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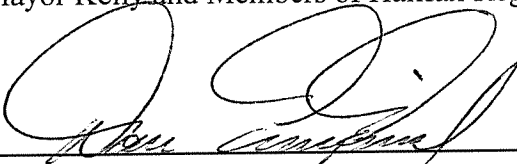


PO Box 1749  
Halifax, Nova Scotia  
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**Halifax Regional Council**  
**July 3, 2007**

**TO:** Mayor Kelly and Members of Halifax Regional Council

**SUBMITTED BY:**

  
\_\_\_\_\_  
Dan English, Chief Administrative Officer

  
\_\_\_\_\_  
Wayne Anstey, Deputy Chief Administrative Officer - Operations

**DATE:** June 22, 2007

**SUBJECT:** Case 00989-Amendments to the Regional MPS and Subdivision By-law  
regarding Parkland Dedication for Small Scale Subdivisions

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**SUPPLEMENTARY REPORT**

**ORIGIN**

Motion of Regional Council on June 12, 2007.

**RECOMMENDATION**

Further to the Council motion of June 12, 2007 on First Reading, it is recommended that the changes to the Regional Municipal Planning Strategy and Subdivision By-law as set out in Attachments 1 and 2 be given Second Reading.

## **BACKGROUND**

At its meeting of June 12, 2007, Regional Council received a Staff Report dated June 12, 2007 with an analysis of the financial impact of three options for amending the park dedication requirements for small scale subdivisions under the Regional Municipal Planning Strategy and Subdivision By-law. The three options as analysed in the report were to:

1. Exempt the parkland dedication requirement for 3 lots or less for subdivision developments within the Rural Resource Designation (Eastern Shore East), Agricultural Designation (Musquodoboit Valley) and Open Space and Natural Resources Designation under the Regional MPS and Subdivision By-law.
2. Reduce the parkland dedication requirement to 5% for 3 lots or less for subdivision developments within the same geographic areas as outlined in Option 1.
3. Re-establish the previous exemption for small lot subdivisions (3 lots or less) from any parcel of land created prior to March 31, 1978 in the former County area and apply it to the same areas as outlined in options 1 and 2 plus the Rural Commuter Designation which applies to the areas surrounding the Urban Settlement Designation under the Regional MPS.

Council gave first reading to an amendment to reduce the park dedication requirement from 10% to 5% for three lots or less within all areas of the Halifax Regional Municipality under the Regional Municipal Planning Strategy and Subdivision By-law. A public hearing date has been set for July 3, 2007 to receive public input on this matter.

## **DISCUSSION**

The amendments to the Regional Municipal Planning Strategy and Subdivision By-law are appended as Attachments 1 and 2 to this report. The amendments allow a reduction in the park dedication requirements from 10% to 5% for three lots or less for any area of land in existence on the effective date of this amendment.<sup>1</sup> After the three lots have been created from any existing parcel after the effective date, all subsequent subdivision of these parcels, including the new lots, will be subject to the 10% park dedication requirement.

The Parkland Development Reserve (Q107) is used for the acquisition and development of parkland. With the approval of the amendment as proposed, staff advises that revenues collected will be substantially greater than those collected prior to the adoption of the Regional Plan, but will be substantially less than the projected revenues that would be collected according to current regulations under the Regional Plan (10% parkland dedication across the board). This means it will take longer

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<sup>1</sup>Please note that the effective date of this amendment will become the date that a notice is published in the newspaper announcing that the planning documents have been approved by Council and reviewed by the Minister of Service Nova Scotia and Municipal Relations.

to acquire regionally significant lands for trail and park development and may affect the Municipality's ability to make strategic land acquisitions in a timely fashion when opportunities arise.

### **BUDGET IMPLICATIONS**

The revenue lost is estimated to be between \$200,000 and \$300,000 annually. Table 1 demonstrates the implications of this change over the life of the Regional Plan. This assumes no inflationary impact or extraordinary growth over the life of the Regional Plan.

**Table 1:  
Estimated Revenue Loss Range**

<b>Proposed Amendment</b>	<b>Estimated Annual Revenue Loss</b>	<b>Estimated 10 Year Cumulative Revenue Loss</b>	<b>Estimated 20 Year Cumulative Revenue Loss</b>
Reduce requirement from 10% to 5% for 3 lots or less everywhere in HRM	\$200,000 - \$300,000	\$2,000,000 - \$3,000,000	\$4,000,000 - \$6,000,000

It is important to note that revenues recorded in our financial systems are not yet reconciled. Therefore, estimates have been calculated based on historical revenue streams. The file has been transferred to the Business Systems and Control Group (BSC) who have agreed to conduct a process review.

### **FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN**

This report does not comply with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation. If approved, this will reduce budgeted revenues in the Parkland Development Reserve budget.

### **ALTERNATIVES**

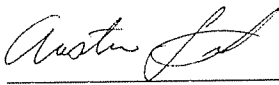
1. Council could consider adopting Option 2 for the reasons outlined in the Staff Report dated June 12, 2007. This option would reduce the parkland dedication requirement to 5% for 3 lots or less for subdivision developments within the Open Space and Natural Resource, Agricultural and Rural Resource designations. The amending by-laws for this option are appended as Attachments 1 and 2 to the June 12<sup>th</sup> Staff Report. If Council chooses to pursue this alternative, it should re-advertise its intent to change the Regional MPS and hold a new public hearing.

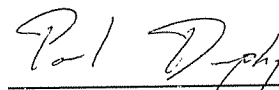
**ATTACHMENTS**

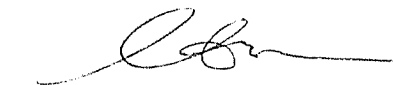
Attachment 1: By-law to amend the Regional Municipal Planning Strategy  
Attachment 2: By-law to amend the Regional Subdivision By-law

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

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Report Approved by:   
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Report Approved by:   
Paul Dunphy, Director, Director, Community Development

Financial Approval by:   
Catherine Sanderson, Senior Manager, Financial Services, 490-1562

Attachment 1

HALIFAX REGIONAL MUNICIPALITY

AMENDMENTS TO THE  
REGIONAL MUNICIPAL PLANNING STRATEGY

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Regional Municipal Planning Strategy is hereby amended as follows:

*Insert the following text after Policy E-5:*

There is a strong community desire to reduce the parkland dedication for small scale subdivisions to 5% in recognition of the need to lessen the financial burden on land development. To limit the financial impact on the park development overtime, this exemption shall be limited to the first three lots subdivided from any parcel of land that is in existence on the effective date of this amendment. No further reduction shall be granted to any subsequent subdivision of the parcel, except for reductions authorized as an incentive for the development of classic open space design developments pursuant to Policy S-16.

E-5A Notwithstanding Policy E-5, HRM shall, through the Subdivision By-law, reduce the park dedication requirements from 10% to 5% for small scale subdivisions (3 lots or less) within the Halifax Regional Municipality. This reduction shall apply to any parcel of land in existence on the effective date of this amendment.

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the \_\_\_\_ day of \_\_\_\_\_ A.D. 2007.

Given under the hand of the Municipal Clerk and under the corporate seal of the said Municipality this \_\_\_\_ day of \_\_\_\_\_, A.D., 2007.

\_\_\_\_\_  
Jan Gibson  
Municipal Clerk

Attachment 2

HALIFAX REGIONAL MUNICIPALITY

**AMENDMENTS TO THE  
REGIONAL SUBDIVISION BY-LAW**

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Regional Subdivision By-law is hereby amended as follows:

*Insert the following after Section 82 (4):*

- (5) Notwithstanding the 10% park dedication requirements of subsection (1), the subdivider shall provide a 5% park dedication for the first three lots subdivided from an area of land in existence on *[Insert the effective date of this amendment; the date that a notice appears in the newspaper stating that the documents have been approved by Council and reviewed by the Minister of Service Nova Scotia and Municipal Relations.]* within the Halifax Regional Municipality.

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the \_\_\_\_ day of \_\_\_\_\_ A.D. 2007.

Given under the hand of the Municipal Clerk and under the corporate seal of the said Municipality this \_\_\_\_ day of \_\_\_\_\_, A.D., 2007.

\_\_\_\_\_  
Jan Gibson  
Municipal Clerk