

## DISTRICT OF VANDERHOOF

### BYLAW NO. 963, 2003

Being a bylaw to amend the District of Vanderhoof Subdivision and Development Servicing Bylaw No. 659, 1992.

**WHEREAS** the District of Vanderhoof Council deems it necessary and advisable to amend the District of Vanderhoof Subdivision and Development Servicing Bylaw No. 659, 1992;

**NOW THEREFORE** the District of Vanderhoof Council, in open meeting assembled, enacts as follows:

1. That Section 4.7 and Section 4.8 be added under Section 4.0 – PROVISION OF SERVICES IN SUBDIVISIONS, as follows:

#### **SECTION 4.7 – Rights-of-Way and Easements**

- 4.7.1 Where water, community drainage or sewage systems (the “Works”) required for the subdivision must cross over privately owned land outside the proposed subdivision or development, the Developer shall be responsible for obtaining from the owner of such land a grant to the District of a statutory right-of-way, in a form satisfactory to the District, permitting the installation and repair of such works and services.
- 4.7.2 Developers shall grant to the Municipality all necessary land transfers, statutory rights-of-way and easements over the property being developed to accommodate the Works, in the locations specified by the Approving Officer.
- 4.7.3 The applicant shall prepare, and have executed, all right-of-way documents and land transfers where necessary, for sewer, drainage and water works to be owned by the District.
  - 4.7.3.1 Right-of-way documents for required statutory or private easements shall be registered at the Land Title Office prior to or concurrently with registration of a subdivision plan and prior to the issuance of a building permit;
  - 4.7.3.2 A right-of-way plan, reference plan or metes and bounds description, acceptable to the Land Title Office, must be submitted at least three weeks prior to anticipated registration to allow sufficient time for document preparation. A current copy of the State of Title Certificate is also required.
- 4.7.4 Private easement documents must be prepared by the applicant’s lawyer and must be submitted along with the lawyer’s letter of undertaking to register the same with the subdivision plan, prior to final approval of the subdivision plan.

- 4.7.5 Right-of-way documents for power, telephone and cablevision facilities shall be prepared and registered by the respective utility companies.
- 4.7.6 Where a single storm drain, sanitary sewer or water right-of-way is required, the minimum acceptable width is 3.1 m.
- 4.7.7 Where more than one service is installed in a right-of-way, the width of the right-of-way must be increased sufficiently to accommodate the pipe sizes required together with no less than 1.2 m of clearance between pipes and edge of right-of-way. The minimum acceptable right-of-way width is 3.7 m.
- 4.7.8 Rights-of-way should be located within a single property adjacent and parallel to property boundaries and must be clear of proposed building sites.
- 4.7.9 Where sanitary sewer and/or storm drain facilities are not yet available, rights-of-way shall be provided by the applicant for the eventual installation of the sanitary sewer and/or storm drain as required by the Approving Officer.

**SECTION 4.8 – Transfer of Works to the District of Vanderhoof**

- 4.8 Upon acceptance of the Works and services by the Approving Officer, as evidenced by a signed Final Acceptance Certificate, the Developer shall execute such documents as shall be required by the District conveying to the District all right, title and interest of the Developer in the works and service, and all such works and services shall become the property of the District of Vanderhoof, free and clear of all encumbrances.
2. That Section 15 of Schedule C-1 be deleted and replaced with the following:
- Upon acceptance of the Works and services by the Approving Officer, as evidenced by a signed Final Acceptance Certificate, the Developer shall execute such documents as shall be required by the District conveying to the District all right, title and interest of the Developer in the works and service, and all such works and services shall become the property of the District of Vanderhoof, free and clear of all encumbrances.
3. This bylaw shall be cited as the District of Vanderhoof Subdivision and Development Servicing Amendment Bylaw No. 963, 2003.

READ A FIRST TIME THIS \_\_\_\_\_ 10<sup>th</sup> \_\_\_\_\_ DAY OF \_\_\_\_\_ December \_\_\_\_\_, 2003.

READ A SECOND TIME THIS \_\_\_\_\_ 10<sup>th</sup> \_\_\_\_\_ DAY OF \_\_\_\_\_ December \_\_\_\_\_, 2003.

READ A THIRD TIME THIS \_\_\_\_\_ 10<sup>th</sup> \_\_\_\_\_ DAY OF \_\_\_\_\_ December \_\_\_\_\_, 2003.

ADOPTED THIS \_\_\_\_\_ 14<sup>th</sup> \_\_\_\_\_ DAY OF \_\_\_\_\_ January \_\_\_\_\_, 2004.

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MAYOR

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CORPORATE OFFICER