Today’s Outline

- What is planning and why do we do it?
- What is a plan?
- How do we do it?
- What are the roles of staff and elected officials?
- What is a RGS? OCP? Zoning?
- What are all the different permits?
- What tools exist beyond the basics?
- Implementation
- How do you know if you need a planner?
You already know how to plan

- An analogy to show you what you may already know...

The "Unplanned" Approach

- First come, first served
- Everyone for themselves
- Any family member has a right to use the property however they wish
The Planning Approach

- Assess the land you've inherited
- Talk to every family member about their goals for the future
- Think about the way the land can help you achieve your family’s goals
- Decide together about ways to use the land for the greatest benefit of the majority
No development on unstable slope

Buffer along fishing stream
No development on unstable slope
Protected for Drinking Water
Family Garden
No tree cutting
Houses for Family members
Guest cottage
Woodlot
Utility Area
Family beach
Buffer along fishing stream

The end result....
- A Family Land Plan
The benefits of planning

- The land will help the family achieve its goals for the future
  - Housing for current and future family members
  - Accommodation for guests
  - Self-sufficiency (water, garden, woodlot) and sustainability

- Unique resources are protected for everyone’s use:
  - Pond for water supply
  - Recreation areas—stream, beach, old forest
  - Woodlot for construction lumber and firewood
  - Productive soils are set aside for growing food

More benefits of planning...

- Safety
  - No building, driveways or utilities on unstable or flood-prone ground

- Health
  - Water supply is kept clean and doesn’t require costly treatment
    - Areas are provided for recreation, peace and quiet
    - Filling areas are separated from houses and water supply

- Cost effective and efficient
  - Houses, guest areas and services are built on stable, level and well-drained land
    - Only one access driveway and utilities corridor needed

- Certainty about future development

- Reduced conflicts between family members

- Land is used for the greatest benefit of the majority

- Enhance and maintain property value for the future

What is planning?

- 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
Who plans?

- Council
- Public
- Staff

The role of elected officials in planning is to set community planning policies and objectives, e.g. regional growth strategy, official community plan, zoning.

Also, to make decisions based on the above policies, e.g. rezoning applications, development permit applications, development variance permits, temporary commercial or industrial use permits.

And decisions on implementation priorities and budgets for implementation.

The Planner’s primary role is to provide Council with:

- Quality Information
- Data/Trends
- Policy analysis
- Community dynamics
- A sound analysis of problems or opportunities
- Options (Social, Environmental, Economic)
- Relevant criteria to make a decision
- Model
- Concepts
- Recommendation, Strategy, Plan, Policy, Principles

Unique roles for Council and Staff

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The regulatory framework

- The Constitution Act
- The Community Charter
- The Local Government Act (Part 26)
- The Land Title Act
The basic planning tools

- Official Community Plans (OCP)
- Regional Growth Strategies (RGS)
- Zoning Bylaw or Land Use Bylaw
- Development Permits (DP’s)
- Development Variance Permit (DVP)

Official Community Plan (OCP)

• Broad statement of growth management goals and objectives
• A set of policies that will be used to manage change over the next 10-15 years
• A high level land use plan

Required content...

Local Government Act requirements:

- (a) the approximate location, amount, type and density of residential development required to meet anticipated housing needs over a period of at least 5 years;
- (b) the approximate location, amount and type of present and proposed commercial, industrial, institutions, agricultural, recreational and public utility land uses;
- (c) the approximate location and area of sand and gravel deposits that are suitable for future sand and gravel extraction;
- (d) restrictions on the use of land that is subject to hazardous conditions or that is environmentally sensitive to development;
- (e) the approximate location and phasing of any major road, sewer and water systems;
- (f) the approximate location and type of present and proposed public facilities, including schools, parks and waste treatment and disposal sites;
- (g) other matters that may, in respect of any plan, be required or authorized by the minister.
An official community plan may include the following:

- (a) policies of the local government relating to social needs, social well-being and social development;
- (b) a regional context statement, consistent with the rest of the community plan, of how matters referred to in section 850 (2) (a) to (c), and other matters dealt with in the community plan, apply in a regional context;
- (c) policies of the local government respecting the maintenance and enhancement of farming or land in a farming area or in an area designated for agricultural use in the community plan;
- (d) policies of the local government relating to the preservation, protection, restoration and enhancement of the natural environment, its ecosystems and biological diversity.

Family Land Plan

- An area for family homes
- An area for guests
- Family garden
- Woodlot
- Utility Area
- Creek
- Drinking water pond
- Old forest
- Family beach
- Unstable slopes
- Driveway and utilities

Official Community Plan

- Residential
- Tourist Accommodation
- Agricultural
- Forestry
- Industrial
- Streamside buffers
- Watershed protection
- Environmentally Sensitive
- Parks and recreation
- Natural Hazard Area
- Road and Utility Plan

Sound familiar?

- Planning for a bigger "family", with a more complex land base
- Need to spend more time understanding the community and the land base
- We elect local government to make the decisions
- Elected representatives are advised by staff or contracted professionals
- The community is consulted before decisions are made
- Need to consider community goals for the future and how they can be achieved (or frustrated) by land use plans
- Decisions based on what provides the greatest benefit to the greatest number (public interest)
- Decisions are enshrined in formal documents (bylaws)
Similar benefits

- Community health and safety
- Greater certainty and security about the future
- Reduced conflict (between different land uses and community members)
- Maximize use of community resources to the benefit of the majority
- Minimize public expense for infrastructure and responding to natural hazards (flooding, landslip)
- Maintenance of land values and investment
- Sustainability, protection of the environment
- Livability
- Economic stability and attractiveness to investors and new residents

Regional Growth Strategies

- The RGS legislation recognizes the need to coordinate planning across all the local government jurisdictions within a Regional District

RGS-Development and Adoption

- Adopted by Regional District Board bylaw
- Optional, but can be required by province
- Coordination with affected local governments and provincial agencies through establishment of an intergovernmental advisory committee
- Provincial legislation describes:
  - Land use objectives
  - Time frame (20 years)
  - Minimum content
  - Required consultation plan
  - Local government acceptance required for binding provisions
RGS—Implementation

- Binding on Regional District after adoption
- Bylaws and works and services must be consistent with an adopted RGS
- Doesn't commit or authorize projects
- Works and services of improvement districts and ‘greater boards’
- Regional context statements must be included in OCPs of affected municipalities within two years
- Must identify how OCP is to be made consistent with the RGS over time
- Must be accepted by Regional District board
- Must be reviewed every 5 years
- Monitoring programs, annual report and consider reviews every 5 years

How to tie it all together...

- The Official Community Plan sets the direction and the goals and policies that the community establishes within the framework provided by the Local Government Act
- The Zoning Bylaw is the regulatory tool that we use to implement this long term vision.
- There is a requirement for consistency between the two documents

Zoning Bylaws

What is Zoning?
- Zoning is a regulatory tool that applies "on the ground"
- It is the most common tool used to implement land use policy
- The Zoning Bylaw implements the broad goals, objectives and policies within the OCP at a site-specific level.
- New Zoning Bylaws must be consistent with the OCP.
- See Part 26, Div. 1 of the Local Government Act
What Zoning does...

- Divides the jurisdiction into zones
- Each zone permits a different type of land use by regulating:
  - Permitted uses (residential, commercial, agricultural, recreational, institutional)
  - Density and sizes of buildings
  - Lot line setbacks, siting of buildings, lot coverage
  - Building heights
  - Minimum size of lots
  - Levels of works and services required

Zoning continued...

- Zoning bylaws also often include regulations of other aspects of land use such as:
  - Off-street parking and loading spaces
  - Landscaping and screening to separate uses
  - Subdivision standards
  - Water, sewer, roads, drainage
  - Signs
  - Drainage
  - Tree cutting

This subdivision project was abandoned because no one could read the local zoning regulations.
Development Variance Permits

- 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.
- Public notice, but not a full public hearing is required, before Council’s decision.
- Permits lapse if no substantial start to construction within two years.

DVP’s continued

- DVP applications may propose changes to siting regulations.
  - Setbacks
  - Heights
  - Access
  - Landscaping
  - Subdivision standards (some)
- Notice to neighbours is required before a decision is made.
- If a variance is given, notice is registered with the Land Titles Office.
- See s. 922 of the Local Government Act.

Temporary Use Permits

- OCP’s may designate areas where uses may be permitted.
- Temporary zoning.
- The permit may impose a variety of conditions regarding the permitted use.
- TUP’s may be issued for up to 3 years and a landowner may apply to renew the permit.
- Notice to neighbours is required before a decision is made.
- See s. 921 of the Local Government Act.
Development Permit Areas

- OCP may designate certain areas as Development Permit Areas (DPA’s) for specific purposes
- Allows for an extra level of attention before development occurs
- Justification must be stated
- Must include guidelines for the permits that will be issued.
- See s. 819-930 of the Local Government Act

Within those areas, the following must not occur unless the local government issues a DP or there is an exemption:

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

Implementation

- More bylaws
- Budgets
- Development Applications
- Council decisions
**Beyond the Basics**
- Business Licenses
- Streets and Traffic
- Building Bylaw
- Municipal Ticket Information
- Tree Protection
- Heritage Protection
- Soil Deposit and Removal
- Subdivision and Servicing
- Council approved policy

**Hiring a Planning Professional**
- When do you need a planner?
- What qualifications should you look for?

**QUESTIONS?**