

C. Schools, Parks and Major Streets.

1. Standards (regarding schools, parks and major streets), as provided in the Development Guide, Update 1972², have been used in preparing the overall development policy as contained in Map 1. Therefore, in future decision-making with respect to these three subjects these standards shall apply.
2. A network of schools (existing and proposed) is shown in Map 1 and is intended as a guide to future decision-making, rather than as a system of specific commitments.
3. For the peninsula, the focus has been on establishing a two-tier system (grades P - 9 and grades 10 - 12), wherein the attempt is being made to eliminate duplication of schools and to provide a wider range of school services and activities to students.
4. For the mainland - where lower densities will prevail for some time to come - basically a 3-tier school system shall be provided (primary to grade 6, junior high and senior high schools).
5. Future school construction (as well as the expansion or phasing out of existing schools) shall be undertaken in the context of neighbourhood and community needs.
6. The basic policy with respect to parks is that emphasis will be given to reserving and to acquiring large tracts of land as indicated on the overall development policy.
7. In the redevelopment of lands to more intensive residential uses, more recreation space than is currently being provided shall be required to compensate for increased demands on current recreation space.
8. Only lands which are of sufficient size and condition shall be accepted and acquired for park purposes.
9. Emphasis, in capital budgeting, shall be placed on the major street network shown in Map 1 - so that there can be a steady build-up, year-by-year, of the capacity of the city to handle motor vehicular traffic - including passenger cars, taxis, trucks and transit vehicles.
10. It shall be the City's policy, in connection with a major street network, to enhance the use and success of mass transit, thereby increasing the efficiency of the major street network, and thereby depressing expenditures for street construction.
11. Transit systems shall serve the neighbourhood by linking it to the community business centres.

D. Sewer and Water Works.

With respect to sewer and water works and priorities for the development of sectors of the city, the basic policies shall be:

1. In the light of the many acute sanitary and storm sewage problems in Spryfield, and in view of heavy commitments as to development within this area, first priority shall be placed on the financing of the construction of new sanitary and storm sewers in this area.

The need for the above policy is accentuated by the fact that Long Lake will be abandoned as the water supply for the City of Halifax, thereby requiring control of the increased stream flow from Long Lake into MacIntosh Run.

2. The second priority, with respect to financing the construction of sanitary and storm sewers, should be on the Wedgewood Park - Prince's Lodge area. These improvements should be carried on coincident with the provision of water services for the area.

3. The third priority shall be on the upgrading of storm sewer services in the Armdale - Jollimore area for existing and future development.

4. Investigation shall be made into the matter of altering zoning regulations to determine the extent to which densities presently allowed (which in particular cases create problems) can be lowered so that sewers will not be overloaded by new developments.

5. Developments greater than 20 persons per acre in the mainland may be allowed only upon detailed scrutiny of each individual case, so as to ensure that critical sewer problems will not be created within or beyond the development if a density in excess of 20 persons an acre is allowed.

² Schools, Parks and Major Streets:
Development Guide, Update 1972,
City of Halifax, January, 1972.

MAP 1
OVERALL DEVELOPMENT POLICY
 HALIFAX NOVA SCOTIA

LEGEND

Residential Development

Parks

Regional Business Centre

Community Business Centre

Neighbourhood Business Centre

Downtown Fringe

Universities

Hospitals

Industrial, Defence & Port-Related Facilities

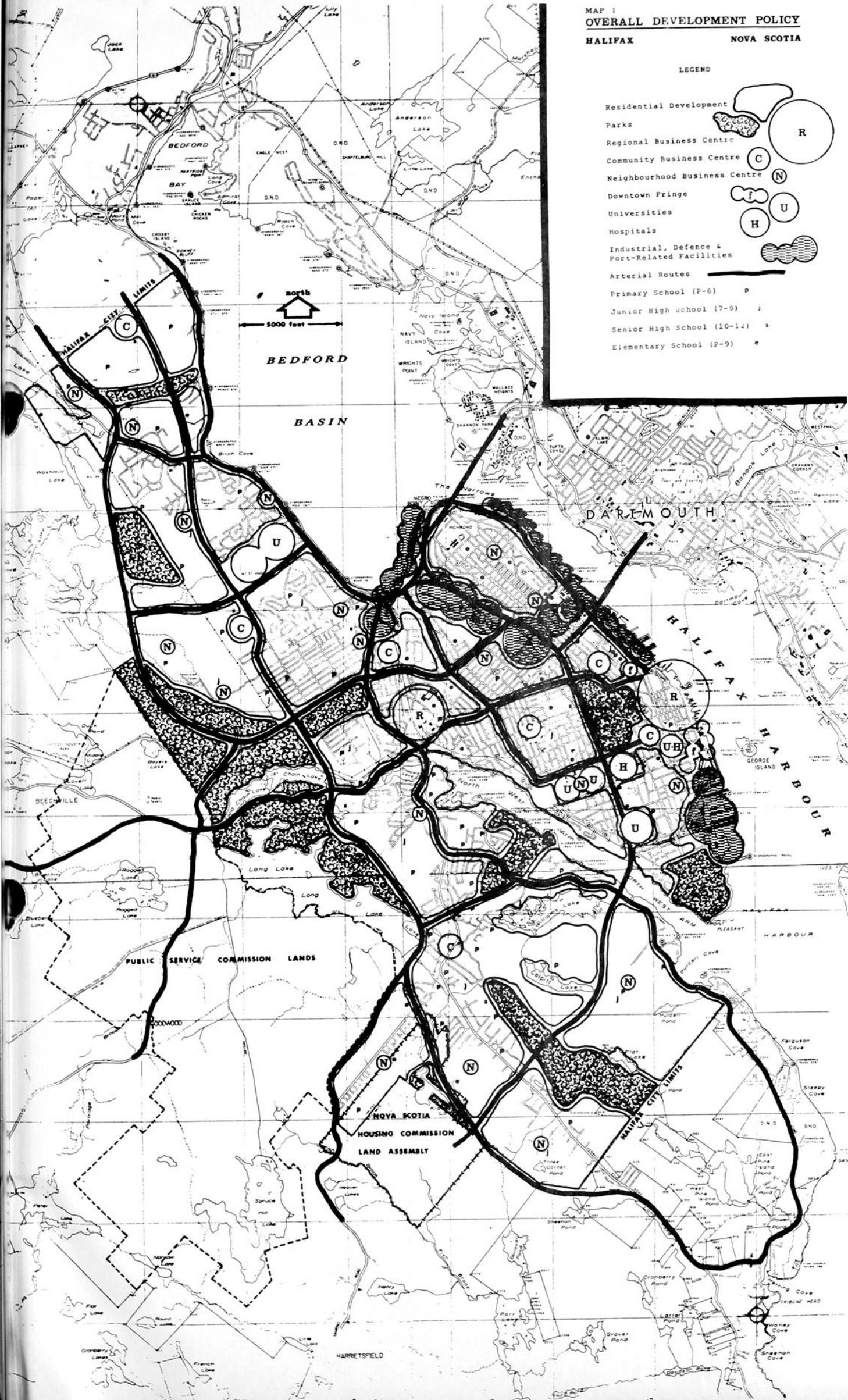
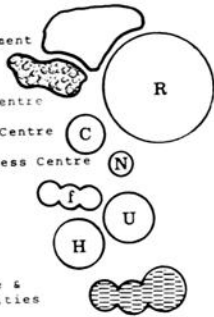
Arterial Routes

Primary School (P-6) p

Junior High School (7-9) j

Senior High School (10-12) s

Elementary School (P-9) e



APPENDIX II

CHARACTERISTICS OF A MUNICIPAL DEVELOPMENT PLAN

In addition to meeting the legal requirements of the Planning Act, a municipal development plan should incorporate certain basic characteristics. Below is a list of some of these attributes, although not complete, they will serve as a guide for the purpose of this brief.

1. VALID - The planning policies must address themselves to the existing issues, problems, opportunities; the needs and wishes of the people.
2. RELIABLE - The planning policies must be capable of dealing with the existing issues and achieving the goals and objectives as stated.
3. FACTUAL - The planning policies must be based upon facts and information about the issues and the needs and wishes of the people.
4. CONTEXTUAL - The planning policies must be prepared with a full understanding of the factors and processes which determine the growth and development of the City and its population.
5. COMPREHENSIVE - The planning policies must deal with the whole city; its components and interrelationships. The policies must be designed so as to be totally - not partially effective.
6. EXPLANATORY - The plan must articulate the various alternatives and explain why and how the planning policies were selected. The plan must also show how the policies will deal with the issues and meet the needs of the citizens as articulated through the goals and objectives.
7. CONCISE - The plan and the policies must not be vague or ambiguous or inconsistent. The idea is to reduce uncertainty.

8. DIRECTIVE - Concerning implementation, the plan and the planning policies must not only deal with the issues but also show how Council can consistently and prudently set about achieving the goals and objectives.

9. FLEXIBLE - Since not all aspects of future development can be anticipated, a degree of flexibility must be incorporated into the planning policies but not so as to permit a "laissez-faire" attitude and environment for development.

10. FEASIBLE - The planning policies must be capable of being implemented with the powers of Council and the resource at its disposal.

In terms of the basic characteristics essential to the formulation of an adequate municipal development plan the proposed plan is deficient in various respects. These are discussed below:

1. The plan is not valid as it does not address itself to existing issues, problems, opportunities and the needs and wishes of the citizens.

2. The plan is not reliable since the policies and objectives do not deal with any existing issues and there is no means shown as to how to implement the proposed planning policies.

3. The plan is not factual. Since there is no mention of studies, nor is information presented, neither Council nor the planning staff can perpetrate that the policies and objectives are based on reality in designing the plan, hence, the plan as stated is meaningless.

4. The plan does not define the context, or the factors which will affect the future development of Halifax. Such factors include:

- 1) the role of Halifax as the Capital and largest City within the Province;

- 2) the effects of Halifax being a DREE designated area;
- 3) the relationships between Halifax and the adjacent municipalities;
- 4) the relationship to the Metropolitan Area Planning Committee;
- 5) population trends, migration growth, etc.

These are only a few of the factors which are extremely relevant to the future development and growth of Halifax. The omission of these contextual aspects of the preparation of the plan has rendered the plan entirely irrelevant.

5. The plan explains nothing and assumes everything and consequently cannot be a plan.
6. One of the purposes of a plan is to reduce uncertainty for Council, the planning staff and the public concerning the future development of the City. By not being specific, but ambiguous, vague and inconsistent, the plan increases the degree of uncertainty.
8. Since the plan is not meaningful, factual or comprehensive, it cannot show Council how to achieve a desired type of City.
9. Flexibility refers to the degree to which the planning policies can effectively accommodate unforeseen events, programs or projects. As stated, the present planning policies encourage a "laissez-faire" attitude toward future development.
10. The planning policies are not feasible because they are meaningless and irrelevant and there is not mechanisms with which the policies and objectives can be implemented.

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BRIEF TO THE
CITY OF HALIFAX
CITY COUNCIL

IN THE MATTER OF THE ADOPTION OF THE
MUNICIPAL DEVELOPMENT PLAN

January 10, 1973

Mr. Neil Munro,
2055 Connaught Ave.,
Halifax, N.S.

The emphasis of this brief is oriented to expanding the scope of the Halifax Municipal Development Plan, hereinafter referred to as the M.D.P., in order to make it suitable for adoption by both City Council and the citizens which it serves.

Validity of the Plan

At this point in time the contents of the Halifax M.D.P. are anything but comprehensive and in essence is only a portion of a valid M.D.P. The present document should be treated only as a policy guideline for the preparation of the Halifax Municipal Development Plan. As the Council is no doubt aware the Dept. of Municipal Affairs ⁽¹⁾ produced a booklet called "Guidelines For M.D.P.'s in July of 1972 which serves as a guiding document for municipalities in their preparation of a plan. It is obvious that in comparing the "Guidelines" and the Halifax M.D.P. there are major shortcomings and consequently it falls short of the minimum standards requested by the province and anticipated by the citizens of Halifax.

The document could be vastly improved by complying with the format outlined on Page 12 of "Guidelines for M.D.P.'s, i. e. - The present policy guidelines should have additional sections as outlined on page 12 of "Guideline for Development" particularly referring to background studies, alternative concepts considered, programs and priorities, 5-year capital budgeting as well as additional costs associated with operation and maintenance and implications as to the amount of fluctuations anticipated in the mill rate.

(1) N.S. Dept. of Municipal Affairs - Community Planning Division, "Guidelines For Municipal Development Plans", - July 1962, 15 pgs.

There are a number of points that require discussion - some of these will now be reviewed:

(1) Alternate Courses of Action

The M.D.P. in its basic policy statement A (1) states, "In consideration of development matters there shall be identification of alternative courses of action and the consequences of pursuing each course of action",
The M.D.P. we have before us has only one course of action suggested (i.e. the map). Some of the other alternatives should have been outlined as well as the consequences and costs of pursuing these alternatives relative to the proposal suggested in the Halifax M.D.P. This principle of comparing alternatives must be done on a Halifax wide scale - First, to assist in formulation of goals and objectives; and then on a development by development basis.

(2) Urban Environment Impact Statement

One of the major issues presented in the Halifax M.D.P. was outlined in D(4) & D(5) & B(7), Encouraging as this may be this should be expanded.
In this regard I would like to suggest that an "Urban Environmental Impact Statement" be mandatory for every development proposal and that it be assembled by the developer and be verified in its accuracy by City staff.
This Urban Environmental Impact Statement would evaluate both economic and social costs relating to a development. It would, for example, define the physical and monetary needs of the development, its sewage and water requirements, power, influence on traffic, parking, demand on educational facilities, its positive or negative effects on recreation and open space, generation of

tax revenue, etc. In effect it would be a cost-benefit analysis of a proposal from the City's viewpoint. It should summarize what capital expenses need to be made by the City to provide for the development as well as the City's Operation and Maintenance costs associated with the development. I would recommend that as one of the points under "Land Development Objectives" an objective specifying the need for an Urban Environmental Impact Statement be included and be required at Public Hearings on individual developments and that this be provided on January 16th for the review of the "Proposed Major Development - Quinpool Road" which was announced in the Jan. 9th issue of the Chronicle-Herald.

(3) Transportation

Mr. Fitzgerald remarked on Friday January 5th that additional transportation studies are not required by the City of Halifax. I assume the Mayor is correct in this comment, but if so, why do we have so little guidance in the Halifax M.D.P. as to Transportation Policy. Transportation is probably the most important single issue of the plan as it is the major influence on land use within the City and in effect either affirms a land use or deteriorates certain land use patterns (residential and open space most often).

The City should make clear its policy as to expressways and multi-laned streets as well as defining how the City is to encourage or foster public transit, and what relationship the transportation plan will have to density of development and population concentration.

(4) Citizen Involvement in the Planning Process

In evaluating the M.D. P. there is no reference to the public hearings which were conducted by M.A.P.C. throughout the City of Halifax. It appears that there was no attempt to evaluate the results of the M.A.P.C. hearings to provide some initial guidance in the formulation of the M.D.P.

There has been no attempt on behalf of the City of Halifax to set up an Information Centre or provide any public education to the overall intent of the plan. There has been minimal use of the press, radio, and t.v. in attempting to inform the public and attempting to get them interested in Halifax's future. It is obvious that if public interest is to be encouraged in the development of the city, as well as the development of civic pride, that a greater effort must be made by Council to keep citizens better informed on the overall planning for the city.

The Master Plan for the City of Halifax envisioned public involvement by committees. This committee was to be "a core group of people for providing additional insight on matters. This group would meet with the Committee of the Whole and would advise Council of their concerns, as well as having quarterly public meetings to update the public and to receive general public reaction on programs reviewed and those upcoming.

There is a major indication within the "Master Plan!" report of a negative attitude as to the citizen group function during the formulation and approval of goals, objectives, programs and policies, for the City. Yet the definition of goals and objectives is one of the more critical elements of a planning process which provides direction for more detailed programming. It should be recognized that some citizens or citizen groups should either work as a citizen advisory group or better still work with the Council in establishing goals and objectives. It is imperative that Council, citizens and developers talk to each other to get a better understanding of the diversity of concerns and work toward a goal which would encompass the major desires of all parties. It is therefore recommended that a Citizen Advisory Committee be formed within the next thirty (30) days; its purpose to assist Council and staff in polishing the Halifax M.D.P. into a quality document worthy of the designation M.D.P. land to continue to function on ongoing planning problems which Council faces. An organizational structure similar to the Downtown Committee would be appropriate to meld together the various interest groups and individuals.

(5) Regional Priorities

There is a major need to identify the compatibility between the Halifax M.D.P. and the M.A.P.C. regional plan which is being finalized. Preliminary press reports last year indicated that on a Regional basis Bedford should be the major growth centre for the next 5-10 years if the burden on the Halifax taxpayer was to remain reasonable. It is imperative that taxpayers have a financial indication of the costs to the City of Halifax of development of the Spryfield area as compared to encouraging growth in Bedford-Sackville area.

(6) Parks and Open Space

The objectives outlined for the park system are encouraging yet they tend to be oriented only to fulfilling the needs of a portion of the requirements of a recreation system. It is necessary as well to have provision for acquisition of small parcels of land to provide for the immediate neighborhood requirements which are needed on a day to day basis. There is need for flexibility and diversity in an open space and park systems to provide for the varied tastes or different people and cultures. The objectives should be expanded to provide a more varied park system to be created.

Comments have been made previously on transportation, water and sewage.

(7) Halifax Municipal Plan Policies

Section A

I would concur with the goals (not really objectives) as identified in the M.D.P.) relating to Historic Preservation and secondly Neighborhood preservation.

Other goals however need refinement in their definition to clarify their intent. For instance (1) under A 3(b) - Housing; What are "Residential environment of high quality"? Are these areas where trees are preserved as part of the overall landscape or are these areas along the North West Arm?

(2) How is the City to restrict or control population growth considering the implication of the urbanization trend occurring within Nova Scotia?

Additional clarification is required to the goals respecting population, housing, identity, services, employment and future change as they are so ambiguous that they provide little guidance to the public or to council.

Although there are discrepancies within the existing goals the most obvious impression is that the goals are not comprehensive and consequently ignore many of the major issues. There are eight (8) issues which have not been included in the goal discussion and in my mind require identification and definition. Goals should be designed for:

- (1) Transportation - Major policy statement is required. Mr. Fitzgerald has stated we have the information (Jan. 5th/73 - Mail-Star) Why no Goal statement.

- (2) Air & Water Pollution - There is no reference to quality standards for air or water. In this age of environmental concern it is a major oversight if goals are not specified.

- (3) Citizen Participation - There should be an indication within the goals of the means of citizen participation.

- (4) Public Access to Waterfront - There should be a guarantee of public access to portions of the waterfront, preferably as public open space.

- (5) Culture & Sports - There should be encouragement provided in the plan for a Sports Centre, Arts Centre, and a FM Stereo station to enhance the city area as a cultural centre for Atlantic Canada.

- (6) High Rise Development - There needs to be a specific goal respecting highrise development particularly and indication of location, density, and height that might be permitted in various areas of the city as well as indicating areas where high rise will be prohibited.

(7) Zoning -

There needs to be a policy reference to the zoning plan, as well as other means of controlling development such as a bonus system to encourage the provision of more open space areas.

(8) Financing

The most sensitive issue in City management is financing and implementing programs and consequently there is need for a goal to specify the city's intentions in this field.

(9) Downtown Goals

The downtown goals seem to be somewhat more refined and are easier to identify. I would like to concur in these goals with the only exception that the 2nd paragraph of Economic and 2nd paragraph of Environmental Design do not appear compatible without further clarification. The last paragraph under Environmental Design should be modified to include "For public use"

(10) Detailed Comments

Objectives Land Development

The concept of neighborhood planning B (2) is a positive step in attempting to provide a community identity and spirit within parts of the city and is one of the more meaningful objectives outlined.

Objective B (3) is very ambiguous and as written could provide for apartment or highrise development on any vacant piece of land. This should be combined with B (6) to provide greater clarity.

The retention of watershed lands for public and recreational use is one of the more forward looking objectives of the plan. Yet it still is somewhat ambiguous in its definition "substantial" and "most" do not provide much definition for the citizen nor for Council.

Agree with B (6) and B (7) although would like to see B (7) incorporated with D (4) & (5) to form the basis of a new objective requiring the need of an "Urban Environmental Impact Statement" for all developments.

Agree with B (8) although it is unclear how this is to be accomplished. B (10) Industrial Development should not be the only use for the total waterfront of Halifax, many of these areas because of their proximity to water would make ideal high density residential areas and this type of development should not be precluded.


Concur with B (11) although it should be more positively stated that encroachment will not occur into residential neighborhood unless defined on the plan (should refer to map)

B (12) - Need to define "City Needs"

Concur with B (13), B (16), B (19)

B (17) & B (18) are highly theoretical and may not relate to the neighborhood definition outline in the B (2).

I would like to thank you for the opportunity to present my views, it is unfortunate however that time did not permit a more comprehensive discussion in the document. I would be glad to participate in any way to assist in the overall evolution of a M.D.P. for the City of Halifax.



Neil Munro.

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URBAN DEVELOPMENT INSTITUTE

BRIEF

PUBLIC HEARING

January 10th, 1973

MUNICIPAL DEVELOPMENT PLAN

CITY OF HALIFAX

Nova Scotia

URBAN DEVELOPMENT INSTITUTE

BRIEF

PUBLIC HEARING

January 10th, 1973

MUNICIPAL DEVELOPMENT PLAN

CITY OF HALIFAX

Nova Scotia

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(Nova Scotia Division)

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Your Worship and Members of Council;

A. INTRODUCTION

The purpose of the presentation that we are making this evening is to respond to the proposed Municipal Development Plan for the City of Halifax, on behalf of the Urban Development Institute.

As such we have been asked to speak as a professional group in terms of the overall community planning aspects of the plan and how this affects our client, the development industry. The situation of the industry has been expressed in relation to the overall situation rather than specific projects and development that may presently be under consideration. Any views on actual schemes and projects of individual members of the Institute will be expressed independently of this submission by those individuals concerned.

B. MUNICIPAL DEVELOPMENT PLAN

As Council is aware a Municipal Development Plan is the official document required under the Provincial Planning Act relating to the future land use and infrastructure development of the Municipality. It is something which provides the basis for subsequent Zoning By-Laws and development control regulations. As such the Municipal Plan constitutes the document whereby you, the City, can influence and control development of the community and equally where citizens, landowners, developers, etc. can judge their particular needs and situations. The interaction of these two groups results in the future Halifax environment. While the plan is not a rigid and inflexible document, it's basic policies and proposals should be adhered to and generally only subject to review over reasonable periods of time. Its preparation necessarily involves the comments and views of the citizens, developers and alike and which is recognized in the holding of this public hearing today.

An evaluation must take into account the requirements of the Planning Act:

- (i) Studies of the economy, finances, resources, population, land-use, transportation facilities and municipalities facilities and services of the municipality and any

other matter related to the present or future physical, social or economic conditions of the municipality.

(ii) Statements of policy with respect to some or all of the following:-

- a. Objectives of the municipality for its future development.
- b. Use of lands in the municipality.
- c. Reservation of land for public purposes.
- d. Provision of adequate and efficient transportation and related facilities.
- e. Provision of municipal services and facilities,
 - supply and distribution of water, sewage treatment
 - schools and other educational and cultural institutions.
 - parks, public open-spaces and other recreational activities.
 - Civic and governmental buildings.
- f. Programming of municipal investment in respect of public and private development, including phasing of development or redevelopment of various areas of the municipality.
- g. Urban renewal - housing.
- h. Co-ordination of public programmes of the Council relating to the physical, social or economic development of the municipality.
- i. Any other matters related to the physical, social or economic development of the municipality.

In order to effectively implement the Municipal Development Plan it will be necessary for the City to prepare a zoning by-law and other related development control regulations reflecting the purpose of the proposed plan. It is this document that will guide the development industry in terms of implementation of his projects.

C. SPECIFIC PLAN REQUIREMENTS FOR DEVELOPMENT

These consist of;-

- a. Delineation of areas, neighbourhoods, etc., for new development, renewal and redevelopment in terms of land-use, major transportation networks, density and type of development, i.e. criteria and performance guidelines for future development.
- b. The phasing and timing of capital works, (trunk sewers, major roads, etc.) to be carried out by the municipality within the period of the plan.

- c. A zoning plan for the municipality that reflects the intent and purpose of the Municipal Development Plan.
- d. Specific provision of sites for community facilities such as schools, parks, community centres, etc.

If the plan is specific or comprehensive in terms of density control, basic land-use, programming of services, etc., then development will take place in accordance with the objectives of the Municipal Development Plan resulting in saving of time and costs which would accrue to citizens throughout the city.

D. COMMENTS AND RECOMMENDATIONS

We endorse Council's desire to formulate a Municipal Development Plan for our City and appreciate the complexities of such a document.

The Municipal Development Plan includes as objectives a number of points that must be raised before adoption.

These comments are;-

- 1) That the Plan states that it is not intended to show in any detail how the City should develop in the future, i.e., that it is only concerned with matters of an overall and general nature. The Plan does not contain specific proposals or programmes relating to various district areas, neighbourhoods, etc. of the City. Those undertaking developments require guidance in areas such as, sites for parks, density and type of development, school sites, major highway requirements, etc. A Municipal Plan should display all these items.
- 2) Without the required additional supporting detail, many of the objectives included in the plan can be open to interpretation.

For example, the objective;

"to sustain and absorb only that population and development increase which will neither strain the fiscal capacity of the city nor detract from its quality, etc." can be interpreted in a variety and perhaps negative and restrictive way.

It would appear preferable to have the operative work "only" changed so that the objective would read, "to sustain and absorb as much population and development increase as will neither strain the fiscal capacity of the City nor detract from its quality, etc."

- 3) We further note that the Plan document recommends that local area and functional plans should be prepared for specific areas within the city after adoption of the Municipal Development Plan. We would suggest that these plans be included, and are necessary in order to fulfill the Provincial requirements for the Municipal

- 4) The Municipal Development Plan included the good objective;

'to preserve, rehabilitate and restore those precincts and structures, which impart to Halifax its historical sequence of development, etc.'

it should be clarified whether this is in reference to all such structures, what and where these structures are, and how the particular structures are to be preserved.

- 5) The Plan as it stands does not provide sufficient information upon which a new Zoning By-Law can be prepared. Further, the Plan proposed that the existing Zoning By-Law continues and is only amended as local plans and circumstances arise. This approach will create problems to Council in interpreting the original intent of the Municipal Development Plan as development proceeds. Council will not have the initial control through a comprehensive Zoning By-Law based on the Municipal Plan that is necessary if the City is to work towards its ultimate objective as stated in the Plan;-

"to enhance the well being of the residents of Halifax through the creation and maintenance of an interesting and livable city."

- 6) The Municipal Development Plan sets out as an objective the reduction of residential sprawl and notes that major development to accommodate future population growth shall occur primarily in the territories annexed to the Peninsular Halifax in 1969, at a density of generally no more than 20 persons per acre. It further states that residential development on the Peninsula shall be directed primarily to the south of South Street and to consolidation and strengthening of residential development between Robie, North, Barrington and Cogswell Streets.

These policies may not permit the project population levels required to meet the other objectives of the Municipal Development Plan.

Adoption of these policies will act as a serious constraint to development and therefore future growth of the city. Also, residential development should be encouraged to take place for the highest and best use within normal

neighbourhood constraints, capacity of services etc. as opposed to a limited overall density and area controls. This should be reflected in the Municipal Plan. Constraints on development of particular sites should be determined in the new zoning plan.

- 7) The Plan includes as part of its objectives for the downtown;-

"the maximum intensity of use and development in the central area of Halifax"

and,

"a lively, vibrant downtown".

Major commercial projects and facilities are to be induced to locate downtown and discouraged from locating elsewhere. The Plan makes no mention of the feasibility, method of inducement, or whether developments that could not be encouraged to locate downtown would be marshalled to other areas in the city or allowed to locate in neighbouring municipalities. The objectives above are dependent upon providing for an increase in population by both on the Peninsula and the annexed areas of the City of Halifax. Unless this population growth is encouraged within the limits of the City of Halifax, residential development could become concentrated in the expanding Bedford, Sackville and Dartmouth areas and the accompanying commercial, retail and entertainment facilities could also be attracted to these areas.

- 8) The plan states that vacant land within existing residential neighbourhoods shall be developed to the current scale of the particular neighbourhood. While this is certainly appropriate in certain areas of the City, there are areas where, due to age and condition of existing properties, the present scale is not necessarily indicative of proper, present or long term development. Also, many situations should be dealt with through the implementation of zoning regulations.
- 9) Finally, we would comment on the programming and costs of public works, phasing and type of new development areas, etc. It is essential to the developer that he is aware of established proposals for extension of services, their timing or what areas are to be available for development. Council should include more detail in the

Municipal Development Plan on these aspects. 6.
Also, a major public works program must be included in the Municipal Plan in order to support applications for Federal and Provincial funding which will be necessary to implement the Plan. Without a comprehensive plan the City will not be able to necessarily obtain financial support for public works.

E. SUMMARY

The current plan does not, we feel, contain sufficient depth for the general citizen, developer industry, land owner or others involved to discern any specific value from the document in terms of current and future understanding of his situation.

The City of Dartmouth's Official Town Plan 1966 and Municipal Development Plan 1971 are generally thorough and organized documents covering all the basic studies and requirements of the Planning Act and in general deal more comprehensively with the future development of that City than the City of Halifax Plan before use for review.

We ask, that Council direct the preparation of a more substantial and comprehensive plan before any adoption of the Municipal Development Plan.

Specifically, the plan should concentrate on a more detailed definition of:-

1. Definition, phasing and density of new development and redevelopment areas within a stated and more ambitious growth target.
2. Programming of capital works.
3. Delineation of specific policies and proposals relating to the Urban core, the waterfront, new suburban areas, major park areas, neighbourhoods, definition of historic buildings and areas, commercial development, etc.
4. A new City zoning by-law following adoption of the Municipal Development Plan.

At the present time one feels very much that the Municipal Development Plan creates an indistinct and confusing situation to the development industry who is going to have a primary influence on the implementation of the Plan.

Much of what has been suggested in the way of additions to the Plan is available from previous and current studies by the City and other groups and therefore further research and analysis would not be necessary to any large degree. What is required is to bring together all the resources and programs affecting the City under one sound and comprehensive plan.

Many cities in Canada have been successful and able to maintain the general intent of their future development pattern through having comprehensive municipal plans and By-Laws adopted and implemented.

Finally, therefore, we would ask that Council does not adopt a municipal development plan as a result of this hearing tonight, but gives further opportunity for discussion and application to the situation.

I wish to express my thanks for the opportunity of making this submission and urge that Council take note of our comments prior to the formulation and adoption of the eventual Municipal Development Plan for the City.

Thank you,
MACKLIN L. HANCOCK, PRESIDENT
PROJECT GROUP OF CANADA LIMITED

BRIEF TO CITY COUNCIL ON HALIFAX M.D.P.

ECOLOGY ACTION CENTRE

JANUARY 10, 1973

I PURPOSE OF MUNICIPAL DEVELOPMENT PLANS

The primary criterion for the formulation of a response to a particular planning effort, in this case the M.D.P., must be based upon an enquiry into the purpose of that effort. Although the Nova Scotia planning act does not define an all inclusive purpose or goal for M.D.P.'s, we may perhaps arrive at an understanding of one or more possible purposes that an M.D.P. might serve through a consideration of the affect of adoption of an M.D.P. by a city council as described in the Planning Act.

Section 19, subsection 1, of that act reads as follows:

"The adoption by the council of a municipal development plan shall not commit the council to undertake any of the projects therein suggested or outlined but shall prevent the undertaking by the council of any development within the scope of the plan in any manner inconsistent or at variance therewith.

The M.D.P., then, does not bind the council to a particular course of action. It would seem that the influence of the plan is of a somewhat indirect nature in that its main function is preventative rather than directive. The M.D.P. is without real authority until it is directly opposed by council.

One implementation mechanism for an M.D.P. is the zoning by-law. Section 33, subsection (1) of the Planning Act reads as follows:

"Council shall upon the adoption of a municipal development plan pass a zoning by-law for the purpose of carrying out the intent of the plan."

Moreover, subsection (3) continues:

"Council shall not adopt, amend or revise a zoning by-law except for the purpose of carrying out the intent of the municipal development plan."

As a realization of the relationship between the M.D.P. and the zoning by-law emerges, we are aware that one very major "purpose" of an M.D.P. must be to provide a basis upon which the zoning by-law may be structured. Once in place, the zoning by-law prevents ad hoc zoning changes by council which are incongruent with the development plan. All changes in plan must go the route of citizen participation as prescribed in the act, and are also subject to the approval of the minister.

The M.D.P. then becomes a sort of citizens' "magna carta" preventing unwanted development. Functioning optimally, it would alleviate the need for issue-oriented citizen campaigns of the emotional "Stop Spadina" variety. Such pressure campaigns devour a large quantity of human energy in dealing with a single issue, while other less emotive, but possibly more important issues slip by unnoticed. Citizen concern might be directed more wisely, in terms of human economy, toward the evolution of a calmly assembled and carefully discussed comprehensive Municipal Development Plan. As well as being a thorn in the side of election-conscious aldermen, the issue-oriented pressure campaigns which are almost inevitable reactions to ad hoc development procedures often seem to end in "victory of the vociferous" rather than triumph of the well informed. Moreover, the comprehensive M.D.P. approach relieves council members from the burden of maintaining an awareness of the "whole picture" while trying to please constituents who have only their own special interests at heart. For in thorough discussion of the whole M.D.P., both sides of an issue may be observed simultaneously.

The purpose of a municipal development plan, then, could perhaps be simply stated as "To ensure that citizens get the kinds of development they want and avoid that which is undesirable". At the same time, council members are guaranteed the luxury of making decisions which may

not be reversed a month later by the planning appeals board.

For an M.D.P. to operate in this fashion, it must fulfill two criteria:

- (1) It must be detailed and comprehensive enough to ensure that it may be translated into the kind of zoning by-law which reflects the needs of the municipality and the wishes of its residents. The more certain the plan is about what it will and will not allow, the more likely it is that citizens will ensure what they want and avoid what they don't want."
- (2) It must strive in every conceivable manner to become an accurate manifestation of citizen viewpoint. Although the oft referred to but little understood phenomenon known as "citizen participation" is still an embryonic newcomer to the world of government functions in general, and its planning aspects in particular, a rather sophisticated variety of "citizen participation" along with whatever obstacles it may entail, is an unabordable necessity if the concept of the M.D.P. is to be realized. Even a minutely detailed, all encompassing plan would be certain to meet with dissent if it did not come from, and was not fully understood by, the residents of the municipality.

II CITIZEN PARTICIPATION

The concept of "citizen participation" as it relates to municipal development plans, becomes a necessity when the purpose of the M.D.P. is considered to be a preventative function, which guarantees citizens that their city will not be developed in a manner which they deem undesirable.

The N.S. Planning Act, section 22, subsection 1, reads as follows:

"The council may appoint by resolution a planning advisory committee to assist the council in the exercising of any power and carrying out of any duty under the Act."

The Planning Act goes on to describe that this committee is to be composed "of council members and others but the majority of the committee shall be council members."

The duties and terms of reference for this body are left open to be determined by individual municipalities as various planning situations may demand.

Two interesting points in regard to this body are that it contains more council members than citizens at large, and that there is provision that remuneration be paid to members of the committee.

Although some concerned citizens may not initially welcome the prospect of being outnumbered by aldermen, this situation may possibly be viewed as an advantage when observed in light of the kinds of problems that have plagued various types of advisory committees in the past. The Halifax downtown committee is a good example.

Since the members meet irregularly and have little spare time to devote to information gathering and problem solving, they tend to have only slightly more broadly based representation than council, while they are far less efficient. In general, recommendations by committees of this nature do not carry much weight with council and are taken far less seriously than, say, staff recommendations.

Without this type of "participation", however, the situation is even worse. City Council, city planning committee, city finance committee, etc. are all one and the same group of people. The decisions are efficient, but when the public are not satisfied, the difficulty is termed a lack of "participation" and both sides are all too willing to appoint a mayor's committee or hold a "public hearing". Neither of these approaches can truly be said to successfully bring forth the views of ordinary citizens.

The provisions of the Planning Act may hold at least a partial solution to this dilemma.

Because the majority of the members of the planning advisory committee are to be council members, it is unlikely that an overwhelming portion of the committee's discussion will be irrelevant to council's day to day issues. Likelihood of the group's pertinence should be increased by the comprehensive nature of the planning process, which is their subject matter. Moreover, since there is at least the suggestion of a remuneration, it is possible that some or all of the members will be enabled to devote more time than would be the case were all services purely voluntary. Moreover, some members might be chosen specifically for their ability and experience in the field of various types of community communication and organization. Whether paid by the city or by a non profit citizens' group, such an individual could devote considerable time and expertise toward making the planning process as representative as possible. Moreover, since a majority of the members would be council members and would be involved in the day to day process of evolving a detailed plan proposal, they would hardly be likely to dismiss the committee's proposals lightly when voting as council members.

III The Halifax M.D.P.

There are two chapters in the draft M.D.P.: the first of these is headed "Background" and the second is headed "Policies". Chapter I has two sections: A. Purpose, and B. Authority.

Under the section entitled "purpose" there were initially four paragraphs. A fifth was added by City Council on December 19, 1972.

In this section, the M.D.P. is said to include "Objectives" and "Policies." Although neither of these terms is clearly defined, it is indicated that objectives means "what the city should be" while policy means "how the objectives can be achieved." For a more concise definition of the term "policy" we consulted the Random House Dictionary of the English Language, which defines "policy" as "a definite course of action adopted for the sake of expediency, facility, etc." We prefer this definition since it employs the word "definite" - a term which the M.D.P. meticulously avoids. In any case, however, a clear definition of some kind for these and other key terms would be desirable since words such as "policy" are otherwise so general as to be of little value.

In the second paragraph it is stated that "The plan is a guide for accomodating growth." There are many who would disagree as to whether this is the proper purpose of a plan. If, by "accomodating growth" is meant "enacting a means of fitting in as much development as possible into the city," then that certainly is not a purpose which should be accepted in light of the discussion in section I of this brief. If, on the other hand, that phrase means that the M.D.P. is to be "a guide which clearly delineates what kinds of development we will allow to be accomodated, and where, and what kinds we will not allow and where", then that is what the plan should say.

The latter quote would provide a more fertile statement of purpose the promise of which should then be fulfilled by the body of the plan.

The fourth paragraph in this section states that existing zoning regulations shall continue to be in effect "until specific functional and local plans have been adopted." In other words, our 23 year old zoning by-law is to be re-instated for an indeterminate length of time.

The final paragraph in this section was something of an after-thought, appended to the plan by Council on December 19, 1972. It allows for "inter-related mixed uses" on larger tracts of land at the discretion of Council, giving Council a free hand to allow virtually any large development anywhere in the city, regardless of the M.D.P. The staff report which accompanied the amendment to Council indicates that it is the result of a specific request from council that staff provide a means for amending the plan in such a way as to allow a Scotia Square type of centre on Quinpool Road near Windsor St. This is in direct opposition to the spirit and the letter of the plan, since it states that such major facilities are to be located in the downtown. Such a step on the part of council is cause for grave misgivings on the part of concerned citizens as to whether there is any hope at all of conducting a meaningful dialogue on the subject of the M.D.P., when the council members themselves do not appear to take the document seriously.

The next section (B) is headed "Authority". The most striking attribute of this section of the plan is the manner in which the word "policy" is arbitrarily selected from a quote from the N.S. Planning Act and then described as "The operative word in the quotation."

In actual fact, the term "policy" re-interpreted as "general policy", is one of the more nebulous words contained in the quote, and one cannot help wondering whether it is emphasized for that very reason. The authors of the plan seem adamant on the point that they are not legally bound to produce definitive statements on anything.

The perserverence with which this attitude continues to present itself is disappointing.

Chapter II of the M.D.P. is divided into 4 parts:

- a) objectives
- b) land development
- c) schools, parks and major streets
- d) sewer and water works

Section A describes the "ultimate objective" for the city of Halifax as

"To enhance the well being of the residents of Halifax through the creation and maintenance of an interesting and livable city."

Although it is unlikely that many people would disagree with the above statement, one can only profess wonder at the need for its inclusion of a plan of a plan of this nature. It certainly does not provide a "guide" since it in no way distinguishes those types of development which contribute to "an interesting and livable city" from those which do not. Most importantly, neither this objective nor those which follow provide a basis for a zoning by-law or any other implementation. The objective which reads "To enhance vistas and to preserve views from Citadel Hill" seems to be based upon the precept that if one can observe the harbour from certain points on the top of Citadel Hill, it is not particularly pressing that water be visible from other points in the city as well.

It is unfortunate that such an attitude prevails. Waterfront access, and visual awareness of the harbour as one walks across the C.B.D. are at least as important as views from the Citadel. It is impossible to judge the desirability of implementing any of the statements in the category of land development. Decisions concerning optimum land use should be arrived at as the result of the identification and comparison of alternatives.

The Planning Act provides for studies in the fields of economy, finances, resources, population, land use, transportation facilities and municipal facilities and services of the municipality, etc.

Presumably, therefore, the city has access to information upon which to base its statements; but unless the information from which the conclusions are derived is presented, there seems to be little purpose in asking citizens to respond to the conclusions.

A similar lack of information pervades section (C). Since the standards regarding schools, parks and major streets are provided in a document known as the Development Guide, Update, 1972 but are not provided in copies of the plan itself, it might prove useful to include copies of the Update with copies of the M.D.P. distributed in the future.

The main problem with the standards presented in the Update is that there is no provision in the plans for a means of making up our apparent park-lands deficit. One statement in the section reads: "Only lands which are of sufficient size and condition shall be accepted and acquired for park purposes." Without a description of what sizes and conditions are "sufficient", this type of observation will be of limited value.

Section D, which deals with sewer and water works, is slightly more amenable in its format than previous sections, for the reason that it at least makes an attempt at some sort of priority list.

One problem with this section, however, is that the priorities include extension of sewers both to the south and to the north. Such a policy seems incongruent with past staff recommendations that such undertakings be limited to one of the two areas in question.

Moreover, the desirability of encouraging "heavy commitments as to development" in the Spryfield area has not been demonstrated.

CONCLUSIONS

1. While the M.D.P. may conform to minimal requirements set by the planning act, it does not contain the detail to serve the purpose of preventing undesirable development from occurring in Halifax.
2. The primary deficiencies which would render the plan unsuccessful are as follows:
 - a) The statements found in the M.D.P. are open to numerous interpretations; therefore, few development proposals could be proven to be "inconsistent" or "at variance" with the M.D.P.
 - b) The M.D.P. does not include background information as suggested in the planning act. Since it contains few statistics concerning population, employment, transit needs, etc., real statements of policy on these issues should not be expected.

- c) There is no budgeting procedure attached to the plan.
- d) There are, for the most part, no lists of priorities.
- e) No specific zoning format is included. Although the M.D.P. is supposed to prevent council from doing certain things, it actually gives council the power to make any zoning changes it wishes.

3. There are some major areas which the M.D.P. does not even claim to touch upon. These include public transportation, acquisition of recreation land and facilities, housing, health and social services, and pollution control.

4. The amendment to allow "inter-related mixed uses" is a good example of the kind of de-planning effect, the M.D.P. would have if approved. The fact that council intentionally requested such an addition, specifically for Centennial Properties Ltd. seems to indicate that the city is less than enthusiastic about supporting a strong plan.

5. The M.D.P. provides for no citizen input other than public hearings. Even the "Master Plan!" from which the M.D.P. was supposedly distilled, recommends a "citizens' advisory committee", a less powerful body than that described in the Planning Act. This was deleted in the draft M.D.P. As a result, most Halifax residents had not even heard about the M.D.P. until after it was written and approved by council in principle.

6. The M.D.P. calls for the preparation of more specific plans at some future time. Not only are there no guarantees that such plans will be drawn up, but there is no indication that they would possess the same authority as an M.D.P. This authority is key if plans are to fulfill their preventative goal.

RECOMMENDATIONS

1. It is recommended that council, after consultation with community planning groups and other citizen groups begin considering means of setting up a "planning advisory committee" pursuant to section 22, subsection (1) of the Planning Act, Chapter 16, revised statutes of Nova Scotia 1967. It is further recommended that the office of the Minister of Municipal Affairs be requested to assist in this procedure.

2. Since the M.D.P. is viewed by some as the beginning of a long planning process, the planning advisory committee would have the opportunity to become involved relatively early in the process. In setting their terms of reference, the group should consider the following:

- a) determining which statements of the draft document currently under discussion might be extended, to form portions of a serious, comprehensive M.D.P.
- b) other areas with which the plan should deal
- c) new methods of maximizing general consciousness of and participation in the planning process.
- d) the assembly of relevant staff reports, MAPC reports and studies on population, economy, land use, etc. pursuant to section 13, subsection 2 of the planning act, together with a consideration of the types of information which is currently available and remains to be compiled.

3. It is recommended to whatever body ultimately involves itself in the task of producing a serious, effective M.D.P., that the plan concern itself more directly and specifically to the areas of public transport, acquisition of land for park purposes, Housing (particularly as it relates to employment and recreation possibilities), Health and Social Services and Pollution Control. It is further recommended that these and all topics dealt with in the M.D.P. be considered in concrete terms and in conjunction with budget, zoning and priority policy.

E

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PROGRAM

WEDNESDAY, JANUARY 16
12:30 - 1:30 P.M.

The City: Heaven and Hell
27 minutes 58 seconds

Outline of the opposed natures - creative and destructive - of the city in history, the elements that created the first cities about five thousand years ago, and the forces that now threaten "man's most precious collective creation".



THURSDAY, JANUARY 17
12:30 - 2:00 P.M. (double feature)

The City: Cars or People?
27 minutes 56 seconds

Story of an old but dangerously growing city - how to make the city accessible for walking and mixing without allowing the automobile to make it congested and uninhabitable.

The City and Its Region
27 minutes 56 seconds

Shows that cities thrive best when they are in harmony and balance with the countryside. How can this balance be maintained or restored in today's sprawling metropolitan areas?

THURSDAY, JANUARY 18
12:30 - 2:00 P.M. (double feature)

4. The Heart of the City
27 minutes 56 seconds

A study of the growing sterility, dullness and congestion that is destroying the vitality, variety and breadth that once made cities physically attractive and humanly creative.

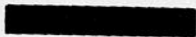
5. The City as Man's Home
27 minutes 55 seconds

Slums, giant public housing complexes, mass suburbs, anonymous and bleak luxury apartments - almost everywhere in our cities communal standards of living fall as personal standards rise. How did this happen and what can cities now do?

FRIDAY, JANUARY 19
12:30 - 1:30 P.M.

6. The City and the Future
28 minutes 5 seconds

An inevitable and urgent choice must be made - low-grade urban sprawl or a new kind of regional city. This last film of the series examines prospects for the city and ways to restore its role. (Awards: New York; Columbus, Ohio.)



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COME TO THE MOVIES!!

Whose Plan ?

some questions on

the MDP

A municipal development plan is a long term project. Its purpose is to determine what kind of development will be most advantageous to a city - in keeping with the aims and goals of the citizens of that city. According to the Nova Scotia Planning Act, the adoption of a municipal development plan "...shall prevent the undertaking by council of any development within the scope of the plan in any manner inconsistent or at variance therewith."

In other words, a plan should set up development guidelines which cannot be legally overturned by City Council while the plan is in effect.

At the present time there is no plan in effect for Halifax. As a result, City Council is besieged by requests for development permits, zoning changes, lot consolidations etc. In each case, Council must grant or refuse the request on an in-

dividual basis. Since every council member quite naturally has a different view of how Halifax can best be developed, the result is a random assortment of undertakings in all areas of the city.

Developments receive Council's approval for a variety of reasons. The revenue received from tax benefits is one factor while a second is the influence of the developer in question.

In looking at the Municipal Development Plan which was recently approved in principle by Halifax City Council, one might easily wonder whether it was designed to cure the present malaise or to perpetuate it.

Before adopting the Halifax Municipal Development Plan, we should decide what we want it to do.

QUESTION: Why should we have a municipal development plan?

* LOCATION:

What does the plan include ?

Chapter I, section A of the Halifax Municipal Development Plan includes the following statement:

" Existing zoning regulations shall continue to be in effect until specific functional and local plans have been adopted."

Chapter II, section C, paragraph 1 reads as follows:

" Standards (regarding schools , parks and major streets), as provided in the Development Guide, Update 1972, have been used in preparing the overall development policy as contained in Map 1. Therefore, in future decision-making with respect to these three subjects these standards shall apply."


The above quotes from the M.D.P. indicate that the M.D.P. actually includes not only the few pages that were mailed out to interested citizens over the past several weeks, but also the entire 22 year old, much-amended zoning by-law ("existing zoning

regulations"), as well as the rather lengthy Development Guide, Update 1972. This latter document is part of the long discussed "Master Plan!"

Since the zoning by-law and the Development Guide, Update 1972 actually comprise the major portion of the practical content of the M.D.P., it is interesting to note that they are not being discussed along with the M.D.P. In fact, an unsuspecting citizen who has not read the fine print and footnotes might not even notice, upon a single reading of the plan, that these documents are part of the M.D.P.



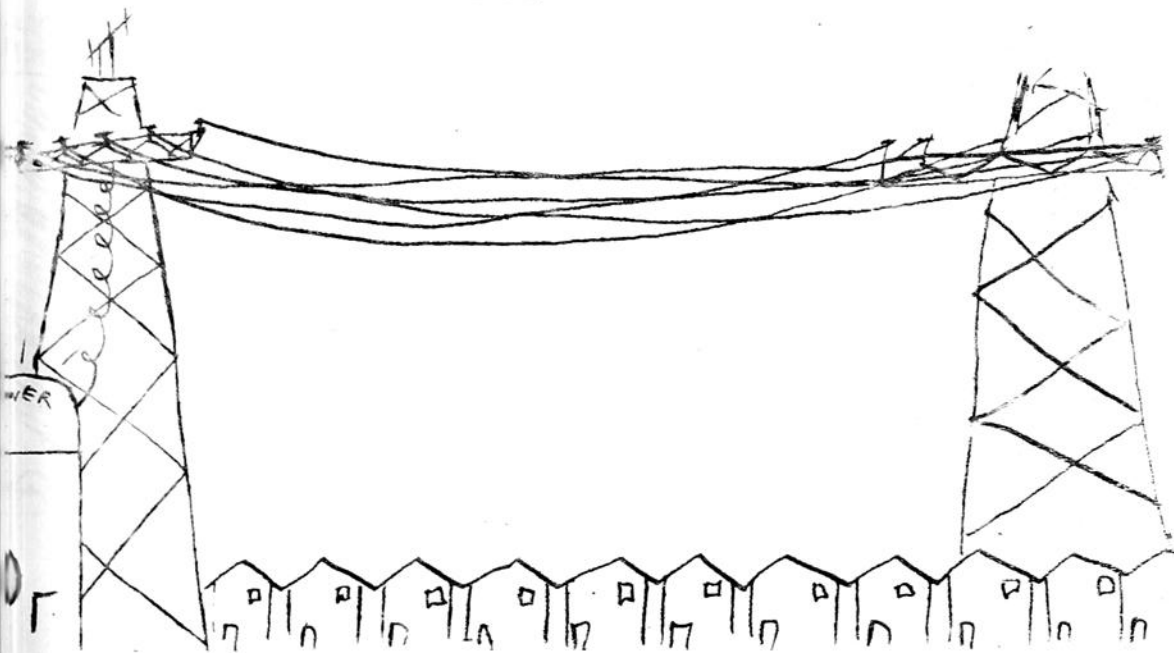
QUESTION: Why does the draft M.D.P. not include for discussion copies of the zoning by-law and the Development Guide, Update 1972?



Part VII of the Nova Scotia Planning Act is devoted to zoning by-laws. The zoning by-law is the tool by which the M.D.P. is to be implemented. Section 33, subsection (1) reads as follows:

"A council shall upon adoption of a municipal development plan pass a zoning by-law for the purpose of carrying out the intent of the plan."

The M.D.P. recommends the continuation of "existing zoning regulations." These were passed in 1950.



QUESTION: Why include a 22 year old zoning by-law in a new plan?