

Local Government Community Planning

- What is planning?
- Why do we do it?
- Who does it?
- How do we do it?

Special thanks for their contributions to this presentation:

- Planning Institute of BC
- Ron Matuissi MCIP, City Manager, Kelowna
- Linda Adams MCIP, Islands Trust
- Andrea Hudson MCIP, City of Victoria
- Lindsay Chase MCIP, Director Development Services, View Royal

- **Planner Speak**

What you need to know to understand what planners are talking about.



Planner Speak

- **OCP** official community plan
- **LUB** land use bylaw
- **ALR** agricultural land reserve
- **DVP** development variance permit
- **ESA** environmentally sensitive area
- **APC** advisory planning commission
- **PIBC** Planning Institute of BC
- **ALC** agricultural land commission
- **DPA** development permit area
- **MCSCD** Ministry of Community , Sport and Cultural Development
- **BOV** Board of variance
- **LGA** Local Government Act
- **AO** Approving officer

The Jargon Buster

- **CC** Community Charter
- **NCU** non-conforming use
- **RGS** regional growth strategy
- **DCC** development cost charge
- **UREP** provincial land reserved for use, recreation & enjoyment of the public
- **UCB** urban containment boundary
- **RCS** regional context statement
- **TCIUP** temporary commercial & industrial use permit (or TUP)
- **HAP** heritage alteration permit
- **DCR** development cost recovery
- **FSR** floor space ratio
- **FAR** floor area ratio
- **BP** building permit
- **BIA** business improvement area
- **CIP** Canadian Institute of Planners

Shamelessly plagiarized from Harry Harker MCIP

Expert Planner Speak

- **NIMBY** not in my backyard
- **NOTE** not over there, either
- **NOPE** not on planet earth
- **NIMTOF** not in my term of office
- **LULU** locally unacceptable land use
- **BANANA** build absolutely nothing, anywhere, anytime
- **CAVE** citizens against virtually everything

Why do we plan?



Why do we plan?

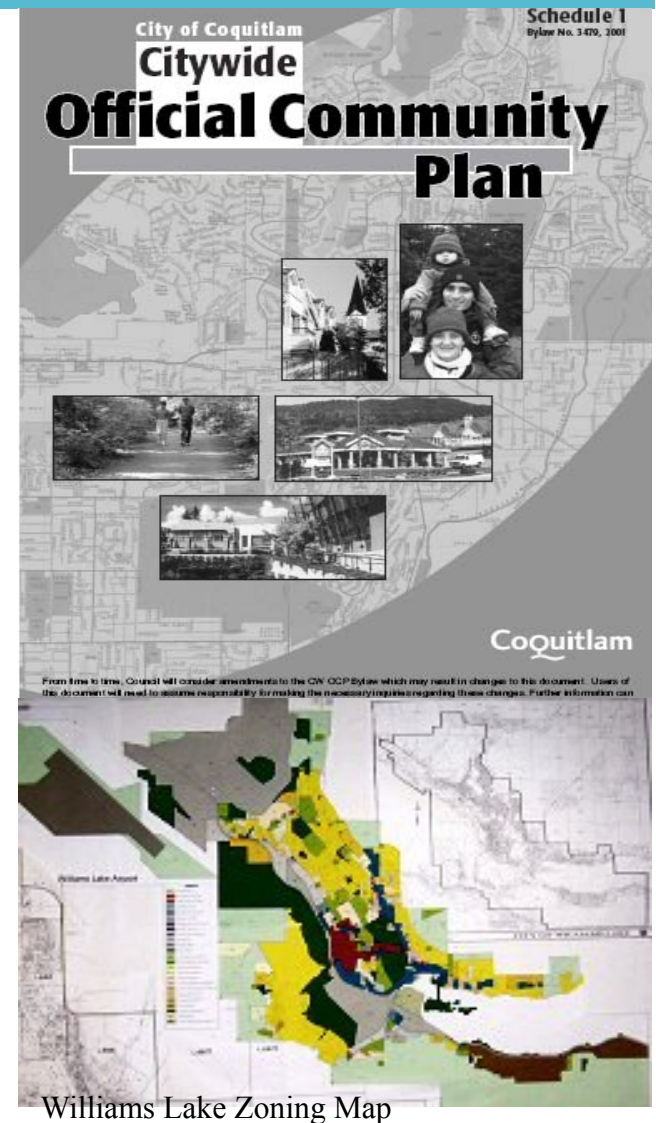


Planning : What is it?

- The process by which communities attempt to manage change and development in their physical environment.
- Planning is a matter of trying to decide which of many competing interests is more deserving, while also treating everyone in a fair and reasonable manner

Communities: Accidental or Planned?

- streets, neighbourhoods and communities **not accidental**
- result of **deliberate decisions**
- almost always a history of **conscious decision-making**
- planning is the process by which a **community determines the pattern of land uses**



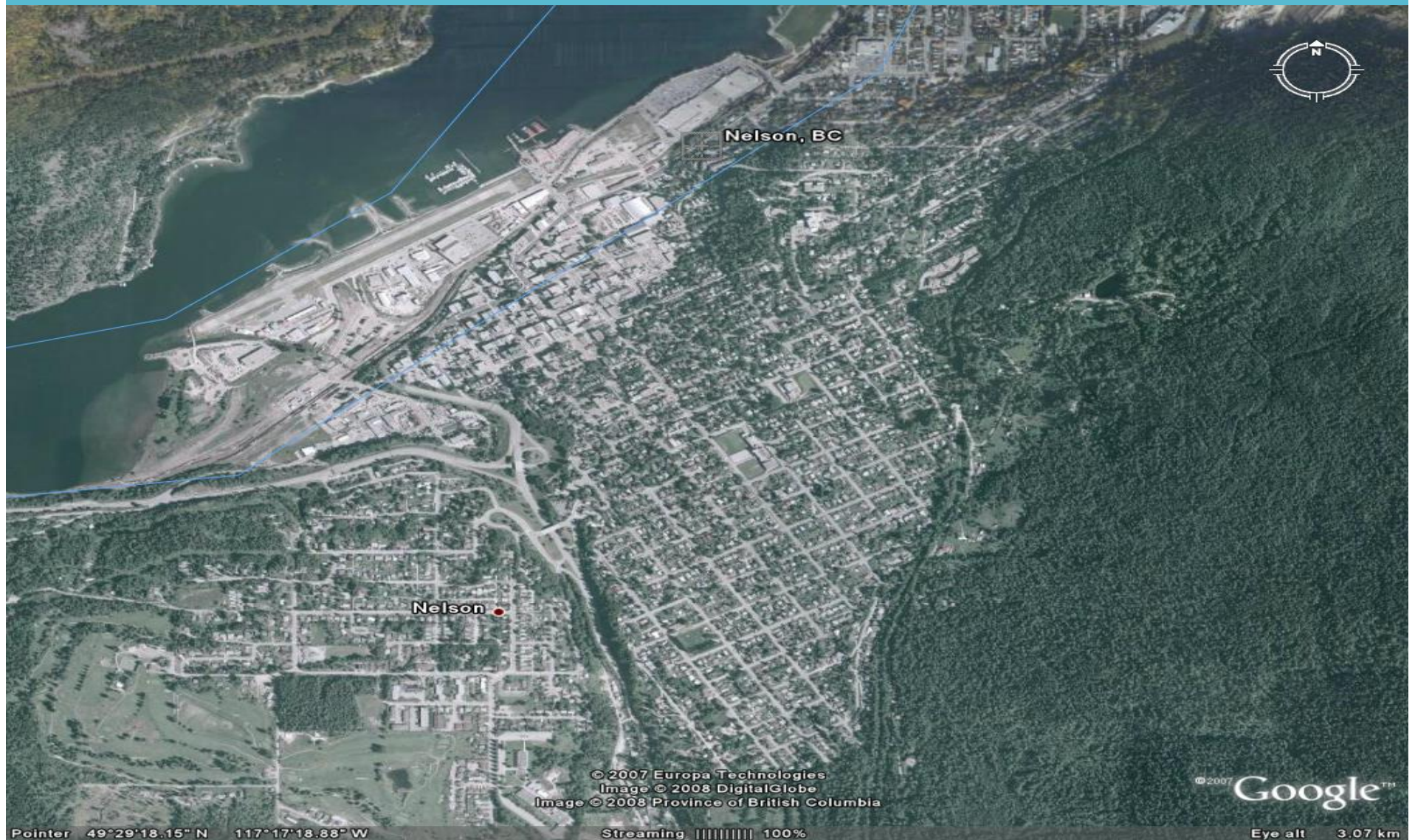
Why do we do it?

- The ultimate goal of planning is **a satisfying (community defined) human made or natural environment.**
- **Many factors influence** the choice of desirable qualities at a particular time and place.
- Planners are **equally concerned about protecting natural environments from the adverse effects of human use and protecting people from “risk” environments.**

The Canadian Encyclopaedia – Urban and Regional Planning, William Perks and P.J. Smith



How did we get here?



The Roots of Planning

- The Modern Planning Profession arose from the problems of the Industrial Revolution.
- The City Beautiful Movement (reformers) 1890's separating the homes from the factories and building parks in cities.
- Early Planners were Architects, Engineers and Public Health Officials.

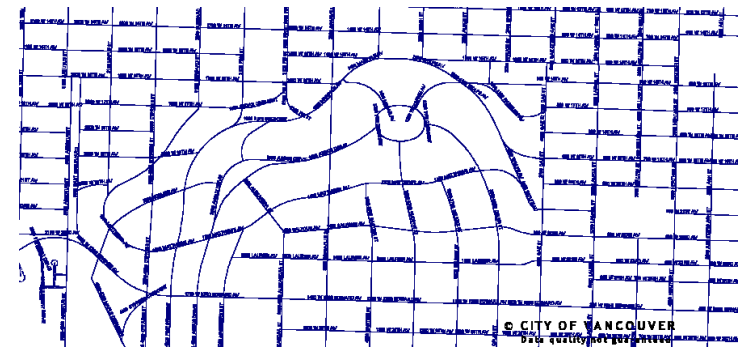
Commission of Conservation

Dr. Charles Hodgetts-Public Health Committee and
Thomas Adams Canada's First Planner



Examples of early community design in BC

- Gridiron street designs adjacent to railways, mines or mills
- Downtown Nanaimo
 - Cobweb street design for downtown (1864)
- Powell River townsite
 - “Garden City” movement (1910)
- Shaughnessy Heights
 - Garden suburb (1907)



Who is involved in planning?

- Public
- Elected officials
- Other agencies and levels of government
- Staff/planners

The Public



Involving the Public

- Mandatory
 - Notices about certain land use decisions
 - Public hearings for OCPs
 - Consultation for OCPs
 - One or more opportunities for those affected
- Optional
 - Different community cultures about consultation
 - Sharing information
 - Asking for feedback
 - Meetings/discussions
 - Formal input

Elected officials

- The role of elected officials in planning is to set community planning policies e.g. regional growth strategy, official community plan, zoning.
- Also, to make single decisions based on the above policies e.g. rezoning applications, development permit applications etc.



Advisory Planning Commissions

- Established by bylaw
- **Appointed** to provide **advice** to Council
- Some statutory limitations about who can be on the APC
- Applicant must be invited to present at meetings
- Open meeting rules apply



Other agencies and levels of government

- OCPs
 - Must consider who and how to consult with others
- Rezoning and other development applications
 - Referral process to ensure other agencies with interests are taken into account

The Role of Planners

The Planner's **primary role** is to provide Council with:

Quality Information

- Data

- Trends

- Community dynamics

A sound analysis of problems or opportunity

Options (Social, Environmental, Economic)

Relevant criteria to make a decision

- Model

- Concepts

- Principles

A recommendation, Strategy, Plan, Policy, Program.

Planners & the Planning Profession

Community Planning-The Profession

- Town Planning Institute (1919-1932) (Thomas Adams) 18 members
- Town Planning Institute (1952) 60 members
- Canadian Institute of Planners (1974) 2,000 members
- Today there are 6,000 members

The profession is based on:

- A body of knowledge separate from other knowledge
- Standards of professional conduct
- The enforcement of standards
- Right to Title

The Canadian Encyclopaedia – Urban and Regional Planning, William Perks and P.J. Smith



How do we plan?

Regulatory Framework

- Constitution Act
- Community Charter
- Local Government Act
Part 26

Canada



Planning Hierarchy

Regional planning

Community planning

**Neighbourhood
planning**

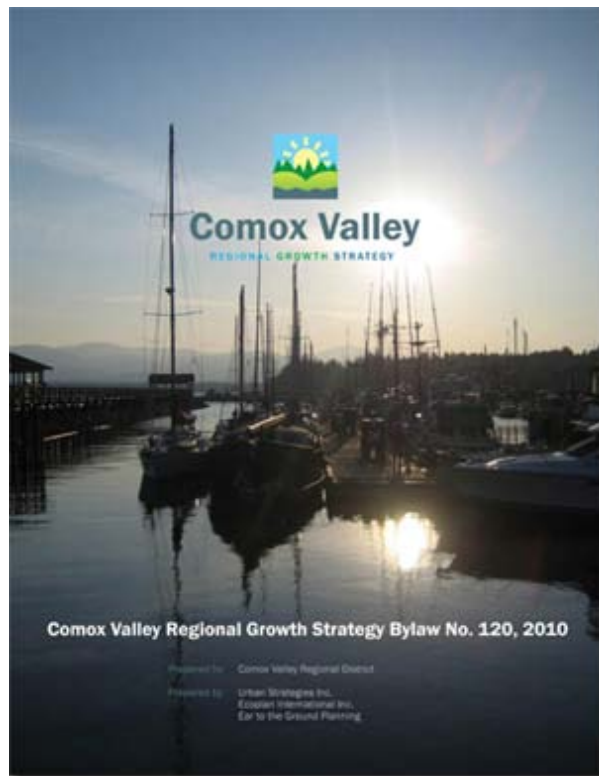
Zoning



Regional Planning

Regional Growth Strategies

- Mechanism for regional planning in BC



The Regional District of Central Okanagan is reviewing and updating our Regional Growth Strategy (RGS). It will provide a consistent and coordinated regional approach for growth management and establish economic, environmental and social objectives to guide local governments working together to realize a healthy and sustainable



Regional Growth Strategies

- BC's population increasing by 60,000 people per year
- Currently 4.2 million; in ten years 4.9 million
- 80% of growth will go to urban areas (GVRD, East Van Is & Okanagan)
- RGS – Respond to the need to coordinate planning across jurisdictions
- Optional, but can be required by the province
- Provincial legislation describes:
 - General land use objectives
 - Minimum content
 - Time frame and requirement for consultation plan

Regional Growth Strategies

- Adopted by Regional District board bylaw
- Coordination with affected local governments and provincial agencies through an inter-governmental advisory committee
- Local government acceptance required for binding provisions
- Binding on RD after adoption
 - Bylaws and works and services must be consistent
 - Doesn't commit or authorize projects
- Affected OCPs must include regional context statements within 2 years
 - Must be approved by the Regional District
 - Must be reviewed every 5 years

Existing or in Progress RGS's

- Metro Vancouver RD adopted in February 1996 and recently updated
- Thompson-Nicola RD adopted in May 2000
- RD Central Okanagan adopted in June 2000
- CRD adopted in August 2003
- RD Nanaimo updated June 2003
- Fraser Valley RD adopted in October 2004
- Squamish-Lillooet RD adopted 2010
- Okanagan-Similkameen RD Adopted 2010
- RD North Okanagan initiated its RGS process in Spring 2007.
- Comox Valley RD adopted 2011

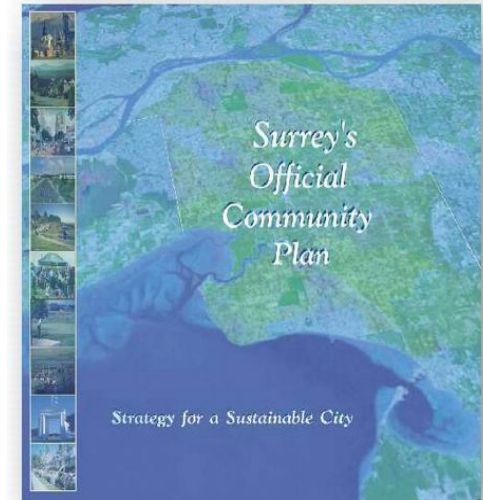
Community Planning

What is an OCP & What does it do?



Village of Lions Bay Official Community Plan

Bylaw 326: January 21, 2002



OFFICIAL COMMUNITY PLAN
RESORT MUNICIPALITY OF WHISTLER



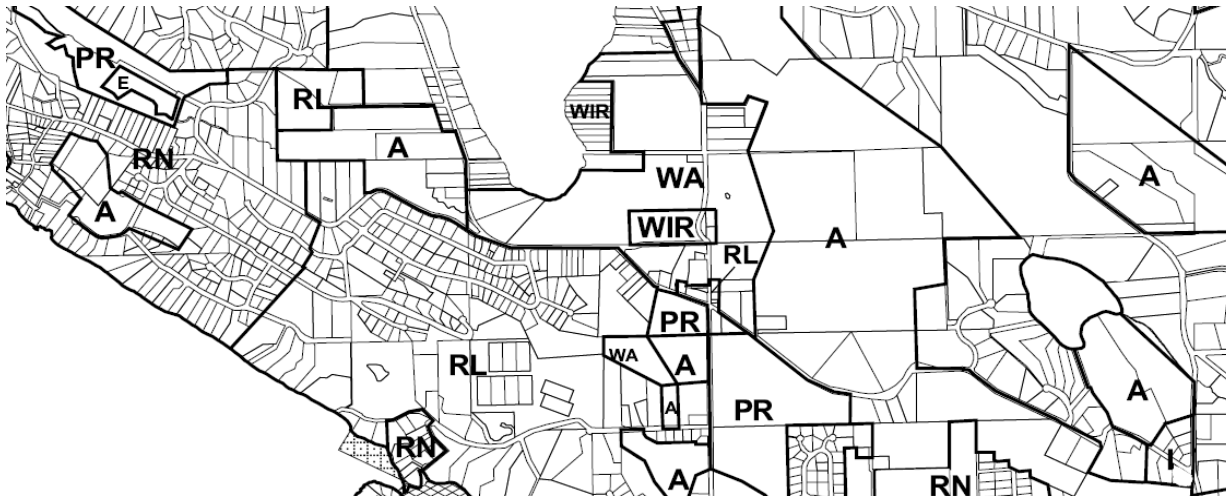
Official Community Plans

- **Proactive** community planning tool
- States long term **vision** and **community objectives**
- Includes **policies** that will achieve the objectives.
- ‘Constitutional’ in nature – it affects the **actions of government**, rather than the actions of citizens
- It **guides the Council’s decisions** about planning and land use management, but is not regulatory for property owners
 - Council’s land use decisions must be consistent with OCP
 - Council is not committed to any of the projects described in an OCP

Official Community Plans

Essential elements

- Map Designations
- Statements (policies and objectives) about the Map Designations



OCP

Mandatory Content

- Details about residential development for at least 5 years
- Details about commercial, industrial, institutional, agricultural, recreational and public utilities
- Details about sand and gravel deposits
- Restrictions on lands with hazardous conditions or environmentally sensitive
- Location and phasing of major road, sewer and water systems
- Public facilities such as parks, schools, waste and disposal sites
- Policies about affordable, special needs and rental housing
- Targets for reduction of greenhouse gases

OCP – Example of Objective, Policies and Regulation

◎ OCP Goal

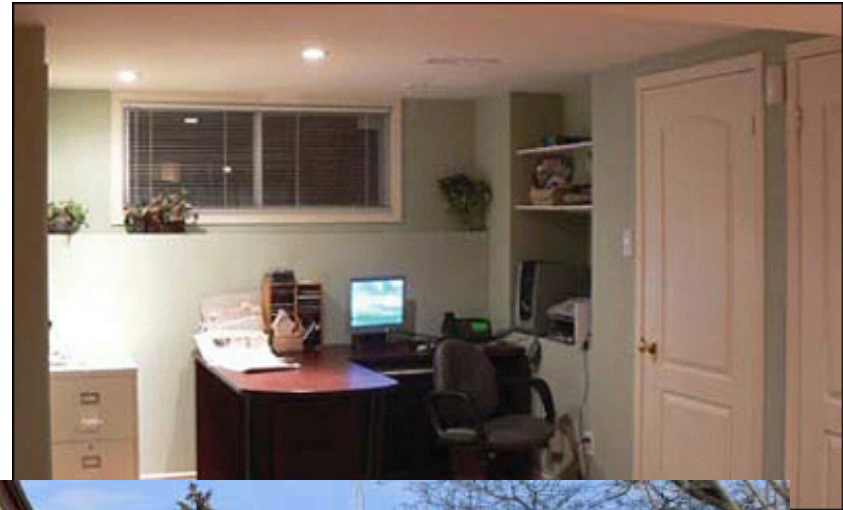
- Support socio-economic diversity

◎ OCP Policy

- Encourage development of affordable housing near services

◎ Zoning Regulations

- Permit basement suites
- Allow bonus density if affordable housing is provided
- ‘Save’ appropriate land for special needs or affordable housing



OCP relationship to land use regulations

OCP Map

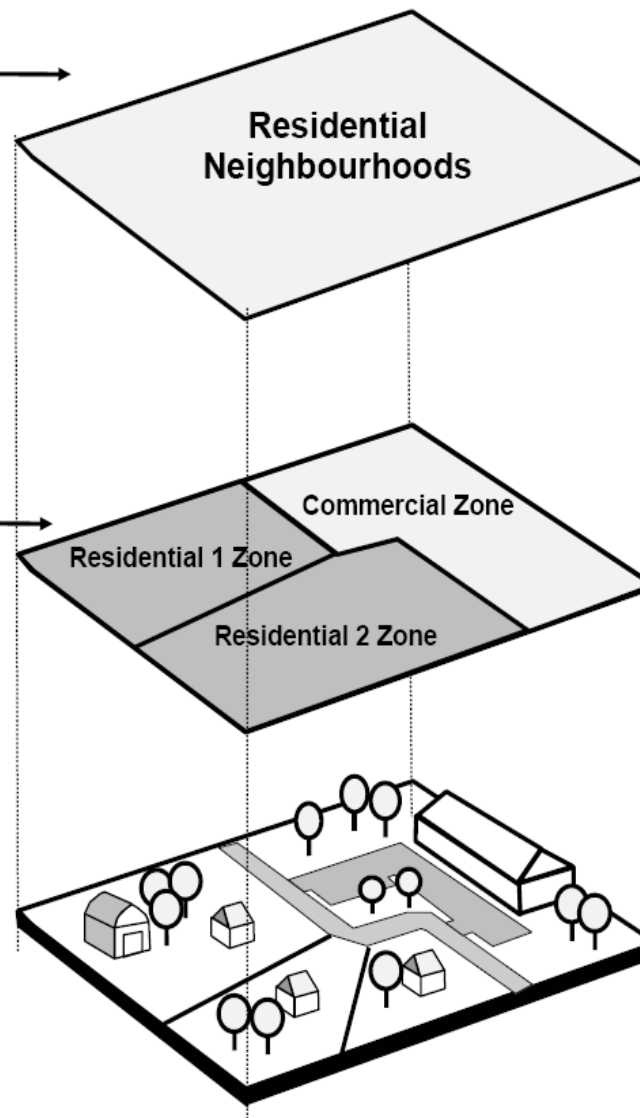
A land use designation shows the full range of land uses that could be allowed by zoning on an area of land.

These affect the decisions which a local trust committee can make about any rezoning proposal or other zoning changes. They do not affect what can be built on the property.

Zoning Map

The zoning map and zoning bylaw are actual regulations that show what can be built on the land.

These regulations affect property owners.

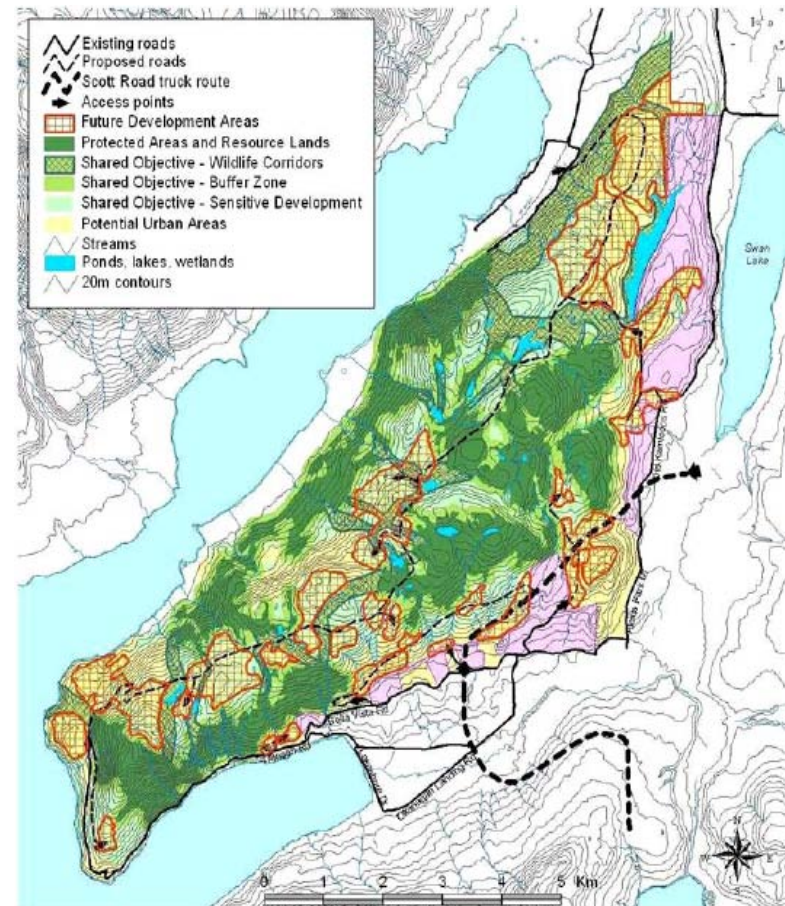


Steps in the planning process

- Consider lands to be set aside or avoided as your community develops (reduce the amount of change that will occur)
 - Environmental values
 - Resource lands
 - Recreation lands
 - Hazardous areas
- Think about future community needs and what lands can best accommodate them (plan for changes to occur)
 - Housing
 - Commercial and industrial land uses
 - Institutions
 - Infrastructure
- Protect and enhance your community's special character

Protecting sensitive and unique areas...

- Identify sensitive or unique areas, or important fish and wildlife habitat
- Develop policies to direct new settlement and development away from sensitive or unique areas
- Use Development Permit Areas to guide development that is already permitted in these areas



Protecting water supplies

- Map watersheds of surface supplies and groundwater recharge areas.
- Develop policies to direct new development away from these areas.
- Develop guidelines to reduce impacts of already-permitted development on water supplies.



Planning for agriculture

- Identify lands important for agriculture
 - Lands in the ALR
 - Farmed lands outside the ALR
- Develop policies to protect agricultural lands by directing settlement elsewhere and avoiding conflicts with other land uses
- Develop policies to maintain and enhance farming
- Consider land needs for processing & packaging
- Consider the needs of agri-tourism operations



Protecting agricultural areas

- Development permit areas can guide surrounding development to protect farming areas
 - Visual and sound buffers
 - Outside the farmland, along the edge of the land to be developed
 - Most impacts are within 300 m of boundary with farmland
 - Guide development to avoid changes to drainage that could affect agricultural land



Note: See Ministry of Agriculture guides re buffers around farmland

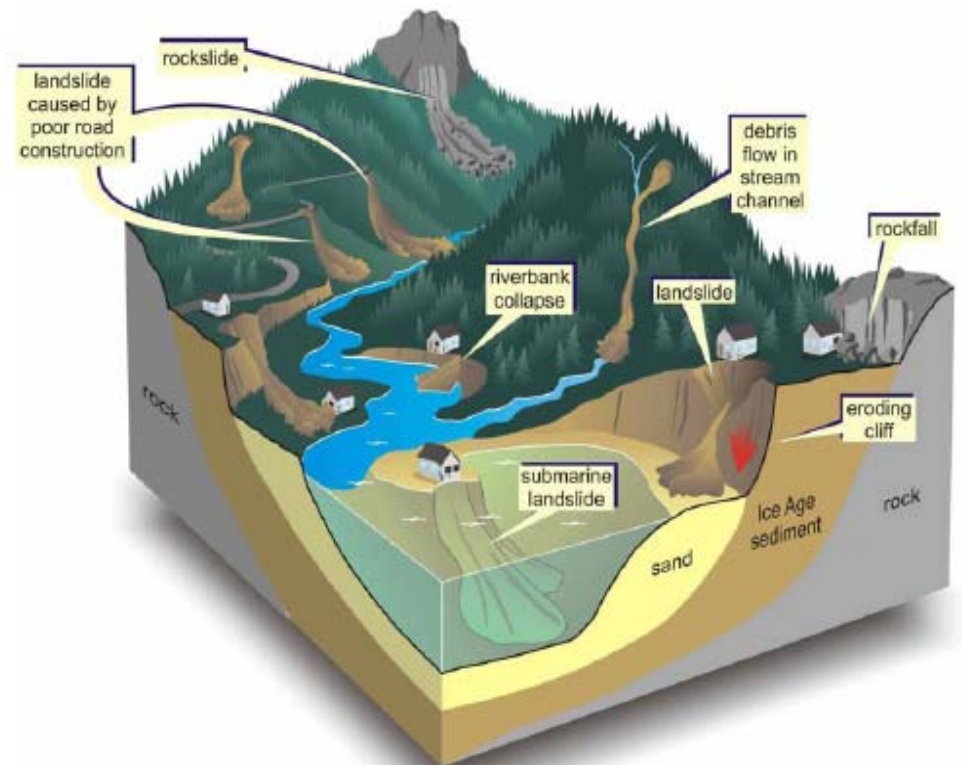
Planning for other resource lands

- Protecting lands for other resource needs and avoiding conflicts with neighbouring land uses
 - Forestry
 - Aggregates



Avoiding hazards

- Identify hazardous areas
 - unstable slopes
 - flood plains
 - fire interface
 - climate change impacts
- Direct development away from areas with natural hazards
- Development Permit Areas can protect already-permitted development from natural hazards



Parks, Recreation and Aesthetics

- Identify areas with high values for parkland, recreation or aesthetics
- Develop objectives and policies to direct development from these areas
- Develop policies for parkland acquisition as part of subdivision or through other negotiations
 - Strengthens your position during parkland acquisition negotiations



Who will live in your community?...



Planning for residential development

- Growth and future housing needs
- Density of development
- Accommodating socio-economic diversity

Affordable, rental and special needs housing

What kinds of livelihoods do community members have or want?

Planning for commercial and industrial land uses

- Efficient, effective and viable locations
- Consider impacts on neighbouring land uses
- Consider important relationship to utilities and transportation



Institutional land uses

- Healthy communities also need:
 - Hospitals
 - Schools
 - Emergency response buildings
 - Community centres
 - Spiritual land uses



Providing services

Utilities

– Water supplies

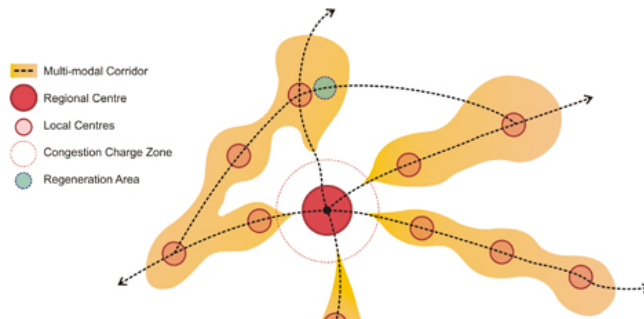
- Will there be enough water for the future development our plan envisions?
- Where will the water lines go and when should they be built?

– Waste management

- Can we treat the sewage that our plan will produce?
- Where and when do we put sewage lines in?
- Where will we handle our waste?



Transportation networks



- Road networks
 - Transit plans
 - Cycle paths
 - Pedestrian networks
-
- Critical elements of land use planning
 - Land use planning can 'make or break' transit

Greenhouse gas emission reduction

- **New** required content for OCPs
- **Must be included by May 31, 2010**
 - **Targets** for reduction of GHG emissions
 - **Policies** and **actions** that will achieve the targets
- **TARGETS**
 - At least one target must be a measurable and numerical emission reduction target, expressed as a percentage reduction or number of tonnes reduction in GHGs
 - This can be met by:
 - Setting an overarching target encompassing emissions from all sectors within the jurisdiction
 - Setting one or more sector specific targets that can be converted to indicate a numerical reduction in tonnes of GHG emissions



Pulling it all together...

- Think about settlement patterns
 - Where should future development occur?
 - Clusters vs sprawl
 - Single use areas vs. multiple use areas
- Consider the relationship between anticipated development, utilities and services
- Think about the inter-relationship between land use and transportation
- Community energy planning/greenhouse gas reduction

The Icing on the Cake



Creating and preserving community character

- Community form and character
- Heritage planning

Signs of successful community planning

- **Community goals are being achieved** through land use planning decisions
 - Consider how to measure and report on progress
- **Greater certainty** about land use for residents and businesses
 - Encourages investment, increases land value
- **Minimizing land use conflicts**
 - Change is more predictable and expected
 - Incompatible uses are separated or buffered from each other
 - Protection of places that everyone agrees are important
- **Community sustainability**
 - Water supplies can service planned development
 - Waste management is adequate and unobtrusive
 - Energy needs are minimized (and greenhouse gases can be reduced)
 - Economic sustainability and viability
 - Safety and security (reduced risks due to floods, land slides, fire hazards, climate change)

Legislative References

- *Local Government Act*, Part 26, Div 2
- Required content of OCPs
 - *Local Government Act* s. 877
- Optional policy statements in OCPs
 - *Local Government Act* s. 878
- Consultation and adoption of OCPs
 - *Local Government Act* s. 879 and 882
- Effect of OCPs
 - *Local Government Act* s. 884

Questions?

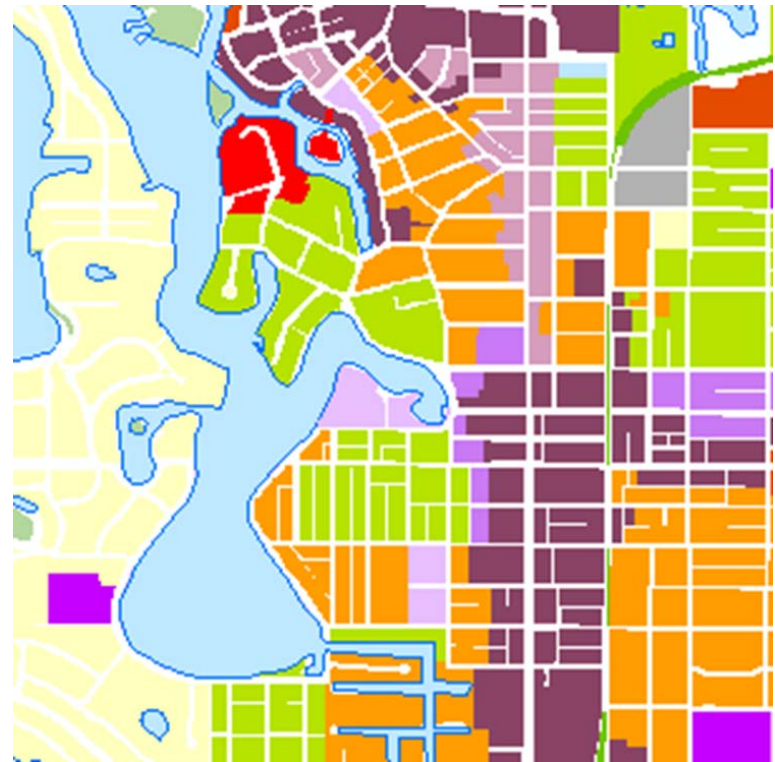


Zoning Bylaws

What is Zoning?

Zoning is a **regulatory tool** – this is where planning ‘hits the ground’

The Zoning Bylaw implements the broad goals, objectives and policies within the OCP at a **site-specific level**.





Zoning Bylaws regulate:

- **Land use:**
 - Permitted uses
 - Accessory uses
- **Density**
 - Density of subdivision (lot size)
 - Size and placement of buildings and structures including:
 - Setbacks from property lines
 - Height



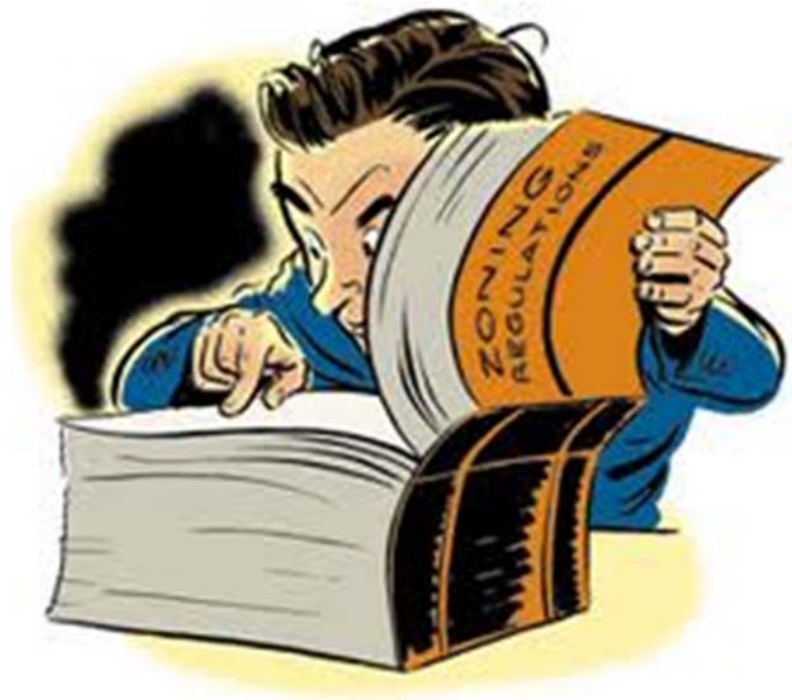
Zoning bylaws often include other regulations for:

- Off-street parking and loading
- Landscaping and screening to separate uses
- Subdivision standards
- Signs

Zoning Bylaws

Document Structure:

- Definitions
- General Provisions
 - General rules that apply to every property
- Zones
 - Specific regulations that apply to specific properties
- Schedules



Zoning Bylaws

Basic Zone Structure:

List of permitted uses:

- Principal uses;
- Accessory uses.

Density:

- The LGA does not define density, *but...*
- Density can be expressed through:
 - Floor space ratio (FSR) or floor area ratio (FAR),
 - Number of dwellings per parcel or per parcel area.
 - Minimum parcel size,

Building setbacks (to achieve any of the following):

- Environmental protection
- Highway ROW
- Separation and privacy
- Aesthetics
- Ensure provision of green space

Zoning Bylaws – Common Types of Zones

Single use zone:

Typical in districts where one use predominates.

Examples:

- Single family residential neighbourhoods
- Commercial centres
- Industrial areas



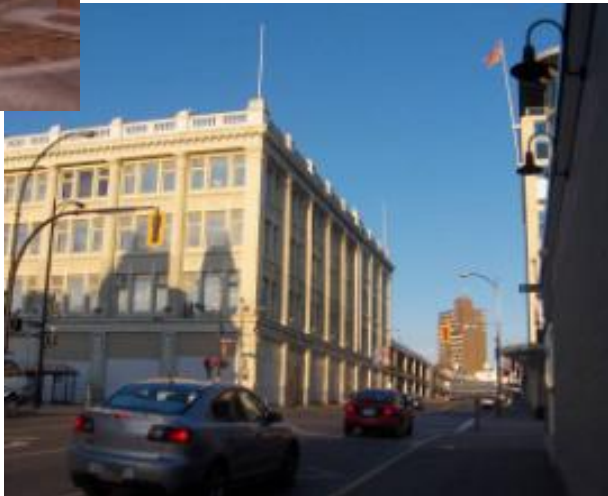
Zoning Bylaws – Common Types of Zones

Mixed use zone:

- Typical in downtowns, neighbourhood centres or community core.
- Uses considered compatible.



Zoning Bylaws – Common Types of Zones



Bonus density zone:

- Base density is permitted with additional density granted if amenities are provided.
- Examples of amenities:
 - Public art;
 - Heritage preservation, rehabilitation, re-use;
 - Public open space;
 - Others as specified in OCP.

Picturing zoning

Downtown commercial area



Agricultural and suburban areas



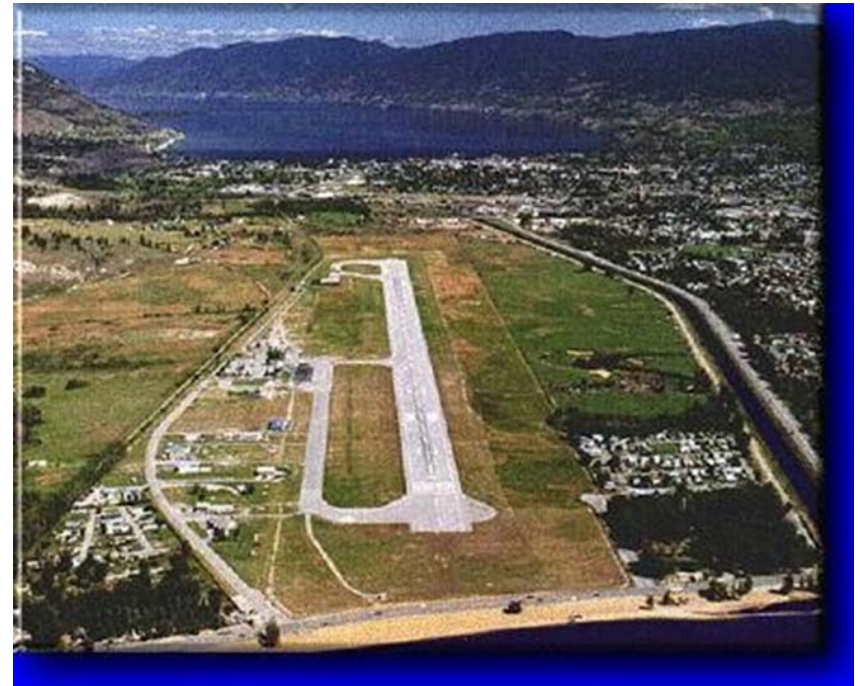
Zoning Bylaws – Non-conforming uses and siting

- Regulations may not reflect uses and structures that were in existence prior to adoption of the bylaw.
- Non-conforming uses are legally allowed to continue, but if the use ceases for 6 months then the use of the property becomes subject to the bylaw.
- Non-conforming uses cannot be expanded.



Zoning Bylaws – Limitations on Zoning

- Zoning regulates land use, not the user
- Zoning cannot prohibit resource extraction or tree removal
- Restrictions may not apply to:
 - Federal and provincial lands
 - Agricultural Land Reserve
 - Private managed forest lands
 - Community care facilities
 - Aeronautics



Zoning Bylaws – Types of Amendments

Sometimes, property owners want a change...

- Rezoning Applications
- Development Variance Permits
- Board of Variance

Zoning Bylaws – Rezoning

Application for Rezoning is required for:

- Proposed change to land **use**;
- Proposed change to **density**.

Proposed amendments of this nature are considered to be in the broad public interest and usually involve a public hearing.



Zoning Bylaws – Development Variance Permits (DVP)

- Zoning regulations may not anticipate every circumstance affecting parcels of land.
- LGA allows for DVP applications to vary certain provisions of the zoning bylaw, subdivision bylaw and sign bylaw.
- DVP's cannot alter **use, density** or specifications related to floodplain requirements.

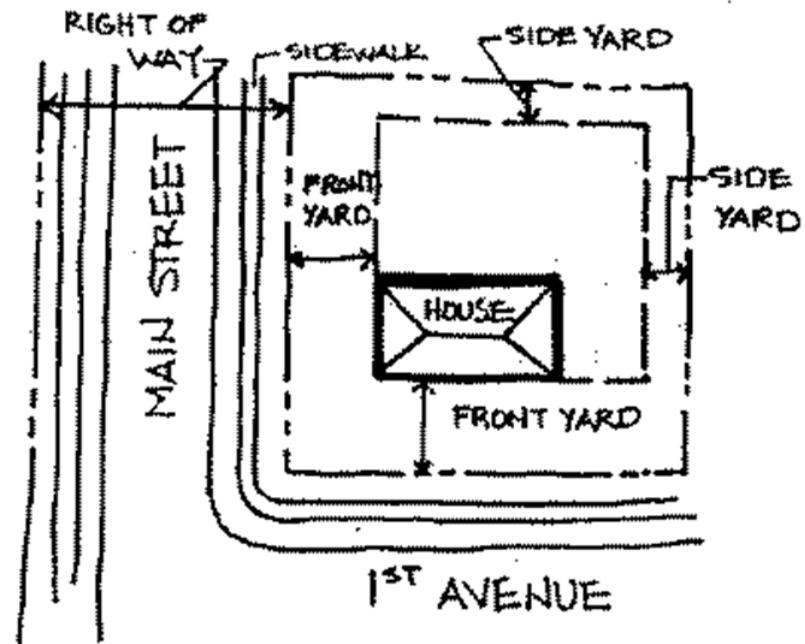
Zoning Bylaws – DVP's can't

- DVP's may propose changes to siting regulations including:
 - Setbacks
 - Height
 - Parking
 - Landscaping
 - Subdivision standards (some)



Zoning Bylaws – Board of Variance (BOV)

- Formed pursuant to Section 899 of LGA.
- If a local government has a Zoning Bylaw in effect, a BOV must be established.
- LGA allows for BOV applications to vary certain provisions of the zoning bylaw so as not to create undue hardship.
- The BOV is an independent decision-making body.



Zoning Bylaws – BOV con't

- BOV deals with minor variances:
 - Hardship relating to siting, dimensions and size of buildings.
 - Additions and structural changes to non-conforming buildings.
 - The BOV may not vary parking requirements.



Other planning tools: Temporary use permits (TUP)

- OCP's may designate areas where temporary commercial and industrial uses may be permitted.
- General conditions regarding issuance of the permit may be specified.



Other planning tools – TUP con't

- A local government may issue a temporary use permit (by resolution or by bylaw) for one or more of the following:
 - Allow any commercial or industrial use specified in the permit;
 - Allow the construction or use of buildings and structures to accommodate persons who work for the commercial or industrial enterprise;
 - Specify conditions under which the use may be carried on.
- TUP's expire after 3 years (or less if specified) and a landowner may apply to renew the permit only once.

Other planning tools: Development Permits (DP)



- OCP may designate certain areas as Development Permit Areas (DPA's) for specific purposes.
- OCP must describe special conditions or objectives that justify the designation.
- OCP must specify guidelines to address special conditions or objectives.

Other planning tools: Development Permits (DP) con't

***The LGA permits designation of
DPA's for the following
purposes:***

1. Protection of development from hazardous conditions:

Examples:

- Slope stability
- Prevention of erosion
- Interface fire hazard protection

2. Protection of farming:

Examples:

- Buffers between agriculture and adjacent uses



Other planning tools: Development Permits (DP) con't

3. Protection of natural environment, its ecosystems and biological diversity.

Examples:

- Protection of aquifers and drinking water sources.
- Protection of habitat, like eagle nests, etc.
- Protection of sensitive ecosystems, like first growth forests, riparian areas, etc.



Other planning tools: Development Permits (DP) con't

4. Revitalization of an area in which commercial use is permitted.

- Council or Regional Board approval of exterior design, finishes and landscaping.



Other planning tools: Development Permits (DP) con't

5. Establishment of objectives for form and character of:

- Multi-family residential;
- Intensive residential;
- Commercial;
- Industrial; and
- Resort region developments.



Other planning tools: Development Permits (DP) con't

Within those areas, the following (if specified) must not occur unless the local government issues a DP:

- Land may not be subdivided,
- Construction or alteration of buildings may not be commenced,
- Land may not be altered.

Hiring planning staff

How do you know when you need to hire a planner?

- When you need specialized skills or knowledge that you don't have on staff.

What kind of planner should you hire?

- Staff
- Contract

