

# Town Planning Legislation for British Columbia

**Model Act as Adapted to Municipal Conditions in Province Submitted by Conservation Commission, Ottawa, in Aid of Efforts Now Being Put Forward in This Direction.**

Mr. Dalzell of the Conservation Commission, Ottawa, associated with Mr. Adams in the programme of town planning, addressed the Vancouver Board of Trade and allied bodies in the programme of town planning legislation for British Columbia on March 22nd. With the aid and experience gained in this important question of municipal development by the Canadian Conservation Commission, Mr. Dalzell was loaned by the Commission to aid the various public bodies interested, and particularly the Vancouver Real Estate Exchange and the Board of Trade, in presenting town planning legislation for enactment by the Provincial Government, enabling each municipality in the Province to initiate its particular adaptation of its problems of municipal growth and administration if it wished to or not. In connection with this matter, Mr. Dalzell made some preliminary remarks on the subject of town planning and submitted a model Act as suited to British Columbia conditions—each contained features numerated below. A summary of Mr. Dalzell's remarks is as follows:

Town planning legislation is as much concerned with the control of the building development that takes place after streets and lots are laid out and plans registered as it has to do with the planning of the streets and lots themselves.

Wherever it is possible to prepare a town planning scheme before the land is subdivided and registered it is of course desirable to do so. In the cities of British Columbia, however, most of the land which is likely to be built on in the near future is already subdivided and registered. It would pay to cancel many of these subdivisions, but it is not practical to do so without time, money and effort, which the authorities are not prepared to give under present conditions. Whatever advantages a town planning Act might have to control the first lay-out of subdivisions must therefore be largely abandoned where the street and lot plans are already fixed, but there still remains most of the effective work of town planning to be done, even where the subdivisions are nearly covered with buildings.

One of the main objects of a town planning Act is what is called Zoning, which is concerned with the control of the use, height and density of the buildings on the land, and there is nothing which is so vitally important in the interests of health, convenience and amenity.

In American cities, even in New York and Chicago, comprehensive town planning schemes are being prepared for the whole areas of the cities, thus proving that it is never too late to prepare a plan. New York is adopting what is called a "Zoning Law," to govern the use, height and area occupied by buildings. Similar laws are being adopted in all the large cities in the States to prevent the destruction of light and air by uncontrolled building operations and to stabilize real estate values.

Although one effect of a town planning Act or zoning law is to prevent injurious speculation, one of the reasons for agitation for such a law in large cities is the value it has to give to stability to real estate values that are not based on speculation of an injurious kind.

So far from it being too late to apply such a law in British Columbia, no more opportune time could be selected for passing such a law. The future of British Columbia is certain to be greater than its past, and many of the evils of the past can be corrected in relation to this larger development in the future. The financial conditions of the big cities are as much due to want of planning and to lack of stability in real estate values as to any other thing. While taking steps to deal with the evil of excessive financial burdens, we should also be taking steps to prevent the re-

currence of similar burdens in the future. The interests of the cities and of the owners of real estate demand that some measure of protection be obtained to prevent future financial difficulties.

It is hoped that at the next session of the Provincial Legislature a Town Planning bill will be introduced as a Government measure.

1. The bill should contain provisions to authorize cities, urban, or rural municipalities to prepare town planning or development schemes, and as the need for such planning is often most urgent adjoining the boundaries of a municipality any municipality preparing a scheme should be allowed to include in the scheme an area outside its own boundaries, provided it is shown, after public enquiry by the Provincial Government, that the municipalities so affected are willing to prepare their own schemes or to co-operate with others.

2. To secure the proper administration of the act either the Surveyor General of the Public Works Engineer of the Provincial Government should be appointed Town Planning Director to co-operate with the Inspector of Municipalities and the various municipal authorities who are interested in promoting town planning or development schemes.

3. Provision should be made requiring each municipal council to make a survey of its area and conditions and provide for assistance being given by the Provincial Government in the preparation of topographical maps of all districts which are in course of development.

4. Provision should be made for securing co-operation between municipal councils and owners of land so as to give permanent effect to restrictions on the use of land relating to such matters as building lines and use and character of buildings.

5. The following powers should be granted under the Act to municipal authorities:

(a) The suspension of any powers in the Municipal Act subject to the approval of the Lieutenant-Governor in Council on recommendation of the Town Planning Director so far as the suspension is necessary for the proper execution of any scheme.

(b) Power to remove or demolish buildings which may be erected in contravention of the provisions of a scheme, after the scheme has been approved, as well as after proper notice is given and while the scheme is being prepared.

(c) Provision, not only for paying compensation for injury to owners of property, but also for obtaining for the Municipal authority half of the increased value given to any property by reason of benefits accruing to such property by the scheme.

(d) Power to prescribe certain areas to be used for dwelling houses, apartment houses, factories, warehouses, shops or stores, etc., and to fix the height and character of the buildings in these areas.

(e) Exemption for any city or town from claims for compensation in respect of any requirement of the scheme which restricts the use of land for the definite purpose of health of the inhabitants or the amenity of the district, e.g., in regard to fixing factory, business or residential areas, the space about buildings, the percentage of lots that can be covered with buildings, or in regard to the height, character and use of buildings so far as such exemption may be regarded as reasonable by the Town Planning Director.

(f) Power to acquire land compulsorily without cumbersome process of arbitration; and to acquire land in excess of the amount needed to widen a street or construct a new street through a developed area and to resell such land after the improvement is made.

(g) Power to fix building lines and reserve land on unbuilt upon areas for new main thoroughfares.