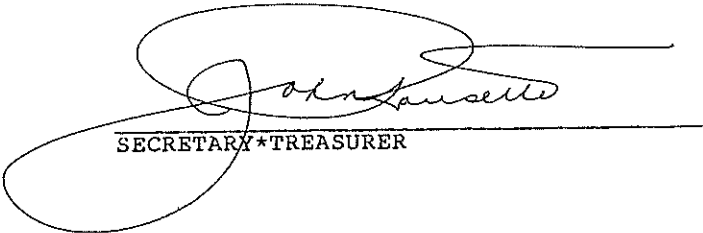

CHAIRMAN


SECRETARY*TREASURER

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I hereby certify the foregoing to be a true and correct copy of By-law No. 18, cited as Regional District "Subdivision Control By-law No. 1, 1970, as read a third time by the Board on the 28th day of April, 1971.

Dated at Terrace this 28th day of April, 1970.



SECRETARY * TREASURER

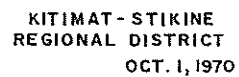
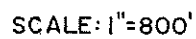
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BY LAW NO. 18

Schedule A

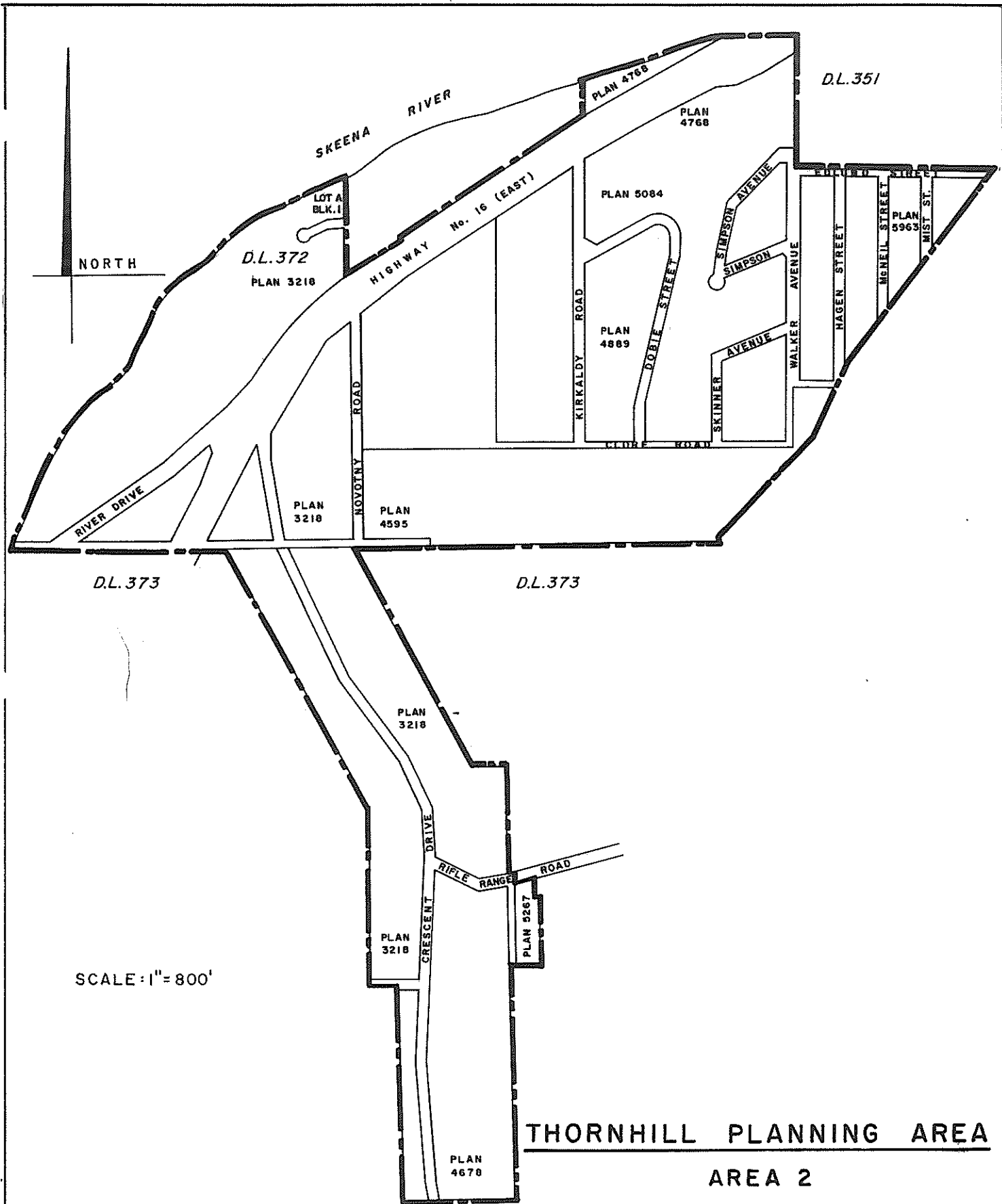
Subdivision Control By-law No. 1 - 1970

- Planning Area No. 1 - Thornhill Development Area 1,
described by Map No. 103 I/7 - 01
dated October 1, 1970 (attached
hereto), and by,
Metes and Bounds Description of
Thornhill Development Area 1,
dated 1st October, 1970 (attached
hereto).
- Planning Area No. 2 - Thornhill Development Area 2,
described by Map No. 103 I/10 - 01
dated October 1, 1970 (attached
hereto), and by,
Metes and Bounds Description of
Thornhill Development Area 2,
dated 1st October, 1970 (attached
hereto).
- Planning Area No. 3 - Thornhill Development Area 3,
described by Map No. 103 I/10 - 02
dated October 1, 1970 (attached
hereto), and by,
Metes and Bounds Description of
Thornhill Development Area 3,
dated 1st October, 1970 (attached
hereto).
- Planning Area No. 4 - Thornhill Development Area 4,
described by Map No. 103 I/7 - 02
dated October 1, 1970 (attached
hereto), and by,
Metes and Bounds Description of
Thornhill Development Area 4,
dated 1st October, 1970 (attached
hereto).
- Planning Area No. 5 - New Hazelton Development Area,
described by Map No. 93 M/4 - 02
dated October 1, 1970 (attached
hereto), and by,
Metes and Bounds Description of
New Hazelton Development Area,
dated 1st October, 1970 (attached
hereto).
- Planning Area No. 6 - Hazelton Development Area,
described by Map No. 93M/5 - 01
dated October 1, 1970 (attached
hereto), and by
Metes and Bounds Description of
Hazelton Development Area,
dated 1st October, 1970 (attached
hereto).
- Planning Area No. 7 - South Hazelton Development Area,
described by Map No. 93M/4 - 01
dated October 1, 1970 (attached
hereto), and by,
Metes and Bounds Description of
South Hazelton Development Area,
dated 1st October, 1970 (attached
hereto).



AREA 1

DWG. № 103 I/7-01



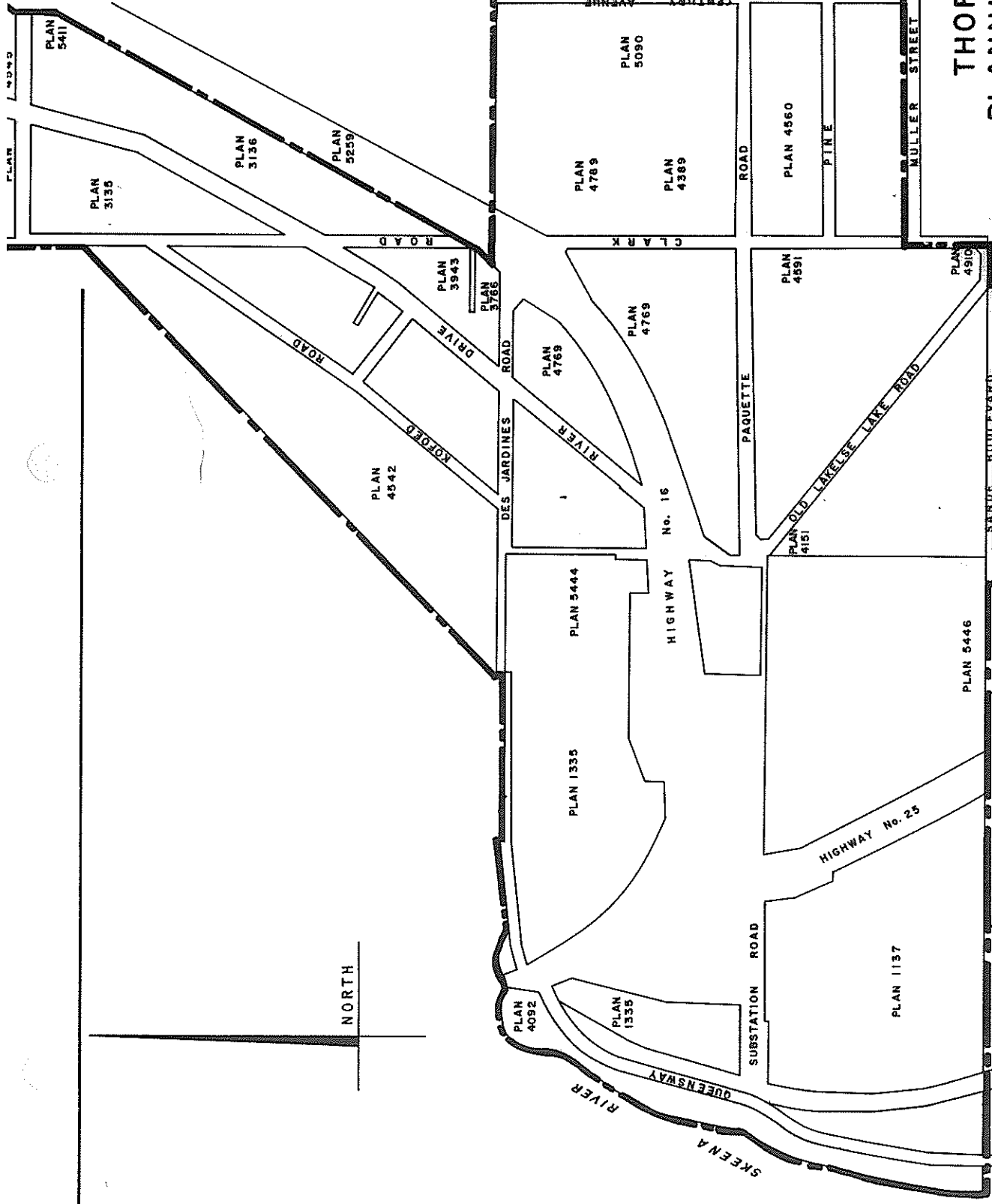
THORNHILL PLANNING AREA

AREA 2

KITIMAT-STIKINE
REGIONAL DISTRICT

OCT. 1, 1970.

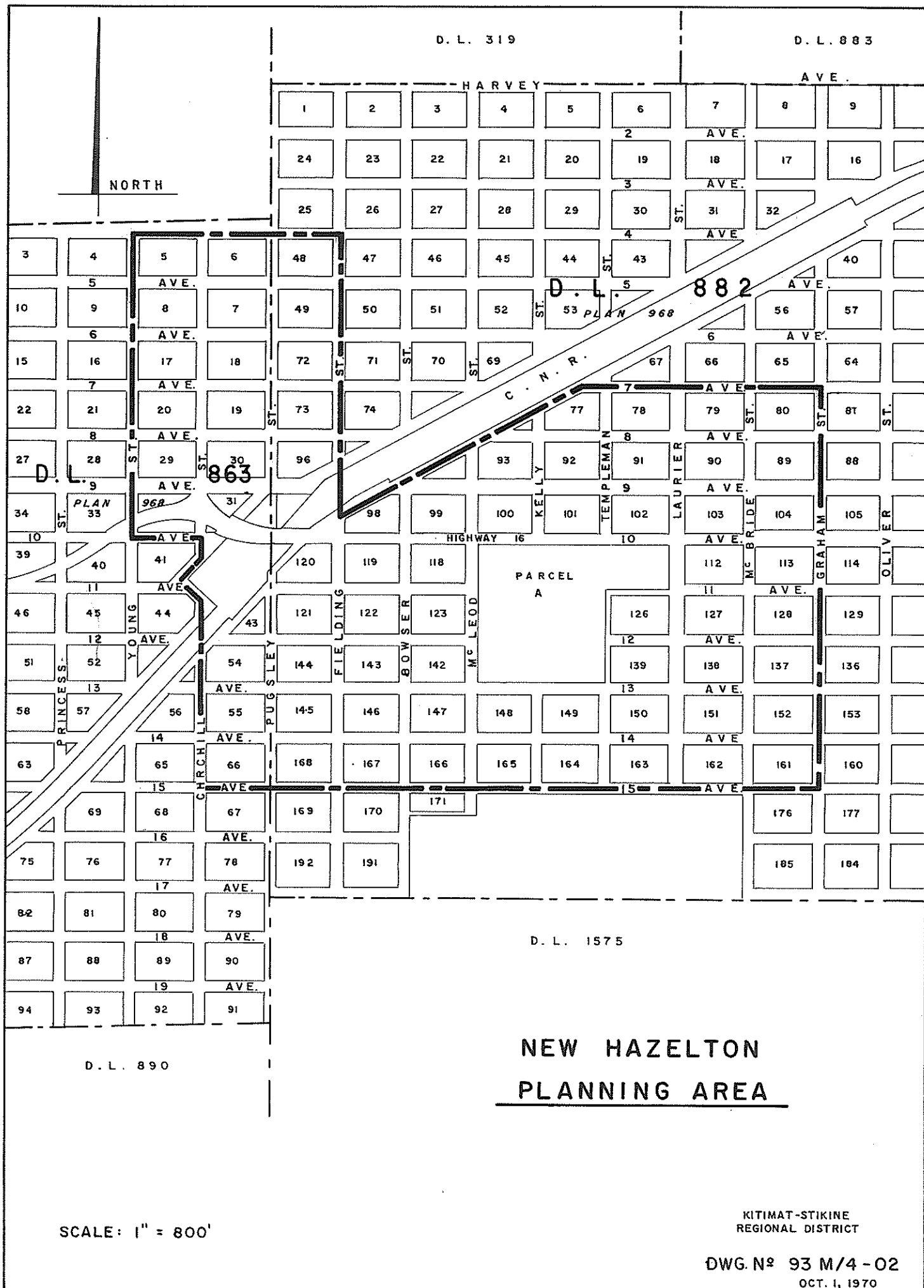
DWG. N^o 103 I/10 - 01

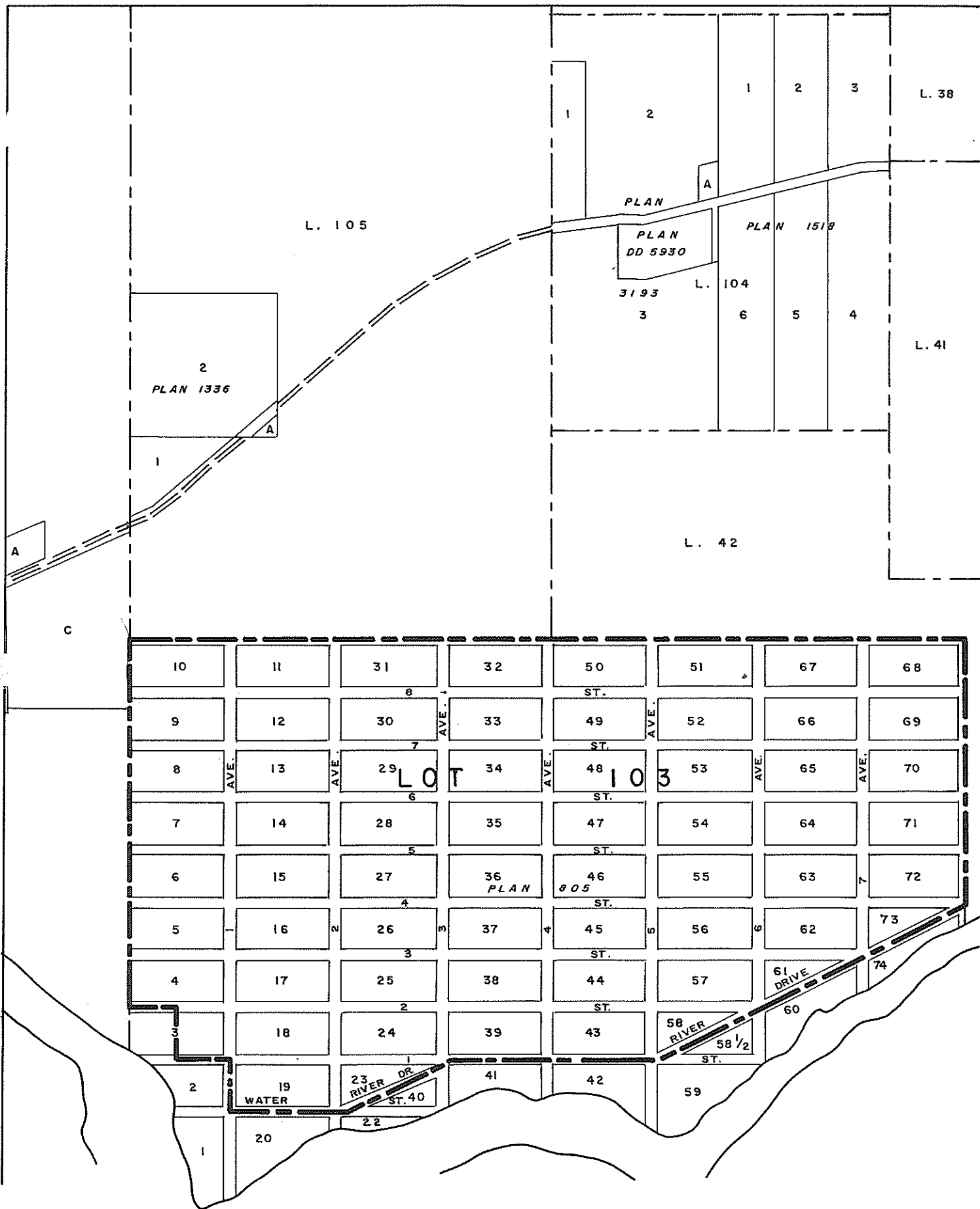


**THORNHILL
PLANNING AREA
AREA 3**

KITIMAT-STIKINE
REGIONAL DISTRICT
OCT. 1, 1970.
DWG. No 103 I/10-02

SCALE: 1" = 800'





HAZELTON PLANNING AREA

SCALE: 1" = 800'

KITIMAT-STIKINE
REGIONAL DISTRICT

DWG. N° 93M/5-01

OCT. 1, 1970

