

Halifax Regional Municipality

A Guide to Conservation Design Development

Planning and Development
September 23, 2015



HALIFAX

Introduction

Section 3.4.1 of the Regional Municipal Planning Strategy (RMPS) identified that the subdivision of land may proceed as a Conservation Design Development within the Rural Growth Centres and in between the Centres within the Agricultural, Rural Resource and, non-growth management areas of the Rural Commuter designations shown on the RMPS Generalized Future Land Use Map – Appendix 1.

This Guide provides an introduction to the concepts, application process, information and studies required to carry out the types of Conservation Design Development pursuant to policies S-14 to S-17 of the RMPS.

What is Conservation Design Development?

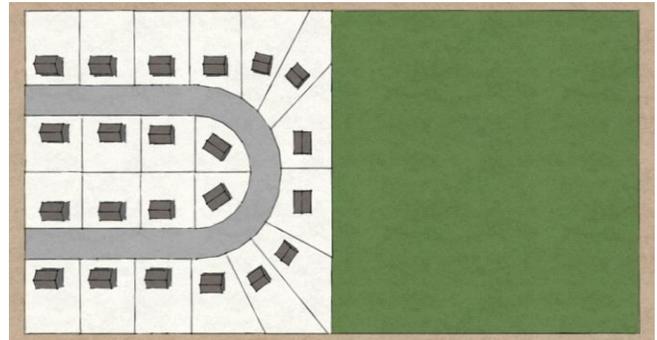
Conservation Design Development is a creative form of subdivision designed to conserve open space. The basic principle of the design is to locate homes on the portion of the site best suited for development while retaining the remainder of the site as open space.

Two types of Conservation Design Development may be considered by development agreement to varying densities within the rural areas of the Municipality. These forms include the Classic Conservation Design Development and the Hybrid Conservation Design Development.



Classic Conservation Design Development

The Classic Conservation Design Development includes the lower and higher density forms of development. Both forms require the retention of an open space component to be held in common.



The maximum density of a Lower Density Classic Conservation Design is one unit per hectare of net developable area, where a total of 40% of net developable area is retained as open space.

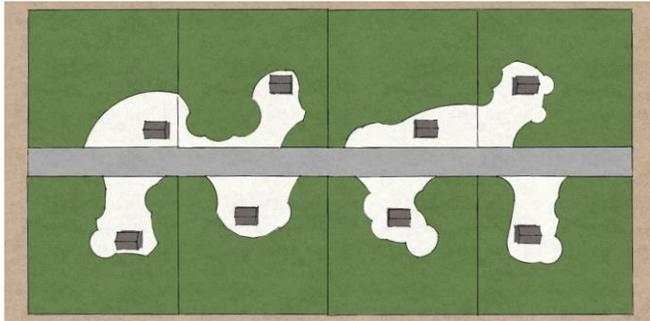
The maximum density of the Higher Density Classic Conservation Design is one unit per 0.4 hectares of net developable area, where the parcel is serviced with municipal water, and where a total of 50% of net developable area is retained as open space. This density is reduced to one unit per 0.5 hectares of net developable area where the parcel is serviced by a private well(s).

The maximum density is affected by the specifics of the site and is determined through the review process. Net developable area means the area of land remaining after the area containing riparian buffers, wetlands, bare rock, slopes in excess of 30% and floodplains have been removed.

Both the Lower and Higher Density forms of Classic Conservation Design may be considered up to the maximum allowable density where at least one third of the parcel is located within a Rural Growth Centre. Where two thirds of the parcel or more is situated outside of a Rural Growth Centre, only the Lower Density Classic Conservation Design may be considered up to a maximum of 100 lots. The parcel must have a minimum of 20 metres of existing road frontage to be eligible for consideration (Policy S-15).

Hybrid Conservation Design Development

Hybrid Conservation Design Development is a form of development designed to preserve open space by restricting the area for lawns, pavement and buildings to a maximum of 20% of the lot. All of the open space within these subdivisions, except parkland, is located on large individually owned lots.



The maximum density of this form of development is 1 unit per hectare of net developable area.

The maximum density is affected by the specifics of the site and is determined through the review process. Net developable area means the area of land remaining after the area containing riparian buffers, wetlands, bare rock, slopes in excess of 30% and floodplains have been removed.

Where at least one third of the parcel is located within a Rural Growth Centre, the maximum density may be applied. Where more than two thirds of the parcel is situated outside of a Rural Growth Centre, the maximum number of lots permitted per parcel is 30 lots. The parcel must have a minimum of 20 metres of existing road frontage to be eligible for consideration (Policy S-16).

What is the process?

All Conservation Design Development Agreement applications shall follow a two stage process. Stage 1 is a preliminary site design process intended to determine open space areas to be preserved and potential areas for development. Stage 2 involves the delineation of roads, lots, parks and other physical design features of the development. The Stage 2 Plan requires approval of the applicable community council in the form a development agreement. If approved, the Stage 2 Plan forms the plan for final design approval for future final subdivision applications under the Regional Subdivision By-law.

Stage 1: Site Analysis

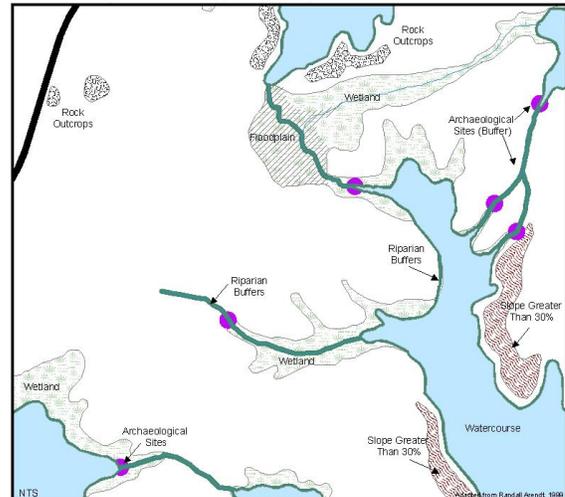
The Stage 1: Preliminary Design Process takes place in three steps as illustrated to the right. Applicants are required to submit a digital copy and 5 paper copies of the Step 3: Potential Development Areas Map, showing the primary and secondary conservation areas, to be avoided. The map must also show the primary and secondary conservation features on adjacent lands for a distance of 300 metres on parcels of 40 ha or less and 600 metres on parcels greater than 40 ha.

Primary and Secondary conservation areas to be included, are outlined below:

Primary Conservation Features

- ✓ Minimum riparian buffers and watercourse setbacks as per the requirements of the applicable land use by-law;
- ✓ All wetlands including those identified in the schedule of the applicable land use by-law;
- ✓ 1:100 year floodplains as delineated by a NS Land Surveyor;
- ✓ Rock outcroppings that should be avoided;
- ✓ Class 1 - 3 Agricultural Soils as identified in the Canada Land Inventory mapping <http://geogratis.cgdi.gc.ca/cgi-bin/geogratis/cli/agriculture.pl>;
- ✓ In areas of Class 1-3 Agricultural Soils, describe and show the location of any agricultural activities on the property and in the specified context area;
- ✓ Potential Archaeological Sites as shown on Map 9 - Areas of Elevated Archaeological Potential - of the RMPS;
- ✓ Any groundwater recharge areas;
- ✓ Significant Habitat and Endangered Species as shown on Map 5 of the RMPS; and
- ✓ Steep Slopes.

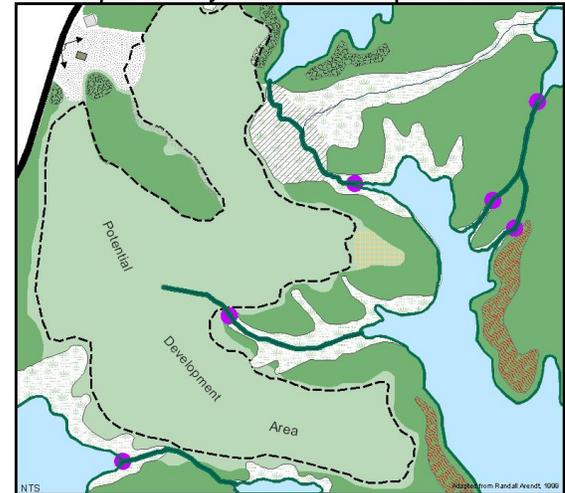
Step 1: Identify Primary Conservation Areas



Step 2: Identify Secondary Conservation Areas



Step 3: Identify Potential Development Areas



Secondary Conservation Features

- ✓ Scenic Views from within and onto the site from the surrounding area illustrated through maps and photographs;
- ✓ Any municipally or provincially registered heritage properties;
- ✓ Historic buildings, stone walls, pastoral landscapes, old fields, meadows & other important features;
- ✓ Mature forests & other vegetation & comments on their health & condition;
- ✓ Trails and natural networks shown on Map 3 - Trails and Natural Network - of the RMPS;
- ✓ Parks and natural corridors shown on Map 4 - Parks and Natural Corridors - of the RMPS; and
- ✓ Current & past land use, all buildings & structures, waste disposal sites, geo hazards such as sulphide bearing slates or areas subject to geological subsidence.

Stage 1: Required Studies

In addition to the Potential Development Areas Map, the applicant must submit 3 copies of each of the following:

- ✓ Letter of intent outlining the rationale for the potential development area, total ha of the site, total ha of net developable area, and proposed mix of land uses (See Policy S-17 of the RMPS for permitted range of uses);
- ✓ Traffic Impact Statement prepared in accordance with HRM's Guidelines for the Preparation of Traffic Impact Studies;
- ✓ Level 1 Groundwater Assessment Report prepared in accordance with the Nova Scotia Environment Guide to Groundwater Assessment for Subdivisions Serviced by Private Wells
<<http://www.novascotia.ca/nse/groundwater/doc/Guide.to.Groundwater.Assessments.for.Subdivision.Developments.pdf>>; and

Preliminary proposed sewage treatment system and identification of soils and other conditions capable of supporting the proposed system.

Review Process

Following the filing of the completed Stage 1 information, the Planner shall:

- ✓ Schedule a visit to the site with the applicant;
- ✓ Circulate the proposal to all affected agencies and convene a meeting with the applicant and affected agencies to provide comment;
- ✓ Modifications may be required to the potential development area pending inter-agency review.

The Planner will notify the applicant when the potential development area proposal meets the policy requirements and regulations. The applicant may then prepare a Stage 2: Conceptual Site Design Plan.

Stage 2: Conceptual Design

The Stage 2: Conceptual Design Process also takes place in three steps as illustrated to the right. Applicants are required to submit a digital copy and 5 paper copies of the Step 3: Conceptual Plan, plus one reduced copy no larger than 11" x 17". The Step 3: Plan for Final Design Approval must include the same information required in the Regional Subdivision By-law for final design approval (Appendix 2) including the following:

- ✓ Location and type of proposed land uses;
- ✓ Total ha of the site, total ha of development area, and number of dwelling units;

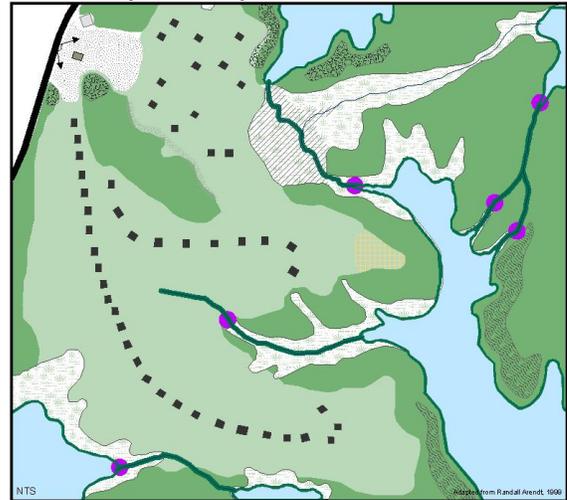
- ✓ Proposed frontage, and front, side, and rear yard setbacks for each lot/unit;
- ✓ In a hybrid Conservation Design show development envelopes (disturbance area not exceeding 20% of the lot) for each lot/unit, including areas for grading, lawns, pavement, buildings and septic systems;
- ✓ In a classic Conservation Design, show location of communal or individual septic system areas;
- ✓ Total ha and location of areas to be retained as open space (conservation areas, parks, trails, etc.) and include a breakdown of total ha to be dedicated for public use and the total ha to be retained in non- municipal ownership; and
- ✓ Trails and natural networks.

Stage 2: Required Studies & Information

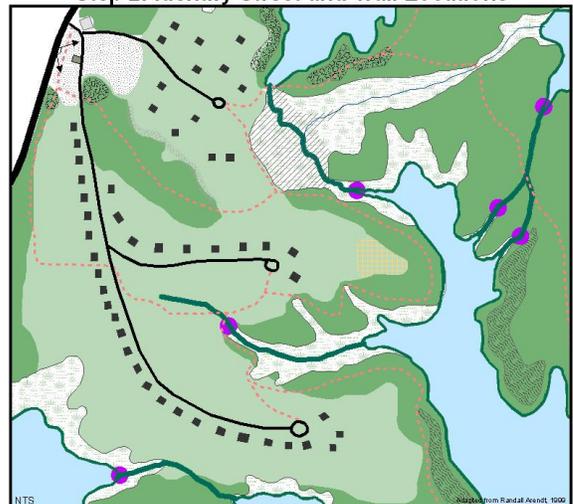
The applicant shall also submit 3 copies of each of the following studies and plans, if required by HRM:

- ✓ Level 2 Groundwater Assessment Report prepared in accordance with the Nova Scotia Environment Guide to Groundwater Assessment for Subdivisions Served by Private Wells;
- ✓ Traffic Impact Study in accordance with HRM's Guidelines for the Preparation of Transportation Impact Studies;
- ✓ Proposed sewage treatment system prepared with a sufficient level of information for NSE to conclude that it is feasible to service the development;
- ✓ Archaeological Assessment if required by the NS Museum;
- ✓ Conceptual Stormwater Management Plan;
- ✓ Conservation Design Management Plan for the long-term restoration and management of open space areas.

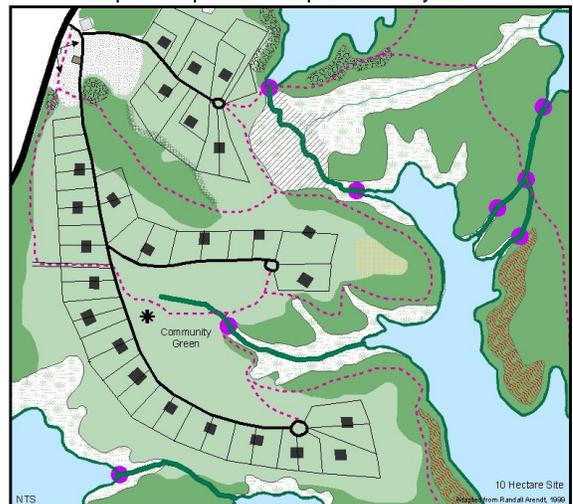
Step 1: Identify House Site Locations



Step 2: Identify Street and Trail Locations



Step 3: Prepare Conceptual Lot Layout



Stage 2: Recommended Study

To address wildfire safety concerns when siting and designing houses, applicants are encouraged to review the Nova Scotia Natural Resources: “How to Protect Your Home and Property from Wildfire”.

Review Process

Following the filing of the completed Stage 2 information, the Planner will:

1. Schedule and facilitate a Public Information Meeting (PIM) to obtain public feedback on the conceptual plan of development;
2. Circulate the proposal and public comments to any applicable Planning Advisory Committee appointed by the applicable Community Council having jurisdiction in an area;
3. Circulate the proposal to all affected agencies and convene a meeting with the affected agencies to provide comment; and
4. Prepare written comments on the proposed development area and inform the applicant of any issues or concerns with respect to the proposal or information provided in regards to the enabling policies or regulations.

Stage 2 Sign-off

Modifications may be required to the Conceptual Plan pending inter-agency review. Once the proposal is adequate, the Planner will prepare a report and development agreement which will then be forwarded for approval before the applicable community council having jurisdiction in the area.

Approval

The development agreement and report is considered by the respective community council pursuant to the requirements of the Halifax Regional Municipality Charter. Before an application can be approved, a public hearing before a community council must be held to receive public feedback on the proposed development. The decision of community council is also subject to a period for appeal before the Utility and Review Board.

The agreement only takes effect after the appeal period has lapsed or any appeals have resulted in an approved agreement and after the agreement has been signed by the applicant and the Municipality. Following the signing of the agreement, applications may be made for final subdivision approval pursuant to the agreement and the Regional Subdivision By-law.

Where do I apply?

Please contact any one of HRM’s Planning and Development Offices before preparing plans for submission:

Dartmouth Planning Services Office
Alderney Gate
40 Alderney Drive, 2nd Floor
Dartmouth, NS, B2Y 4P8
902-490-4472

Halifax Planning Services Office
Bayers Road Office
7071 Bayers Road
Suite 2005
Halifax, NS, B3L 2C2
902-490-4393

Acknowledgement:

Many thanks to Randall Arendt for allowing Halifax Regional Municipality to adapt the Site Design Illustrations contained in this document from his book *Growing Greener: Putting Conservation into Local Ordinances*. Washington, D.C.: Island Press, 1999. Print.