

# Municipal Government Act

## progressive powers for municipalities

### INFORMATION BULLETIN #12

### CONCEPT PLANS - SUBDIVISION

**Summary:** A subdivision by-law may contain procedures and requirements for concept plans. Concept plans provide for an evaluation of the future phases of an area of land being subdivided.

**Legislation:** *Municipal Government Act (MGA)* - s.270(3)(f), s.271(3)(i), s.273(11) and s.284

*Halifax Regional Municipality Charter (HRMC)* - s.281(3)(i), s.283(12) and s.296

*Provincial Subdivision Regulations* - s.28-37

**Discussion:** Concept plans apply where an area of land is being subdivided in phases with proposed streets. Before the first phase proceeds to the tentative or final stage, it may be very beneficial to all parties to evaluate a concept of the subdivision of the entire area of land. In particular, the location of future streets and open space may have an impact on the final design of the early phases. They may also assist in the planning of adjacent subdivisions under separate ownership (i.e. allow roads to link up).

Concept plans are provided for in the *Provincial Subdivision Regulations*. The regulations outline the approval process and the information required to be shown on a concept plan. In the regulations a concept plan is optional, but municipalities may choose to make a concept plan mandatory in their subdivision by-laws.

Concept plans are not required to be surveyed. A sketch/diagram is all that is necessary. Concept plans are formally approved or refused by the development officer and the refusal is appealable to the Utility and Review Board.

**Note:** The reader is cautioned that preparation of this and subsequent Information Bulletins containing practical suggestions must necessarily involve interpretation of legislation as it applies in general situations. Specific situations may require careful legal analysis and therefore reference should be made to the *Municipal Government Act* or the *Halifax Regional Municipality Charter*, *Provincial Subdivision Regulations*, other relevant legislation and to legal advisors.