

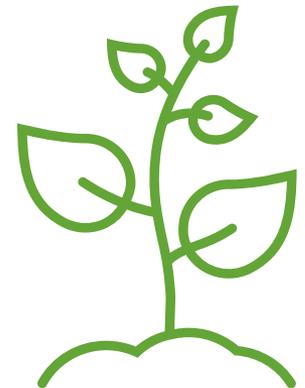


Barriers to protecting natural assets in HRM

Community Planning and Economic Development Standing Committee
June 16, 2022 | 10:00 AM

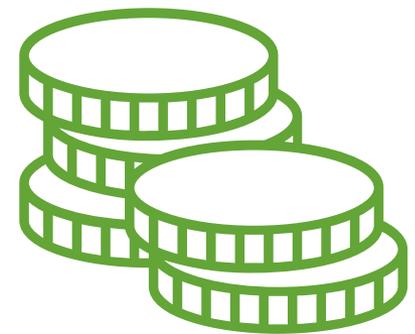
Why Are We Here

- HRM is growing!
- Complete communities – HRM pillar – Strategic, sensible, sustainable development
- Single minded focus around development at all costs
- Green spaces and natural assets help the City to achieve many of its goals
- Policy opportunity – I.e. Regional Plan review

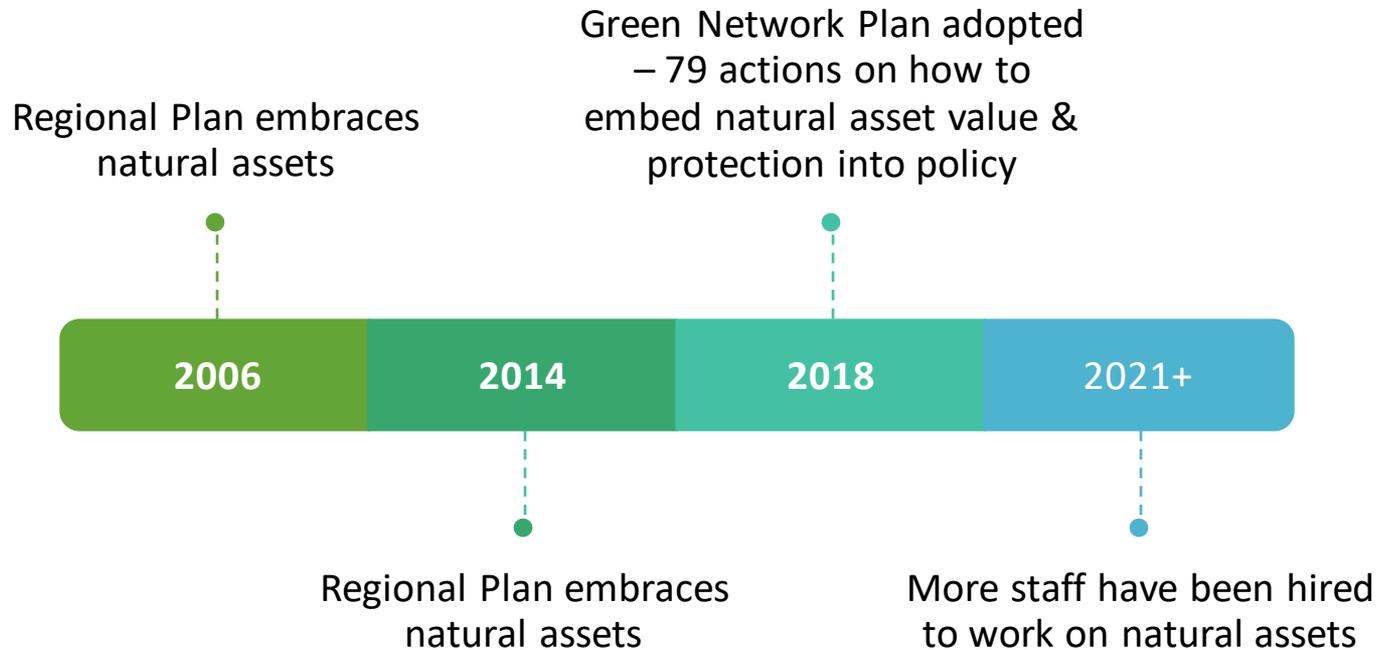


The Numbers

- Green spaces drive added economic value
- Central Park, New York increased surrounding land values by 10 times within first year of operation
- Economic development – 'People, Planet, Prosper'
- Green spaces provide free recreation – I.e. Swimming, skating, hiking, canoeing, dog walking, birdwatching
- Avoided municipal costs – I.e. flooding, water pollution, climate impact costs



HRM Natural Asset Recognition



The Puzzle

- Why no on-the-ground, visible impacts from the HRM natural asset policies?
- Why environmental/natural asset policies taking a back seat to development policies?
- Why development/planning staff not aware of the HGNP?
- Why UARB concluding it has no choice but to favor development policies over natural asset 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 associated land use by-law missing implementation provision.

Answer No. 2

- Routinely, natural asset policies only require the policy *be considered*.
- No reporting on how policy was considered.
- If considered, no reporting to Council on thinking in determining what considerations overrode applicable natural asset policies.
- Inexplicably, applicable natural asset/environmental policies not mentioned in some staff reports in 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 Regional Plan also includes a 3km subdivision road connector running through same area to facilitate development.

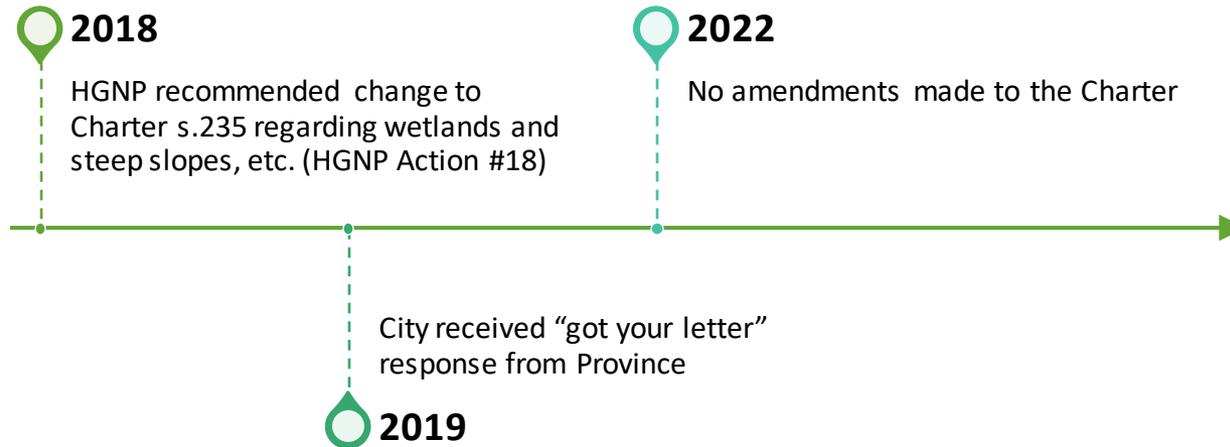
- A related HRM staff report focus is primarily focused on the development needs and no rationale of the two conflicting policies.

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!