

Subdivision means the division of an area of land into two or more parcels and includes a re-subdivision or a consolidation (addition) of two or more parcels. Generally lot boundaries cannot be changed and new lots cannot be created without subdivision approval. However if a lot to be severed off is over 25 acres (10 ha) and the remaining parcel is over this size, a property owner can subdivide by deed as per Section 268(2)(a) of the Municipal Government Act (MGA).

Zoning Confirmation

Consult by phone or in person with a Development Officer to confirm zoning or the parcel or parcels you wish to subdivide or consolidate. Each zone in the Municipality of the County of Kings has separate requirements for lot size and area. These requirements can be found in the Land Use By Law (LUB), which is located on the County Website at www.county.kings.ns.ca.

Final Approval (Minor Subdivisions)

A minor subdivision (S/D) is a plan that creates lots which will be serviced by existing municipal systems and do not require the extension of streets, utilities or public improvements. Consolidation and additions usually fall into this category.

Submission Requirements:

- 12 copies of the plan drawn to scale by a certified Nova Scotia Land Surveyor, which meet the LUB and S/D By-Law Requirements
- QP report (if on site septic)
- Deed (if applicable)
- Application & Fee

Open space fees may be waived if only one lot is created in a calendar year.

Open Space Fee

The Development Officer may require the applicant to convey to the Municipality for park, playground or similar public purposes an area of useable land equal to 5% of the area of land shown on the final plan of subdivision.

Where there is no useable land or where the subdivider so desires, the Municipality shall accept, in accordance with the Municipal Government Act of Nova Scotia a sum of money equal to 5% of the assessed value of the new lot(s) being created.

Change of Use Tax

Property Valuation Services Corporation are responsible for assessing the value of property based on a variety of data sources. In some cases a change of use tax may apply to your new parcels of land. Please contact the Provincial Assessment Department at 1-800-380-7775 to determine if this tax may apply to you.

Tentative Approval (Major Subdivisions)

The Tentative Subdivision Plan is a procedure designed to ensure that such things as street alignments, drainage and sanitary facilities, location and size of easements and rights-of ways, traffic access, grading and numerous other features conform to the Municipality's By-Laws. This process typically applies only if you are proposing new streets or installing municipal services such as water and central sewer.

Submission Requirements:

- 12 copies of the tentative plan drawn to scale
- boundary survey completed by a certified Nova Scotia Land Surveyor, of area being developed
- 4 copies of centre line profile, and, if applicable;
 - sewer services plan
 - water systems plan
 - storm drainage plan
- Park land dedication 5% land or cash in lieu
- proposed names of roads
- QP report (if on site septic)
- NSE approval - ie. permit to install services, permit to alter a watercourse etc.

Tentative approval is valid for **2 years** within which time an application for final approval must be filed, or the Tentative approval will expire, forcing the owner to go through the process again.

Final Approval (Major Subdivisions)

A final major subdivision is a plan that requires new Municipal services to be installed such as water and sewer. The creation of new roads that will be owned by the Municipality will also trigger major subdivision approval.

This phase can only be entered into if Tentative approval has been granted and 2 years have not passed since tentative approval.

Submission Requirements:

- 12 copies of the plan drawn to scale by a certified Nova Scotia Land Surveyor
- Road record drawings & any required supporting Engineering Drawings or Tests
- Street and Services Agreement
- Bonds - maintenance and performance
- Deeds, forms and recording fees for roads and parkland (if applicable)
- Certificate of title
- Nova Scotia Environment (NSE) permit to install services
- NSE permit to install culverts (if applicable)

Nova Scotia Environment

Nova Scotia Environment regulates the disposal of on site sewage through the Onsite Sewage Disposal Systems Regulations. These regulations apply to any lot shown on a plan of subdivision that is submitted to a Development Officer for approval by a Municipality and is proposed to be serviced by an on-site system. One exception to the regulations a lot that is larger than 9000m² (96,878.4 sq ft) in area and 76 m (249.3 ft) or more in lot width and is identified on an application for a subdivision as not intended for development purposes and is currently vacant.

When an application for subdivision is made the Municipality will forward a copy of the proposed subdivision, a copy of the application for subdivision and the completed QP report to Nova Scotia Environment. It is the responsibility of the applicant/owner to contact Nova Scotia Environment regarding that departments' requirements.

It will be the applicants responsibility to hire a Qualified Person (QP) to determine if the lot is suitable for an on-site system. QPs can select or design a system based on technical guidelines that will suit the lots soil conditions, such as soil type, slope, depth to water table and depth to bedrock. There are two types of QPs:

- Qualified Persons Level 1 (QP1) who can select or design systems. QP1s are professional engineers who are registered to practice in Nova Scotia and who hold valid liability insurance.
- Qualified Persons Level 2 (QP2) who can select systems, but cannot design them. QP2s are technical persons other than professional engineers who hold valid liability insurance, and who have been properly trained and certified. Many QP2s are also qualified to install on-site systems.

A complete list of QPs can be found at your local Nova Scotia Environment Office or at:

<http://www.gov.ns.ca/nse/wastewater/onsitesewage.asp>

Municipal/Village Services (Roads, Sewer and Water)

If your parcel of land is located in an urban area it may be accessible to municipal sewer and or water. Check with the Engineering and Public Works Department or at your Village Office to see if connection is available. If subdividing a lot with an existing dwelling, these departments may require a dye test to confirm connection.

The Engineering and Public Works Department regulates municipally owned roads. When an application for subdivision is received, the Municipality will confirm that access is permitted from the Municipal road as part of the subdivision approval process.

If new municipal services including roads and sewer lines are being installed tentative approval is required prior to final approval. (See Tentative Section for more details)