



**Case 19507: Regional Subdivision
By-law Amendments**

Regional Council
June 21, 2016

Subdivision By-law Amendments

- 5 Topics for review as proposed by Development Industry
- Staff Initiated/ Housekeeping Amendments
- Parkland issues identified by Regional Council

Subdivision By-law Amendments

Specific Public Participation Program:

- 3 Open Houses (Eastern, Central, Western areas of HRM)
- Online Survey
- Development Liaison Group meetings
- Website for information and comment
- Internal and external review

HALIFAX 3

Subdivision By-law Amendments

5 Development Industry Topics

- LED streetlights
- Audit Inspection Amounts
- Role of Heritage Gas in Subdivision Process
- Timing of Street Tree and Landscaping Requirements
- Parkland Dedication

HALIFAX 4

Subdivision By-law Amendments

Development Industry Topics

LED Streetlights

- **Issue-** Installation in streetlight bulbs causes delay for developers in municipal assumption of new streets due to lack of standardized bulbs. Inability for development industry to leverage economy of scale
- **Proposed Amendment-** Amendment proposed to allow industry to assume responsibility for installation of streetlights

HALIFAX

5

Subdivision By-law Amendments

Development Industry Topics

Audit Inspection Amounts

- **Issue-** 2% required by By-law is excessive and costly to industry
- **Proposal-** By-law amendment proposed to reduce required amount to 0.5%

HALIFAX

6

Subdivision By-law Amendments

Development Industry Topics

Role of Heritage Gas

- **Issue-** Heritage Gas wishes to be recognized as required review agency, without whose approval, subdivision applications can not be advanced
- **Proposal-** No By-law amendment. By-law currently provides for referral and required provision of design is supported within the By-law without amendment.

HALIFAX

7

Subdivision By-law Amendments

Development Industry Topics

Timing of Installation of Street Trees and Sod

- **Issue-** Street trees, sodding and other landscaping elements are frequently damaged during home construction, and require replacement.
- **Proposal-** No By-law amendment. Industry best-practices can address this effectively, while delaying installation under security depends on market up-take of approved lots, could cause stormwater management issues.

HALIFAX

8

Subdivision By-law Amendments

Development Industry Topics

Parkland Dedication

- Clarification of the acceptability of passive, open or 'conservation' land as parkland dedication
 - By-law currently clear that open space, conservation land, riparian buffers, wetland areas, and other similar features are not acceptable parkland dedication.
- Review of a possible reduction of required parkland dedication in unique situations
 - Initiating review of amount of parkland to be informed by HGNP, no amendment required.
- Clarity around quality of land criteria

HALIFAX

9

Subdivision By-law Amendments

Staff Initiated/ Housekeeping Amendments

- Warranty Period
- Review of subdivision fees
- Review of park accessibility standards
- Housekeeping amendments for clarification

HALIFAX

10

Subdivision By-law Amendments

Staff-Initiated/Housekeeping

Warranty Period

- Issue- Review the length of the warranty period required for any defects in the performance of newly installed street infrastructure
- Proposal- By-law amendment to extend the warranty period from 1 year to 2 years to make it consistent with the industry standard used by HRM and for their capital works projects as well as by other Canadian cities.

HALIFAX

11

Subdivision By-law Amendments

Staff-Initiated/Housekeeping

Subdivision Processing Fee Review

- The amount of fees that are charged are currently under review and a separate report to Council is coming in late Spring of 2016
- Fees have been removed from the By-law and included in AO15

HALIFAX

12

Subdivision By-law Amendments

Staff-Initiated/Housekeeping

Park Accessibility Standards

- Commitment made to review several existing parks for accessibility issues due to a lack of curb cuts, driveways, parking areas and unstable pedestrian surfaces.
- Existing parks were reviewed and were developed prior to our current standard.

HALIFAX

13

Subdivision By-law Amendments

Staff-Initiated/Housekeeping

Housekeeping

- Reference updates
- Definitions
- Removal of exhausted grandfathering provisions
- Removal of redundant Engineering requirements
- Reformatting of Subdivision Agreement

HALIFAX

14

Subdivision By-law Amendments

Regional Council Items:

- Possibility of allocating or prorating parkland dedication
- Possibility of requiring park dedication for changes in use where no subdivision is taking place, or park dedication required where no lots are being created

HALIFAX

15

Subdivision By-law Amendments

Lot Design Requirement:

31 (1) The lot frontage and lot area requirements of the land use by-law apply except as varied by this by-law.

(2) Notwithstanding sections 6 and 7, within the areas designated on the Generalized Future Land Use Map in the Regional Municipal Planning Strategy as Rural Commuter, Rural Resource, Agricultural, Open Space and Natural Resource and Harbour, (outside of the Urban Service Area and Water Service Area identified on Schedule "B"), lots fronting the trunk and route highways identified in Schedule "K" shall have a minimum lot frontage of 61 m.

(3) Other than lots meeting the requirements of section 34, wherever possible, side lot lines shall be substantially at right angles or radial to street lines.

(4) Wherever possible, lots shall be uniform in shape and the rear lot lines of a series of adjoining lots shall be continuous, not stepped or jogged.

HALIFAX

16

Subdivision By-law Amendments

Recommendation:

- Approve the proposed amendments to the Regional Subdivision By-Law as set out in Attachment A of the March 30, 2016 staff report with the additional amendment:
- That section 31 is amended by adding subsections (3) and (4) directly after subsection (2), as follows:
 -
 - (3) *Other than lots meeting the requirements of section 34, wherever possible, side lot lines shall be substantially at right angles or radial to street lines.*
 -
 - (4) *Wherever possible, lots shall be uniform in shape and the rear lot lines of a series of adjoining lots shall be continuous, not stepped or jogged.*

HALIFAX 17