

A Guide to Subdivision



Just what is a subdivision?

Whether you and your neighbour are just swapping pieces of your lots or you are building a new road and creating twenty lots, what you're doing is subdividing. Simply defined, a subdivision is the division of any area of land into two or more lots, and includes a re-subdivision which alters existing lot lines, or a consolidation of two or more parcels of land. Lot boundaries cannot be changed and new lots cannot be created without subdivision approval.

Lot Design Requirements

All lots require a minimum amount of road frontage and lot area depending upon where your property is located. Lot sizes range from as small as 4000 square feet in areas with piped sewer and water systems to as much as 80,000 square feet in areas serviced by septic systems and wells. **Due to soil conditions in these areas, the Department of Environment may require lot sizes that are larger than HRM's minimum.**

Requirements vary depending on where your property is located, and what zoning is in place on your property. In most cases, the following lot sizes are the standard for single unit residential properties:

Lots serviced with piped sewer and water
frontage = 50 feet
lot area = 5000 square feet

Lots serviced by septic systems
frontage = 100 feet* (lot width=125 ft.)
lot area = 30,000 square feet

* 200 feet is required where the lots front provincial trunk and route highways

Lots serviced by septic systems & bordering watercourses

frontage = 100 feet* (lot width=150 ft.)
lot area = 40,000 square feet

In certain areas of HRM some exceptions to these standards are possible. Please ask our staff to explain them and to determine whether your property is eligible.

Street Requirements

All lots must have frontage on a public street or highway or an existing approved private road.

In areas of HRM serviced by septic systems and wells, developments involving **more than eight lots** on a new road must follow the **Open Space Design** process. For more information, please refer to our brochure entitled, "A Guide to Open Space Development in HRM".

Public streets are owned and maintained, for the most part, by HRM. Some roads in the more rural areas and all arterial highways are owned and maintained by the NS Department of Transportation & Public Works.

Approved **private roads** are those which have been designed to meet the width, grade and alignment of a public road but have not been built to public road standards. Because of the reduced construction standards, the number of lots able to be developed on private roads is limited in many areas of HRM. **No new private roads are permitted in HRM.**

This brochure has been prepared to provide basic information about the subdivision approval process. Any difference between the contents of this brochure and applicable by-laws, regulations, codes and procedures shall be resolved by reference to the official documents.

Parkland Dedication

HRM requires the subdivider to deed to the Municipality a lot for use as public parkland. The size of the parkland equals ten percent of the total area of the lots being created. Where it is not feasible to provide an area of land, cash, in lieu of land, will be accepted. A cash donation is based on ten percent of the assessed value of the lots being created. All cash is used for the acquisition of and improvements to park areas. Parkland donations are required before a subdivision can be approved.

Where do I start?

Stage 1 - Preliminary Evaluation

If your proposal does not include the construction of new roadways, as your first step, and before you hire a surveyor, we recommend that you submit a **preliminary subdivision application**.

Required Information

Submit 8 copies of a sketch plan showing your subdivision proposal to any one of our three Development Services offices. This plan **must be drawn to scale and show** the following information:

- the name of the property owner and owners of the neighbouring properties
- the approximate dimensions and area of each proposed lot with each lot identified by a lot number
- the approximate dimensions of any remaining lands
- the location of all buildings on the land

- the location of any swamp, stream, lake, river, ocean or any other watercourse
- the location of all public or private roads
- the location of any easements, rights-of-way, power lines, etc.
- a north arrow and a key plan showing the general location of the land

If you need help in preparing your plan, a sample sketch plan is available from our staff. Remember, the more information you can provide us with, the easier it will be to process your application.

After we have processed your application and received responses from the applicable referral agencies, we will write you advising whether or not you should proceed to the next subdivision stage. Our response is based on the comments received from the agencies as well as the subdivision regulations applicable to your property.

When you make application beyond the preliminary stage, you will have to hire a Surveyor to prepare a proper subdivision plan.

What's my next step?

After you have completed a preliminary application (stage 1) and where no new roads or services are required, there is only one more stage; final approval. Where new roads or municipal servicing systems are planned, the approval of your subdivision follows a four stage process beginning with Concept Plan Approval.

Stage 2 - Concept Plan Approval

Where your project proposes the construction

of new roads, the Subdivision By-law requires the provision of a Concept Plan for the full parcel(s) of land being developed. The main intent of this stage is to ensure a well coordinated pattern of development. For more information, please refer to our brochure entitled, "A Guide to the Subdivision Concept Plan Process".

Stage 3 - Tentative Approval

This stage is optional and typically applies only if you are proposing new public streets or are installing municipal services.

If new or extended roads or services are not part of your proposal, then you may proceed directly to the final approval stage. Servicing schematics (centreline plan and profiles) for the street system as well as the sanitary, storm & water systems, where applicable, are checked and, provided all design work is satisfactory, tentative approval is given. Tentative approval is valid for 2 years within which time an application for final approval must be filed.

Stage 4 - Design Approval

At this stage, the detailed and fully engineered design proposals of the servicing systems and public roads are checked and approved by the HRM Development Engineering group and the Dept. of Transportation, where applicable. After approval, you must enter into a construction agreement, which specifies the timing and method of construction of the public roads and the sewer, water, and storm drainage systems.

Stage 5 - Final Approval

Construction of all roads and services is complete, to the satisfaction of the HRM Development Engineering group. Roads are deeded and the operation of the services is

transferred to HRM. Any required parkland contribution is also settled **prior** to final approval. The subdivision plans are signed by the Development Officer and recorded at the Registry of Deeds or Land Registration Office. **This is the only stage where lots are actually created or altered.** Only after the plan is recorded may deeds be finalized.

Processing Your Application

At each subdivision stage, your application is circulated to other departments for review and comment. Comments are required from all applicable referral agencies before HRM can approve your proposal. Depending on the location of your property and the details of your subdivision, these other departments may include:

- The HRM Development Engineering group for comment on the central sewer services and road design
- The Halifax Regional Water Commission for comment on central water services design
- The HRM Parkland Planning group for comment on the parkland dedication
- NS Department of Transportation for comments on road frontage and access where provincial roads are involved
- NS Department of the Environment - Health Services Branch for soil testing of proposed lots in unserviced areas where septic systems are required
- NS Department of the Environment where a watercourse runs through or borders the land being subdivided

Where do I apply?

You may apply for subdivision approval at any one of the Development Services offices below.

Dartmouth Branch Office

1st Floor, Alderney Gate, Alderney Drive

Halifax Branch Office

2nd Floor, 7071 Bayers Rd, Suite 2005,
Bayers Road, Halifax

Office Hours

9:30am to 4:30pm Monday through Friday
(except statutory holidays)

Who can I contact?

Phone	311
Email	contact@halifax.ca
Halifax Reg. Water Commission	. 490-4827
NS Dept. of Transportation 424-5328
NS Dept. of Environment and Labour	
Bedford 424-7773
Sheet Harbour 885-2462