

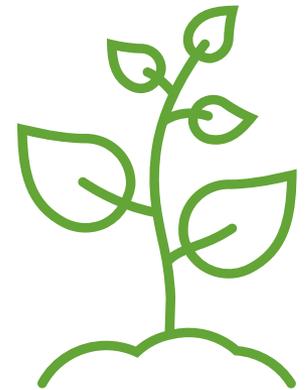


Policy barriers to protecting natural assets in HRM

Environment and Sustainability Standing Committee
June 2, 2022 | 1:00 PM

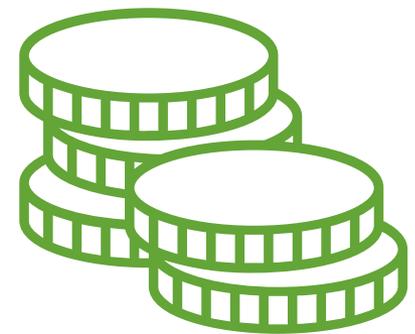
Why Are We Here

- HRM is growing!
- Green spaces and natural assets help the City to achieve many of its goals
- Combatting many crises – housing, climate, biodiversity etc.
- Policy opportunity – Regional Plan review

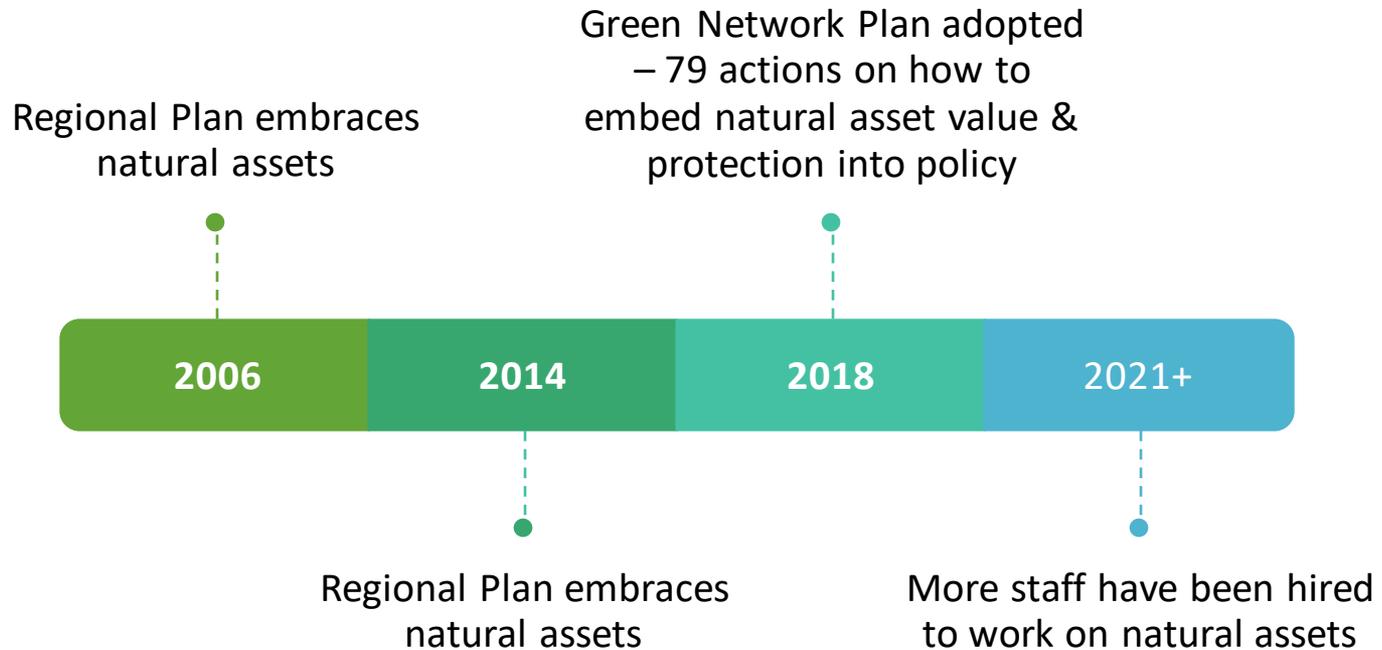


For Your Back Pocket

- Given that “money talks”, the question is what is the value of green spaces?
- In the 3 wards surrounding New York’s Central Park – Land value increased **10 fold** immediately following its completion in 1857
- 2015 report on Value of Central Park’s Contributions to New York City’s Economy – **\$26 Billion**



HRM Natural Asset Recognition



The Puzzle

- Why have there been no on-the-ground, visible impacts from the HRM natural asset policies?
- Why are environmental policies taking a back seat to development policies?
- Why are development/planning staff not aware of the HGNP?
- Why is the UARB concluding cases in favor of development policies?

The problem: No legal framework for protecting natural assets in HRM

Answer No. 1

- S.234 of HRM Charter requires new regional policies to be coupled with associated by-law changes needed to implement the policies.

*234(1) Where the Council adopts a municipal planning strategy or a municipal planning strategy amendment that contains policies regulating land use and development, the Council shall, at the same time, **adopt a land use by-law or land use by-law amendment that enables the policies to be carried out.***

- In many cases there is no associated land use by-law implementation provision.

Answer No. 2

- Routinely, the natural asset policies only require that the policy *be considered*.
- No reporting on how the policy was considered.
- If considered, no reporting to Council on thinking in determining what considerations overrode applicable natural asset policies.
- Inexplicably, the applicable natural asset/environmental policies are not mentioned in some staff reports considering rezoning applications.

Answer No. 3

- Some planning policies expressly state that transportation policies and other policies including natural asset/environmental policies have second-class status.
- Example - Mainland South Secondary Plan 8.2 which provides:

*8.2 The areas for future land use shown in the Generalized Future Land Use Map shall be governed primarily by the objectives and policies which correspond to the primary use shown. **All other objectives and policies shall apply as appropriate, but shall be subordinate to the primary objectives and policies.***

- 8.2 undercuts all other policies that are not considered primary policies.
- Similar statement in Beaverbank, Hammonds Plains, Upper Sackville SPS at 9.2.

Answer No. 4

- Many instances of conflicting policies in the Regional Plan and Secondary Planning Strategies.
- Example from the Regional Plan:

Little Sheldrake/Maple Lakes surrounding land is included in Map 11, but also includes a 3km subdivision road connector running through same area to facilitate development.

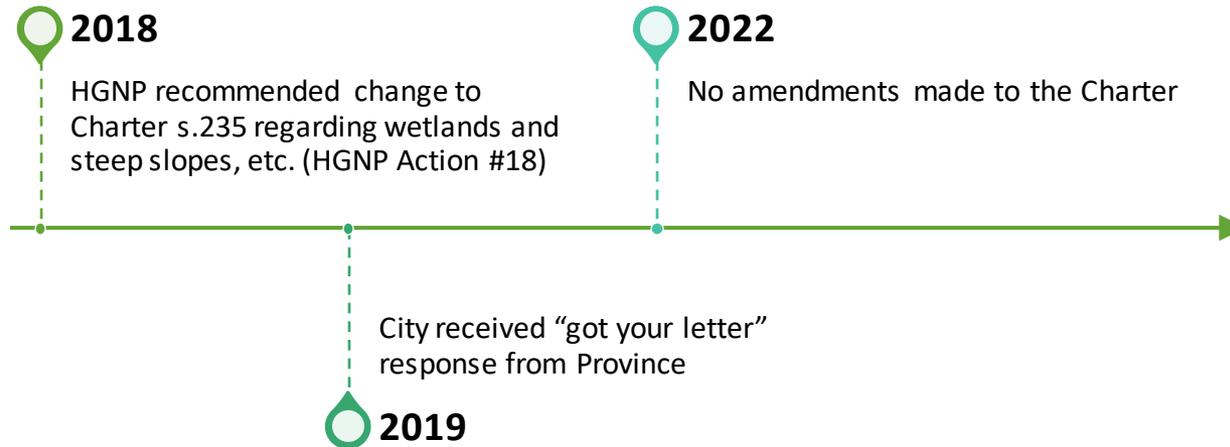
- A related HRM staff report focus is primarily focused on the development needs and no rationale of the two conflicting policies.

Answer No. 5

- HRM Charter discriminates against parkland acquisition in favour of road acquisitions.
- S.237 limits Council to one year to decide/find \$ for parkland acquisitions but s.239 allows Council **5 years to decide/find \$ for road acquisitions.**
- **Recommendation:** Letter of non-objection needed to a s. 237 amendment to match the road acquisition time limit.



Answer No. 6



- No known follow-up by HRM
- Have been advised that developers complain about wetlands/steep slopes as unusable for development
- Win-win scenario

Recommendations

Regional Plan and By-Law Simplification Program

- Natural asset policies need to equal development policies
- Natural asset policies need to be reflected in land use by-laws
- Policy needs to use implementation language (not "consider")
- No contradictory policies

Charter Changes

- Non-objection letter to extend the timeline for parkland acquisition
- Follow up on HGNP 2018 Charter amendment request





Thank you!