

Central Saanich

Bylaw No. 2181, 2024

Subdivision and Development Servicing



Central Saanich



SUBDIVISION AND DEVELOPMENT SERVICING BYLAW 2181, 2024

1. AUTHORITY

Section 506 of *Local Government Act* authorizes a local government to require the provision of works and services, including:

1. To establish the minimum standards for the dimensions, locations, alignment and gradient of highways,
2. To require highways, sidewalks, boulevards, boulevard crossings, transit bays, street lighting or underground wiring be provided, located and constructed in accordance with the established standards,
3. To require a water distribution system, a fire hydrant system, a sewage collection system, a sewage disposal system, a drainage collection system or a drainage disposal system be provided, located and constructed in accordance with the established standards,
4. That the works and services can be required on that portion of a highway immediately adjacent to the site being subdivided or developed, up to the centre line of the highway,
5. The works and services required do not include specific services included as part of development cost charges, and
6. That the works and services may be required as a condition of approval of a subdivision or the issuance of a building permit.

2 PROHIBITION

No person shall subdivide or develop land in the Municipality contrary to the provisions of this bylaw.

3 PRELIMINARY LAYOUT CONSIDERATION

- 1 An applicant for subdivision approval may, before preparing a plan of subdivision to be submitted for approval request the Approving Officer to give preliminary consideration to and comment on a proposed subdivision layout.
- 2 An application for a preliminary layout consideration shall be accompanied by sketch plans of the proposal, sufficient information to enable the Approving Officer to determine whether or not the proposed subdivision will meet the requirements of this bylaw and any other enactment, and a fee as established in the Fees and Charges Bylaw.
- 3 An applicant shall, when directed to do so by the Approving Officer, post on the lot that is subject to the application, in a location specified by the Approving Officer, a sign provided by the Municipality, and shall pay to the Municipality the prescribed fee.
- 4 Preliminary comments on any proposed subdivision shall not be considered as acceptance by the Municipality or its Approving Officer of anything except the general

layout of the proposed subdivision, and a statement of minimum conditions which would apply should an application for subdivision be made. Preliminary comments on any proposed subdivision shall not be construed as approval of the proposed subdivision for Land Title Office registration or any other purpose.

- 5 Preliminary comments on any proposed subdivision may be amended or added to at any time by the Approving Officer.

4 APPLICATION FOR SUBDIVISION APPROVAL AND FEE

- 1 Application for subdivision approval shall be submitted on the form prescribed for that purpose from time to time by the Approving Officer.
- 2 An applicant for subdivision approval must state on the application the use to which the applicant intends to put the land following its subdivision.
- 3 An applicant for subdivision approval shall submit with the application for approval an application fee, plus an administrative fee in the amount established in the Fees and Charges Bylaw.

5 LOT AREA REGULATIONS

- 1 No land shall be subdivided having a lot frontage or lot area less than the minimum prescribed in the Zoning Bylaw or in this bylaw.
- 2 Despite 5.1 above, the Approving Officer may approve a plan of subdivision which creates a parcel or parcels which do not comply with the minimum lot area or lot frontage requirements where a lot is subdivided to accommodate municipal, public, or public utility use, other than offices, storage, or works yard.
- 3 The minimum area of a parcel in a Rural Estate zone that may be subdivided to provide a residence for a relative pursuant to Section 514 of the Local Government Act is 8.0 hectares.
- 4 Where a parcel of land is proposed for subdivision or development as a panhandle lot, the calculation of the lot area shall not include the area of the access strip, unless the width of the panhandle access meets or exceeds the lot frontage requirement.
- 5 Where land is in an Agricultural zone and in the Agricultural Land Reserve, the minimum lot area of 4.0 hectares shall apply when the land is:
 - (1) excluded from the ALR; or
 - (2) approved for subdivision within the ALR pursuant to the Agricultural Land Commission Act, Regulations thereto, or Orders of the Commission; or
 - (3) exempted by the Agricultural Land Commission Act, Regulations thereto, or Orders of the Commission.
- 6 Despite any minimum or average lot size requirement specified under the provisions of

a Residential zone in the Zoning Bylaw, the minimum lot size requirements for any property that is not serviced by municipal sanitary sewer is 2.0 ha.

6 LOT DIMENSIONS, CONFIGURATION, AND ACCESS

1. Where the lot frontage of a proposed residential lot entirely abuts the turnaround portion of a cul-de-sac, the lot frontage may be reduced to 10 m subject to the lot width meeting or exceeding the minimum lot frontage requirement. This provision does not apply to panhandle lots.
2. Except for those provided in respect of Residential Single Family and Residential Two Family uses, off-street parking areas shall be:
 - i. accessed by a driveway from the public road system no less than 3.5 m wide where used for one-way traffic and no less than 6.0 m wide where used for two-way vehicular traffic; and,
 - ii. arranged so as not to require the backing out of vehicles onto a public road.
3. Off-street parking areas for Residential Single Family, Residential Two Family, and Accessory Dwelling Unit uses shall be accessed by no more than two driveways from a public road with a maximum total combined driveway crossing width at property line of 7m, except for a corner lot which may be accessed by no more than one driveway from each of the fronting and flanking streets, with maximum driveway crossing widths at property line of 7m and 3m, respectively.
4. The minimum lot frontage and width of an access strip serving a panhandle lot is 6.0 m, except that where the access strip is straight, 45 m or less in length, and has clear site lines from end to end, the lot frontage and width may be reduced to 4.5 m.
5. Despite Subsection 6.4 above, where an access strip is not straight but is 45 m or less in length, the Approving Officer may accept a reduced lot frontage and width, subject to it being demonstrated that the site lines and vehicle clearances meet or exceed engineering standards that would serve a handi-dart bus and ambulance.
6. Despite Subsection 6.4 above, the lot frontage and width of an access strip may be reduced to 3.5 m where two adjacent panhandle lots have abutting access strips and a reciprocal access agreement is registered on title, which shall include the District as a party for the sole purpose of ensuring the agreement is not modified or discharged without the approval of the District.
7. The lot width of any proposed panhandle lot shall meet or exceed the lot frontage requirement for a standard lot in the same zone.
8. The creation of any new lot lying within two or more zones is prohibited.
9. The creation of any new hooked lot, or a lot divided into two or more portions by a highway or other legal parcel is prohibited.

- 10 Every new fee simple lot created must be provided with highway access, or for bare land strata lots, access to a highway by way of a bare land access route.

7 HIGHWAY DIMENSIONS, LOCATIONS, ALIGNMENT AND GRADIENT

A highway proposed to be dedicated shall not be dedicated, laid out or constructed unless the dimensions, location, alignment and gradient meet the requirements for highways prescribed in the Works and Services General Provisions (Schedule 1).

8 COST OF WORKS AND SERVICES

The works and services required by this bylaw shall be provided, located and constructed at the expense of the owner of the land proposed to be subdivided or developed.

9 WORKS AND SERVICES STANDARDS

- 1 All works and services required in this bylaw shall be provided, located and constructed in accordance with the applicable standards prescribed in the Works and Services General Provisions (Schedule 1).
- 2 The works and services outlined in Table 1 in respect of the applicable zoning classifications shall be provided in all subdivisions and developments of land in each zoning classification specified, and in the interpretation of the Table a 'major highway' is a major municipal route or arterial highway as shown on the Road Network Plan attached as a Schedule to the Official Community Plan. Where a new Comprehensive Development or other zone is proposed that does not fall into a zoning classification identified in the Zoning Bylaw, the zone classification will be determined by the predominant land use and applicable Land Use Designation in the Official Community Plan.
- 3 Despite Subsection 9.2, the Approving Officer may approve a boundary adjustment subdivision without requiring the works and services outlined in this bylaw provided that there would no increase in the density or intensity of use beyond what was permitted before the boundary adjustment.
- 4 Despite Subsection 9.3, if an application for subdivision is received within 5 years of a boundary adjustment subdivision to which the exemption under 9.2 was applied, the works and services outlined in this Section shall apply to all lots which were subject of the boundary adjustment subdivision.
- 5 Where the municipality operates a community water or sewer system, or a drainage collection or disposal system, the water distribution, fire hydrant, sewage collection and drainage collection systems, where provided in the subdivision or development, shall be connected by mains to the system of the Municipality in accordance with the standards prescribed in the Works and Services General Provisions (Schedule 2).

TABLE 1: REQUIRED WORKS AND SERVICES	
Zoning Classification	Works/Services to be Provided
Agriculture and Rural Estate Zones	Paved streets, storm water ditches. On major highways only: curbs, gutters and catch basins, sidewalks and street lighting. Proven Supply of Potable Water. Underground wiring for lots in the RE-6 zone only
Commercial and Institutional Zones Includes CD-2, CD-3,, CD-4, CD-5, CD-8 and CD-9 zones	Paved streets with curbs, gutters, catch basins, street lights, storm drains, water mains, fire hydrants, sanitary sewers. Sidewalks on major highways. Underground wiring. Street and Traffic signs.
Industrial Zones Includes the CD-1 zone	Paved streets with curbs, gutters, catch basins, streetlights, storm drains, water mains, fire hydrants, sanitary sewers. Sidewalks on major highways. Underground wiring. Street and Traffic signs.
Residential Zones	Paved streets with curbs, gutters and catch basins, street lighting, water main, fire hydrants, storm drains, sanitary sewers. Sidewalks only on major highways. Underground wiring where the existing service must be extended to serve the subdivision. Street and Traffic signs.

- 6 Notwithstanding the provisions of Subsection 9.5, where the community water system is not available to service the subdivision, each lot to be created by the subdivision shall have a proven supply of potable water that meets or exceeds the Guidelines for Canadian Drinking Water Quality in the amount of 2000 litres per day. Written certification from a professional Engineer or Hydrogeologist shall be provided confirming the water quality and that any proposed groundwater extraction would not adversely affect the water quality or quantity for any groundwater wells that may be impacted as determined by the professional.
- 7 If the written certification required in Subsection 9.6 cannot be provided, the Approving Officer may nonetheless approve a subdivision under the following:
- (1) The Professional Engineer or Hydrogeologist has identified treatment options that, if provided as part of development of the land, would result in a water supply meeting water quality standards,
 - (2) The Professional Engineer or Hydrogeologist has identified storage options that, if provided as part of development of the land, would result in a water capacity meeting the minimum requirements for domestic and firefighting purposes, and
 - (3) The applicant agrees to register a covenant on title restricting development of the lands unless specified steps are taken to ensure the proposed subdivision would be provided with potable water meeting the minimum water quantity and quality requirements.

- 8 Notwithstanding Subsections 9.1 and 9.2, road works and services on that portion of West Saanich Road lying between the southerly limit of the right of way of Wallace Drive and the north-westerly corner of the parcel having a civic address of 1230 Verdier Avenue on the east side of West Saanich Road and the northerly limit of the parcel having a civic address of 7226 West Saanich Road on the west side of West Saanich Road, shall be provided, located and constructed in accordance with Schedule 2 in cases where Schedule 2 provides specifications or standards that are in addition to or different from those in Table 1 or Schedule 1.
- 9 Notwithstanding Subsections 9.1 and 9.2, road works and services shall be provided, located and constructed in accordance with Schedule 3 in cases where Schedule 3 provides specifications or standards that are in addition to or different from those in Table 1 or Schedule 1:
 - (1) on the internal public roads and lanes to be constructed and dedicated during the subdivision and development of those parcels having a civic address of 7874 and 7940 Lochside Drive (the former Marigold Nursery lands).
- 10 Unless otherwise serviced by municipal sanitary sewer or community sewage system, each lot proposed to be created by subdivision or developed must be demonstrated by the applicant to contain an area or areas of sufficient size and appropriate characteristics to satisfy the requirements of the Sewage Disposal Regulation under the Health Act for conventional septic tank or package treatment plant systems for the intended use of the lot.

10 SECURITY

A security to be deposited under Section 509 of the Local Government Act shall be in cash, certified cheque, or an irrevocable letter of credit. The security shall be in the amount of 125 percent of the cost of engineering, construction, and installation of the works and services required to be installed as estimated by the Municipal Engineer.

11 CONNECTION OF WORKS AND SERVICES

- 1 Where an owner of land proposed to be subdivided or developed constructs the works and services required by this bylaw to serve a proposed subdivision or development the owner shall not connect such works or services to any of the sewage, drainage, electrical or water works of the Municipality and the Municipality shall not accept the works constructed and installed by the owner or any part thereof, until
 - (1) the Municipal Engineer has accepted the works and services;
 - (2) the proposed subdivision or development has been approved by the Approving Officer or the Building Inspector, as the case may be;
 - (3) the owner has deposited with the Municipal Engineer "as built" drawings of such works and services prepared and sealed by a Professional Engineer; and,
 - (4) the owner has deposited the approved subdivision plan in the Land Title Office and has registered in the Land Title Office statutory rights-of-way in favor of the

Municipality in respect of all works and services on private property, in a form satisfactory to the Municipal Engineer.

12 OWNERSHIP OF WORKS AND SERVICES

All works and services constructed under this bylaw shall upon their acceptance by the Municipality become vested in the Municipality, free and clear of all encumbrances.

13 WORKS AND SERVICES REQUIRED ADJACENT TO A SUBDIVISION OR DEVELOPMENT

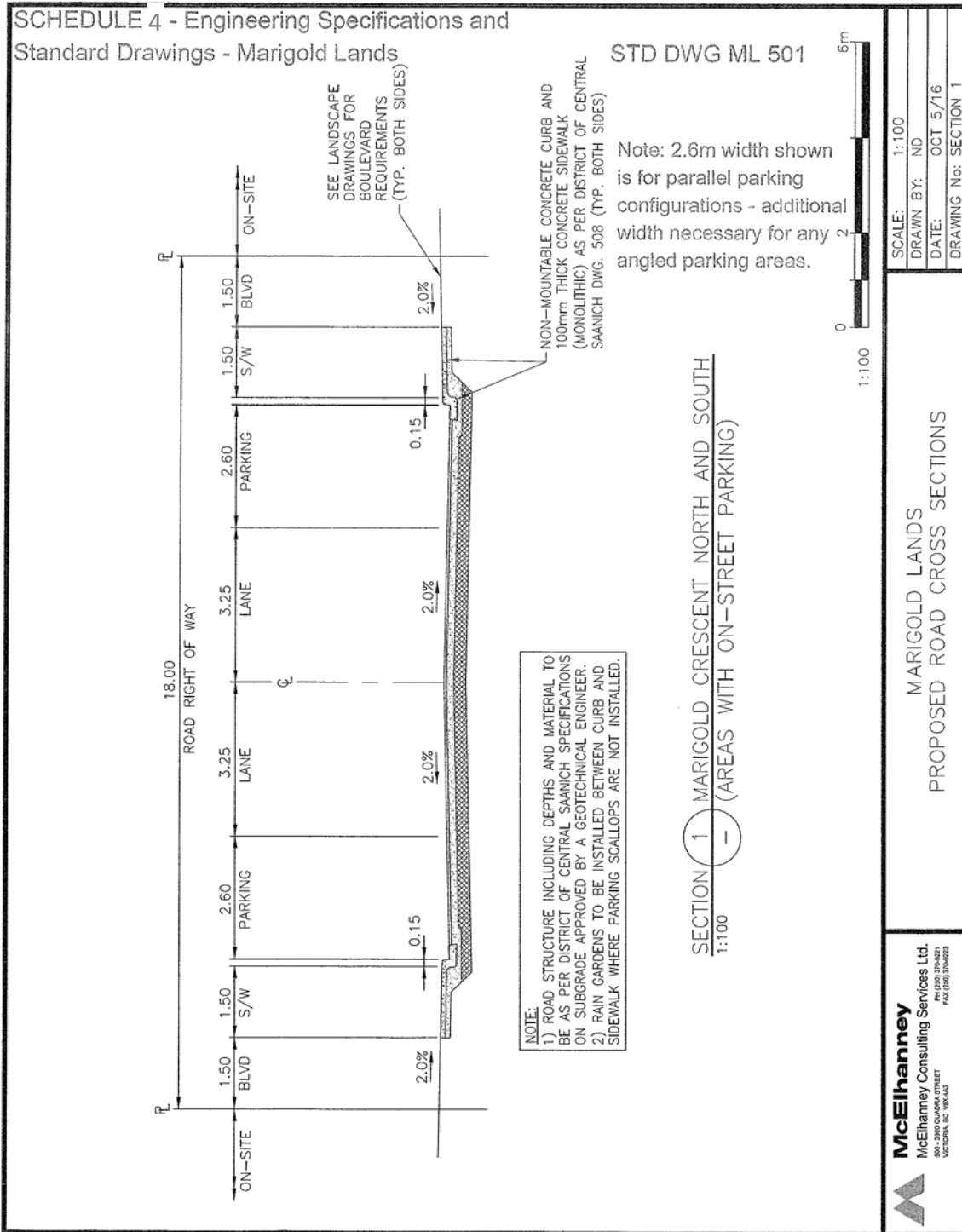
- 1 An owner of land who applies for subdivision approval or the issue of a building permit shall be required to provide the works and services that are required to be provided under Section 9 of this bylaw up to the centre line of any highway immediately adjacent to the land being subdivided or developed as a condition of approval.
- 2 The rate of interest applied to latecomer charges in respect of excess or extended works and services shall be the prime rate of the Canadian Imperial Bank of Commerce on the date of completion of the works or services, plus one percent.
- 3 If in the opinion of the Municipal Engineer the installation of works and services in accordance with this bylaw in respect of the subdivision or development of a particular site would not be in accordance with sound civil engineering principles because such works and services are best installed on an area-wide basis, the Municipal Engineer may require the owner to make a cash payment to the Municipality in the amount reasonably estimated by the Municipal Engineer as the cost of design, construction and installation of the works and services, in lieu of designing, constructing and installing them. The Municipality shall hold such payments in reserve to be expended on the design, construction and installation of the works and services on an area-wide basis at such time as may reasonably be determined by the Municipal Engineer.

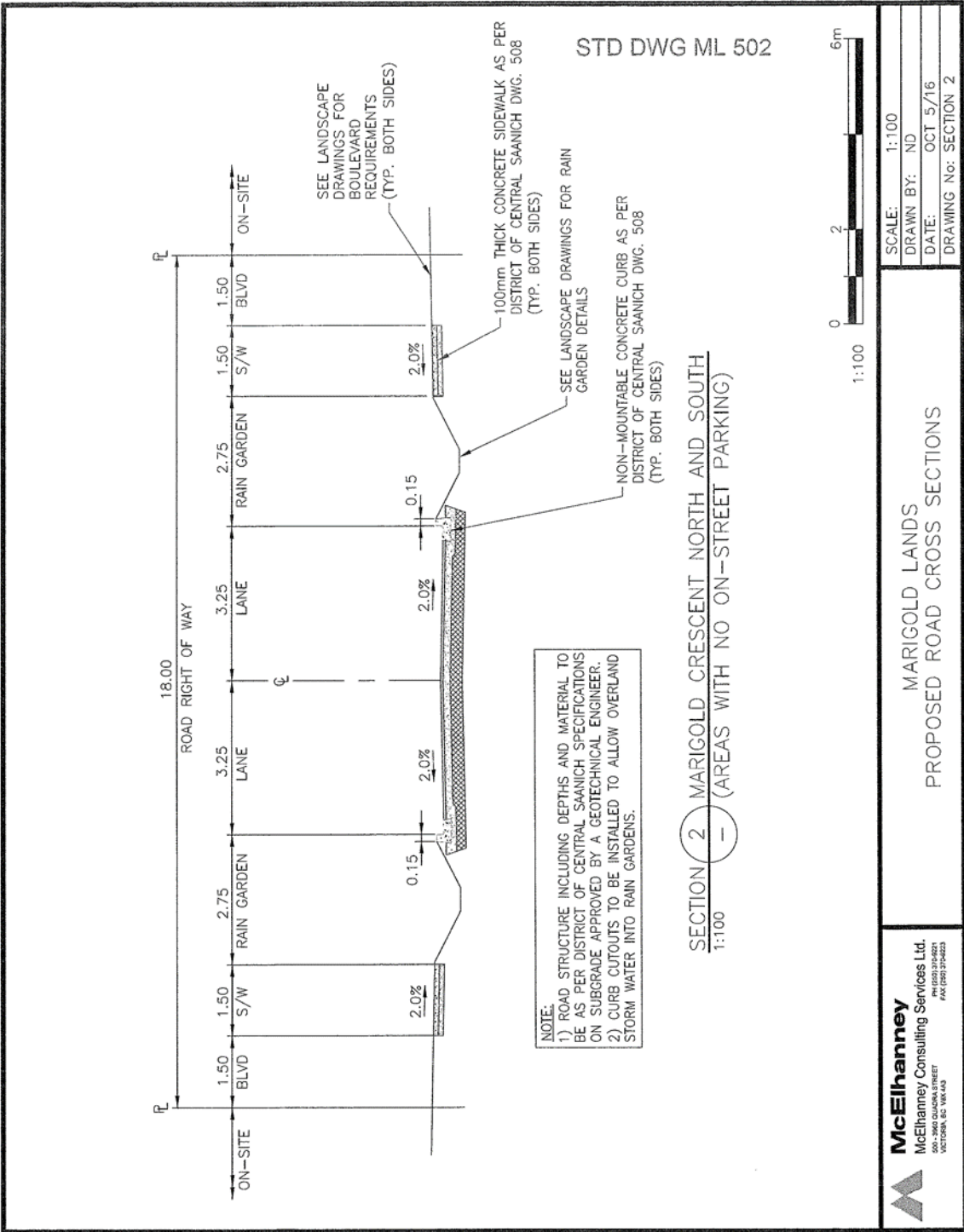
SCHEDULES

- 1 ENGINEERING SPECIFICATIONS AND STANDARD DRAWINGS – WORKS AND SERVICES – GENERAL PROVISIONS -- SCHEDULE TO SUBDIVISION AND DEVELOPMENT SERVICING BYLAW No. 2181**

**2 ENGINEERING SPECIFICATIONS AND STANDARD DRAWINGS – BRENTWOOD BAY ROAD
WORKS -- SCHEDULE TO SUBDIVISION AND DEVELOPMENT SERVICING BYLAW No. 2181**

3 ENGINEERING SPECIFICATIONS AND STANDARD DRAWINGS – MARIGOLD LANDS (CD-9 ZONE) -- SCHEDULE TO SUBDIVISION AND DEVELOPMENT SERVICING BYLAW NO. 2181





NOTE:
 1) ROAD STRUCTURE INCLUDING DEPTHS AND MATERIAL TO BE AS PER DISTRICT OF CENTRAL SAANICH SPECIFICATIONS ON SUBGRADE APPROVED BY A GEOTECHNICAL ENGINEER.
 2) CURB CUTOUTS TO BE INSTALLED TO ALLOW OVERLAND STORM WATER INTO RAIN GARDENS.

SECTION 2 MARIGOLD CRESCENT NORTH AND SOUTH
 1:100 (AREAS WITH NO ON-STREET PARKING)

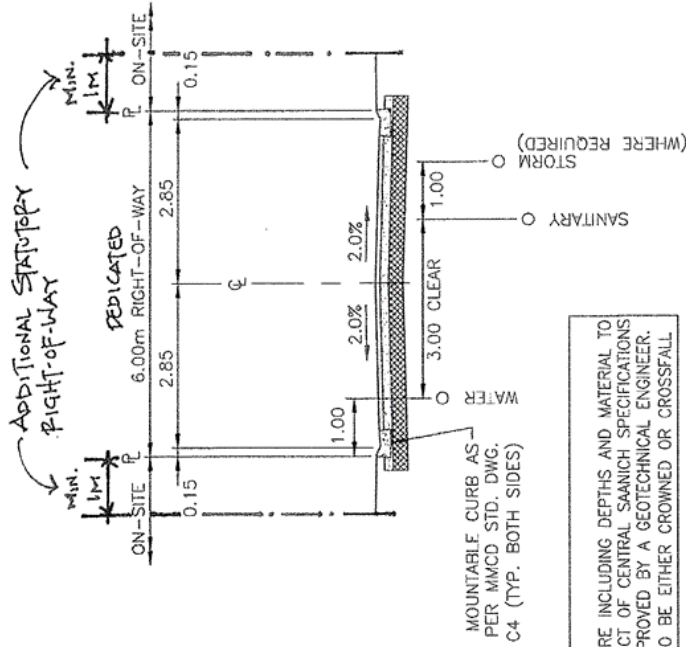
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DRAWN BY:	ND
DATE:	OCT 5/16
DRAWING No:	SECTION 2

MARIGOLD LANDS
 PROPOSED ROAD CROSS SECTIONS

McElhanney
 McElhanney Consulting Services Ltd.
 500 - 2860 OLIVIA STREET
 VICTORIA, BC V8W 4K4
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STD DWG ML 503



NOTE:
 1) ROAD STRUCTURE INCLUDING DEPTHS AND MATERIAL TO BE AS PER DISTRICT OF CENTRAL SAANICH SPECIFICATIONS ON SUBGRADE APPROVED BY A GEOTECHNICAL ENGINEER.
 2) ROAD SLOPE TO BE EITHER CROWNED OR CROSSFALL

SECTION 5 6.0m WIDE LANE
 1:100



SCALE:	1:100
DRAWN BY:	ND
DATE:	OCT 5/16
DRAWING No.:	SECTION 5

MARIGOLD LANDS
 PROPOSED ROAD CROSS SECTIONS

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