



PO Box 1749
Halifax, Nova Scotia
B3J 3A5, Canada

Item No. 5
Halifax Regional Council
August 17, 2010

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY: Original Signed by Director

Paul Dunphy, Director of Community Development

DATE: July 14, 2010

SUBJECT: North West Arm View Plane Study: Project Update and Work Plan

INFORMATION REPORT

ORIGIN

At the December 9, 2008 meeting of Halifax Regional Council, the following motion was made:

MOVED by Councillor Mosher, seconded by Councillor Adams, that Halifax Regional Council request that staff undertake a review of the applicable Municipal Planning Strategies for the North West Arm area and develop amendments to protect specific view planes.

MOTION PUT AND PASSED.

BACKGROUND

Site

The North West Arm is the location of several public parks including Point Pleasant Park, Sir Sanford Fleming Park, Deadman's Island Park, a burial site for American soldiers who passed away while being held as prisoners of war on Melville island during the war of 1812, Conrose Park, Flynn Park, and Regatta Point Park. In addition, the Northwest Arm provides gateway views of the Atlantic Ocean and islands in the area from a variety of locations. It is a significant historical and cultural area within the heart of HRM. Council has requested staff to undertake a study to consider the formal protection of important public views of the North West Arm environs.

Equally as important as the water views are the City views— both from the water and across the water. Views of significant buildings and landscapes will be evaluated as part of this project.

Regional Plan Policy (see Attachment B)

There are several policies in the Regional Plan which address the subject of view protection. As examples, Policy CH- 3 states that the Cultural Heritage Model be used as a framework to assist in the preservation of cultural landscapes. As the Northwest Arm is identified as an area of high cultural significance on Map 10 in the Regional Plan, it is appropriate to consider protecting the views of this area as an element of preserving this significant cultural landscape. Policy CH-6 speaks to consideration of preserving views of the North West Arm from Chebucto Road, Joseph Howe Drive and St. Margaret's Bay Road. Policy CH- 8 states that HRM shall consider developing mapping, inventories and policies in support of the preservation of cultural landscapes, including, but not limited to, scenic views, and sites of potential archaeological significance. This policy also directs HRM to consider measures to protect significant view planes and scenic entry points. Policy CH- 9 directs HRM to identify and protect regionally significant views.

Halifax Municipal Planning Strategy Policies (Attachment C)

The policies in the RMPS are reinforced in local plan policy. Section II, Policy 8.8 of the Halifax Municipal Planning Strategy (MPS) states that HRM should protect vistas and views of significant interest. The MPS also states that "...views down existing City streets to the Northwest Arm be maintained", although there are currently no regulations in the Land Use By-law to enforce this policy. This matter will be addresses as part of the North West Arm View Planes study.

Existing Areas Having View Plane Legislation

Views are currently protected in the Dartmouth Municipal Planning Strategy, the Downtown Dartmouth Secondary Planning Strategy, the Halifax Municipal Planning Strategy and the Downtown Halifax Secondary Municipal Planning Strategy (Attachment A). These views are protected through a variety of mechanisms. Street views are identified as view corridors and views from significant sites (Citadel Hill, the Dartmouth Commons and Brightwood Golf Course) have designated view planes. These view planes are generated from a point and spread out in a cone to a specified view terminus.

The view plane policies of the Dartmouth Plans are currently the subject of a separate study.

DISCUSSION

Protection of Public Rather Than Private Views

Protecting important public views is one method of preserving HRM's cultural landscape. Such views are generally identified as street corridor views or larger panoramic views from sites in public ownership. Municipal Plan Strategy policies are *not* intended to address the protection of views that originate from private property.

North West Arm View Plane Project: Tasks Underway

Staff has commenced a preliminary scan of North West Arm view plane opportunities and issues. This has included a meeting(s) with District Councillors to determine the scope of the project, numerous site visits, photographic inventory, relevant topographical mapping and LiDAR digital elevation analysis. Examples of this preliminary work are illustrated in Appendix B.

Proposed Work Plan

Phase I: Preliminary Analysis

Staff will complete its preliminary data collection and analysis over the course of this summer.

This information will be used as a starting point for an initial round of public and stakeholder engagement, to be conducted in the fall.

Phase II: Public/Stakeholder Engagement and Policy Framework

The details regarding the type of consultation has not been finalized as yet, and will be determined through discussions with District Councillors. It is anticipated, however, that public input will be obtained through consultation with stakeholder groups and the general public through a combination of workshops, walk-about/site visits and public meeting(s). The HRM web-site will also be a vehicle by which information is disseminated and received. Concurrently, staff will assemble potential MPS policy direction alternatives and implementation techniques that might be used as the legislative basis for view protection. This information will also be shared with the public for discussion and feedback.

The purpose of this phase of the work will strive to achieve public consensus on those views which are important to preserve (locations) and the methods by which such views should be protected (policy/by-law).

Phase III: Preliminary Report to Councils

Staff will prepare a report on the conclusions and recommendations of its work and the input provided through the community consultation program. The report will be presented to the relevant Community Councils for their review and recommendation to Regional Council for endorsement. Completion of this report, at this point, is anticipated for Winter 2011.

Phase IV: Formal Process to Amend Municipal Planning Strategies

Should Regional Council approve the Preliminary Report, staff will commence the process to amend the Halifax Peninsula and Mainland MPSs and Land Use By-laws to implement view plane protection for the North West Arm area. This will necessarily entail additional public consultation and will culminate in a Joint Public Hearing before Regional Council. Fall 2011 is the anticipated completion date for the project.

BUDGET IMPLICATIONS

At this time, staff feels that most of the work under this project can be completed in-house using existing resources. However, as the project unfolds there may be a requirement to retain consulting assistance to perform certain specific tasks. Should this be the case, funds will be allocated from within the approved 2010/11 operating budget of the Planning Services area (C300 group). Any consulting assistance required will go through the procurement process.

FINANCIAL MANAGEMENT POLICIES/BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Project and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Project and Operating reserves, as well as any relevant legislation.

COMMUNITY ENGAGEMENT

The North West Arm View Planes Study and subsequent amendments to the *Halifax Municipal Planning Strategy* involve community engagement and the engagement process will be consistent with the intent of the HRM Community Engagement Strategy, the *Halifax Regional Municipality Charter*, and the Public Participation Program approved by Council on February 25, 1997.

The proposed level of community engagement is consultation, achieved through meetings with stakeholder groups and the general public through a combination of workshops, walk-about /site visits and public meeting(s) as well as a public hearing, before Regional Council can consider approval of any amendments.

Should the view planes study result in amendments to the Halifax MPS, such amendments will potentially impact the following stakeholders: local residents, property owners, businesses and community or neighbourhood organizations.

ATTACHMENTS

Map 1: Northwest Arm View Planes

Attachment A: Sample Photographs of North West Arm from Selected Sites

Attachment B: Policy Excerpts from the Regional Plan

Attachment C: Policy Excerpts from the Halifax Municipal Planning Strategy

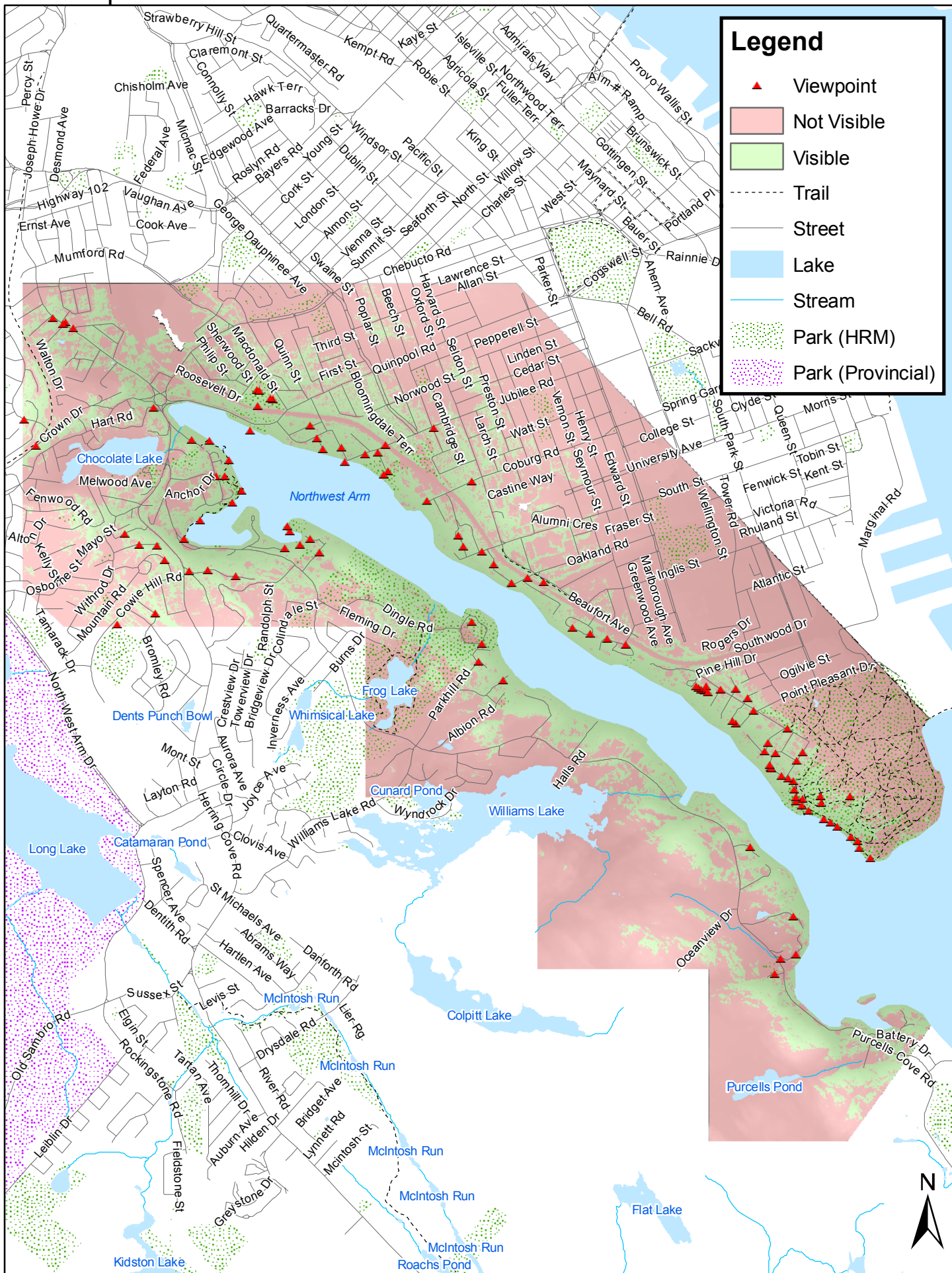
A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/agenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Jennifer Chapman, Planner 1, Regional Planning 490-4949

Report Approved by: _____
Austin French, Manager, Planning Services, 490-6717

Financial Approval by: _____
Cathie O'Toole, CGA, Director of Finance, 490-6308

Map 1



Attachment A
Images of Northwest Arm

View from Peninsula Halifax, facing Dingle Tower



View facing Deadman's Island Park



View from Upper Flynn Park



View from Joseph Howe Drive



Attachment B

Regional Municipal Planning Strategy: Relevant Policy

6.2 CULTURAL LANDSCAPES

Cultural landscapes are geographic areas which have been modified, influenced or given special cultural meaning. These cultural landscapes provide opportunities for the interpretation and understanding of important historical settings and past patterns of land use. Examples may include a burial ground, historical garden or a larger landscape reflecting human intervention, such as the pastures of the Musquodoboit Valley, the Shubenacadie Canal, or the Bedford Barrens.

The cultural heritage, natural environmental resources and recreational opportunities of our landscapes contribute to our quality of life as well as to vital tourism revenues for local communities. For these reasons, it is preferable that these assets remain accessible to the public and that our scenic landscapes of historic canals, riverside farms, wooded areas and coastal villages are conserved for future generations. Additional measures intended to maintain the natural heritage of HRM are contained in Chapter 2.

6.2.1 Cultural Heritage Model

In cooperation with the Heritage Division of the Nova Scotia Department of Tourism, Culture and Heritage, HRM has developed an initial cultural landscape inventory called the Cultural Heritage Model of HRM. The inventory presents a baseline of information representing the cultural heritage of HRM, and is intended to provide a basis for communities preparing secondary planning strategies to create local inventories of important heritage sites, scenic views and significant landscapes. The model identifies various types of cultural landscapes including culturally significant river and coastal corridors such as the Shubenacadie, Musquodoboit and Sackville Rivers, which served as major trade routes for the Mi'kmaq, as well as coastal communities such as Hubbards, Duncan's Cove, Ketch Harbour and Eastern Passage.

The management and preservation of cultural and heritage resources is linked to early and effective identification at the community planning level. These processes often rely on community knowledge as well as access to archival and documentary resources. In this regard, the importance of protecting and managing documentary heritage must also be recognized.

6.2.2 Scenic Views

Scenic resources are an important component of the cultural and heritage values of HRM. Significant views such as those from Citadel Hill and the Dartmouth Common to Halifax Harbour are of regional significance, and are already protected at the community planning level. Additional scenic views of Halifax Harbour will be considered through secondary and other associated planning processes. This Plan reinforces the importance of these views to the cultural identity of HRM, and seeks to extend these protections to other regionally significant views throughout HRM as identified

through the Cultural Landscape Model for HRM.

Scenic views also include the gateways to HRM communities, often described as "the view from the road". These scenic entry routes should encompass the outstanding natural features and picturesque landscape qualities of the area. To retain scenic views and culturally significant landscapes, such as the Northwest Arm of Halifax Harbour, prominent coastal headlands and coastal villages, HRM will consider identifying and preserving views as a component of cultural landscapes. In these areas, measures will be taken to preserve the integrity of the scenic views and cultural landscapes of a community.

CH-3 HRM shall adopt the Cultural Heritage Model as a framework to assist in the preservation of cultural landscapes during the secondary planning process. The Model shall consider lands identified on the Cultural Significance Map (Map 10).

CH-5 HRM shall support views and viewplane policies and regulations adopted under the Halifax Secondary Planning Strategy and Halifax Peninsula Land Use By-law, **the Downtown Halifax Secondary Municipal Planning Strategy (RC-Jun 16/09;E-Oct 24/09)** and Downtown Halifax Land Use By-law and the Downtown Dartmouth Secondary Planning Strategy and Downtown Dartmouth Land Use By-law. These shall not be relaxed by way of any land use regulation or development agreement process. Any alteration shall only be considered as an amendment to this Plan.

CH-5a Notwithstanding Policy CH-5, lands within the Brightwood Viewplane and Dartmouth Common Viewplane where the potential for downstream views are negated by existing structures or policy permitted building height, may be developed in a manner where the building height does not further impact the existing Viewplane penetration.

CH-5b Notwithstanding Policy CH-5, a reduction in a view corridor(s) may be permitted where it is demonstrated that additional view corridors will be created and/or an overall net gain of the intended protected view is achieved. (RC-Jul 8/08;E-Jul 26/08)

CH-6 HRM shall, when considering any alteration to the Armdale Rotary, consider maintaining the current views of the Northwest Arm from St. Margaret's Bay Road, Chebucto Road and Joseph Howe Drive.

6.3 SECONDARY PLANNING STRATEGIES

Through secondary planning strategies and other appropriate means, HRM should retain, preserve, rehabilitate and restore sites, streetscapes, structures and conditions (for example views), which impart a sense of the community's heritage. The focus will be on structures that are relevant to important occasions, eras, or personages, that are architecturally significant, or are of significant age. Where appropriate, to assure the continuing viability of such areas, sites, streetscapes, structures, or conditions, suitable re-uses may be encouraged.

CH-8 To protect HRM's built heritage and cultural landscapes, HRM shall, through secondary planning strategies or other appropriate means, consider:

- (f) developing mapping, inventories and policies in support of the preservation of cultural landscapes, including, but not limited to:

(I) scenic views, and sites of potential archaeological significance

(l) measures to protect significant viewplanes;

(m) identifying scenic entry routes;

CH-9 Further to Policies CH-5 and CH-8, HRM shall also identify and protect regionally significant views as a component of cultural landscapes through secondary planning strategies and other planning processes.

Attachment C: Excerpts from Halifax Municipal Planning Strategy

Section II, Policy 8.8: The City should protect vistas and views of significant interest.

Section VI Policy 8.2.4: The City shall require that views down existing City streets to the Northwest Arm be maintained.