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### SUBDIVISION BY-LAW

(Amended to May 1998)

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# Subdivision By-law

For

## The Municipality of the Town of Truro

### **PART 1: TITLE**

This By-law may be cited as the "Subdivision By-law" of the Town of Truro.

### **PART 2: INTERPRETATION**

In this By-law the word "shall" is mandatory and not permissive. Words used in the present tense shall include the future. Words used in the singular number shall include the plural and words used in the plural number shall include the singular unless otherwise indicated. All other words shall carry their customary meaning except those defined hereinafter.

All measurements are given in metric with the imperial conversion shown to the nearest appropriate figure.

### **PART 3: DEFINITIONS**

- 3.1 **Agreement** means a written contract between the subdivider and the Town which describes the responsibilities of each party with respect to the subdivision and servicing of land as outlined in this Subdivision By-law.
- 3.2 **Area of Land** means any lot or parcel described by its boundaries.
- 3.3 **Council** means the Council of the Town of Truro.
- 3.4 **Department of the Environment** means the Nova Scotia Department of the Environment.
- 3.5 **Department of Health** means the Nova Scotia Department of Health and Fitness.
- 3.6 **Development Officer** means the Development Officer appointed by Council to administer the provisions of this By-law.
- 3.7 **Director** means the Provincial Director of Planning appointed under the Planning Act.
- 3.8 **Director of Planning and Development** means the Director of Planning and

Development for the Town of Truro.

- 3.9 **Engineer** means a registered member of the Association of Professional Engineers of Nova Scotia.
- 3.10 **Engineering Design Plans** means plans stamped and signed by a professional engineer showing layout and design of primary and secondary services.
- 3.11 **Frontage** means lot frontage as defined in the Land Use By-law.
- 3.12 **Primary Service** includes sanitary sewer, storm sewer, water system, hydrants and lateral pipe from primary to the street lines at each lot, and the street constructed to and including a maintained sub-base of gravel, base gravel, finish gravels, concrete curb and gutter, asphalt pavement and, where secondary services are not provided, soil and sodding and also includes arrangements for electrical power and telephone services.
- 3.13 **Private On Site Sewage Disposal System** means all types of sewage disposal systems not directly connected to a municipal or approved central sewage system, including a privy and a septic tank with a disposal field and which is not owned nor maintained by the Town.
- 3.14 **Future Residential Areas** means the boundary as determined in the Municipal Planning Strategy which among other things differentiates the serviceable and non serviceable areas with the Town (see Chapter 11, Section 2.3 of the Municipal Planning Strategy and the Future Land Use Map).
- 3.15 **Sanitary Sewer System** means a system which is owned and maintained by the Town and which consists of pipes or conduit receiving and carrying water borne wastes and includes any trunk sewers, pumping stations and treatment plants.
- 3.16 **Secondary Service** includes concrete sidewalks, sodding, graded area between curb and sidewalk, street lights, sign standards with street name signs and walkways and may also include secondary power and telephone services to lots.
- 3.17 **Storm Sewer System** means a system which is owned and maintained by the Town receiving, carrying and controlling storm water and surface runoff and which may include pipes, conduit, catch basins, culverts, ditches, watercourses, roadways and retention ponds.
- 3.18 **Street** means a street owned and maintained by the Town and includes the land area and improvements contained within the right-of-way boundaries of that street.
- 3.19 **Subdivider** means the owner or owners of the area of land proposed to be subdivided and includes anyone acting with his written consent.
- 3.20 **Subdivision** means as defined with the provisions of the Nova Scotia Planning Act.
- 3.21 **Surveyor** means a registered member of the Association of Nova Scotia Land Surveyors.

- 3.22 **Town** means the Town of Truro.
- 3.23 **Town Engineer** means the Engineer appointed by Town Council.
- 3.24 **Walkway** means land, other than land forming part of a street, to be conveyed to the Town to be used for public pedestrian traffic.
- 3.25 **Watercourse** includes every watercourse and the bed thereof, and every source of water supply, whether the same usually contains water or not, and every stream, river, lake, pond, creek, spring, swamp, marsh, ravine and gulch. The limits of any watercourse is deemed to the mean high water line.
- 3.26 **Water System** means an assembly of pipes, fittings, control valves and appurtenances, which conveys water to water service pipes and hydrants owned and maintained by the Town as a Public Water Utility.

#### **PART 4: SERVICEABLE AND NON-SERVICEABLE AREAS WITHIN THE TOWN**

- 4.1 The Municipal Planning Strategy for the Town establishes primary and secondary development areas. These areas are separated by the Residential Development Boundary. Development is encouraged and directed to the extension of the primary area where such development is only permitted on municipal water and sewer systems.
- 4.2 Within the Secondary Development Areas development is regulated through the requirements of large lots and infill lots in Rural Residential (R-5 and R-6) zones. On-site water and sewer facilities are permitted subject to the recommendation of the Department of Health.
- 4.3 The location of the Residential Areas are determined in the Municipal Planning Strategy and on the Future Land Use Map.

#### **PART 5: PRELIMINARY SUBDIVISION EXAMINATION (OPTIONAL FIRST STEP)**

- 5.1 A subdivider shall submit to the Development Officer a completed application form (Schedule A) and five (5) copies of a PRELIMINARY subdivision plan or sketch showing or together with the following information and documentation:
- 5.1.1 The name and address of the subdivider.
- 5.1.2 The name of each abutting landowner and subdivision name.
- 5.1.3 A plan or sketch of the land proposed to be subdivided prepared to scale or scales sufficient for clarity of all particulars on the plan showing:
- 5.1.3.1 the dimensions and area of the "area of land" to be subdivided;

- 5.1.3.2 the proposed land use and the lots therein;
  - 5.1.3.3 the approximate location of watercourses or other natural features on the land proposed to be subdivided; and
  - 5.1.3.4 a key plan at a scale not smaller than 1:50,000 showing the general location of the area of land and indicating the north point.
- 5.2 The Development Officer shall, if applicable, forward a copy of all material received pursuant to subsection 5.1 to all those listed in Section 6.3 below.
- 5.3 Any individual, department or agency notified under Section 5.2 shall forward written report of their findings to the Development Officer who will then forward all comments to the subdivider.

**PART 6: PROCEDURE TO BE ADOPTED FOR APPROVAL OF TENTATIVE PLANS OF SUBDIVISION**

- 6.1 The subdivider shall submit to the Development Officer a completed application form (Schedule "A" of this By-law) requesting Tentative Approval and eight (8) copies of tentative plans of the proposed subdivision.
- 6.2 When the Subdivider requests, the Development Officer may waive the requirements that tentative application and plan of subdivision be submitted, where:
- 6.2.1 The lots abut an existing street; and
  - 6.2.2 No primary services are to be installed provided that, if required, a preliminary assessment of the lots has been completed pursuant to the Regulations Respecting Subdivision of Land to be Serviced by On-Site Disposal Systems by the Department of Health and the Development Officer is advised in writing by the Department of Health of the classification of such lots pursuant to the Regulations; or
  - 6.2.3 Where the Development Officer is satisfied that the plans submitted contain the information required by PART NINE.
- 6.3 When the Development Officer is satisfied that the tentative plan contains the information required by PART SEVEN the plan shall be forwarded to the following for comments and recommendations:
- 6.3.1 Town Engineer;
  - 6.3.2 Director of Planning and Development for the Town;
  - 6.3.3 Chief Building Inspector for the Town;

- 6.3.4 Water Utility serving the Town;
  - 6.3.5 Department of the Environment, whenever a watercourse is affected or involved;
  - 6.3.6 The Traffic Authority for the Town;
  - 6.3.7 Truro Parks and Recreation Commission whenever parkland dedication is involved;
  - 6.3.8 Department of Health, with respect to assessment for the installation of any on-site sewage disposal systems; and
  - 6.3.9 Any other Provincial or Town Agency the Development Officer deems necessary.
- 6.4 Approval of a tentative plan of subdivision may not be refused or withheld, as a result of comments or recommendations made under Section 6.3 unless the plan is clearly contrary to a law or regulation of the Province of Nova Scotia, or By-law of the Town made pursuant to a law of the Province, including any applicable dimensions for lot area and lot frontage contained in the Land Use By-law of the Town.
- 6.5 The acceptance of street names shall be as established in the Street Naming Policy as approved by the Council, and attached as Appendix "C".
- 6.6 The following information shall be stamped or written on any tentative plan of subdivision which is approved along with any other information necessary for the tentative plan to proceed to the final plan stage:
- 6.6.1 "This tentative plan of subdivision is approved for lots ..... . Such approval lapses if the lots are not shown on a final plan of subdivision approved within two years of the date of the approval of the tentative plan";
  - 6.6.2 The date of the approval of the tentative plan;
  - 6.6.3 This tentative plan of subdivision shall not be filed in the Registry of Deeds as no subdivision takes effect until a final plan of subdivision has been endorsed by the Development Officer and has been filed by him in the Registry of Deeds.
- 6.7 The Development Officer shall comply with the notification and approval provisions of Section 105(2) and (3) of the Planning Act hereto attached as Appendix "A".
- 6.8 The Development Officer within 5 days of approving a tentative plan shall forward a copy of the approved tentative plan of subdivision to the subdivider and notify in writing the Town Engineer, Director of Planning and Development, Chief Building Inspector and the Department of Health, if applicable, of his decision to approve the tentative plan.
- 6.9 Where a Development Officer refuses to approve a tentative plan of subdivision, he shall notify the subdivider in writing pursuant to Section 105(3)(c) of The Planning Act, hereto

attached as Appendix "A", advising the applicant of the appeal provisions of Section 115 of The Planning Act hereto attached as Appendix "A".

## **PART 7: TENTATIVE PLAN OF SUBDIVISION REQUIREMENTS**

- 7.1 A tentative plan of subdivision submitted to the Development Officer shall be:
  - 7.1.1 Drawn to a scale of not smaller than one to one thousand (1:1000);
  - 7.1.2 Based on a description of the property to be subdivided, preferably but not necessarily as surveyed;
  - 7.1.3 Folded to approximately 22x30cm (8.5"x11") with the face of the folded print being the title block which is located in the lower right hand corner of the tentative plan of subdivision;
- 7.2 A tentative plan of subdivision shall include the following:
  - 7.2.1 Name for the subdivision, if any, and the name of the owner of the property;
  - 7.2.2 Names of owners or lot identifiers of all abutting properties;
  - 7.2.3 The words "TENTATIVE PLAN" located above the title block;
  - 7.2.4 A clear space for stamping measuring at least 15 centimeters (6 in.) wide by 15 centimeters (6 in.) high;
  - 7.2.5 Have a clear space of binding margin of at least two point five (2.5) centimeters in width;
  - 7.2.6 A location map, drawn to a scale not smaller than 1:10,000 with the same orientation as the parcel, located at the top right hand corner of the Tentative Plan of Subdivision;
  - 7.2.7 A boundary survey of the area to be subdivided with accurate distances and bearings as determined by survey in the field;
  - 7.2.8 Proposed number, size, shape and area of lots and blocks, and area of remaining lot;
  - 7.2.9 Proposed use of each block and lot and the estimated gross density of the subdivision;
  - 7.2.10 Each proposed lot individually identified without duplication of lot identifiers, and where a parcel is being added to or subtracted from an existing lot or where a lot shown on a plan of subdivision is being divided, the proposed lot or lots shall be



identified by the existing lot identifier and a letter;

- 7.2.11 Accurate location of one or more permanent Nova Scotia control monuments;
  - 7.2.12 The width and location of proposed public streets, walkways and the width and location of proposed intersections and turning circles;
  - 7.2.13 The width and location of existing streets, walkways, railroads and utility lines;
  - 7.2.14 The location of any watercourse, prominent rock formation, area subject to flooding and any other prominent natural features which might affect the layout or provision of public streets and services to the area where the subdivision is to be located;
  - 7.2.15 The location, dimensions and area of any land to be reserved and conveyed to the Town for park, playground or public purpose;
  - 7.2.16 Proposed street names in accordance with the Town's "Street Naming Policy";
  - 7.2.17 The boundaries of proposed lots shown by solid lines, and the vanishing boundaries of existing lots being re-subdivided, consolidated or both, shown as broken lines;
  - 7.2.18 If available, the date of approval of any lots shown on an endorsed plan of subdivision;
  - 7.2.19 North Point (Grid), scale and date;
  - 7.2.20 The width, location and nature of any easements or rights-of-way affecting the area of land proposed to be subdivided;
  - 7.2.21 The location of existing buildings on the area of land to be subdivided with the graphic location for all buildings within 3m (10') either side of the boundaries of the proposed lot;
  - 7.2.22 Any other information which the Development Officer deems necessary to determine whether tentative plan of subdivision conforms to this Subdivision By-law.
- 7.3 In addition to meeting the requirements of Section 7.1 and 7.2, a tentative plan of subdivision submitted for approval to the Development Officer showing lots fronting on a proposed street shall:
- 7.3.1 Show a boundary survey of the area of land to be subdivided certified by a Nova Scotia Land Surveyor in the manner required by the Nova Scotia Land Surveyors Act and the Regulations made thereunder;
  - 7.3.2 Be accompanied by three copies of a plan showing: 1. contours a minimum of 1

metre (3.2 foot) intervals; 2. final grade drainage patterns; 3. existing and proposed primary services within the area of land and in the area immediately adjacent thereto and including all proposed methods of controlling the flow of storm water within the subdivision;

- 7.3.3 Be accompanied by existing and proposed center line plan and profiles of all proposed streets;
- 7.3.4 Be accompanied by any other information which the Development Officer deems necessary to determine whether the application is complete and conforms to this By-law.

## **PART 8: PROCEDURE TO BE ADOPTED FOR THE APPROVAL OF FINAL PLANS**

- 8.1 The subdivider shall submit to the Development Officer:
  - 8.1.1 A completed application form (Schedule A of this By-law) requesting Final Approval;
  - 8.1.2 Eight (8) sets of the final plan of subdivision.
- 8.2 At the time of application, the subdivider shall pay a non-refundable fee of thirty (\$30.00) dollars per acre or fraction thereof lands being subdivided excluding any residual land owned by the subdivider.
- 8.3 The Development Officer shall comply with the notification and approval provisions of Section 105(2) and (3) of The Planning Act, hereto attached as Appendix "A" of this By-law.
- 8.4 When the Development Officer is satisfied that an application and final plan of subdivision are complete he shall forward a copy of the application and final plan of subdivision for comment and recommendation to the Town Engineer, Director of Planning & Development, Chief Building Inspector, the Water Utility serving the Town and, where applicable, the Department of Health, Department of Environment and the Truro Recreation Commission.
- 8.5 Approval of a final plan of subdivision may not be refused or withheld as a result of the assessment or recommendations made under Section 8.4 unless the final plan of subdivision is clearly contrary to a law of the Province or By-law of the Town made pursuant to a law of the Province including any applicable dimensions for lot area and lot frontage contained in a Land Use By-law of the Town.
- 8.6 Upon approval by the Development Officer of the final plan of subdivision, the Development Officer shall notify in writing, the subdivider and those notified under Section 8.4 of this By-law.

- 8.7 Where a Development Officer refuses to approve a final plan of Subdivision, he shall notify the subdivider in writing pursuant to Section 105(3)(c) of The Planning Act, hereto attached as Appendix "A" of this By-law; and advise the applicant of the appeal provisions of Section 115, of The Planning Act, hereto attached as Appendix "A: of this By-law.

## **PART 9: FINAL PLAN OF SUBDIVISION REQUIREMENTS**

- 9.1 A Final Plan of subdivision submitted to the Development Officer shall:
- 9.1.1 Be certified and stamped by a Nova Scotia Land Surveyor that the lots for which approval has been requested have been surveyed in the manner required by the Nova Scotia Land Surveyors Act and regulations made thereunder and drawn to a scale of not less than one to one thousand (1:1000);
  - 9.1.2 Be folded to approximately 22x30cm (8.5"x11") with the face of the folded print being the title block which is located in the lower right hand corner of the final plan of subdivision;
  - 9.1.3 Have a clear space for stamping measuring at least 15cm (6.0") wide by 15cm (6.0") high;
  - 9.1.4 Have a clear space of binding margin of at least 2.5cm (1.0) in width;
- 9.2 A Final Plan of Subdivision shall include the following:
- 9.2.1 Name and Address of subdivider;
  - 9.2.2 Name of the subdivision, if any, and the name of the owner of the property;
  - 9.2.3 Names of all owners or lot identifiers of all property abutting the proposed subdivision;
  - 9.2.4 A location map, drawn to a scale not smaller than 1:10,000 with the same orientation as the parcel, located at the top right-hand corner of the final plan of subdivision;
  - 9.2.5 Description of the purpose and uses of the plan shown on the plan of subdivision;
  - 9.2.6 The length and bearings of the boundary lines of all proposed lots, streets, walkways, rights-of-way and easements including the length of arc, points of curvature and radius in the case of curved lines;
  - 9.2.7 The dimensions and total area of the area of land proposed to be subdivided;
  - 9.2.8 The shape, dimensions and areas of lots blocks and the remainder lot if any;

- 9.2.9 The location, dimensions and area of lands to be reserved and conveyed to the Town for park, playground or public purposes;
  - 9.2.10 The width and location of all streets and rights of way;
  - 9.2.11 Proposed street names as per the Town of Truro Street Naming Policy;
  - 9.2.12 Each lot shown shall be individually identified by letter or number or both with no duplication and new lots shall be identified by larger and darker characters; existing remaining lots shown in smaller lighter characters and lots or parcels which are being consolidated into a new lot may be shown for record as lighter broken character.
  - 9.2.13 North point (Grid), scale and date;
  - 9.2.14 Accurate location of one or more permanent Nova Scotia control monuments;
  - 9.2.15 The location of existing buildings on the area of land proposed to be subdivided with the graphic and mathematical locations for all buildings within 3m (10') of the boundaries of the property;
  - 9.2.16 The boundaries of new lots shall be shown by a solid darker line; boundaries of existing lots by a solid lighter line; and boundaries of lots or parcels being consolidated by a lighter broken line;
  - 9.2.17 The width, location and nature of any easements or rights-of-way affecting the area of land proposed to be subdivided;
  - 9.2.19 The date on which the final plan of subdivision was drawn and the date of any revisions;
  - 9.2.20 If available the date of approval of any previously approved lots shown on an endorsed plan of subdivision;
  - 9.2.21 Any other information which the Development Officer deems necessary to determine whether a final plan of subdivision conforms to this Subdivision By-law.
- 9.3
- 9.3.1 Final plans of subdivision shall be accompanied by design plans, details and specifications prepared in accordance with the specifications contained in Appendix "B". These plans shall show the location and dimensions of existing water and sewer systems on or adjacent to the lands being subdivided as well as all proposed primary services including laterals, such drawings shall be stamped by a professional engineer licensed to practice in the Province of Nova Scotia.
  - 9.3.2 Final plans of subdivision shall be accompanied by proof of a joint certificate of approval for the water and sewer systems from the Departments of Health and the

Environment.

**PART 10: REQUIREMENTS FOR ENDORSEMENT AND REGISTRATION OF FINAL PLANS OF SUBDIVISION**

- 10.1 Where primary services are to be installed in accordance with this By-law by the subdivider, the Development Officer shall endorse the final plan of subdivision only when the following has taken place:
  - 10.1.1 The subdivider has designed and constructed all primary services as shown on the final plan of subdivision, according to the Servicing Specifications of the Town of Truro being Appendix "B" of this By-law;
  - 10.1.2 The Town has accepted in writing the ownership of all primary services, other than natural watercourses;
  - 10.1.3 The subdivider has deposited with the Town duly executed Warranty Deed(s), acceptable to the Town, conveying title to all streets, walkways, easements and dedicated parkland at the time the final plan of subdivision is endorsed by the Development Officer;
  - 10.1.4 The subdivider has provided: (a) a street lighting deposit in accordance with the Local Improvement By-law of the Town of Truro; or (b) street lighting fixtures approved of by the Town.
- 10.2 The Subdivider shall provide as a prerequisite for acceptance by the Town of primary services the following:
  - 10.2.1 A Maintenance Bond for 10% of actual costs for installation of primary services for one year from date of substantial completion of primary services;
  - 10.2.2 "As Built" reproducible drawings of primary services as per Town of Truro's Municipal Services Specifications attached as Appendix "B" of this By-law, each drawing stamped by a professional engineer licensed to practice in the Province of Nova Scotia;
  - 10.2.3 Copies of all inspection reports done in accordance with Appendix 'B' on primary services;
  - 10.2.4 Service lateral information including invert elevations at property line, service lengths, distance of lateral connections from the nearest manhole, and sufficient tie information for the ends of storm, sanitary and water systems at the property line;
  - 10.2.5 Copies of all test reports to confirm that the specified standards of material were

achieved in accordance with Appendix "B";

10.2.6 A Surveyor's Certificate stating that all primary services are within the proposed street rights-of-way, easement(s), and walkway(s);

10.2.7 A report by the Town Engineer or his designate stating that he has completed a visual inspection of the primary services and that any deficiencies have been rectified;

10.2.8 A certificate stamped and signed by a Professional Engineer licensed to practice in the Province of Nova Scotia stating that all primary services are constructed to the Town of Truro's Municipal Services Standards and Specifications, as attached as Appendix "B" of this By-law.

### **'WHERE'**

10.3 Secondary services are to be installed by the subdivider the Development Officer shall endorse the final plan of subdivision only when the following has taken place:

10.3.1 The subdivider has installed and the Town has accepted in writing all primary services in accordance with Section 10.1 and 10.2 of this by-law;

10.3.2 The subdivider has entered into an agreement with the Town stating that the subdivider shall construct all secondary services as shown on the final plan of subdivision;

10.4 An agreement entered into between the Town and the subdivider pursuant to Section 10.3.2 shall be executed in duplicate, signed by the Mayor and the Clerk on behalf of the Town and by the subdivider prior to endorsement of approval by the Development Officer and shall contain terms with respect to:

10.4.1 Commencement and completion dates for construction and installation of secondary services;

10.4.2 The terms and conditions of any security posted in connection with this agreement;

10.4.3 The terms and conditions of any cost sharing arrangements similar to the Local Improvement By-law;

10.4.4 Any other matter required by the provisions of this By-law.

10.5 Upon completion of the secondary services, as per 10.4.1 the subdivider shall provide the following as a prerequisite for acceptance of these services.

10.5.1 Maintenance Bond for 10% of the actual cost for installation of the secondary

services from date of substantial completion of secondary services;

- 10.5.2 "As Built" reproducible drawings of secondary services (Accomplished by revision of the primary "As Built" drawings);
- 10.5.3 Test and inspection reports to confirm that the specified standards of material were achieved in accordance with Appendix "B";
- 10.5.4 Surveyor's Certificate stating that all secondary services are within the proposed rights-of-way, easement(s), and walkway(s);
- 10.5.5 A certificate, stamped and signed by a Professional Engineer licensed to practice in the Province of Nova Scotia stating that all secondary services are constructed to the Town of Truro's Municipal Services Specifications attached as Appendix "B" of this By-law;
- 10.5.6 A report by the Town Engineer or his designate stating that he has completed a visual inspection of the secondary services and that any deficiencies as indicated have been rectified.

- OR -

- 10.6 As an alternative to 10.1 and 10.2, where primary services are to be bonded by the subdivider the Development Officer shall endorse the final plan of subdivision only when the following has taken place:
  - 10.6.1 The subdivider has cleared and rough graded the right-of-way in accordance with Appendix "B" and the Town has accepted in writing the state of such work;
  - 10.6.2 The subdivider has entered into an agreement with the Town stating that the subdivider shall construct primary secondary services as shown on the final plan of subdivision in accordance with Appendix "B";
  - 10.6.3 The subdivider has deposited with the Town duly executed warranty deed(s), acceptable to the Town, conveying title to all streets, walkways, easements and dedicated parkland at the time the final plan of subdivision is endorsed by the Development Officer; and
  - 10.6.4 The subdivider has provided a Performance Bond for 110% of the estimated cost of the primary services as determined by the Town in consultation with the subdivider.
- 10.7 An agreement entered into between the Town and the subdivider pursuant to Section 10.6.2 shall be executed in duplicate, signed by the Mayor and the Clerk on behalf of the Town and by the subdivider prior to endorsement of approval by the Development Officer and shall contain terms with respect to:

- 10.7.1 Commencement and completion dates for construction and installation of primary services;
  - 10.7.2 The terms and conditions of any security posted in connection with this agreement; and
  - 10.7.3 The terms and conditions of any cost sharing arrangements similar to the Local Improvement By-law.
- 10.8 Upon completion of the primary services, as per 10.4.1 the subdivider shall provide all the material required by 10.1 and 10.2 of this by-law as a prerequisite for acceptance of these services and release of any bond and the Development Officer shall confirm in writing to the Clerk-Treasurer that all the conditions of 10.1 and 10.2 of this by-law have been met.

-OR-

- 10.9. As an alternative to 10.1 and 10.2, and 10.6, 10.7 and 10.8 where installation of primary services are to be contracted to the Town of Truro the Development Office shall endorse the final plan of subdivision only when the following has taken place:
- 10.9.1 The subdivider has cleared and rough graded the right-of-way in accordance with Appendix "B" and the Town has accepted in writing the state of such work;
  - 10.9.2 The Town has entered into an agreement with the subdivider to provide all primary services in accordance with Municipal Services Standards and Specifications attached as Schedule 'B' of this by-law;
  - 10.9.3 The subdivider has deposited with the Town duly executed warranty deed(s), acceptable to the Town, conveying title to all streets, walkways, easements and dedicated parkland at the time the final plan of subdivision is endorsed by the Development Officer; and
  - 10.9.4 The subdivider has provided a certified check in the amount stipulated by agreement (Section 10.9.2) for the design and installation of primary services to be provided by the Town.
- 10.10 A contract entered into between the Town and the subdivider pursuant to Section 10.9.2 shall be executed in duplicate, signed by the Mayor and the Clerk on behalf of the Town and by the subdivider prior to endorsement of approval by the Development Officer and shall contain terms with respect to:
- 10.10.1 Commencement and completion dates for the design, construction and installation of primary services;
  - 10.10.2 The terms and conditions of any security posted in connection with this contract;



- 10.10.3 The Town Engineer's responsibilities as contract engineer to be provided to the subdivider; and
- 10.10.4 Any other matter required by the provisions of this by-law.
- 10.11 Upon completion of the primary services, as per 10.10.1 the Town Engineer shall provide all material required by 10.1 and 10.2 of this by-law as a prerequisite for the Town's acceptance of these services and the Development Officer shall confirm in writing to Town Council that all the conditions of 10.1 and 10.2 of this by-law have been met.

- ON SITE SERVICES -

- 10.12 When the requirements of the Planning Act, this Subdivision By-law and the Regulations Respecting the Subdivision of Land to be Serviced by On-site Sewage Disposal Systems pursuant to the Health Act have been met and the final plan of subdivision has been approved by the Development Officer, approval shall be endorsed on the final plan of subdivision by the Development Officer.
- 10.13 The following information shall be written or stamped on any final plan of subdivision which is endorsed:
  - 10.13.1 "This final plan of subdivision is approved for lots ....."
  - 10.13.2 The classification of each lot within one of the classes A, B, C or D, specified in "Schedule A" of the Regulations Respecting subdivision of Land to be Serviced by On-site Sewage Disposal Systems where applicable; or
  - 10.13.3 "This lot is not served by municipal sewer and water".
- 10.14 Pursuant to Section 110(2 and 4) of The Planning Act, hereto attached as Appendix "A", the Development Officer shall forward by certified mail or hand deliver one endorsed copy of the final plan of subdivision to the office of the Registry of Deeds for the registration district in which the land is located.
- 10.15 Pursuant to and in addition to Section 110(8) of The Planning Act, hereto attached as Appendix "A", the Development Officer shall give notice of the endorsement of approval on the final plan of subdivision to:
  - 10.15.1 Town Council;
  - 10.15.2 The Director;
  - 10.15.3 Any other department and/or Committee, Board or Commission of the Town of Truro who has been requested to review the plan of subdivision;

- 10.15.4 The Subdivider;
- 10.15.5 The Surveyor.
- 10.16 The Development Officer shall forward a copy of the endorsed final plan of subdivision to the subdivider.
- 10.17 Fees and Disbursements
  - 10.17.1 In accordance with Section 99(4) of the Planning Act the Town of Truro will levy a fee not inconsistent with the cost of registering a notice of subdivision approval and filing a plan of subdivision charged by the Registry of Deeds at the time of approval in accordance with Section 110(2 and 4) of the Planning Act.
  - 10.11.2 All fees and disbursements cheques required for approval shall be made out to the Town of Truro.

**PART 11: GENERAL PROVISIONS**

- 11.1 11.1.1 All lots to be approved on a tentative or final plan of subdivision shall abut a local, collector or existing arterial street as described in the Municipal Planning Strategy for the Town of Truro.
- 11.2 11.2.1 All lots to be approved on a final plan of subdivision shall meet the requirements for minimum lot area and lot frontage contained in the Land Use By-law for the Town;
- 11.2.2 Any remainder lot, for which no approval is requested shall meet the requirements for minimum lot area and frontage contained in the Land Use By-law;
- 11.3 11.3.1 A street, unbroken by an intersection, shall not exceed 365m (1,200') in length unless a minimum of one walkway is constructed, in which case the block shall not exceed 500m (1,700') in length;
- 11.3.2 Where there a walkway it shall be located in close proximity to the centre of the block and provide a pedestrian linkage to a neighbouring street or public facility;
- 11.3.3 The minimum width of a walkway right-of-way shall be 4.5m (15') excepting that where municipal sewer and water systems are to be constructed within the area designated for a walkway, then the minimum width of the walkway right-of-way shall be 6m (20').
- 11.4 There shall be a maximum of four street approaches in an intersection.
- 11.5 Where a proposed street intersects a street, the minimum sight distance along the street shall

be 65m (215').

- 11.6 The distance between intersections shall not be less than 61m (200').
- 11.7 Streets shall intersect at right angles or as nearly as possible to right angles.
- 11.8.1 The length of a cul-de-sac shall not exceed 152m (500') from an intersection to the turning circle, unless there exists an emergency exit of 4.5m (15') wide to a street, in which case the length of the cul-de-sac shall not exceed 228m (750').
- 11.8.2 A cul-de-sac which predates the adoption of this by-law which does not have an emergency exit as described in 11.8.1 (above), should not exceed 288 meters (750 feet) without making provisions for such an exit.
- 11.9 Cul-de-sacs or other dead end streets shall have a turn-a-round with a minimum radius of 13.7m (45') from the centre of the cul-de-sac or dead end street.
- 11.10 Where a street in an adjoining subdivision abuts the boundaries for a proposed subdivision, the street in the proposed subdivision shall, if reasonably feasible, be laid out in prolongation of the existing street, unless it would be in violation of this By-law.
- 11.11
  - 11.11.1 An application to amend or repeal an endorsed plan of subdivision or a plan of subdivision filed in the Registry prior to the effective date of subdivision regulations for the Town shall be in accordance with Section 113 of The Planning Act, hereto attached as Appendix "A" and shall satisfy the requirements of this By-law concerning approvals of final plans of subdivision;
  - 11.11.2 The application to amend shall refer to the plan of subdivision as originally endorsed and such reference shall include the file number of the earlier subdivision plan filed at the Registry of Deeds.

## **PART 12: PARKLAND TRANSFERS**

- 12.1
  - 12.1.1 At the time of endorsement of approval on the final plan of subdivision by the Development Officer, the subdivider shall reserve and convey to the Town free of encumbrances, for park, playground or similar public purposes, an area of usable and acceptable land to the Town equal to 5% of the area of land shown on the final plan of subdivision, exclusive of streets, walkways and any remainder lot;
  - 12.1.2 The subdivider may reserve and convey to the Town, under clause 12.1.1 above, more than the required five percent, which land may be accepted by the Town depending on the current policy of Council in that regard;
  - 12.1.3 As an alternative to the requirements of Section 12.1.1 and pursuant to the Parkland

Dedication Policy attached as Appendix "G", the Town Treasurer may accept for park, playground or similar public purpose, a sum of money equal to 5% of the assessed value of the new lots created, exclusive of streets, walkways and any remainder lot.

- 12.2 As a further alternative to Section 12.1.1, before endorsement of the final plan of subdivision a subdivider may offer to Council, and at Council's option the Council may accept an amount of usable land of equivalent value to that required under Section 12.1 outside the area of land to be subdivided and within the boundaries of the Town.
- 12.3 At the option of Council a combination of Section 12.1.1 and Section 12.2 may be accepted by the Town providing that it is equivalent in value to that required under Section 12.1.1.
- 12.4 Notwithstanding Section 12.1 through to Section 12.3, the Development Officer may approve a plan of subdivision where no parkland transfers are considered where:
  - 12.4.1 Lot boundaries are changed but no additional lots are created;
  - 12.4.2 Lots or parcels are consolidated but no additional lots are created; and
  - 12.4.3 The subdivider is the Town, agency or commission of the Town.

### **PART 13: RELAXATION OF LOT REQUIREMENT**

- 13.1 As provided for in Policy IM-30 of the Municipal Planning Strategy and where reasonable alternatives do not exist as an option to the subdivider the Development Officer may approve a plan of subdivision which shows not more than two lots which do not meet the requirements of the Land Use By-law regarding required frontage or area provided that the lot area and dimensions are no less than ninety per cent (90%) of the required minimum for the lot required by the Land Use By-law and in accordance with Section 107 of the Planning Act.
- 13.2 Notwithstanding anything in this by-law the Development Officer may approve a plan of subdivision which is intended to carry out a Comprehensive Development District agreement entered into by Town Council in keeping with such policy of Town of Truro Municipal Planning Strategy and in accordance with Section 106 of the Planning Act.

### **PART 14: LIMIT ON NUMBER OF LOTS**

14. In accordance with Policy W-11 of the Town of Truro Municipal Planning Strategy the Development Officer may approve only two (2) new lots within a property in any one calendar year from lands located in the Watershed future land use designation on the Future Land Use Map.

**PART 15: STREET STANDARDS AND OBLIGATIONS OF THE TOWN AND SUBDIVIDER**

- 15.1 Lands conveyed for streets under this by-law shall:
- 15.1.1 For designated proposed arterial streets as indicated on the Transportation Map of the Municipal Planning Strategy be a minimum of 30.5m (100') wide;
  - 15.1.2 For designated proposed collector streets as indicated on the Transportation Map of the Municipal Planning Strategy be a minimum of 18.3m (60') wide; and
  - 15.1.3 All other streets be, except as provided for under Section 13.2 shall be a minimum of 15m (50') wide.
- 15.2 The developer will be responsible for the primary services in the following way:
- 15.2.1 For arterial streets the developer is not responsible for any services as they will be trunk services and only major servicing connections may be made for streets or as otherwise approved by Council from time to time;
  - 15.2.2 For collector streets the developer is responsible for one hundred per cent (100%) of costs but may by prior agreement with Council (Appendix F) be cost shared up to fifteen per cent (15%) of the actual cost for gravel and related fill to compensate for the extra required width, such refunds may be delayed by Council up to twelve (12) months of the cost being incurred;
  - 15.2.3 For all other streets the developer is responsible for one hundred per cent (100%) of the cost with no cost sharing considered; and
  - 15.2.4 For oversized services which by design may be required the developer is responsible for costs which meet the specification for local services as specified in Appendix 'B', all other costs beyond shall be the responsibility of the Town.
- 15.3 15.3.1 Where a developer conveys lands for streets, the street shall be constructed at the developers cost with all required primary services and, for greater certainty, the developer shall at its cost do:
- all necessary grubbing and grading;
  - all infrastructure for sanitary, storm and water lines (including laterals);
  - all gravel required;
  - all asphalt required;
  - all curb and gutter required;
  - all utilities required (power and telephone); and
  - all soil and sodding of that portion of the right-of-way where secondary services are not provided.
- 15.3.2 The developer may also provide secondary services (including sidewalks) subject to the terms and conditions of the Local Improvements By-law and costs may be actual

or according to the By-law, whichever is less.

15.3.3 Where a developer chooses to provide secondary services, they shall be provided subject to the Local Improvements By-law.

## NOTE

An application for subdivision approval shall contain:

1. Schedule 'A';
2. A copy of the legal description of the lands to be subdivided;
3. Subdivision plan;
4. Street and infrastructure design drawings and specifications;
5. Construction cost estimates; and
6. Construction schedule and completion dates.

Subdivision By-law Schedule 'A'

**APPLICATION FOR APPROVAL OF A  
TENTATIVE OR FINAL PLAN OF SUBDIVISION  
TOWN OF TRURO**

Please Complete and Return to Development Officer

<b>APPLICANT:</b> as (owner/agent/solicitor) I request subdivision approval of the attached tentative or final plan of subdivision.	
NAME	
ADDRESS	
PHONE NUMBER	
REGISTERED OWNER (if not applicant)	
AGENT/SOLICITOR ADDRESS	
PHONE NUMBER	

<b>LOCATION AND GENERAL DESCRIPTION OF LAND TO BE SUBDIVIDED:</b>	
Civic Street:	
For Lots:	

<b>LAND USE:</b>	
Number of Lots Proposed:	
Describe Present Use of Site:	
Describe Proposed Use of Site:	
Number of Existing Buildings:	
Describe Type of Existing Buildings:	

<b>SIGNATURE OF APPLICANT:</b>	
<b>DATE:</b>	



# APPENDIX 'A'

Extract from the Nova Scotia Planning Act

## APPENDIX 'A'

### Application for subdivision approval

- 105 (1) An application for approval of a plan or instrument of subdivision shall be made to the development officer.

### Completeness of application

- (2) Within fifteen days of receiving an application pursuant to subsection (1), the development officer shall inform the applicant whether his application is complete.

### Duty of development officer

- (3) Within thirty days of receiving a completed application the development officer shall
- (a) approve the plan or instrument if it
    - (i) conforms to the subdivision regulations or by-law and
    - (ii) has received all approvals, if any, of departments or agencies of the Province or of the municipality or an agency thereof in addition to those set out in the regulation or by-law, as the case may be;
  - (b) notify the applicant in writing of all approvals received and, where necessary, departments or agencies of the Province which have not approved the plan or instrument as submitted, where such approval is required; or
  - (c) notify the applicant in writing of his decision refusing to approve the plan or instrument as submitted, which decision shall contain the reasons for the refusal.

### Appeal

- 115 (1) Where a development officer refuses to approve a plan or an instrument of subdivision, the applicant therefore may appeal the decision of the Board.

### Limitation Period

- (2) An appeal pursuant to subsection (1) shall be filed with the Board within fifteen days after the written decision of the development officer is served on the applicant.

### Determination by Board

- (3) In considering an appeal pursuant to this Section, the Board shall determine whether the proposed plan or instrument of subdivision complies with the subdivision

regulations or subdivision by-law, as the case may be.

### **Decision by Board**

- (4) The Board shall
  - (a) confirm the decision of the development officer; or
  - (b) allow the appeal by directing the development officer to approve the plan or instrument of subdivision.

### **Restriction on decision**

- (5) Where and only where the plan or instrument of subdivision is in accordance with the subdivision is in accordance with the subdivision regulations or the subdivision by-law, whichever is applicable, the Board shall allow the appeal. 1983, c.9, s.103; 1987, c.51, s.37.

### **Endorsement and filing**

- (2) A development officer shall endorse his approval on a final plan of subdivision and file the final plan of subdivision in the office of the registrar of deeds for the registration district in which the land is located, within thirty days after having been endorsed with his approval, unless the applicant has failed to comply with the subdivision regulations or subdivision by-law.

### **Registration of notice**

- (4) At the same time as the development officer files an approved final plan of subdivision at the registry of deeds in accordance with subsection (2), the development officer shall register a notice in the registry of deeds which indicates approval of the final plan of subdivision.

### **Notice of approval**

- (8) A provincial development officer shall give notice of the endorsement of approval on a final plan of subdivision or an instrument of subdivision to the council of the municipality in which the land which is the subject of the been executed in the same order as they were actually executed. 1983, c.9, s.101; 1987, c.51, s.33.

### **Amendment of plan of subdivision**

- 113 (1) Where a final plan of subdivision or instrument of subdivision has had approval endorsed thereon in accordance with this Act, the former Planning Act or a former

Town Planning Act, it may be amended or repealed upon the application of the owner or the initiative of the council where the council has a subdivision by-law in effect.

### **Act applies to amendment**

- (2) The provisions of this Act with respect to the approval of a plan or instrument of subdivision apply to its amendment or repeal.

### **Initiation by council**

- (3) Notwithstanding subsection (2), where the amendment or repeal of a plan or instrument of subdivision is being initiated by the council, the council shall cause
  - (a) thirty days notice to be given to the owner either by personal service or registered mail;
  - (b) a notice to be published in a newspaper published or circulating in the area affected at least once a week for two successive weeks, the first of such notices to be published at least three clear weeks before the date fixed for the hearing, at the time and place at which interested persons will be heard.

### **Consent of owner**

- (4) Except as provided in subsection (3), no amendment of a plan or instrument of subdivision may be made without the consent in writing of the owner of the land.

### **Effect on ownership**

- (5) An amendment of a plan or instrument of subdivision does not affect the ownership of the land.

### **Registry of deeds**

- (6) An amendment to a plan or instrument of subdivision shall be approved and filed in the office of the registrar of deeds in the same manner as required for an original plan or instrument of subdivision, notwithstanding that the original plan or instrument was not approved and filed under this Act, and any original plan or instrument which is subject to amendment by this Section shall also be filed.

### **Instrument ineffective**

- (7) No deed, mortgage, lease or other instrument which would result in the subdivision of land in accordance with an amending plan or instrument of subdivision has effect until subsection (6) is complied with.

### **Instrument executed before approval**

- (8) A deed, mortgage, lease or other instrument which purports to make a subdivision and is executed before the approval and the filing or registration, as the case may be, of an amending plan or instrument of subdivision in the registry of deeds pursuant to this Section is deemed
  - (a) to have been executed immediately after the filing or registration of the amending plan or instrument of subdivision; and
  - (b) where the deed, mortgage, lease or other instrument has been registered in the registry of deeds, to have been duly registered at the time of the actual registration.

### **Two or more instruments**

- (9) Where two or more deeds, mortgages, leases or other instruments are deemed by subsection (8) to have been executed at the same time, they are deemed to have been executed in the same order as they were actually executed.

### **Instruments not restricted**

- (10) Where a deed, mortgage, lease or other instrument has been made which results in the subdivision of land in accordance with a plan or instrument of subdivision duly approved and filed in the office of the registrar of deeds, the amendment of that plan or instrument shall not restrict the right to the owner, mortgagee, lessee or other holder to execute other deeds, mortgages, leases or instruments in which property is described as in the deed, mortgage, lease or other instrument first herein mentioned. 1983, c.9, s.102; 1987, c.51, s.35.

# APPENDIX 'B'

Municipal Services Standards and Specifications

## INTRODUCTION

The standards and specifications presented here are the requirements of the Town of Truro to be incorporated in any design for the provision of municipal servicing in the Town of Truro.

In all cases the Nova Scotia Road Builders Association, **Standard Specification for Municipal Services**, Latest Revision, (Standard Specification) shall be the minimum standard for the supply, installation, inspection and testing of all materials incorporated in the design unless otherwise specified herein, or on written approval of the Town Engineer.

All design work for the provision of these services shall be stamped and signed by a Registered Professional Engineer in the Province of Nova Scotia.

All survey plans in conjunction with the provision of these services shall be stamped and signed by a Registered Land Surveyor in the Province of Nova Scotia.

All design work for the provision of servicing requires Joint Certificate of Approval from the Nova Scotia Department of the Environment and the Nova Scotia Department of Health prior to construction.

All construction shall conform to the requirements of the Nova Scotia Department of the Environment's, Erosion and Sedimentation Control Handbook for Construction Sites and Environmental Construction Practice Specifications.

The design and construction of the required municipal services shall be at the approval of the Town, under the terms of this by-law, but does not relieve the owner and/or his agent from his responsibility to comply with any Federal or Provincial legislation that may pertain to the provision of these services.

PART 1	DESIGN DRAWINGS
PART 2	STREET SPECIFICATIONS
PART 3	SANITARY SEWER SYSTEM SPECIFICATIONS
PART 4	WATER SYSTEM SPECIFICATIONS
PART 5	STORM SEWER SYSTEM SPECIFICATIONS
PART 6	SIDEWALK, CURB, GUTTER, RAMP AND BOULEVARDS
PART 7	UTILITIES
PART 8	STANDARD DETAILS



## SPECIFICATIONS

### **PART 1: DESIGN DRAWINGS**

#### 1.1 General:

All design drawings submitted shall be on proper drafting paper in the following form:

1.1.1 Plan Size: 560mm x 1040mm (22"x40")

1.1.2 Plan View Scale: 1:500 (1"=40')

1.1.3 Profile View Scale: 1:50 (1"=4')

#### 1.2 All design drawings submitted shall contain the following:

1.2.1 Key Plan

1.2.2 Legend of Symbols

1.2.3 A Grid North Arrow

1.2.4 Title Block containing:

- a) Drawing Title
- b) Drawing Number
- c) Street Name
- d) Date
- e) Scale
- f) Engineer
- g) Revisions

1.2.5 Engineer's Stamp

1.2.6 Certification that Design Drawings are based on a final Plan of Subdivision.

1.2.7 Street Right of way boundary survey showing all lot boundaries abutting the street.

1.2.8 All survey markers fronting on street to be numbered sequentially around the street boundary.

1.2.9 Two points of known chainage (stations) on the centerline of the street tied to the Nova Scotia Co-ordinate System.

1.2.10 At least one point of known chainage (station) aligned vertically in plan & profile.

1.2.11 All elevations referred to a geodetic datum with monument number noted and datum specified.

1.2.12 All elevations labelled along the left margin at 3M (10') intervals.

1.2.13 All station numbers labelled along lower margin at 30M (100') intervals.

1.3 Preliminary Design Information:

1.3.1 Centerline plan & profile drawings for all proposed streets shall be submitted and shall include:

- a) Ground profile of existing topography along the centerline of any proposed street with elevations taken at 15M (50') station intervals.
- b) Spot elevations on any watercourse, prominent rock formation, areas subject to flooding and other prominent natural features within or immediately adjacent to a proposed street right-of-way.
- c) Ground profile along centerline of any existing street proposed to be extended for a minimum of 60M (200') from the point of extension.
- d) The location and description of all existing municipal services to be connected to including invert and street surface elevations at the point of connection.
- e) A proposed final centerline grade of any proposed street.

1.4 Street Design:

Design drawings shall be submitted showing all details of the proposed street, including connection to existing streets.

1.5 Sanitary Sewer System:

Design drawings shall be submitted showing all details of the proposed sanitary sewer system, including the connections to the Town sanitary sewer system and lot laterals.

1.6 Water System:

Design drawings shall be submitted showing all details of the water system, including the connections to the Town water distribution system and lot laterals.

1.7 Storm Sewer System:

Design drawings shall be submitted showing all details of the proposed storm sewer system, including connections to the Town storm sewer system or new outfall, and lot laterals.

1.8 Sidewalk, Curb, Gutter, Ramp & Boulevard:

Design drawings shall be submitted showing all details of the proposed system of Sidewalk, Curb, Gutter, Ramps and Boulevards including finished landscaping.

1.9 Utilities:

Design drawings shall be submitted showing all details for the provision of primary and secondary utilities including street lighting.

1.10 As Built Record Drawings:

1.10.1 As Built record drawings shall be submitted, detailing all of the services as constructed, in the following form:

- a) Reproducible Dilar Film, minimum thickness 0.13mm (.005")
- b) Scales as prescribed in Section 1.1
- c) Plan layout as per items prescribed in Section 1.2

1.10.2 As Built drawings require as constructed service details of point components of services to locate the service within the street.

1.10.3 a) All servicing details are to be plotted accurately showing direct tie measurements to at least two survey markers.

b) Servicing details are required on the following point components:

Sanitary Sewer System - Manholes, lateral ties and/or connection fitting.

Water System - Valves, hydrants, fittings, main stops and curb stops.

Storm System - Manholes, catch basins, lateral tees and/or connections.

Sidewalk, curb, gutter, boulevard, driveway ramp, wheel chair ramp and any fixture placed in boulevard area, or between the sidewalk and the street boundary.

Utilities - Utility poles, light standards, manholes, pad mount transformers, fittings and lateral connections.

1.10.4 All lot service lateral shall be plotted in plan view with a table of tie in measurements. The tie in measurements shall consist of:

- a) Double direct ties from the lot's numbered survey markers to the end of the lateral.
- b) Single tie from a lot's numbered survey marker along the arc or frontage, to the

point of the lateral crossing the frontage.

- c) Invert elevations of all lateral connections for the connecting point.

## **PART 2: STREET SPECIFICATIONS**

### 2.1 General:

2.1.1 In all respects, the criteria set out by the Roads and Transportation Association of Canada, Manual of Geometric Design Standards for Canadian Roads, shall serve as the basic guidelines for street design in the Town of Truro.

2.1.2 The Street Design shall conform to the R.T.A.C. geometric guidelines, the Standard Specification and incorporate the following criteria.

### 2.2 Street Classification:

The Town of Truro street classifications are as follows:

<u>Designation</u>	<u>Minimum R-O-W Width</u>	<u>Minimum Pavement Width</u>
Arterial	30M(100')	15M(50')
Collector	18M(60')	12M(40')
Local	15M(50')	9M(30')
Cul-de-Sac	Minimum radius of 13.7M (45') from center of bulb to edge of R-O-W	Minimum radius of 10.5M (35') from center of bulb

### 2.3 Street Standards:

2.3.1 The minimum width of a street right-of-way shall be fifteen (15) meters (50) feet.

2.3.2 Streets shall have a minimum grade of 0.5% and a maximum grade of 8%. Where topographic conditions warrant, and upon written recommendation of the Town Engineer, maximum street grade may exceed 8%, but in no case shall it exceed 15%

2.3.3 Where the two streets intersect, the maximum grade shall be 2% from at least 15 meters from the intersection.

### 2.4 Clearing and Grubbing:

- 2.4.1 The entire width of the right-of-way will be cleared of trees, stumps, roots and other vegetative matter and removed entirely from the right-of-way.
- 2.5 Sub-grade: See Detail (S D-1)
  - 2.5.1 The entire right-of-way shall be cleared of topsoil and unsuitable material, and graded at an elevation of 675mm (27") below the finished grade of the street with common material as per Standard Specification.
  - 2.5.2 The entire R-O-W shall be graded and compacted with a 2.5% crown along the centerline to the gutter line, a 6% grade from gutter line to R-O-W.
  - 2.5.3 Where rock exists to the subgrade it shall be removed to 300mm (12") below the subgrade.
  - 2.5.4 Side slopes in cut and fill situations shall be sloped at one vertical to four horizontal (1:4) slope, and the slopes shall be stabilized.
  - 2.5.5 Written certification by the Engineer including applicable tests and inspection reports that the sub-grade installation complies with the design is required.
- 2.6 Street Gravels: See Detail (S D-2)
  - 2.6.1 All streets shall be graveled above the sub-grade and all gravel supplied and installed shall conform to the Standard Specification.
  - 2.6.2 All street gravels shall be graded with a 2.5% crown along the centerline to the gutter and a 6% slope from the gutter to the street line.
  - 2.6.3 Written certification by the Engineer including applicable test and inspection reports, that street gravels supplied and installed comply with the design is required.
- 2.7 Sub Base Gravel:
  - 2.7.1 The entire right-of-way shall be graveled, graded, compacted to a depth of 150mm with Class "E" gravel.
- 2.8 Base Gravel:
  - 2.8.1 The entire right-of-way shall be graveled, graded, compacted to a depth of 300mm with Class "E" gravel.
- 2.9 Finish Gravels:
  - 2.9.1 The entire right-of-way shall be graveled, graded, compacted to a depth of 75mm with Class "C" gravel.

- 2.9.2 The entire right-of-way shall be graveled, graded, compacted to a depth of 75mm with Class "A" gravel.
- 2.10 Street Asphalt: See Details
  - 2.10.1 All streets shall be surfaced with asphaltic concrete paving and the asphaltic concrete supplied and installed shall conform to the Standard Specification.
  - 2.10.2 Written certification by the Engineer, including applicable testing & inspection reports that the asphaltic concrete supplied and installed conforms with the design is required.
  - 2.10.3 Asphaltic Concrete installed on gravel grade shall be Type B Asphalt at a minimum thickness of 0.77mm (3").
  - 2.10.4 Asphaltic Concrete installed as resurfacing shall be Type D Asphalt at a minimum thickness of 0.25mm (1").
  - 2.10.5 All manholes, catch basins, frames and valve boxes shall be adjusted to match the finished surface of the asphalt.
  - 2.10.6 Where existing asphalt concrete streets require resurfacing, reconstruction or grade adjustments mechanical cold planing shall be employed to remove existing asphalt, which becomes property of the Town of Truro.
- 2.11 Gravel Sidewalks: See Detail
  - 2.11.1 Where Sidewalk, Curb & Gutter are not installed, Class A Gravel will be installed to a depth of 77mm (3"), graded and compacted with a 6% slope from the edge of the asphalt to the edge of the R-O-W on both sides.
- 2.12 Concrete Sidewalk, Curb & Gutter
  - 2.12.1 Where Sidewalk, Curb & Gutter are to be constructed, See Part 6

### **PART 3: SANITARY SEWER SYSTEM - SEE DETAILS**

- 3.1 General:
  - 3.1.1 The sanitary sewer system shall be designed as per the Standard Specification for Sanitary Sewer incorporating the following criteria and all materials specified shall be C.S.A. approved.
- 3.2 Sanitary Sewer Main: See Details (S D-5 and S A)

- 3.2.1 The Sanitary Sewer main and fittings shall be Polyvinyl Chloride Pipe (PVC).
- 3.2.2 The minimum diameter of a Sanitary Sewer main shall be 200mm(8").
- 3.2.3 The Sanitary Sewer main shall be installed in a separate trench following the centerline of the street.
- 3.2.4 The minimum depth of a Sanitary Sewer main shall be 2.3M(7.5')
- 3.2.5 All Sanitary Sewer mains shall be installed at uniform grades to the outlet and the minimum grade on a Sanitary Sewer main shall be 0.4%.
- 3.2.6 All Sanitary Sewer mains shall be installed and bedded as per the Standard Specification.
- 3.2.7 All Sanitary Sewer main trenches shall be back filled with suitable common material to the top of the sub-grade, as per the Standard Specification.
- 3.3 Sanitary Sewer Manholes: See Detail (S D-6)
  - 3.3.1 Manholes shall be installed at all changes in grade or direction, at all intersections and at intervals not greater than 100M(328').
  - 3.3.2 Manholes shall be 105cm(42") diameter gasketed pre-cast concrete rings.
  - 3.3.3 The manhole base shall be pre-cast concrete, c/w gasketed PVC connections and invert.
  - 3.3.4 Manhole Grade Rings shall be 67cm(26") diameter concrete grade rings.
  - 3.3.6 Manhole covers shall be 60cm(24") square Silent Knight frame & cover.
  - 3.3.7 All non-gasketed joints and openings shall be grouted to prevent infiltration.
  - 3.3.8 All Sanitary Sewer Manholes shall be installed and bedded as per the Standard Specification.
  - 3.3.9 All Sanitary Sewer Manholes shall be back filled with suitable common material to the top of the sub-grade, as per the Standard Specification.
- 3.4 Sanitary Sewer Laterals: See Detail (S D-7)
  - 3.4.1 Sanitary Sewer laterals and fittings shall be Polyvinyl Chloride Pipe (PVC).
  - 3.4.2 The minimum diameter of a Sanitary Sewer lateral shall be 100mm(4").
  - 3.4.3 The Sanitary Sewer lateral shall be installed in a separate trench from the Sanitary

Sewer main to the street boundary line.

- 3.4.4 The Sanitary Sewer lateral shall be connected to the Sanitary Sewer main at 90° or less to the direction of flow with a manufactured PVC fitting.
  - 3.4.5 The minimum depth of a Sanitary Sewer lateral at the street boundary shall be 1.8M(6').
  - 3.4.6 The Sanitary Sewer lateral shall be installed at a uniform grade to the outlet and the minimum grade shall be 1%.
  - 3.4.7 All Sanitary Sewer Laterals shall incorporate long radius fittings where elbows are required.
  - 3.4.8 All Sanitary Sewer laterals shall be installed and bedded according to the Standard Specification.
  - 3.4.9 All Sanitary Sewer laterals shall be backfilled and compacted with suitable common materials to the top of the sub-grade as per the Standard Specification.
  - 3.4.10 All Sanitary Sewer laterals will be plugged with watertight end caps at the Street boundary and the end located with a 100mm(4") square post painted red.
- 3.5 Sanitary Sewer System Testing:
- 3.5.1 Testing shall be carried out as per the Standard Specification to demonstrate that the Sanitary Sewer System (is properly installed) and is shown to be watertight in the presence of the Town Engineer or his designate.
  - 3.5.2 The Engineer shall provide written inspection, including all applicable test and inspection reports, that the Sanitary Sewer system is installed as designed, and is complete and operational.
- 3.6 Extraordinary Items: Pumping Stations, Trunk Sewers, Pressure Sewers, Large Diameter Laterals:
- 3.6.1 Extraordinary items requiring unique or individual designs shall be carried out as required and at the written approval of the Town Engineer.

#### **PART 4: WATER SYSTEM SPECIFICATIONS - SEE DETAILS**

##### 4.1 General:

- 4.1.1 The water system shall be designed as per the Standard Specification incorporating the following criteria and all materials specified shall be CSA approved.



- 4.1.2 The water system shall be designed so as to not create dead-end water mains.
- 4.2 Water Main: See Details (S D-5 and S A)
  - 4.2.1 The water main and fittings shall be cement lined Ductile Iron Pipe.
  - 4.2.2 The minimum diameter of a water main shall be 150cm(6").
  - 4.2.3 The water main shall be installed in a separate trench parallel to the centerline of the street offset by 3M(10').
  - 4.2.4 The minimum cover on a water main shall be 1.8(6').
  - 4.2.5 All water mains shall be installed and bedded as per Standard Specification.
  - 4.2.6 All water mains shall be backfilled to the top of the sub-grade with suitable common materials as per Standard Specification.
- 4.3 Valves:
  - 4.3.1 All water main valves shall be resilient seat valves, c/w valve boxes to finish grade.
  - 4.3.2 Valves are required on all sides of intersections and at 300M(1000') intervals of continuous water main.
- 4.4 Fire Hydrants: See Detail (S D-8)
  - 4.4.1 Fire hydrants shall be McAvity M-67, 1.8M(6') bury.
  - 4.4.2 Fire Hydrants shall be installed at 150M(500') intervals.
  - 4.4.3 Fire Hydrant Barrels shall be plugged in poorly drained areas.
- 4.5 Watermain Fittings:
  - 4.5.1 All watermain fittings shall be cement lined ductile iron.
  - 4.5.2 Fittings are required at all changes of vertical or horizontal direction greater than the manufactures tolerance for pipe deflection in joints.
- 4.6 Service Laterals: See Detail (S D-9)
  - 4.6.1 The lateral shall be installed in a separate trench from the main to the street line.
  - 4.6.2 The lateral shall be connected at 90° to the main at the centerline of the lot.

- 4.6.3 The connection to the main shall be by brass corporation stop.
- 4.6.4 The lateral shall be Type K copper and the minimum diameter shall be 19mm(3/4").
- 4.6.5 The minimum cover over a lateral shall be 1.8M(6').
- 4.6.6. The lateral shall have a brass curb stop, complete with rod and standpipe to finish grade, installed at 2M(7') from the street line.
- 4.6.7 All laterals shall be installed and bedded as per Standard Specification.
- 4.6.8 All laterals shall be backfilled with suitable common material to the top of the sub-grade as per Standard Specification.
- 4.6.9 All laterals will be located at the street line with a 100mm(4") square post painted blue.
- 4.7 Testing & Disinfection:
  - 4.7.1 Testing of the water system shall be carried out to ensure that the system is properly installed and watertight. The testing shall conform to the Standard Specification for testing and shall be carried out in the presence of the Town Engineer or his designate.
  - 4.7.2 Disinfection of the water system shall be carried out as per the Standard Specification.
  - 4.7.3 The Engineer shall provide written certification, including all appropriate test and inspection reports, that the system is installed as designed and is complete and operational.
- 4.8 Extraordinary Items, Pumping Stations, Trench Lines, Sprinkler Lines, Valve Chambers, Large Diameter Laterals:
  - 4.8.1 Extraordinary items requiring unique or individual designs shall be carried out as required at the written approval of the Town Engineer.

## **PART 5: STORM SEWER SYSTEM - SEE DETAILS**

- 5.1 General:
  - 5.1.1 The storm sewer system shall be designed in accordance with the Standard Specification incorporating the following criteria and all materials specified shall be CSA approved.
- 5.2 Storm Sewer Main: See Details (S D-5 and S H)
  - 5.2.1 The storm sewer main shall be non-gasketed concrete pipe.

- 5.2.2 The minimum diameter of a storm sewer main shall be 300mm(12").
  - 5.2.3 The storm sewer main shall be installed parallel to the centerline, offset by 3M(10').
  - 5.2.4 The minimum depth of a storm sewer main shall be 2.7M(9').
  - 5.2.5 All storm sewer mains shall be installed at a uniform grade to the outlet and the minimum grade shall be 0.4%.
  - 5.2.6 All storm sewer mains shall be installed and bedded as per the Standard Specification.
  - 5.2.7 All storm sewer mains shall be backfilled to the top of the sub-grade with Class "E" Gravel as per Standard Specification.
- 5.3 Storm Sewer Manholes:
- 5.3.1 Manholes shall be installed at all changes in grade or direction, at all intersections and at intervals not greater than 100M(328').
  - 5.3.2 Manholes shall be 105cm(42") diameter non-gasketed precast concrete ring.
  - 5.3.3 Manholes bases shall be precast concrete c/w invert and concrete connection or poured in place.
  - 5.3.4 Manholes tops shall be 105cm(42") precast capping ring.
  - 5.3.5 Manhole grade rings shall be 67cm(26") diameter concrete grade rings.
  - 5.3.6 Manhole covers shall be 60cm(24") square Silent Knight frame & cover.
  - 5.3.7 All storm sewer manholes shall be installed and bedded as per the Standard Specification.
  - 5.3.8 All storm sewer manholes shall be backfilled to the top of the sub-grade with Class "E" Gravel as per Standard Specification.
- 5.4 Catch Basins: See Detail (S D-11)
- 5.4.1 Catch Basins shall be installed at each corner of an intersection, on both sides of the entrance to a cul-de-sac and at intervals not exceeding 100M(328').
  - 5.4.2 Catch Basins shall be two piece, 60cm(24") square, pre-cast concrete.
  - 5.4.3 Catch Basin frames and covers shall be 60cm(24") square grates.
  - 5.4.4 Catch Basins shall be located in the gutter line and the back of the cover set at

2.75M(9') from the street line.

- 5.4.5 Catch Basins shall be connected to the main with non gasketed concrete lead pipe.
- 5.4.6 The minimum diameter of a lead pipe shall be 200mm(8").
- 5.4.7 The lead connection to the storm sewer main shall be made with a manhole.
- 5.4.8 All catch basins shall be installed and bedded as per Standard Specification.
- 5.4.9 All catch basins and lead pipes shall be backfilled to the top of the sub-grade with Class "E" gravel as per Standard Specification.
- 5.5 Storm Sewer Laterals: See Detail (S D-12)
  - 5.5.1 Storm Sewer laterals shall be Poly Vinyl Chloride Pipe.
  - 5.5.2 The minimum diameter of a lateral shall be 100mm(4").
  - 5.5.3 The lateral shall be installed in a separate trench from the main to the street line.
  - 5.5.4 The lateral shall be connected to the main at 90° or less to the direction of flow and connected by saddle or a grouted break in connection.
  - 5.5.5 The minimum depth of a Storm Sewer lateral shall be 2.4M(8') at the street line.
  - 5.5.6 The lateral shall be installed at a uniform grade to outlet and the minimum grade on the lateral shall be 1%.
  - 5.5.7 All laterals shall incorporate long radius fittings where elbows are required.
  - 5.5.8 The lateral shall be installed and bedded as per Standard Specification.
  - 5.5.9 The lateral shall be backfilled with Class "E" gravel as per Standard Specification.
  - 5.5.10 The lateral will be capped at the street line and located with a 100mm(4") square post painted green.
- 5.6 Testing & Inspection:
  - 5.6.1 Testing shall be carried out as per Standard Specification to ensure that the system is properly installed.
  - 5.6.2 The Engineer shall provide written certification, including applicable test & inspection reports that the system is installed as designed and is complete and operational.

5.7 Extraordinary Plans - Trench Lines, Storm Water Management Devices etc.

5.7.1 Extraordinary Items such as trench line storm sewers, and storm water management devices requiring unique or individual designs shall be carried out as required and a written approval of the Town Engineer.

## **PART 6: SIDEWALK, CURB, GUTTER, RAMP AND BOULEVARDS**

6.1 General:

6.1.1 All Sidewalks, Curb, Gutter & Ramps shall be designed and constructed of concrete as per Standard Specification incorporating the following criteria.

6.2 Sidewalks: See Details

6.2.1 Sidewalks shall be installed following the grade of the centerline of the street.

6.2.2 The minimum width of a sidewalk shall be 1.5M (5').

6.2.3 Control joints shall be placed at 1.5M(5') intervals.

6.2.4 Outside edges and control joints are to be edged.

6.2.5 The minimum thickness of a pedestrian traffic sidewalk shall be 100mm(4").

6.2.6 The minimum thickness of a vehicular traffic sidewalk shall be 150mm(6").

6.2.7 The minimum grade across a sidewalk shall be 1.5%.

6.2.8 The minimum set back of a sidewalk from the street line shall be 150mm(6").

6.3 Curb & Gutter: See Details

6.3.1 Curb & Gutter shall be poured as an integral unit following the grade of the centerline of the street.

6.3.2 Control joints shall be placed at 1.5M(5') intervals.

6.3.3 Outside edges and control joints are to be edged.

6.3.4 The maximum depth for a curb cut for ramps shall be 13cm(5") tapered to full height and at minimum length of 30cm(12") of curb.

6.3.5 At intersections the curb & gutter shall arc around the corner on a minimum radius of 2.6M(8.5') from the street R-O-W to the back of the curb.

- 6.3.6 Catch Basins are to be installed as an integral part of the gutter.
- 6.4 Ramps:
  - 6.4.1 Ramps shall be installed at all transition points for traffic from the street to the sidewalk and beyond.
  - 6.4.2 The minimum width of a ramp shall be 1M(3').
  - 6.4.3 Pedestrian traffic, wheel chair accessible ramps, shall be provided at each street intersection in all directions and at all designated crosswalks.
  - 6.4.4 The minimum thickness of a pedestrian ramp shall be 100mm(4").
  - 6.4.5 The minimum length of a pedestrian sidewalk shall be 1.2M(4') at the curb and 1.8M(6') at the sidewalk.
  - 6.4.6 A vehicular traffic ramp shall be provided to each lot.
  - 6.4.7 The minimum thickness of a vehicular traffic ramp shall be 150mm(6").
  - 6.4.8 The minimum length of a vehicular access ramp shall be 4.5M(15').
  - 6.4.9 Control joints shall be at 1.5M(5') intervals.
  - 6.3.10 Control joints and outer edges of ramps are to be edged.
- 6.4 Testing & Inspections:
  - 6.4.1 The Engineer shall provide written certification including all applicable test and inspection reports that the Sidewalk, Curb & Gutter and Ramp system is installed as per the design and is complete and operational.
- 6.5 Boulevards & Landscaping:
  - 6.5.1 Boulevards are the areas between the sidewalk and the curb & gutter reserved for Utility & Municipal infrastructure and the areas not occupied by infrastructure and shall be landscaped.
  - 6.5.2 The minimum width of a boulevard shall be 1M(3').
  - 6.5.3 The minimum landscaping requirement for boulevards is top soil and sodding as per the Standard Specification.
  - 6.5.4 The construction set back from the street line to the back of the sidewalk shall also be landscaped with top soil and sod as per the Standard Specification.

- 6.5.5 The Engineer shall provide written certification including applicable test and inspection reports that the landscaping is installed as designed and is complete and operational.

## **PART 7: UTILITIES**

### 7.1 General:

- 7.1.1 The design for any Utility service to be placed in the street R.O.W. shall incorporate the requirements of the individual Utility and the following criteria and all material specified shall be C.S.A. approved.

### 7.2 Utility Poles:

- 7.2.1 Utility poles shall be centered in the standard minimum boulevard.
- 7.2.2 Guy wires for Utility poles shall be placed within the boulevard or the construction set back between the sidewalk and the street R-O-W with sidewalk brace.
- 7.2.3 Where applicable all poles shall be set at lot property lines.

### 7.3 Overhead Service Wires:

- 7.3.1 All overhead service wires shall have a minimum clearance over the street R.O.W of 5.5M(18').

### 7.4 Underground Services:

- 7.4.1 All primary underground services for a street shall be located under the boulevard, principally; sidewalk areas and when crossing a street in the crosswalk area.
- 7.4.2 All primary underground services shall be in conduit encased in concrete, and marked with warning tape.
- 7.4.3 All secondary underground services shall be in conduit, bedded in sand and marked with warning tape.
- 7.4.4 All secondary underground services, conduits crossing a street shall in addition to sand bedding, be protected above and below by treated timber.
- 7.4.5 All fixtures at grade associated with underground servicing shall identify the Utility owner.

### 7.5 Testing and Inspection:

- 7.5.1 All Utility installations are to be inspected by the individual Utility and written

certification from the Utility that the installations are approved shall be provided.

7.5.2 The Engineer shall provide written certification that the Utility system is installed as designed and that the system is complete and operational.

7.6 Street Lighting:

7.6.1 Street lighting is provided by the Town of Truro in residential areas through a rental agreement with the Electrical Utility.

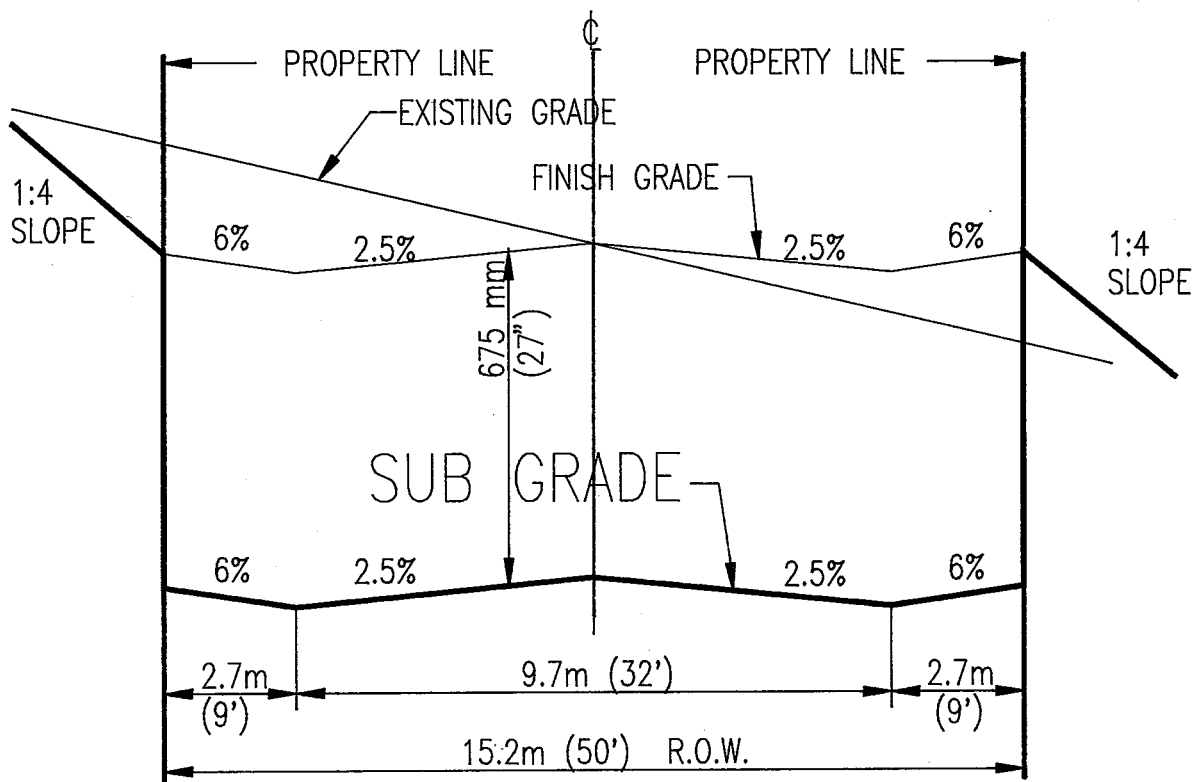
7.6.2 The standard street light is 70 WATT high pressure sodium fixture.

7.6.3 Street lights are placed on every second utility pole, or a standard spacing of 100M(300').

7.6.4 All alternate street lighting designs shall incorporate the above minimum requirements for acceptance by the Town of Truro.

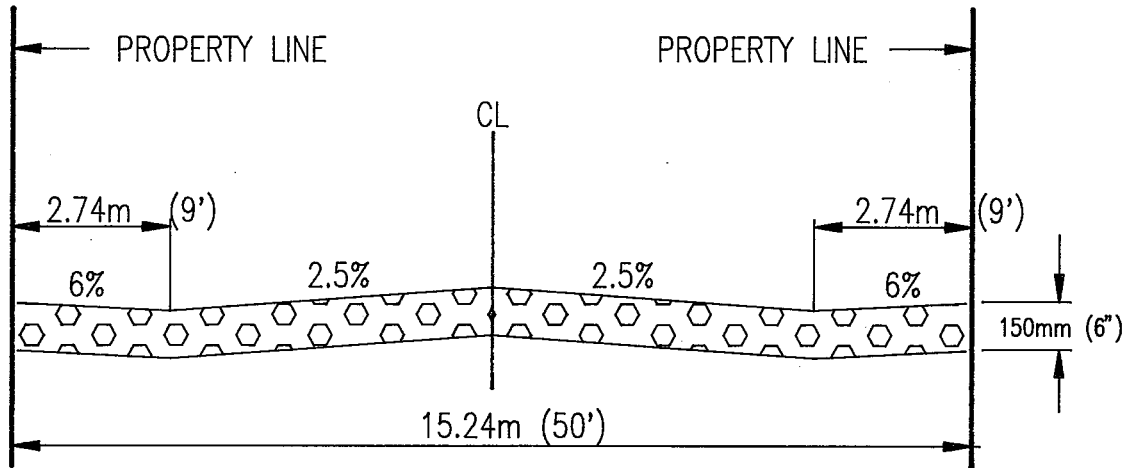
7.6.5 The Engineer shall provide written certification that any street lighting installation conforms to the design and is complete and operational.



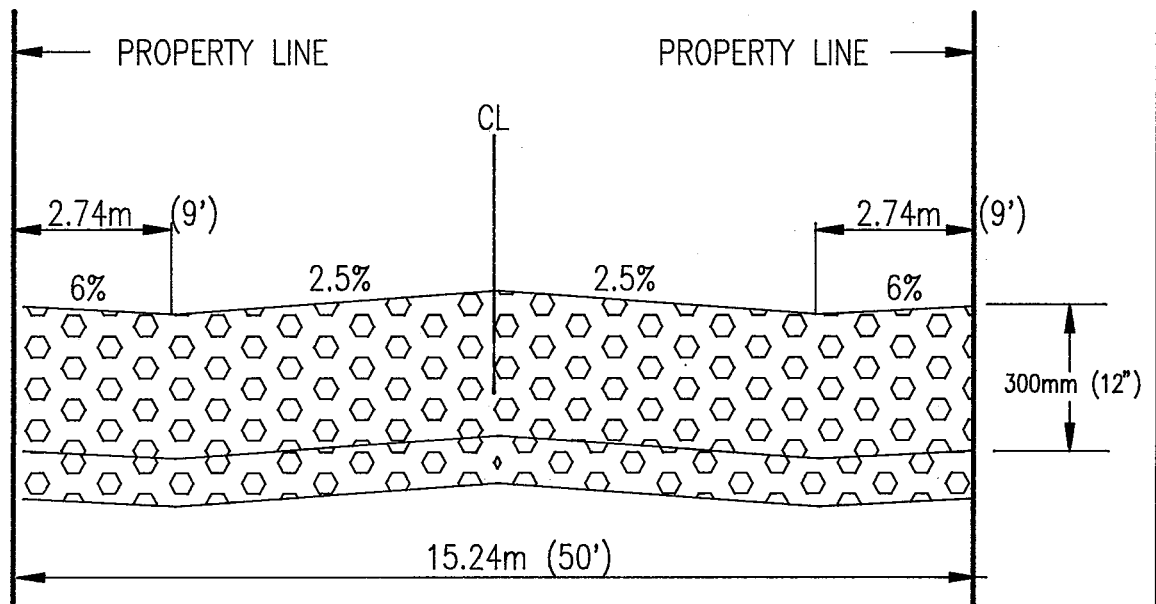


TOWN OF TRURO	
STANDARD DETAIL	
SUB GRADE	SD-1

SUB BASE GRAVEL  
CLASS "E"



BASE GRAVEL  
CLASS "E"



TOWN OF TRURO

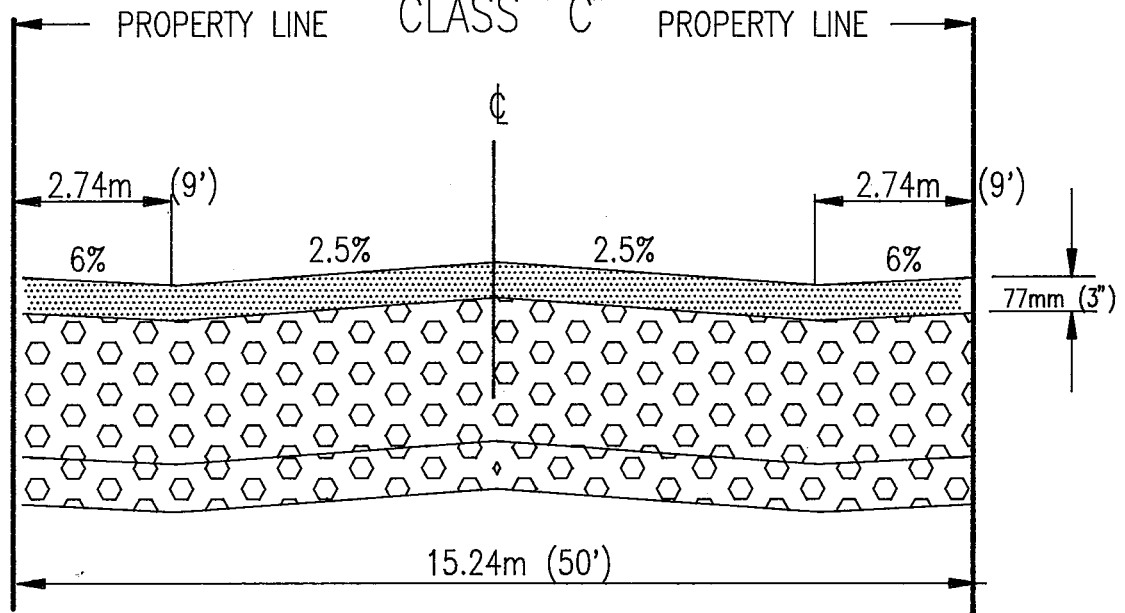
STANDARD DETAIL

SUB BASE GRAVEL  
BASE GRAVEL

SD-2A

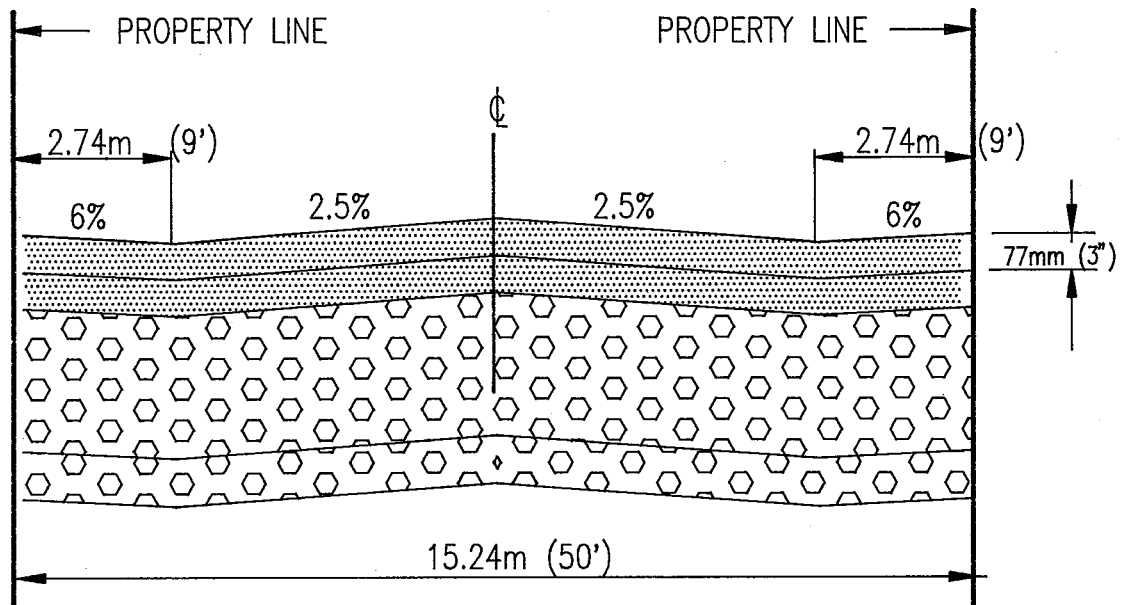
FINISH GRAVEL

CLASS "C"



FINISH GRAVEL

CLASS "A"



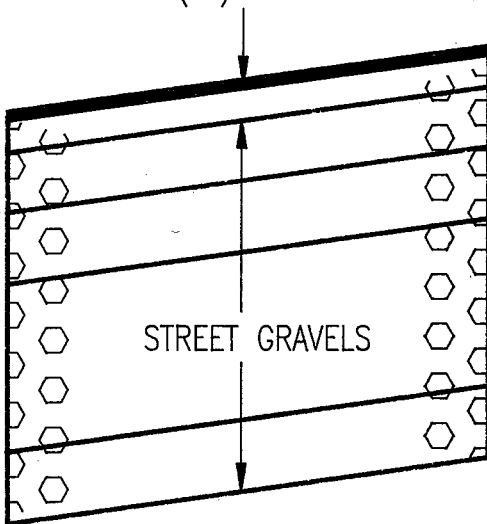
TOWN OF TRURO

STANDARD DETAIL

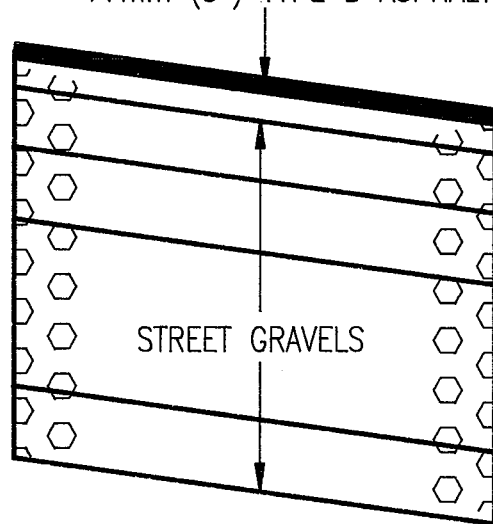
FINISH GRAVEL

SD-2B

RESURFACING  
25mm (1") TYPE D ASPHALT



77mm (3") TYPE B ASPHALT

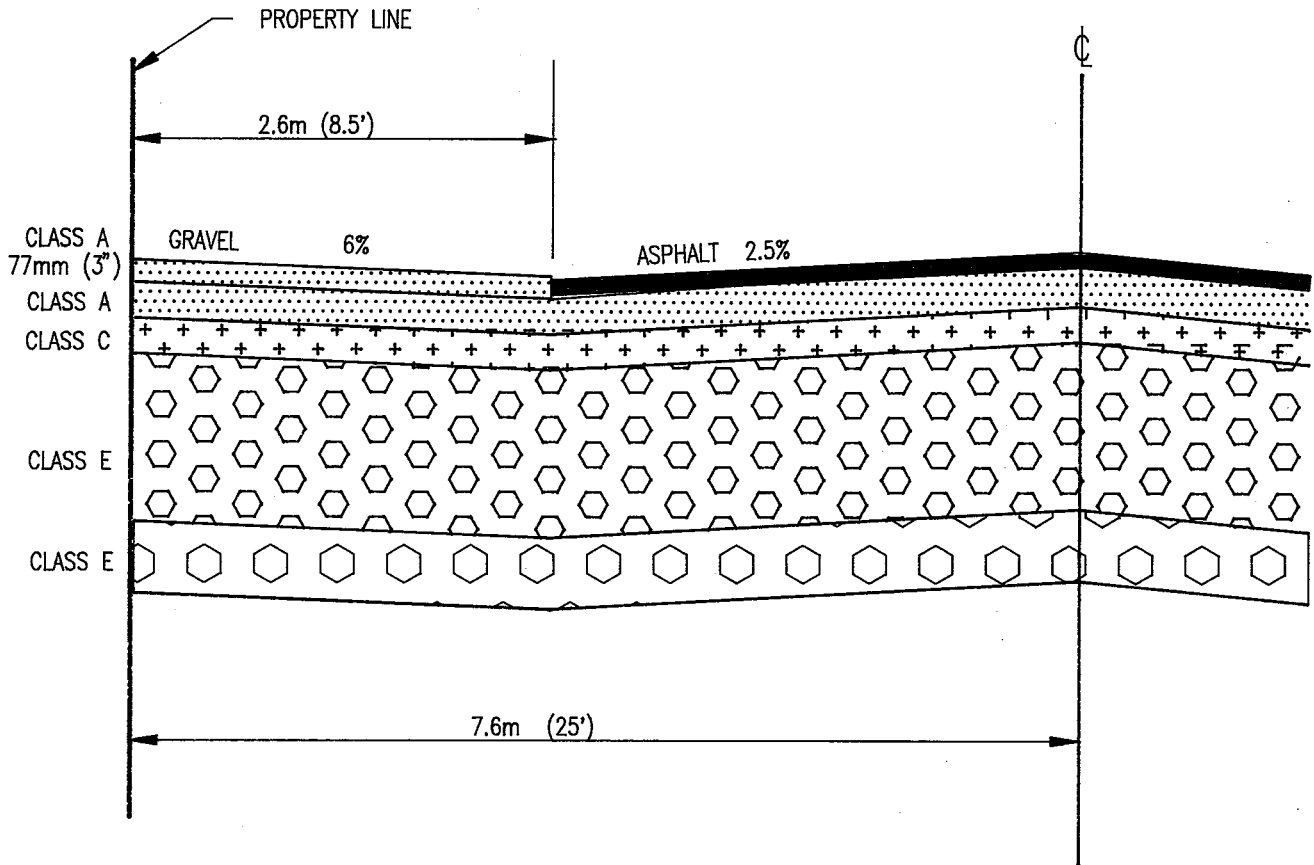


TOWN OF TRURO

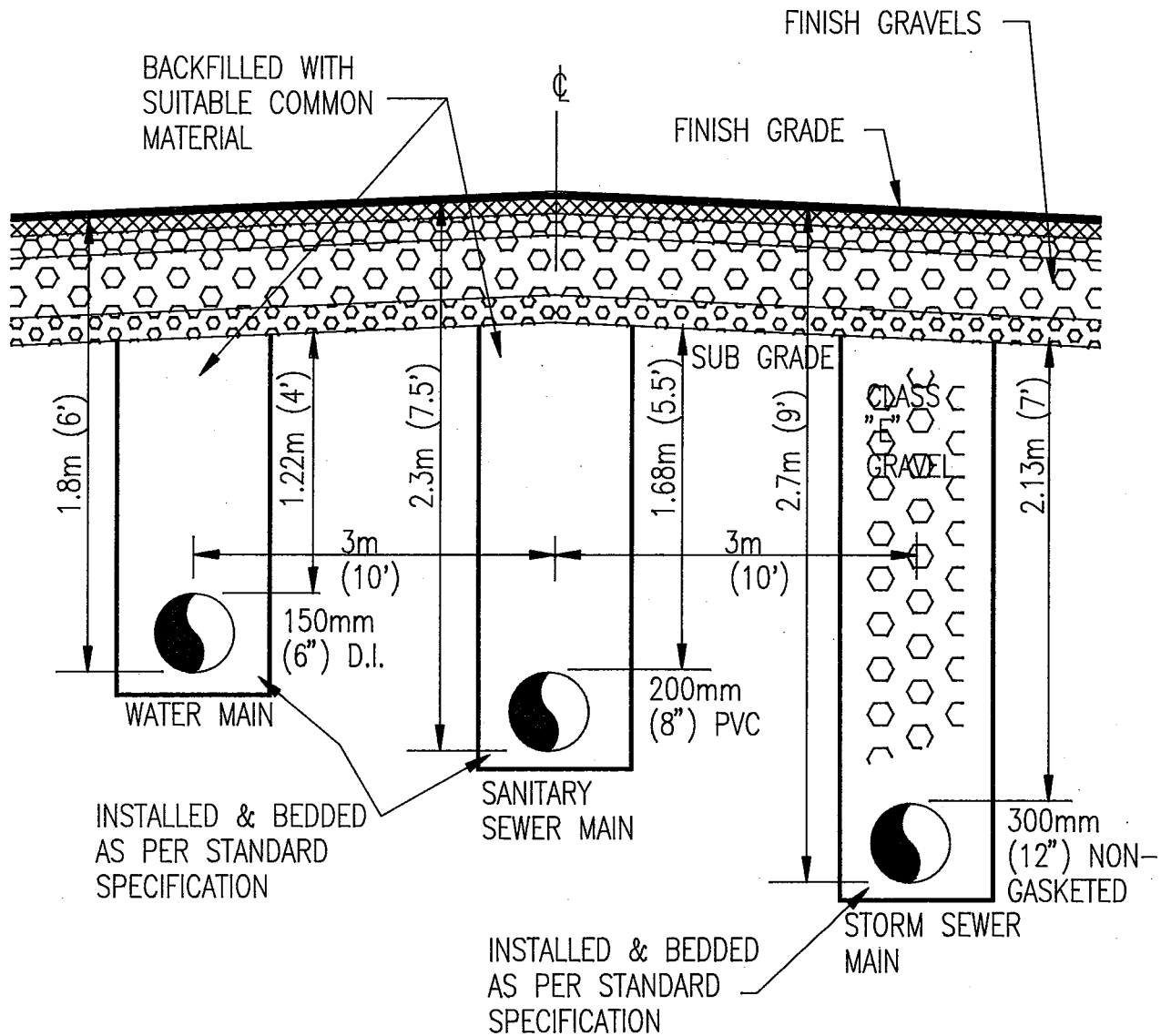
STANDARD DETAIL

STREET ASPHALT

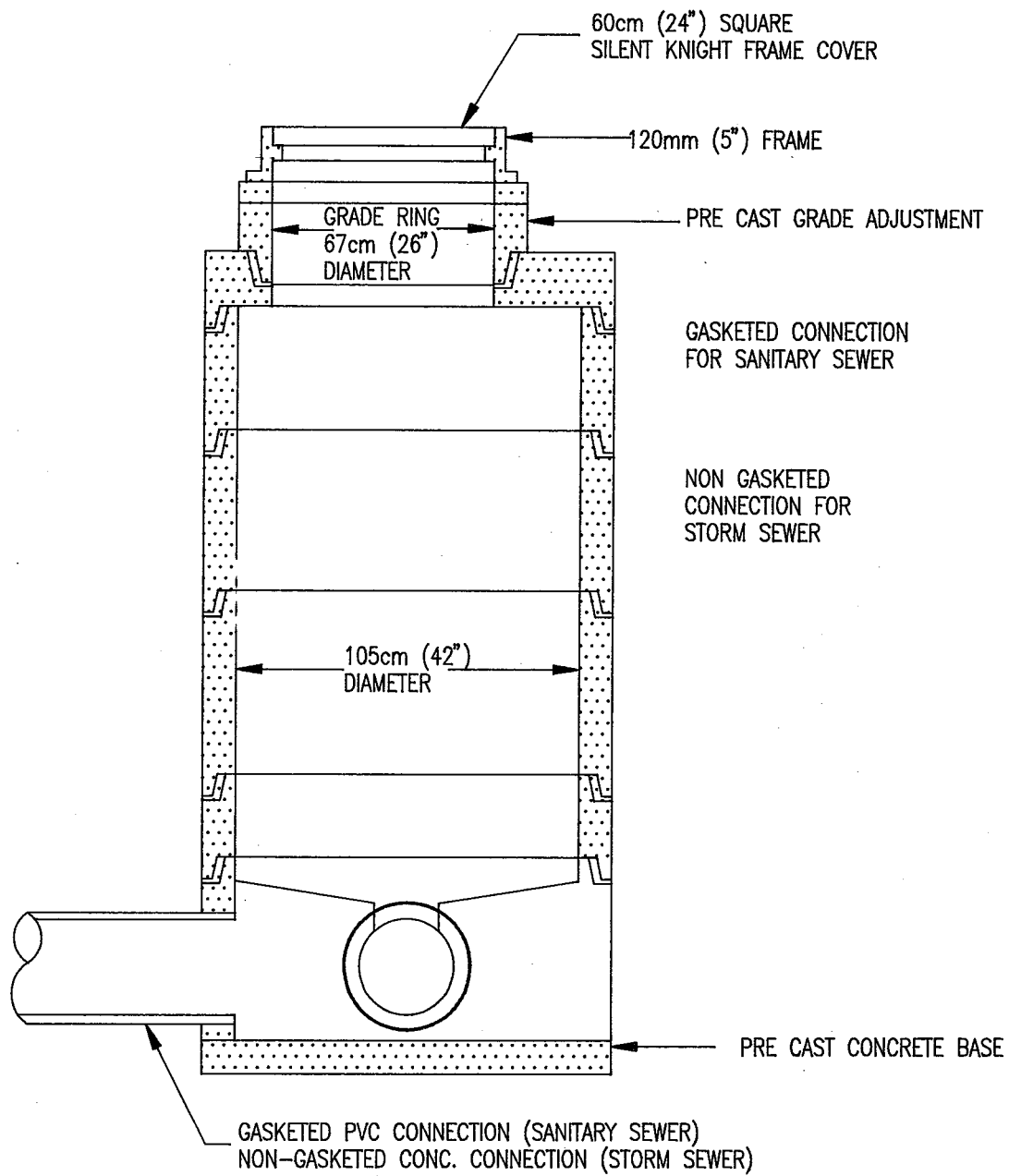
SD-3



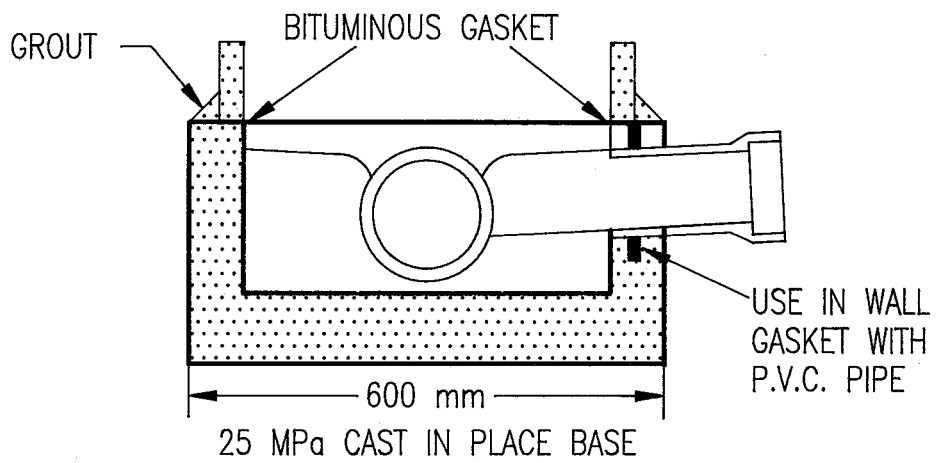
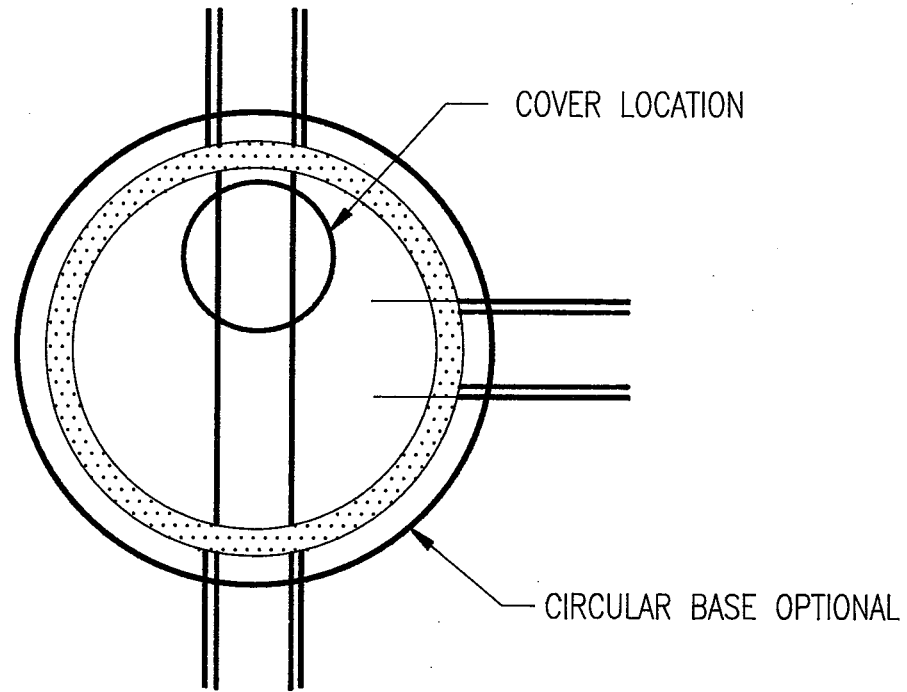
TOWN OF TRURO	
STANDARD DETAIL	
GRAVEL SIDEWALK	SD-4



TOWN OF TRURO	
STANDARD DETAIL	
TRENCH DETAILS	SD-5



TOWN OF TRURO	
STANDARD DETAIL	
SEWER MANHOLE	SD-6



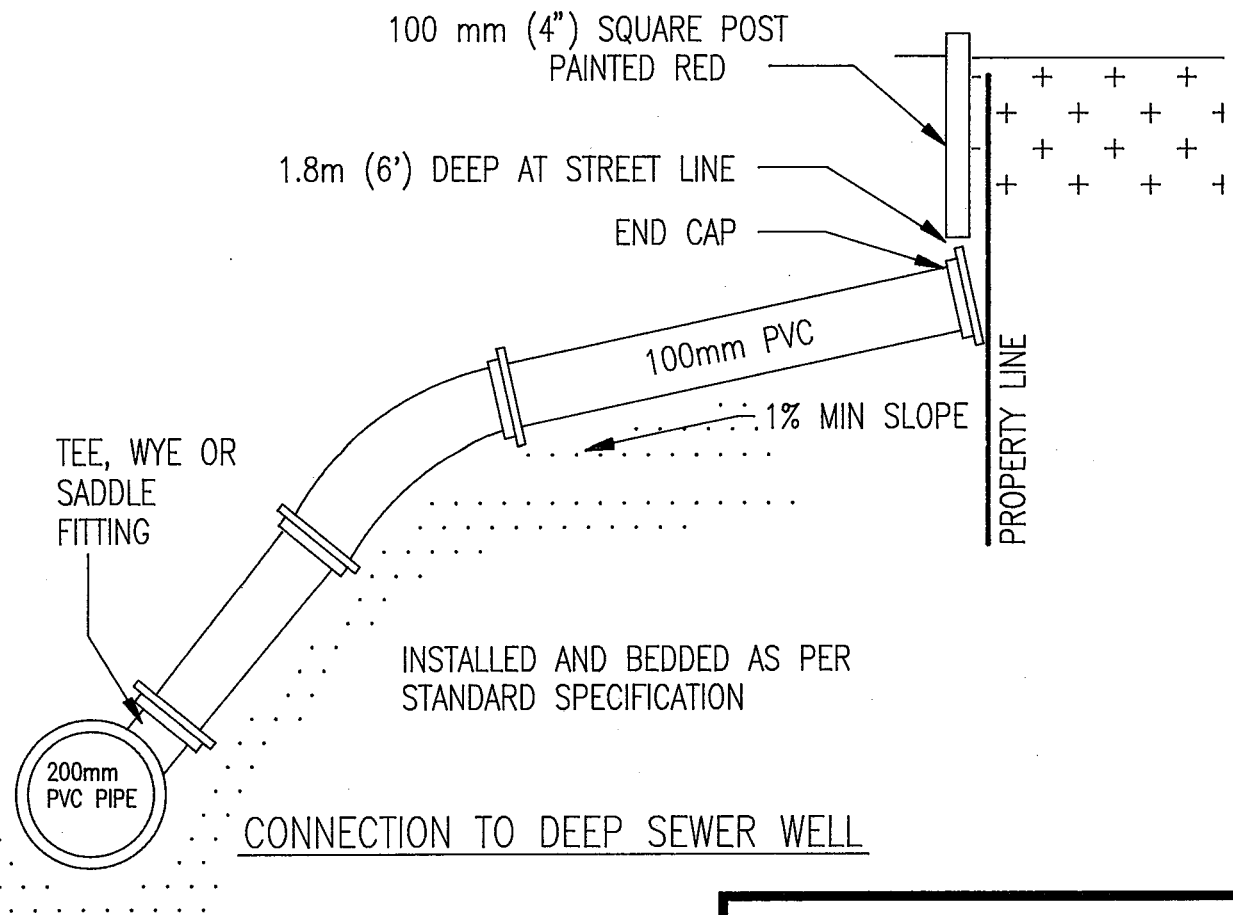
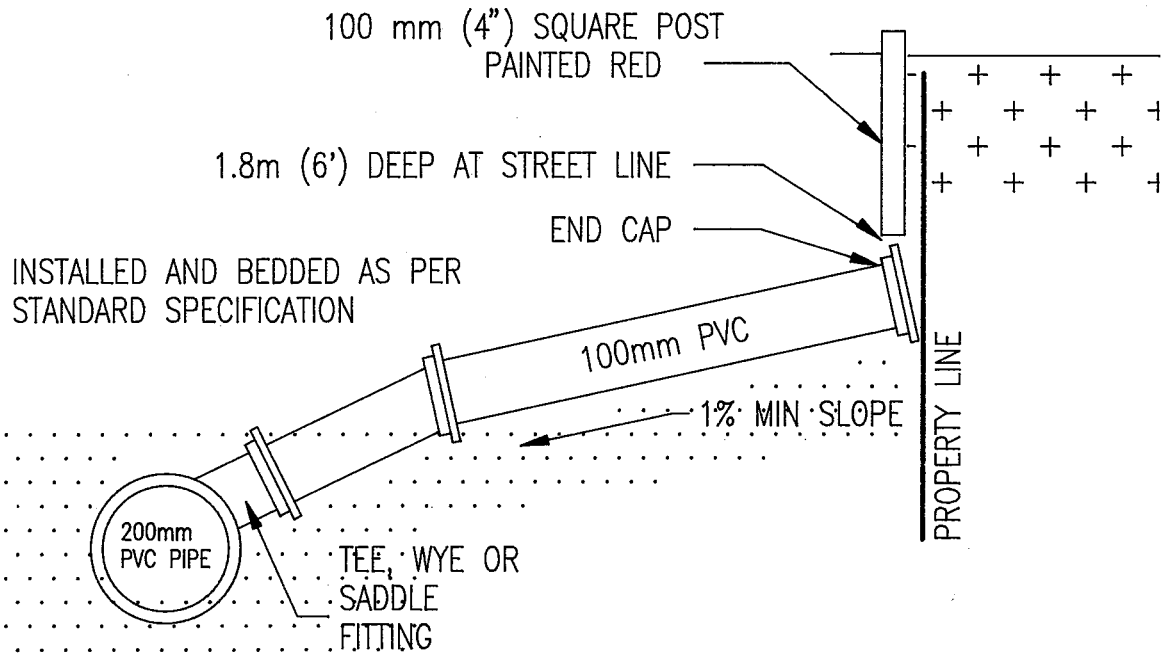
TOWN OF TRURO

STANDARD DETAIL

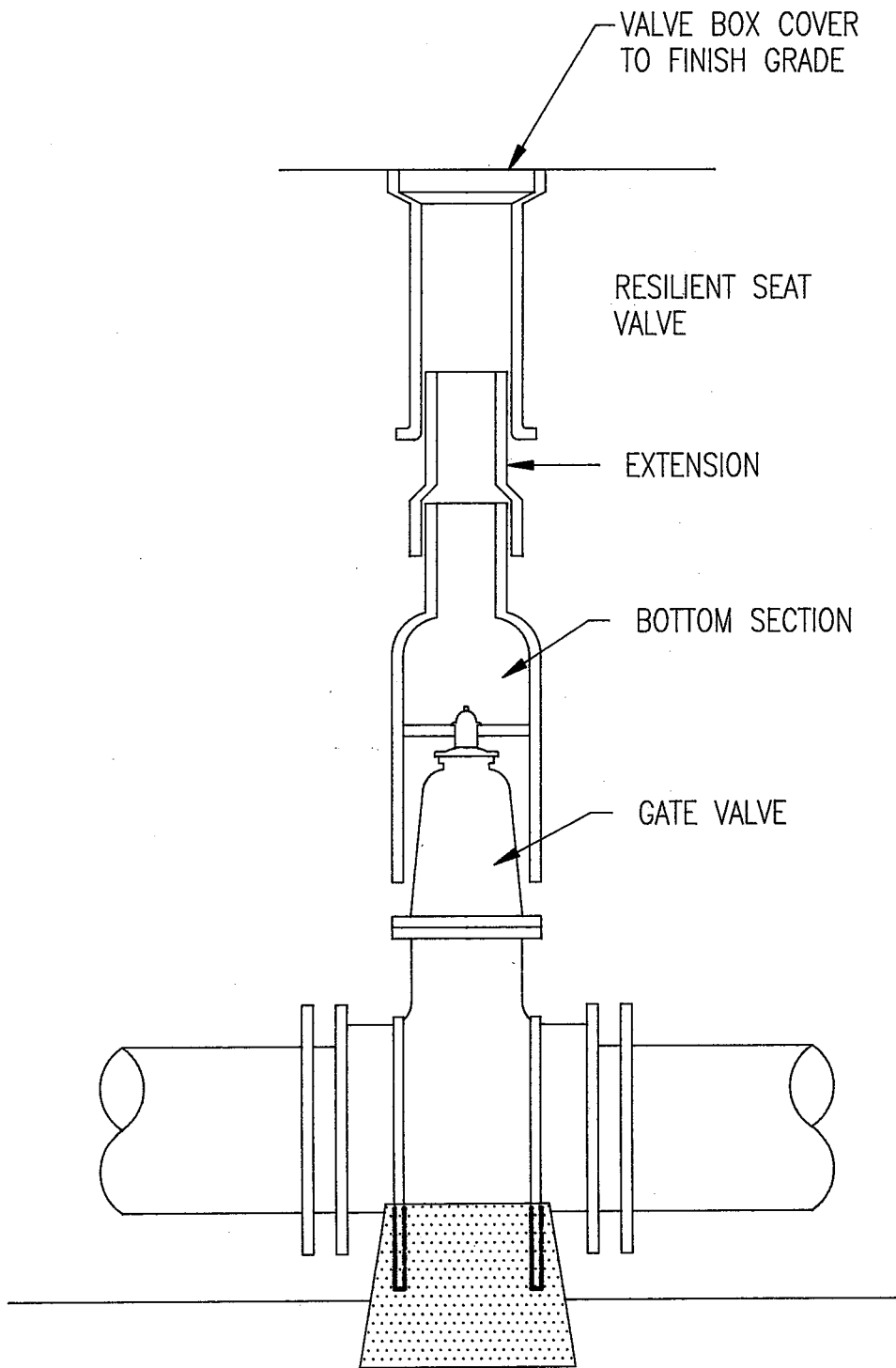
CAST IN PLACE BASE  
FOR PRE-CAST MANHOLE

SD-6A

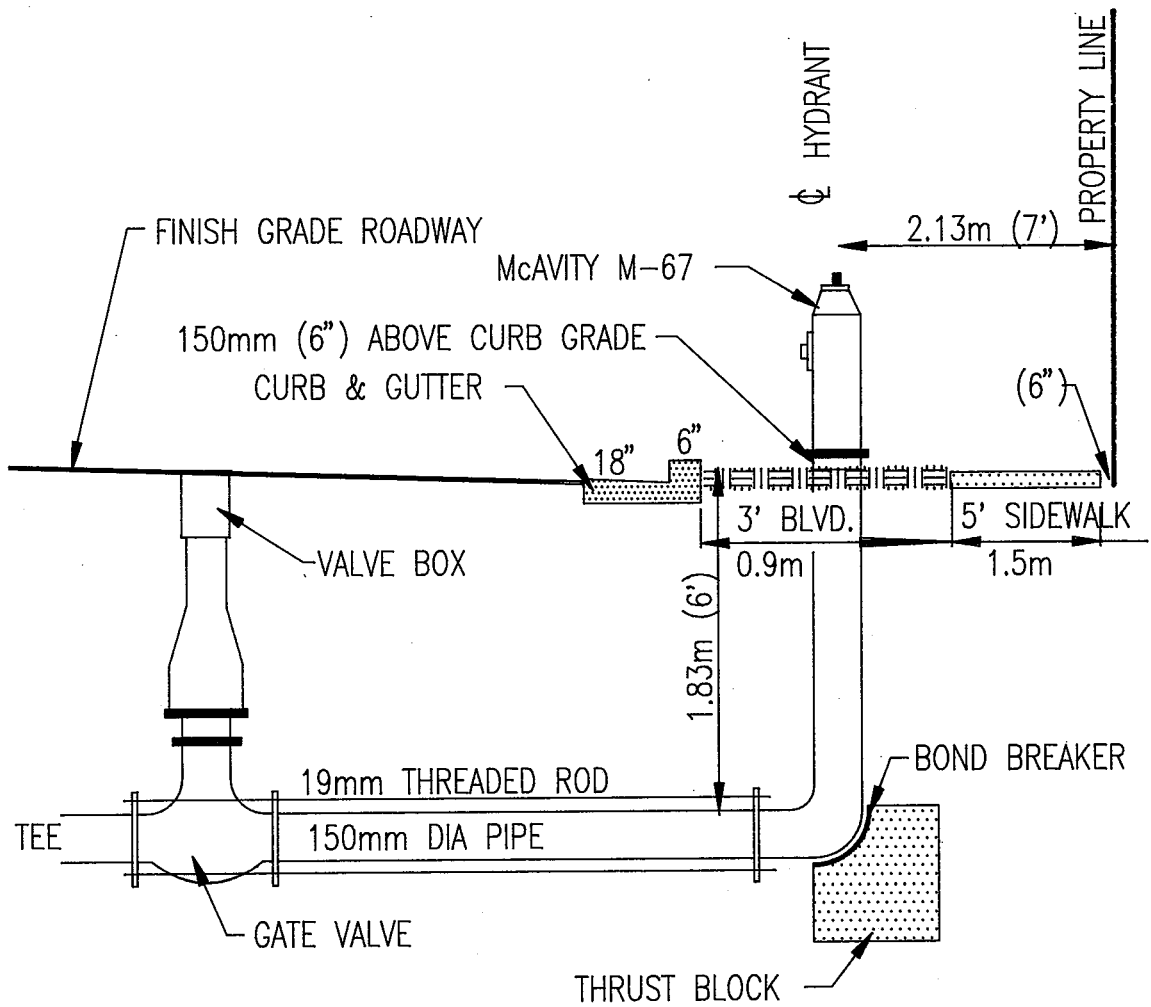




TOWN OF TRURO	
STANDARD DETAIL	
SANITARY SEWER LATERAL	SD-7



TOWN OF TRURO	
STANDARD DETAIL	
GATE VALVE & VALVE BOX	SD-8

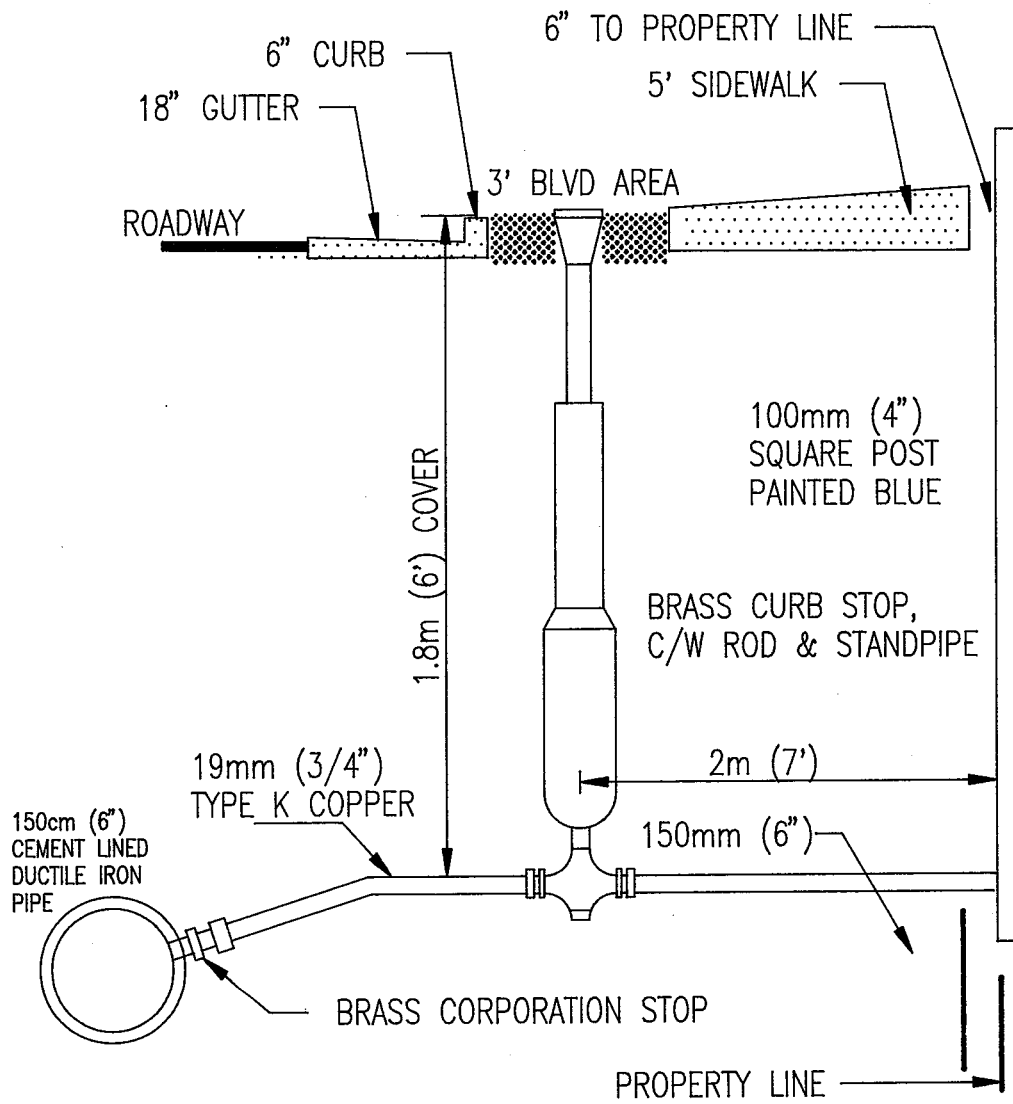


TOWN OF TRURO

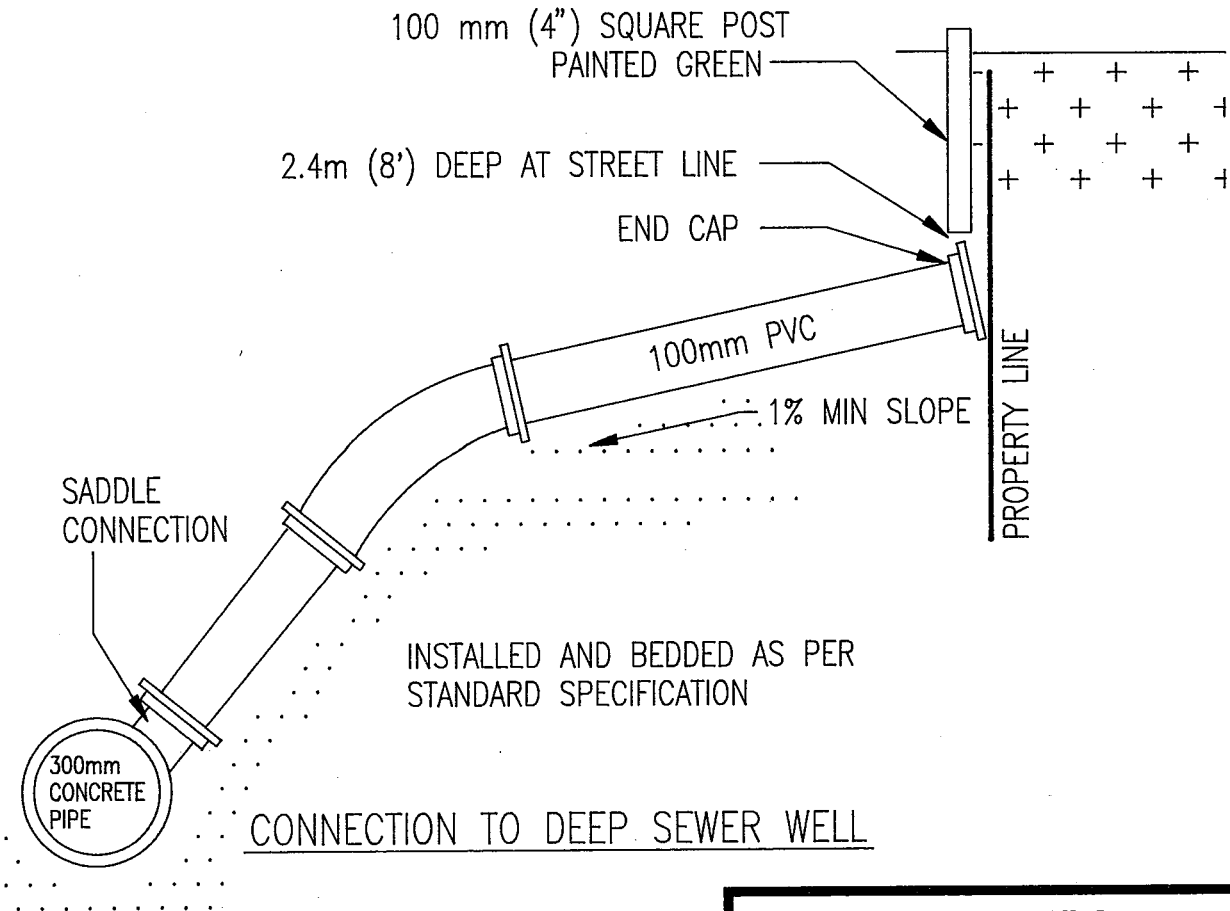
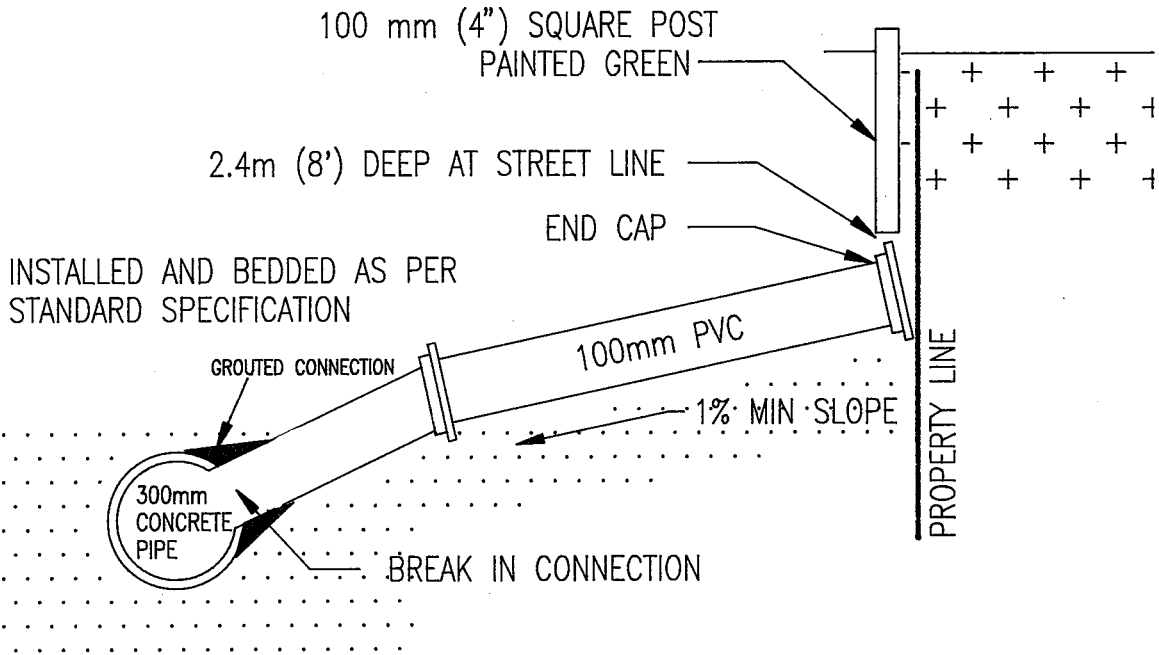
STANDARD DETAIL

FIRE HYDRANT

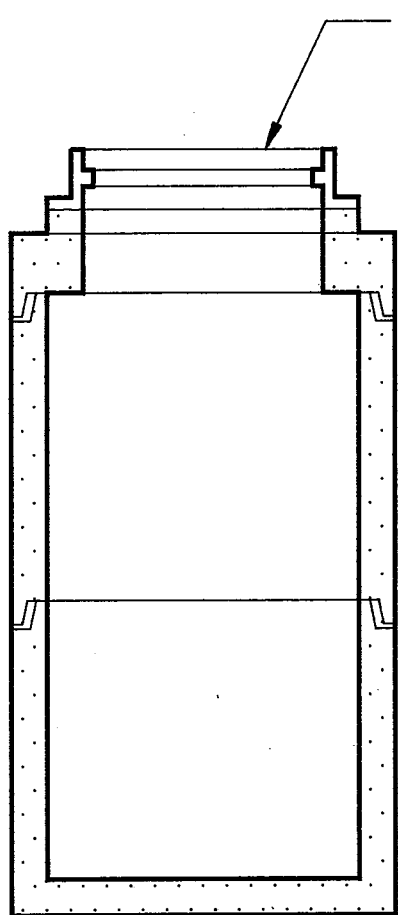
SD-9



TOWN OF TRURO	
STANDARD DETAIL	
WATER SERVICE LATERAL	SD-10



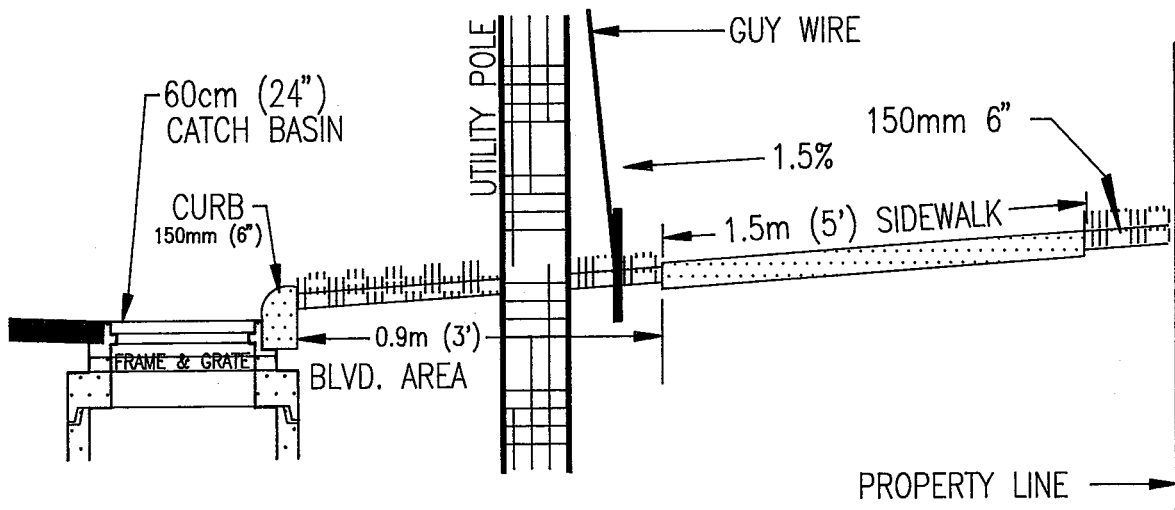
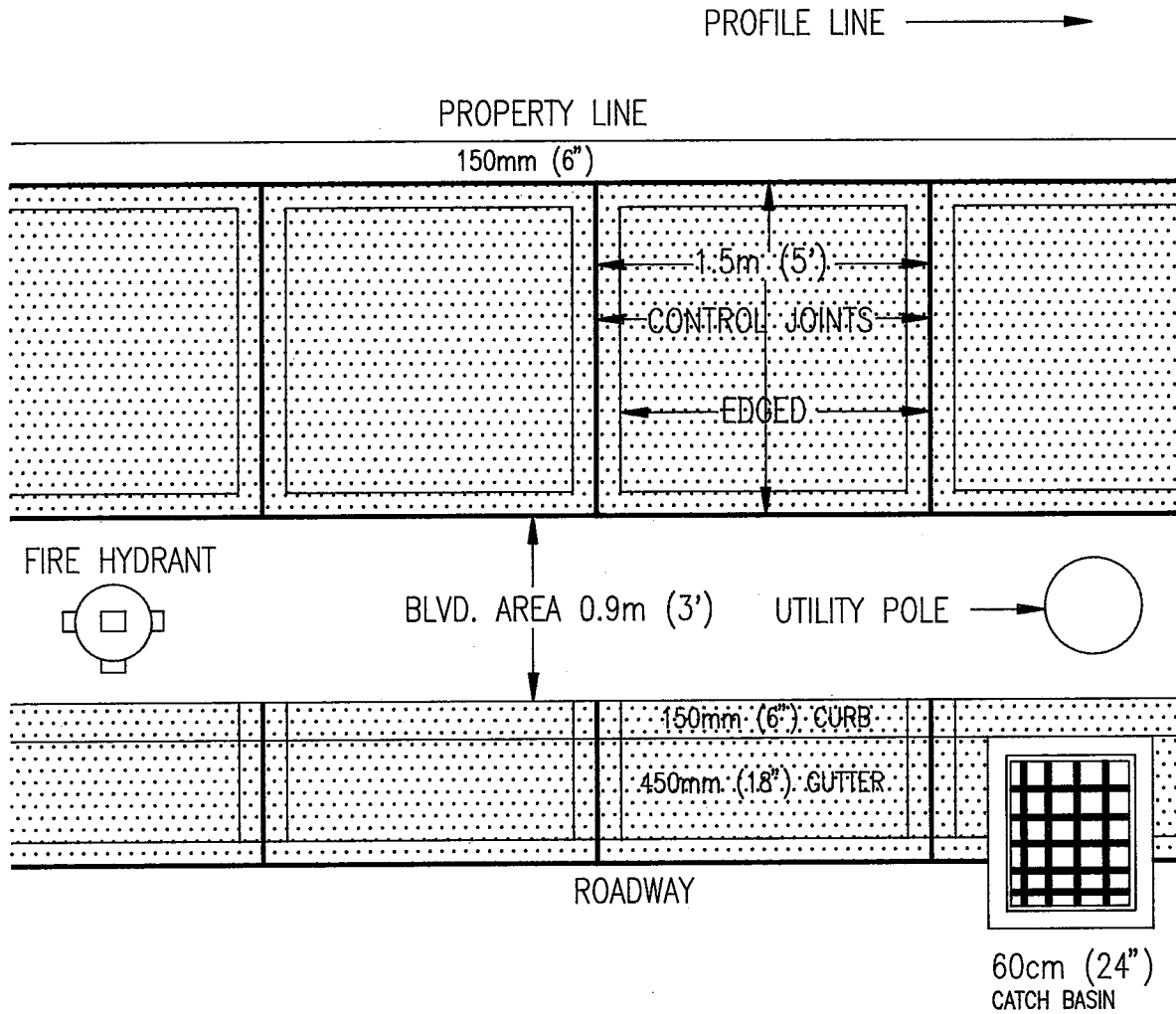
TOWN OF TRURO	
STANDARD DETAIL	
STORM SEWER LATERAL	SD-11



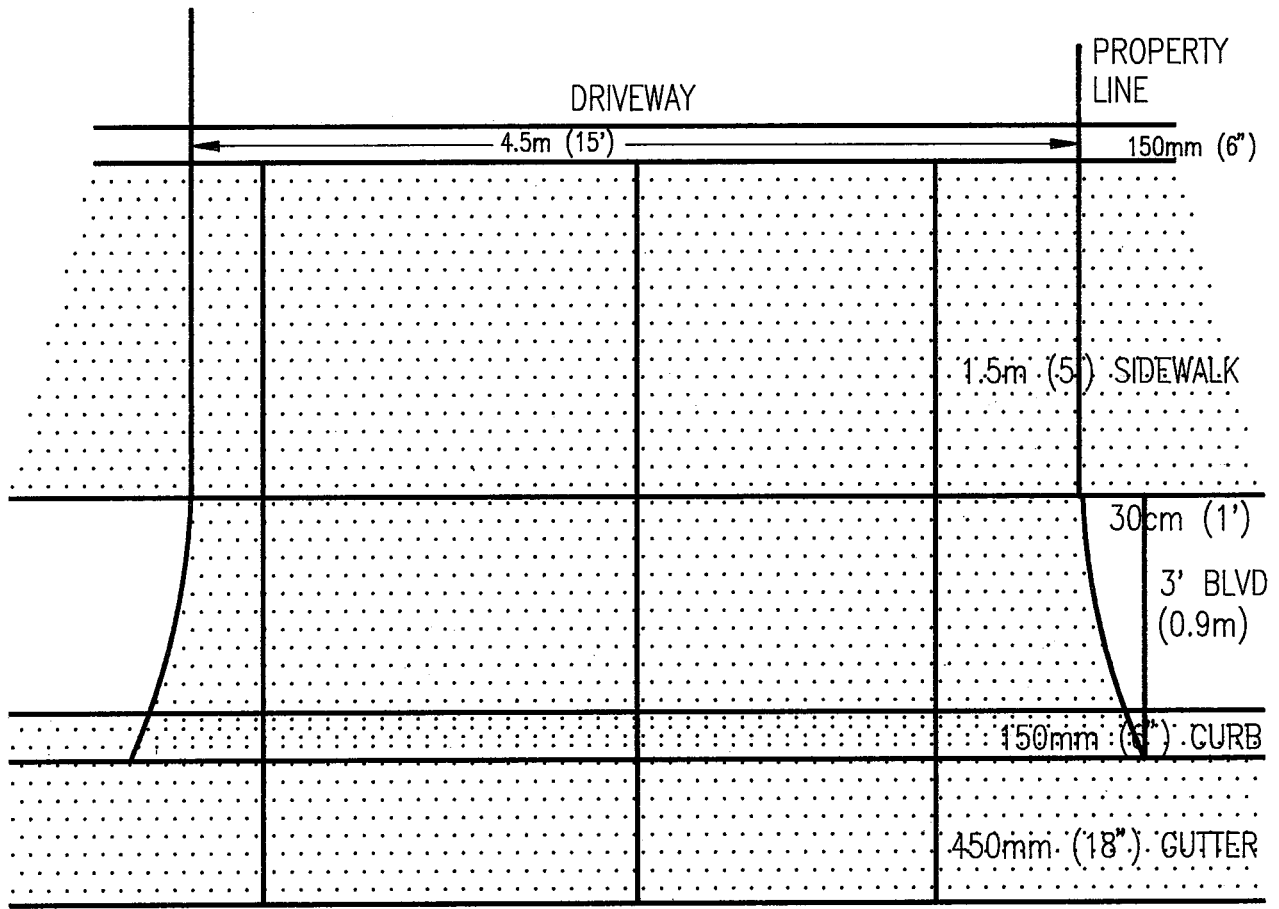
FRAME AND GRATE  
60 cm (24") SQUARE

TWO PIECE  
60cm (24") SQUARE  
NON-GASKETED

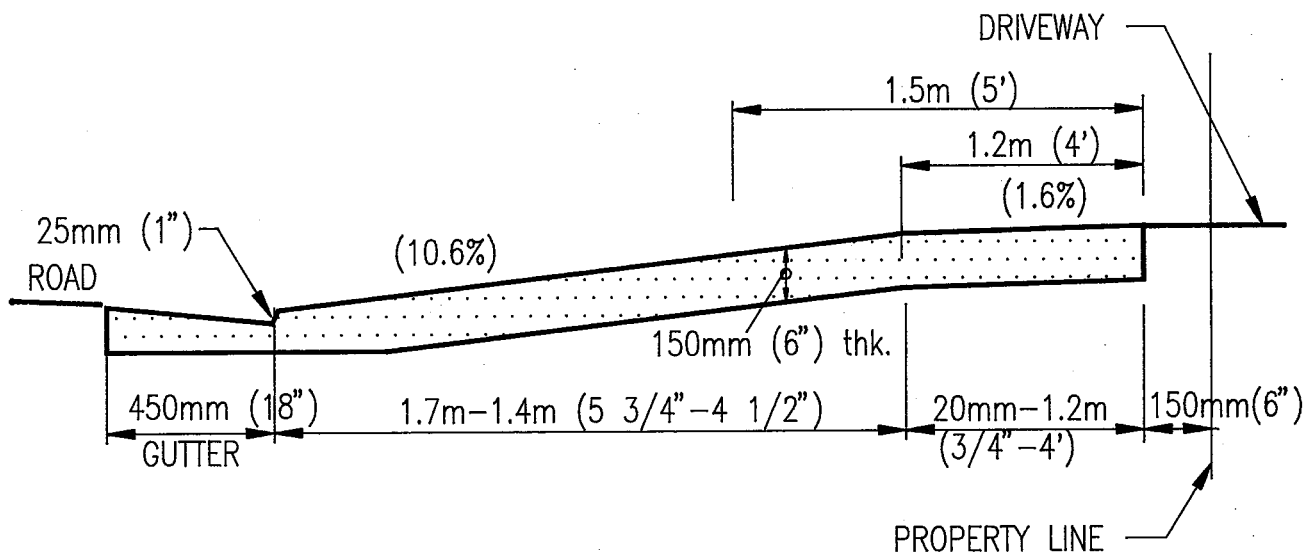
TOWN OF TRURO	
STANDARD DETAIL	
PRECAST CATCHBASIN 600 SQUARE	SD-12



TOWN OF TRURO	
STANDARD DETAIL	
PEDESTRIAN SIDEWALK	SD-13

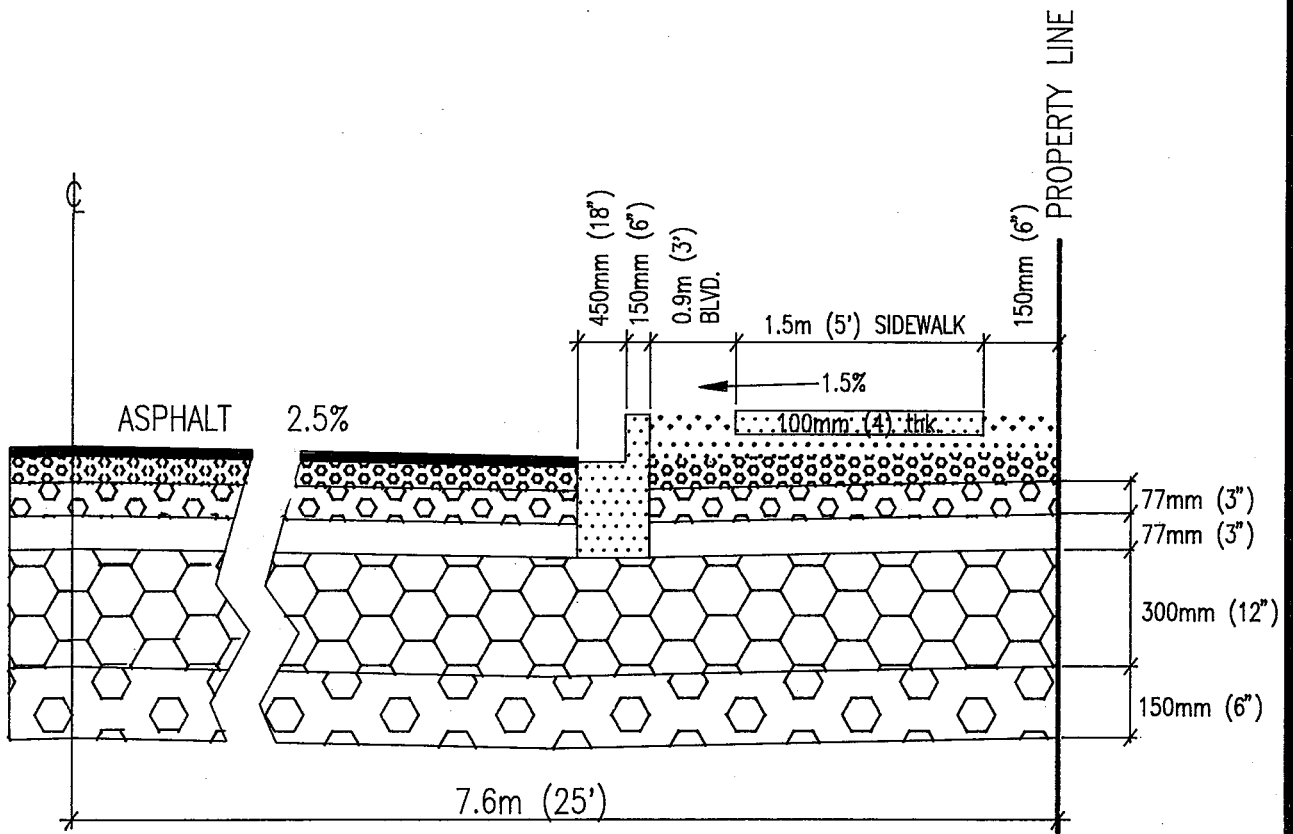


ROADWAY

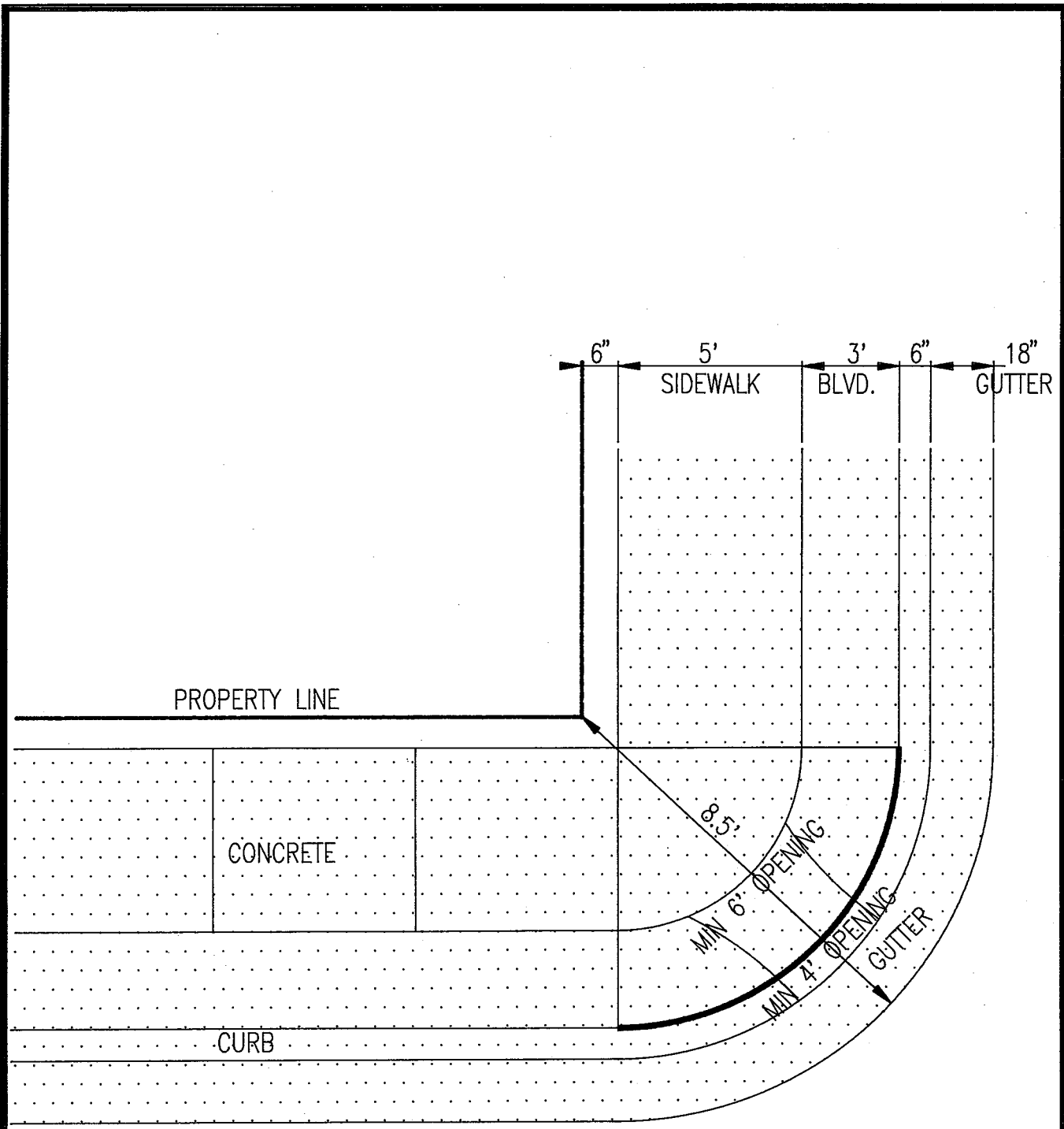


TOWN OF TRURO	
STANDARD DETAIL	
DRIVEWAY RAMP	SD-14





TOWN OF TRURO	
STANDARD DETAIL	
CONCRETE SIDEWALK	SD-15



TOWN OF TRURO	
STANDARD DETAIL	
SIDEWALK INTERSECTION	SD-16

# APPENDIX 'C'

Street Naming Policy

APPENDIX 'C'  
Subdivision By-law  
Town of Truro

Street Naming Policy

**Purpose**

The purpose in having a street naming policy are:

1. to reduce difficulties and delays in access by emergency vehicles;
2. to reduce inefficiencies in deliveries, mail packages, groceries, etc.;
3. to reduce difficulties in orientation for those that frequently use the system;
4. to encourage a sense of location and neighbourhood as apposed to estrangement;
5. to improve "public relations" by reducing inconvenience to visitors;
6. to establish security in the long term permanence of civic address and numbering by providing an expandable planned system; and
7. to provide efficiency to the delivery of service to area residents by utility, municipal and private services.

**Objective**

The street naming system shall be designed to:

1. avoid duplication;
2. avoid confusion; and
3. establish continuity.

All streets in the Town of Truro shall have street names approved by the Town provided they are greater than 60 m in length.

**Naming System**

The street naming system shall be based on a 'neighbourhood system'.

**Content of Application**

Any person wishing to establish a street name shall submit proposed street names to the Development Officer for the Town of Truro. Submission shall include:

- a written explanation on why the names were selected by the applicant, this may include a history, theme or other methods or rational for selection;
- a plan showing the extent of such street or streets and the connection with existing or proposed

- streets, where a tentative plan of subdivision is not involved;
- include the names of streets on all plans of subdivision, such proposed street names may be considered for change up until the street is given final approval and deeds have been received by Council provided such streets are more than 60 m in length;
- existing street names may be considered for change where an application is made to the Development Officer who shall forward the request to Town Council with a written recommendation for Council's consideration and decision; and
- an alternate name for each street name proposed.

### **Application Response**

- Upon receiving a request to name a street or streets the Development Officer shall either:
- notify the applicant of the completeness of the application within 15 days;
  - notify the applicant of the decision in accordance with the subdivision approval process or within 30 days where such consideration is not part of a subdivision;

After consideration:

- provide the applicant with a written reason for refusing to approve the name applied for; and
- provide the appropriate street suffix in accordance with the attached reference.

### **Approval Consideration**

The Development Officer shall:

- consider the regional context when evaluating names for approval within Truro taking into consideration the suggested quadrant system;
- encourage the use of themes or historical names within a neighbourhood;
- discourage unwarranted discontinuance of a theme or historical names when they are within the same neighbourhood, usually defined by street configuration, subdivision design and/or natural features which define such continuity; and
- consult with other organizations which may have an interest in street names, such as without limitation, Canada Post; Emergency Measures, etc.

### **When Refusing**

The Development Officer may refuse a street name where:

- the name is in conflict with the stated purpose, objective and consideration for approval above;
- the application is incomplete; and/or
- the name or the relationship between names is in any way publicly offensive.

## Use of Historic Names

The Town of Truro will supply a list of historic names which may be used by the applicant, such list may be amended from time to time by the Heritage Committee of the Town. Where historic names are used they are considered a theme and shall extend throughout the defined neighbourhood.

## Council Reserves

Council reserves the right to:

- act as arbitrator in the event of dispute;
- name all collector or arterial streets as identified in the Municipal Planning Strategy; and
- by resolution amend this policy from time to time

### Definitions of Thoroughfare Designations Used by Various Jurisdictions

#### Boulevard

A street with a median reflecting the boulevard character implied in the name. (Same Definition applies to parkways.)

A major thoroughfare running in a diagonal direction, rather than east-west or north-south. It must connect at least two sections and act as a collector. Unusually wide thoroughfares in residential sections with shade trees or shrubbery in the center plat, and the name can even be used with numbered thoroughfares. (Same definition for parkways.)

A street divided by a landscaped center island and generally designated by a name, not a number used as a name.

#### Courts

Permanently closed streets

such as cul-de-sacs.

Dead end rights-of-way under 1,000 feet in length which run east and west.

A minor street less than 500 feet in length, ending in a turnaround.

Horseshoe-shaped streets generally designated by one name throughout their entire length.

Places or courts are all cul-de-sacs or permanent dead-end roads.

East-west streets less than 1,000 feet in length.

All dead-end streets.

#### Drives

Winding thoroughfares.

Curving streets longer than 1,000 feet.

Diagonal, curvilinear, or other types of roads not previously mentioned.

Roads that meander about and continue through to other rights-of-way.

Secondary facilities that connect with each other.

A curvilinear street of more than 1,000 feet in length, generally designated by a name.

#### Lanes

Indicate the direction and to some extent the location of minor dead-end streets lying between numbered thoroughfares.

Reduced rights-of-way branching from courts, places, or ways.

Curving streets of less than 1,000 feet. An uninterrupted street ending in a cul-de-sac and generally designated by a name.

Secondary roads connecting with each other.

#### Loops and Circles

Circles could be short streets that return to themselves.

Loops could be short drives that begin and end in the same street (as shown in Figure 3).

Circular or semicircular

roads.

A circle is a secondary road that begins and circles back to terminate on the same road.

Circles--loop streets.

A street forming a closed loop, generally designated by a name.

**Parkway** (See also boulevard)

A special scenic route or park drive, generally designated by a name.

**Paths**

A minor local street running a diagonal direction, usually between a north-south "avenue" and an east-west street; a path may also be a diagonal connector between offset portions of a north-south or east-west collector thoroughfare.

**Pike**

State primary-numbered roads.

**Place**

A cul-de-sac or permanent dead-end road.

Dead-end rights-of-way under 1,000 feet in length, running north and south.

North-south streets less than 1,000 feet in length.

Permanently closed dead-end streets.

Short streets parallel to the grid pattern or in between the regular grid streets.

A short curvilinear or diagonal street generally designated by a name.

Indicates the direction and to some extent the location of minor or dead-end streets

lying between numbered thoroughfares.

**Roads**

Limited thoroughfares that are frequently used, have heavy traffic volume, and run in any direction.

Thoroughfares running at oblique angles to the grid pattern.

Secondary facilities connecting with a provincial highway.

Diagonals longer than 1,000 feet and designated by a name.

Diagonal streets.

**Streets and Avenues**<sup>7</sup>

Streets run north and south and avenues run east and west, but this may be reversed.

Streets are roads that generally run in an east-west direction, avenues are roads that basically have a north-south orientation.

Avenue - a thoroughfare running principally in a north-south direction and usually terminating at an east-west street. Street - a thoroughfare running principally in an east-west direction and usually terminating at a north-south avenue.

Avenues run east and west; roads run north and south.

Street and avenue designations are reversed for use in incorporated places with a grid pattern.

Streets are north-south roads longer than 1,000 feet; avenues are east-west road longer than 1,000 feet.

**Trails**

A diagonal local street serving

as a collector for one or more local thoroughfares.

All curvilinear streets.

**Ways**

Dead-end rights-of-ways under 1,000 feet running at oblique angles to the four points of the compass.

A minor street that changes direction or begins and ends on the same thoroughfare.

Diagonal streets less than 1,000 feet in length.

7. According to "The Science of Street Names" (editorial, *American City*, November 1960, p. 7.), the unwritten rule when using the grid system was that streets ran east and west, avenues north and south. A basic principle is that streets and avenues run in different directions.

# APPENDIX 'D'

Where Services are to be Constructed by the Developer

Prior to Final Subdivision Approval

This Agreement is for sample purposes only



**APPENDIX 'D'**

**AGREEMENT NUMBER ONE**

**WHERE SERVICES ARE TO BE CONSTRUCTED BY THE DEVELOPER  
PRIOR TO FINAL SUBDIVISION APPROVAL**

**THIS AGREEMENT** made this        day of        19

BETWEEN:

a body corporate, in the County of Colchester, province of Nova Scotia;  
(hereinafter called the "Applicant")

OF THE FIRST PART

-and-

Town of Truro, a municipal body corporate;  
(hereinafter called the "Town")

OF THE SECOND PART

**WHEREAS** the Applicant is the owner of the lands shown on Certified Plan of  
Subdivision signed by  
N.S.L.S. dated        19        , and more particularly  
being Town of Truro Plan No.        , filed in the Town of Truro Planning and Development  
Department.

**AND WHEREAS** the Applicant intends to install certain municipal services, pursuant  
to the Town's Subdivision By-law, more particularly described herein to serve the subdivision, or part  
of the subdivision, and to agree to the other provisions herein;

**AND WHEREAS** the Applicant has applied to the Development Officer of the Town  
of Truro for subdivision of the lands owned by        , for the granting of final  
approval of        .

**NOW THEREFORE THIS AGREEMENT WITNESSETH THAT** the parties hereto covenant and agree as follows:

1. In the Agreement

- (a) "Town" means the Town of Truro.
- (b) "Council" means the Council of the Town of Truro.
- (c) "Development Officer" means the Development Officer for the Town.
- (d) "Inspector" means a representative of the Development Officer.
- (e) "Primary services" includes sanitary sewer, storm sewer, water system, hydrants and lateral pipe from primary to the street lines at each lot, and the street constructed to and including a maintained subbase of gravel, and also includes arrangements for electrical power and telephone services.
- (f) "Secondary services" includes concrete curb and gutter, asphalt pavement including base gravel, concrete sidewalks, sodding, graded area between curb and sidewalk, street lights, sign standards with street named signs and walkways and may also include secondary power and telephone services to lots.
- (g) "By-law" means the Town of Truro Subdivision By-law.
- (h) "Service" means primary and secondary services.
- (i) "Final plan" includes a final plan of subdivision, a drainage, and an engineering design.
- (j) "Engineer" means a registered member of the Association of Professional Engineers of Nova Scotia.

2. The Applicant Agrees as Follows:

- (a) That the subdivision shall conform to the Town By-laws, Ordinances, Policies, Procedures, and the Municipal Planning Strategy.
- (b) That all primary and secondary services shall be constructed in accordance with current Town of Truro Municipal services standards and specifications and all other requirements of the By-law.
- (c) That the Applicant shall not start the construction of services until:
  - (i) a preconstruction meeting with the Town of Truro has been held.
- (d) To commence and complete the installation of the primary and/or secondary services in accordance with the construction time schedules and development stages as outlined under Schedule "A" attached hereto.
- (e) (i) To submit to the Development Officer an estimate of the cost and the time schedule required to complete each service by individual street or part thereof, as outlined under Schedule "A" attached hereto.

- (ii) That actual construction costs shall be submitted by the Applicant to the Development Officer for approval.
- (iii) To pay and deposit with the Town, such amounts as required under Sections 8.2, 10.2.1, 10.5.1, 10.17, and Part 12 of the By-law.
- (iv) That the Inspector shall report to the Development Officer, and in order to carry out his work, the Inspector may, from time to time, and at any reasonable time, enter upon the lands of the subdivision for the purpose of performing his duty.
- (v) That refusing the Inspector entry upon the land or obstructing him in the discharge of his duty thereon shall constitute a breach of this Agreement.
- (f) That all bonds submitted to the Development Officer shall be defined as meaning financial security acceptable to the Town from which the Town shall be able to collect all incurred costs if the Applicant is in default of this Agreement.
- (g) To notify the Development Officer in writing when services are ready for acceptance by the Town. This written notification to be accompanied by a letter from the Professional Engineer addressed to the Development Officer verifying that all works are completed according to the approved Engineering Drawings, the Town of Truro Municipal Services Standards Specifications, and approved changes as noted.
- (h) That prior to the acceptance of any service, the Applicant shall comply with the service acceptance procedure of the Town for that service and in accordance with Section 10.2 of the By-law.
- (i) That prior to the acceptance of primary services to deposit with the Development Officer:
  - (i) a guarantee bond for one year in the amount of ten percent (10%) of the actual cost of the services, pursuant to Section 10.2.1 and Section 10.5.1;
  - (ii) written assurance from the utility companies and the Truro Water Utility that the utilities will be accepted, as designed;
  - (iii) as-built drawings on reproducible material showing services as constructed pursuant to 10.2 and 10.5 of the Truro Subdivision By-law;
  - (iv) the results of required test reports in accordance with Section 10.2 and 10.5 of the Truro Subdivision By-law; and
  - (v) a performance bond or other security satisfactory to the Development Officer in the amount of one hundred and ten percent (110%) of the costs specified by the

Local Improvement By-law of the installation of secondary services.

- (j) Written certification by a Nova Scotia Land Surveyor that survey monuments have been installed and located as established by the provisions of the Nova Scotia Land Surveyor's Act, being Chapter 13 of the Acts of Nova Scotia 1977 and that such survey monuments will be located at the following locations:
  - at all points of change in direction along the boundary lines of the subdivision and
  - at such other specific points of location within the subdivision as agreed upon by both parties.
  
- (k) That until the acceptance of the secondary services the Applicant shall:
  - (i) provide a minimum cover of four and five tenths feet (4.5') of backfill material approved by the Development Officer over all water systems and water service pipes;
  - (ii) provide necessary surface drainage to prevent any damage from flooding;
  - (iii) prevent the freezing of water system and water service pipes;
  - (iv) maintain the interior of the sewer, building sewer, and water system clean and free of obstructions; and
  - (v) fulfill all other requirements of Section 10.3 of the By-law.
  
- (l) That, with the exception of the land designated for streets, not to remove the topsoil from the lands shown on Plan \* without first obtaining written approval from the Development Officer.
  
- (m) That prior to certification of the final plan of subdivision, the Applicant shall deed \* shown on Plan \* to the Town, at no cost as the open space dedication for the subdivision, or otherwise pay cash in lieu of, in accordance with Section 12.1 of the By-law.
  
- (n) That upon acceptance of the primary and secondary services, the Applicant shall provide the following easements to the Town as shown on Plan \*, at no cost to the Town:
  - (i)
  - (ii)

- (o) That upon acceptance of the secondary services, the Applicant shall deed the following streets to the Town, as shown on Plan No. \*, at no cost to the Town:
  - (i)
  - (ii)

These conveyances shall be accompanied by a letter from a solicitor certifying that the conveyed lands are free from encumbrances.

- (p) To engage the services of an Engineer as defined herein to file with the Development Officer a written undertaking from the Engineer as follows:
  - (i) that the Engineer has been engaged by the Applicant to supervise and set out the work;
  - (ii) that the work will be done in accordance with the approved final plan of subdivision and all other provisions of this Agreement; and
  - (iii) that the installation of services shall be subject to full-time inspection and approval by the Engineer or his representative.
- (q) To supply upon request a copy of this Agreement but not including the engineering design drawings to every purchaser of land within the subdivision.

3. The Town Agrees as Follows:

- (a) That upon completion and acceptance of the primary services and the filing of the bonds and performance bond required in Clause (i) of Paragraph 2 herein, and upon compliance with all requirements of the Subdivision By-law, the Development Officer shall endorse on the final plan of subdivision a certificate of approval of the whole or any part of the subdivision.
- (b) That within 30 days of endorsing approval on the subdivision plan, the Development Officer shall file a copy of the final subdivision plan in the office of the Registrar of Deeds.
- (c) That upon written request from the Applicant, the Development Officer may, from time to time, release a portion of the performance bond, PROVIDED that at no time the amount retained is less than one hundred and ten percent (110) percent of the estimated cost of the incomplete services.
- (d) The Town shall allow the Applicant to erect signs at the entrances to the subdivision showing the layout and identification of all streets, lots and public open spaces with the

subdivision provided that such signage shall:

- (i) not be less than six feet by four feet (6' x 4') and approved by the Development Officer;
- (ii) be maintained in a visually good and publicly safe condition or may be ordered removed by the Development Officer; and
- (iii) be removed on \_\_\_\_\_ day \_\_\_\_\_ month \_\_\_\_\_ year in accordance with this Agreement.

4.1 Where the Applicant:

- (a) is in breach of any covenant of terms of this Agreement; or
- (b) fails to construct the services in accordance with Plan No. \*, filed in the Town of Truro Planning and Development Department as Case No. \* or in accordance with the construction time schedules as outlined in Schedule "A" attached hereto, or with the requirements of the final plan; or
- (c) fails to repair or maintain the services, including a maintained roadway surface and all other requirements of Section \* of the By-law prior to secondary service acceptance; or
- (d) becomes insolvent or makes an assignment for the benefit of creditors.

4.2 The Development Officer may declare that the Applicant is in default of this Agreement seven (7) days after written notice of default signed by the Development Officer and sent to the Applicant by registered mail, the Town may, at its option:

- (a) enter upon the lands shown on Plan No. \* and the Town, its servants, agents, and contractors may complete any services, repairs or maintenance, wholly or in part, required to be done by the Applicant, and shall collect the cost thereof together with an Engineering Fee of ten percent (10%) of the cost of such materials and works, from the Applicant, or deduct the cost thereof from bonds on deposit, or recover the same by action;
- (b) make any payment which ought to have been made by the Applicant, and upon demand, collect the amount thereof from the Applicant, or enforce any security available to the Town;
- (c) retain any sum of money heretofore paid by the Applicant to the Town for any purpose and apply the same after taxes, in payment or part payment, for any work which the Town may undertake;

- (d) assume any work or services, at the option of the Town, whether the same are completed or not, and thereafter the Applicant shall have no claim or title thereto or remuneration therefor;
  - (e) bring an action to compel the complete performance of all or part of this Agreement or for damages; and
  - (f) exercises any other remedy granted to the Town under the terms of this Agreement or available to the Town in law including the repeal of the final plan approval as outlined under Section \* of the Planning Act.
- 4.3 IT IS UNDERSTOOD AND AGREED between the parties hereto, that such entry upon the land shall be as agent for the Applicant and shall not be deemed as acceptance or assumption of the services of the Town.
- 4.4 Notwithstanding Subsection 4.2 herein, in the case of any emergency, as determined by the Development Officer, the Town shall have the right to enter upon the lands of the Applicant and to carry out the necessary maintenance and repair without notice to the Applicant.
- 4.5 The Applicant agrees to indemnify and save harmless, and keep indemnified and save harmless at all times hereafter, the Town, from and against all claims, demands, actions, suits or other legal proceedings by whomsoever made or brought against the Town, in connection with work required to be done herein by the Applicant, his contractors, servants, or agents.
- 4.6 TIME shall be of the essence of this Agreement.
- 4.7 THIS AGREEMENT and everything contained herein shall enure to the benefit of and be binding upon the parties hereto, their heirs, successors, and assigns.





# APPENDIX 'E'

Where Services are to be Bonded by the Developer  
and Constructed Following Final Subdivision Approval

This Agreement is for sample purposes only

**APPENDIX 'E'**

**AGREEMENT NUMBER TWO**

**WHERE SERVICES TO ARE BE BONDED BY THE DEVELOPER  
AND CONSTRUCTED FOLLOWING FINAL SUBDIVISION APPROVAL**

**THIS AGREEMENT** made this            day of            19

BETWEEN:

a body corporate, in the County of Colchester, province of Nova Scotia;  
(hereinafter called the "Applicant")

OF THE FIRST PART

-and-

Town of Truro, a municipal body corporate;  
(hereinafter called the "Town")

OF THE SECOND PART

**WHEREAS** the Applicant is the owner of the lands shown on Certified Plan of  
Subdivision signed by  
N.S.L.S. dated            19    , and more particularly  
being Town of Truro Plan No.            , filed in the Town of Truro Planning and Development  
Department.

**AND WHEREAS** the Applicant intends to install certain municipal services, pursuant  
to the Town's Subdivision By-law, more particularly described herein to serve the subdivision, or part  
of the subdivision, and to agree to the other provisions herein;

**AND WHEREAS** the Applicant has applied to the Development Officer of the Town  
of Truro for subdivision of the lands owned by            , for the granting of final  
approval of            and such final approval will be endorsed by the  
Development Officer upon execution of this Agreement.

**NOW THEREFORE THIS AGREEMENT WITNESSETH THAT** the parties hereto covenant and agree as follows:

1. In the Agreement

- (a) "Town" means the Town of Truro.
- (b) "Council" means the Council the Town of Truro.
- (c) "Development Officer" means the Development Officer for the Town.
- (d) "Inspector" means a representative of the Development Officer.
- (e) "Primary services" includes sanitary sewer, storm sewer, water system, hydrants and lateral pipe from primary to the street lines at each lot, and the street constructed to and including a maintained subbase of gravel, and also includes arrangements for electrical power and telephone services.
- (f) "Secondary services" includes concrete curb and gutter, asphalt pavement including base gravel, concrete sidewalks, sodding, graded area between curb and sidewalk, street lights, sign standards with street named signs and walkways and may also include secondary power and telephone services to lots.
- (g) "By-law" means the Town of Truro Subdivision By-law.
- (h) "Service" means primary and secondary services.
- (i) "Final plan" includes a final plan of subdivision, a drainage, and an engineering design.
- (j) "Engineer" means a registered member of the Association of Professional Engineers of Nova Scotia.

2. The Applicant Agrees as Follows:

- (a) That the subdivision shall conform to the Town By-laws, Ordinances, Policies, Procedures, and the Municipal Planning Strategy.
- (b) That The Applicant shall conform with the requirements of Section 10.6 of the By-law with the intent that the Development Officer shall endorse the final plan of subdivision only when the following has taken place:
  - (i) the Applicant has cleared and subgraded the right-of-way in accordance with Appendix B and the Town has accepted in writing the state of such work;
  - (ii) the Applicant has filed with the Development Officer, the final plan of subdivision in accordance with Appendix B and all other provisions of the By-law;
  - (iii) the Applicant has deposited with the Town, a duly executed Warranty Deed acceptable to the Town, conveying title to all streets, walkways, easements and parkland dedication at the time the final plan of subdivision is endorsed by the Development Officer; and
  - (iv) the Applicant has provided a performance bond of on hundred and ten percent (110%) of the specified costs of the primary service as required by the

provisions of the local improvement By-law.

- (c) That following the endorsement by the Development Officer of the final plan of subdivision, the Applicant shall not start the construction of services until a preconstruction meeting with the Town of Truro has been held.
- (d) To commence and complete the installation of the primary and/or secondary services in accordance with the construction time schedules and development stages as outlined under Schedule "A" attached hereto.
- (e)
  - (i) To submit to the Development Officer an estimate of the cost and the time schedule required to complete each service by individual street or part thereof, as outlined under Schedule "A" attached hereto.
  - (ii) That actual construction costs shall be submitted by the Applicant to the Development Officer for approval.
  - (iii) To pay and deposit with the Town, such amounts as required under Sections 8.2, 10.6, 10.17, and Part 12 of the By-law.
  - (iv) That the Inspector shall report to the Development Officer, and in order to carry out his work, the Inspector may, from time to time, and at any reasonable time, enter upon the lands of the subdivision for the purpose of performing his duty.
  - (v) That refusing the Inspector entry upon the land or obstructing him in the discharge of his duty thereon shall constitute a breach of this Agreement.
- (f) That all bonds submitted to the Development Officer shall be defined as meaning financial security acceptable to the Town from which the Town shall be able to collect all incurred costs if the Applicant is in default of this Agreement.
- (g) To notify the Development Officer in writing when services are ready for acceptance by the Town. This written notification to be accompanied by a letter from the Professional Engineer addressed to the Development Officer verifying that all works are completed according to the approved Engineering Drawings, the Town of Truro Municipal Services Standards Specifications, and approved changes as noted.
- (h) That prior to the acceptance of any service, the Applicant shall comply with the service acceptance procedure of the Town for that service and in accordance with Section 10.2 of the By-law.
- (i) That prior to the acceptance of primary services to deposit with the Development Officer:
  - (i) a guarantee bond for one year in the amount of ten percent (10%) of the actual cost of the services, pursuant to Section 10.2.1 and Section 10.5.1;

- (ii) written assurance from the utility companies and the Truro Water Utility that the utilities will be accepted, as designed;
  - (iii) as-built drawings on reproducible material showing services as constructed pursuant to 10.2 and 10.5 of the Truro Subdivision By-law;
  - (iv) the results of required test reports in accordance with Section 10.2 and 10.5 of the Truro Subdivision By-law; and
  - (v) a performance bond or other security satisfactory to the Development Officer in the amount of one hundred and ten percent (110%) of the costs specified by the Local Improvement By-law of the installation of secondary services.
- (j) Written certification by a Nova Scotia Land Surveyor that survey monuments have been installed and located as established by the provisions of the Nova Scotia Land Surveyor's Act, being Chapter 13 of the Acts of Nova Scotia 1977 and that such survey monuments will be located at the following locations:
- at all points of change in direction along the boundary lines of the subdivision and
  - at such other specific points of location within the subdivision as agreed upon by both parties.
- (k) That until the acceptance of the secondary services the Applicant shall:
- (i) provide a minimum cover of four and five tenths feet (4.5') of backfill material approved by the Development Officer over all water systems and water service pipes;
  - (ii) provide necessary surface drainage to prevent any damage from flooding;
  - (iii) prevent the freezing of water system and water service pipes;
  - (iv) maintain the interior of the sewer, building sewer, and water system clean and free of obstructions; and
  - (v) fulfill all other requirements of Section 10.3 of the By-law.
- (l) That, with the exception of the land designated for streets, not to remove the topsoil from the lands shown on Plan \* without first obtaining written approval from the Development Officer.
- (m) That prior to certification of the final plan of subdivision, the Applicant shall deed \* shown on Plan \* to the Town, at no cost as the open space dedication for the subdivision, or otherwise pay cash in lieu of, pursuant to the requirements of Section

12.1 of the By-law.

- (n) That prior to certification of the final plan of subdivision, the Applicant shall provide the following easements to the Town as shown on Plan \*, at no cost to the Town:
  - (i)
  - (ii)
- (o) That prior to the certification of the final plan of subdivision, the Applicant shall provide the following easements to the Town as shown on Plan No. \* at no cost to the Town:
  - (i)
  - (ii)

These conveyances shall be accompanied by a letter from a solicitor certifying that the conveyed lands are free from encumbrances.

- (p) To engage the services of an Engineer as defined herein to file with the Development Officer a written undertaking from the Engineer as follows:
  - (i) that the Engineer has been engaged by the Applicant to supervise and set out the work;
  - (ii) that the work will be done in accordance with the approved final plan of subdivision and all other provisions of this Agreement; and
  - (iii) that the installation of services shall be subject to full-time inspection and approval by the Engineer or his representative.
- (q) To supply upon request a copy of this Agreement but not including the engineering design drawings to every purchaser of land within the subdivision.

3. The Town Agrees as Follows:

- (a) That upon completion of the requirements of Section 10.6 of the By-law and Paragraph 2 (b) herein and the filing of the bonds and performance bonds required by Paragraph 2 (b) herein, the Development Officer shall endorse on the final plan of subdivision a certificate of approval of the whole or any part of the subdivision.
- (b) That within thirty (30) days of endorsing approval on the subdivision plan, the Development Officer shall file a copy of the final subdivision plan in the office of the Registrar of Deeds.

- (c) That upon written request from the Applicant, the Development Officer may, from time to time, release a portion of the performance bond, PROVIDED that at no time the amount retained is less than one hundred and ten percent (110) percent of the estimated cost of the incomplete services.
- (d) The Town shall allow the Applicant to erect signs at the entrances to the subdivision showing the layout and identification of all streets, lots and public open spaces with the subdivision provided that such signage shall:
  - (i) not be less than six feet by four feet (6' x 4') and approved by the Development Officer;
  - (ii) be maintained in a visually good and publicly safe condition; and
  - (iii) be removed on \_\_\_\_\_ day \_\_\_\_\_ month \_\_\_\_\_ year in accordance with this Agreement.

4.1 Where the Applicant:

- (a) is in breach of any covenant of terms of this Agreement; or
- (b) fails to construct the services in accordance with Plan No. \*, filed in the Town of Truro Planning and Development Department as Case No. \* or in accordance with the construction time schedules as outlined in Schedule "A" attached hereto, or with the requirements of the final plan; or
- (c) fails to repair or maintain the services, including a maintained roadway surface and all other requirements of Section \* of the By-law prior to secondary service acceptance; or
- (d) becomes insolvent or makes an assignment for the benefit of creditors.

The Development Officer may declare that the Applicant is in default of this Agreement.

4.2 Seven (7) days after written notice of default signed by the Development Officer and sent to the Applicant by registered mail, the Town may, at its option:

- (a) enter upon the lands shown on Plan No. \* and the Town, its servants, agents, and contractors may complete any services, repairs or maintenance, wholly or in part, required to be done by the Applicant, and shall collect the cost thereof together with an Engineering Fee of ten percent (10%) of the cost of such materials and works, from the Applicant, or deduct the cost thereof from bonds on deposit, or recover the same by action;
- (b) make any payment which ought to have been made by the Applicant, and upon demand, collect the amount thereof from the Applicant, or enforce any security

available to the Town;

- (c) retain any sum of money heretofore paid by the Applicant to the Town for any purpose and apply the same after taxes, in payment or part payment, for any work which the Town may undertake;
- (d) assume any work or services, at the option of the Town, whether the same are completed or not, and thereafter the Applicant shall have no claim or title thereto or remuneration therefor;
- (e) bring an action to compel the complete performance of all or part of this Agreement or for damages; and
- (f) exercises any other remedy granted to the Town under the terms of this Agreement or available to the Town in law including the repeal of the final plan approval as outlined under Section \* of the Planning Act.

- 4.3 IT IS UNDERSTOOD AND AGREED between the parties hereto, that such entry upon the land shall be as agent for the Applicant and shall not be deemed as acceptance or assumption of the services of the Town.
- 4.4 Notwithstanding Subsection 2 herein, in the case of any emergency, as determined by the Development Officer, the Town shall have the right to enter upon the lands of the Applicant and to carry out the necessary maintenance and repair without notice to the Applicant.
- 4.5 The Applicant agrees to indemnify and save harmless, and keep indemnified and save harmless at all times hereafter, the Town, from and against all claims, demands, actions, suits or other legal proceedings by whomsoever made or brought against the Town, in connection with work required to be done herein by the Applicant, his contractors, servants, or agents.
- 4.6 TIME shall be of the essence of this Agreement.
- 4.7 THIS AGREEMENT and everything contained herein shall enure to the benefit of and be binding upon the parties hereto, their heirs, successors, and assigns.





## APPENDIX 'F'

Where Services are to be Contracted to the Town of Truro  
and Constructed Following Final Subdivision Approval

This Agreement is for sample purposes only

**APPENDIX 'F'**

**AGREEMENT NUMBER THREE**

**WHERE SERVICES ARE TO BE CONTRACT TO THE TOWN OF TRURO  
AND CONSTRUCTED FOLLOWING FINAL SUBDIVISION APPROVAL**

**THIS AGREEMENT** made this       day of       19

BETWEEN:

a body corporate, in the County of Colchester, province of Nova Scotia;  
(hereinafter called the "Applicant")

OF THE FIRST PART

-and-

Town of Truro, a municipal body corporate;  
(hereinafter called the "Town")

OF THE SECOND PART

**WHEREAS** the Applicant is the owner of the lands shown on Certified Plan of  
Subdivision signed by  
N.S.L.S. dated       19       , and more particularly  
being Town of Truro Plan No.       , filed in the Town of Truro Planning and Development  
Department.

**AND WHEREAS** the Applicant wishes to contract with the Town of Truro for the  
construction and installation of certain municipal services, pursuant to the Town's Subdivision By-law,  
more particularly described herein to serve the subdivision, or part of the subdivision, and to agree to  
the other provisions herein;

**AND WHEREAS** the Applicant has applied to the Development Officer of the Town  
of Truro for subdivision of the lands owned by       , for the granting of final

approval of \_\_\_\_\_ and such final approval will be endorsed by the Development Officer upon execution of this Agreement.

**NOW THEREFORE THIS AGREEMENT WITNESSETH THAT** the parties hereto covenant and agree as follows:

1. In the Agreement

- (a) "Town" means the Town of Truro.
- (b) "Council" means the Council the Town of Truro.
- (c) "Development Officer" means the Development Officer for the Town.
- (d) "Inspector" means a representative of the Development Officer.
- (e) "Primary services" includes sanitary sewer, storm sewer, water system, hydrants and lateral pipe from primary to the street lines at each lot, and the street constructed to and including a maintained subbase of gravel, and also includes arrangements for electrical power and telephone services.
- (f) "Secondary services" includes concrete curb and gutter, asphalt pavement including base gravel, concrete sidewalks, sodding, graded area between curb and sidewalk, street lights, sign standards with street named signs and walkways and may also include secondary power and telephone services to lots.
- (g) "By-law" means the Town of Truro Subdivision By-law.
- (h) "Service" means primary and secondary services.
- (i) "Final plan" includes a final plan of subdivision, a drainage, and an engineering design.
- (j) "Engineer" means a registered member of the Association of Professional Engineers of Nova Scotia.

2. The Applicant Agrees as Follows:

- (a) That the subdivision shall conform to the Town By-laws, Ordinances, Policies, Procedures, and the Municipal Planning Strategy.
- (b) That The Applicant shall conform with the requirements of Section 10.9 of the By-law with the intent that the Development Officer shall endorse the final plan of subdivision only when the following has taken place:
  - (i) the Applicant has cleared and subgraded the right-of-way in accordance with Appendix B and the Town has accepted in writing the state of such work;
  - (ii) the Applicant has filed with the Development Officer, the final plan of subdivision in accordance with Appendix B and all other provisions of the By-law;
  - (iii) the Applicant has deposited with the Town, a duly executed Warranty Deed acceptable to the Town, conveying title to all streets, walkways, easements and

parkland dedication at the time the final plan of subdivision is endorsed by the Development Officer;

- (iv) the Applicant has provided a certified cheque in the amount of \_\_\_\_\_ being the contract price for the design and installation of primary services to be provided by the Town and shall also pay and deposit with the Town such amounts as required under Section 8.2, 10.17, and Part 12 of the By-law; and
  - (v) the Applicant has prior to execution of this Agreement, reviewed the Town's proposed design drawings for all primary services prepared in accordance with the Municipal Services Standards and Specifications (Schedule "B" of the By-law) which design drawings form Schedule "A" to this Agreement.
- (c) That prior to certification of the final plan of subdivision, the Applicant shall Deed \* shown on Plan \* to the Town, at no cost as the open space dedication for the subdivision, or otherwise pay cash in lieu of, pursuant to the requirements of Section 12.1 of the By-law.
- (d) That prior to certification of the final plan of subdivision, the Applicant shall provide the following easements to the Town as shown on Plan No. \* at no costs to the Town:
- (i)
  - (ii)
- (e) That prior to the certification of the final plan of subdivision the Applicant shall deed the following streets to the Town, as shown on Plan No. \*, at no cost to the Town:
- (i)
  - (ii)
- (f) That the Applicant has approved the Town's proposed design drawings for primary services, and Applicant agrees it shall have no further recourse against the Town for the Proposed design drawings; which forms Schedule "A" to this Agreement.
- (g) That any amendments to the proposed design drawings forming Schedule "A" to this Agreement made following the execution of this Agreement shall be amendments documented in writing and approved by both the Applicant and the Town and Filed with the Development Officer.

These conveyances shall be accompanied by a letter from a solicitor certifying that the conveyed lands are free from encumbrances.

3. The Town Agrees as Follows:

- (a) That upon completion of the requirements of Section 10.9 of the By-law and Paragraph 2 (b) herein and the delivery of the contract price as required herein, the Development Officer shall endorse on the final plan of subdivision a certificate of approval or the whole or any part of the subdivision.
- (b) That within thirty (30) days of endorsing approval on the subdivision plan, the Development Officer shall file a copy of the final subdivision plan in the office of the Registrar of Deeds.
- (c) That following the endorsement by the Development Officer of the final plan of subdivision, the Town shall commence and complete the installation of the primary and/or secondary services in accordance with the construction time schedules and development stages as outlined under Schedule "A" attached hereto, and further the Town shall:
  - (i) submit to the Development Officer an estimate of the cost and the time schedule required to complete each service by individual street or part thereof, as outlined under Schedule "A" attached hereto; and
  - (ii) submit to the Development Officer for public record the actual construction costs and the Town shall retain as-built construction drawings.
- (d) That until secondary services have been constructed the Town shall:
  - (i) provide a minimum cover of four and five tenths feet (4.5') of backfill material approved by the Development Officer over all water systems and water service pipes;
  - (ii) provide necessary surface drainage to prevent any damage from flooding;
  - (iii) prevent the freezing of water system and water service pipes;
  - (iv) maintain the interior of the sewer, building sewer and water system clean and free of obstructions; and
  - (v) fulfill all other requirements of Section 10.3 of the By-law.
- (f) That, with the exception of the land designated for streets, the Town agrees not to remove the topsoil from the lands shown on Plan \* without first obtaining written approval from the Applicant.
- (g) The Town shall allow the Applicant to erect signs at the entrances to the subdivision

showing the layout and identification of all streets, lots, and public open spaces with the subdivision provided that such signage shall:

- (i) not be less than six feet by four feet (6' x 4') and approved by the Development Officer;
- (ii) be maintained in a visually good and publicly safe condition; and
- (iii) be removed on \_\_\_\_\_ day \_\_\_\_\_ month \_\_\_\_\_ year in accordance with this Agreement.

4.1 IT IS UNDERSTOOD AND AGREED between the parties hereto, that such entry upon the land shall be as agent for the Applicant and shall not be deemed as acceptance or assumption of the services of the Town.

4.2 Notwithstanding Subsection 2 herein, in the case of any emergency, as determined by the Development Officer, the Town shall have the right to enter upon the lands of the Applicant and to carry out the necessary maintenance and repair without notice to the Applicant.

4.3 The Town agrees to indemnify and save harmless, and keep indemnified and save harmless at all times hereafter, the Applicant, from and against all claims, demands, actions, suits or other legal proceedings by whomsoever made or brought against the Applicant, in connection with work required to be done herein by the Town, its contractors, servants, or agents.

4.4 TIME shall be of the essence of this Agreement.

4.5 THIS AGREEMENT and everything contained herein shall enure to the benefit of and be binding upon the parties hereto, their heirs, successors, and assigns.

**IN WITNESS THEREOF** the parties hereto have caused this Agreement to be executed on their behalf the day and year first above written.

**SIGNED, SEALED, AND DELIVERED )** \_\_\_\_\_  
)  
)  
in the presence of: ) \_\_\_\_\_  
)  
) \_\_\_\_\_  
)  
) \_\_\_\_\_  
)  
) \_\_\_\_\_  
) TOWN OF TRURO  
)  
) \_\_\_\_\_  
) MAYOR  
)  
) \_\_\_\_\_  
)  
) \_\_\_\_\_  
)  
) \_\_\_\_\_  
) TOWN CLERK



# APPENDIX 'G'

Parkland - Redication Policy

## APPENDIX 'G'

### PARKLAND DEDICATION POLICY

**Purpose:** This policy is intended to outline the specific conditions where Council may refuse to accept lands for recreational purposes, as outlined in part 12 of the Subdivision By-law.

**Policy:** Council will accept lands for recreational purpose in the amount specified in part 12 of this Subdivision By-law, provided such lands can be reasonably developed for the purpose outlined in the Municipal Planning Strategy, Recreation Map such that:

- Where lands are to be dedicated for recreation playing fields or playgrounds, than an overall slope of 8% off of the horizontal shall be the maximum grade acceptable for such recreation dedication, also, lands which are zoned environmentally protected slopes and ravines or any lands which are susceptible to periodic flooding, (except the Salmon river flood plain) will not be considered for recreational dedication.

- Where lands are accepted for park Trailway development in accordance with the Municipal Planning Strategy, Recreation Map, Council may accept such a dedication as part or all of the recreation dedication, provided it is agreed by Council that such lands represent or act to continuing the path Trailway system as designated on the Recreation Map.