

HALIFAX

**Case 19292
Parkland Dedication
Requirements**

Amendments to the Regional
Subdivision By-law

Regional Council
January 7, 2015

Origin

- On June 10, 2014 Regional Council initiated amendments to the Regional Subdivision By-law related to the park dedication requirements
- Matter arose in response to a decision of the Nova Scotia Utility and Review Board

Background

- As land is subdivided, HRM requires that a portion of it be provided as parkland or ‘cash-in-lieu’ of parkland
- The purpose of the requirement is to ensure that there are sufficient parks to support new development



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Issue

- The appeal found issues with the parkland dedication requirements relative to specific definitions within the Subdivision By-law
- It defines *primary and secondary services* generally as hard infrastructure such as sanitary sewer, storm sewer, separated storm and sanitary sewer lateral, storm surface drainage, water system, valves and hydrants, water service laterals, and gutters
- However, park dedication is also included with the definitions of *primary and secondary services*

Issue

- The Subdivision By-law also indicates that where a lot is being created along an existing street, the provision of primary and secondary services may be waived where such services already exist
- However, the intent of this was not to waive parkland dedications or cash-in-lieu of parkland requirements

Proposal

- Proposed amendments:
 - clarify that the provision of parkland is not to be considered a *primary or secondary service*; and
 - continues to ensure that there are sufficient parks and improvements to parks to support new development

Recommendation

- That Regional Council approve the amendments to the Regional Subdivision By-law as contained in Attachment A of the staff report