

LGLA 2015
Introduction to Planning

FINLAY SINCLAIR, MCIP, RPP

OCP Review

- Northern Rockies, Fort St John, Dawson Creek
- Tumbler Ridge, Chetwynd, Hudson's Hope, Mackenzie, PG
- McBride, Valemount, Vanderhoof, Fort St James
- Fraser Lake, Burns Lake, Houston Telkwa, Smithers
- Hazelton, Terrace, Kitimat, Prince Rupert, Port Edward

Your OCP Language

- Envision the future
- Involve the community
- Build community
- Collaborative planning
- Climate change
- Growth of the community
- Focused on the future
- Tenants
- Greenhouse gas emissions
- Quality of life

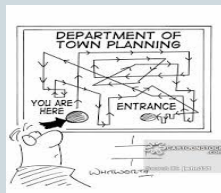
Today's Outline

- What is planning and why do we do it?
- What are the roles of staff and elected officials?
- Official Community Plans & Zoning
- Regional Growth Strategies
- Development Variance Permits, Development Permits
- Temporary Use Permits

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

Real Definition of Planning



1990 City of Surrey

- Please be patient there are 1500 applications ahead of you !!!

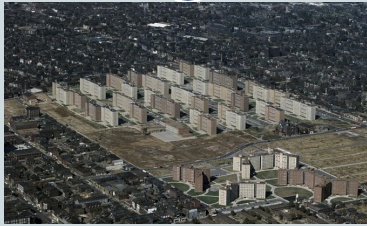
Howards 1903 Garden City



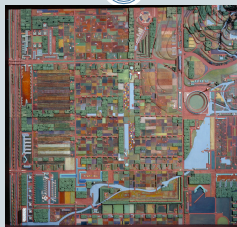
The Street Grid



Le Corbousier's Radiant City



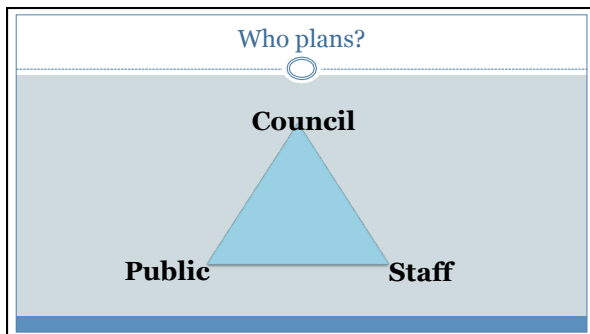
Frank Lloyd Wright's Broadacre City



Megaregion







- Roles of Elected Officials in Planning
- Representative role
 - Policy making role
 - Accountability and Transparency role

Representative Role

- Elected by your constituents to represent their (your) views when dealing with planning issues that come before local government
- With respect to planning decisions the “only” view that is relevant for Elected Officials is your own personal view.
- As the decision maker regarding planning in your communities “Common Law” requires that you be amenable to persuasion. You must listen to and hear all sides.

Policy Making Role

- Council/Board make policy
- Administration is responsible for implementing policy
- The two roles are independent & distinct – yet there can be tension
- Reporting mechanisms are a helpful way to ensure policy is being carried out as intended

Accountability and Transparency Role

- Accountability and transparency are critical in planning processes of local government.
- Local government bureaucracy and Elected officials are held to a high standard by the public. We uphold the Public Trust
- Acknowledging, understanding and supporting planning policies is essential for managing development in any community
- Planning is complex, emotional, passionate and full of real and received conflicts. You can make it better or you can make it worse.

Role of Planning Staff

Provide Council/Board with:

- Quality Information
- A sound analysis of problems or opportunity
- Options (Social, Environmental, Economic)
- Relevant criteria to make a decision
- A recommendation

Obligations of the Professional Planner

- Finlay Sinclair, MCIP, RPP
- Employer
- Public
- Profession

Professional Planners

- Balance the interests of communities with the interests of individuals
- Foster meaningful public participation by all segments of society
- Strive to continuously improve knowledge of applicable planning theory and practice

Professional Planners

- Practice sustainable planning that considers the use of society's resources and the needs of future generations
- Acknowledge that planning decisions can have effects that cross jurisdictional boundaries
- Value the natural and human environments and understand their interrelationships

The regulatory framework

- The Community Charter
- The Local Government Act (Part 24, 25, 26, 27)
- The Land Title Act
- Agricultural Land Reserve Act (ALR)



The basic planning tools

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

OCP:

- Broad statement of land use 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

The map displays the Town of View Royal with various land use zones color-coded: green for agricultural, yellow for residential, blue for commercial/industrial, and red for public utility. It includes a legend, a north arrow, and a scale bar. The title 'TOWN OF VIEW ROYAL OFFICIAL COMMUNITY PLAN AND LAND USE MANAGEMENT PLAN' is visible.

OCP Required Content

- the approximate location, amount, type and density of residential development required to meet anticipated housing needs over a period of at least 5 years
- the approximate location, amount and type of present and proposed commercial, industrial, institutional, agricultural, recreational and public utility land uses

OCP Required Content

- the approximate location and area of sand and gravel deposits that are suitable for future sand and gravel extraction
- restrictions on the use of land that is subject to hazardous conditions or that is environmentally sensitive to development;

OCP Required Content

- the approximate location and phasing of any major road, sewer and water systems
- the approximate location and type of present and proposed public facilities, including schools, parks and waste treatment and disposal sites
- other matters that may, in respect of any plan, be required or authorized by the minister.

OCP Optional Content

- policies of the local government relating to social needs, social well-being and social development
- a regional context statement, consistent with the rest of the community plan, of how matters referred to in section 850 (Regional Growth Strategy) and other matters dealt with in the community plan, apply in a regional context;

OCP Optional Content

- policies of the local government respecting the maintenance and enhancement of farming on land in a farming area or in an area designated for agricultural use in the community plan
- policies of the local government relating to the preservation, protection, restoration and enhancement of the natural environment, its ecosystems and biological diversity

Benefits of an OCP

- Greater (not complete) certainty about the future of your community from a land use, social, economic, transportation and environmental perspective
- Better overall understanding of the community resources and your ability to access these resources
- Increased community health and safety

Benefits of an OCP

- Maintenance of land values and investment
- Protection of the environment
- Economic opportunities and attractiveness to investors and new residents
- Improved knowledge of communities infrastructure and natural hazards (flooding, landslide)

Questions so Far?



What is Zoning?

- Zoning is a regulatory tool that applies “on the ground” and defines specific use(s) and conditions of use for property.
- It is the most common tool used to implement land use policy
- Zoning implements the goals, objectives and policies of the OCP at a site-specific level.
- New zoning bylaws (land use change applications) must be consistent with the OCP.

Zoning

- Divides properties in whole or part into zones:
 - Permitted uses (residential, commercial, agricultural, recreational, institutional)
 - Density (subdivision) and size of buildings
 - Lot line setbacks, siting of buildings, lot coverage
 - Building heights, minimum size of lots

Zoning continued...

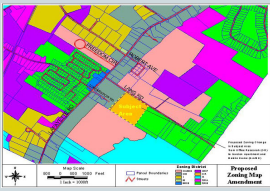


Zoning bylaws also often include regulations of other aspects of land use such as:


- Off-street parking and loading spaces
- Landscaping and screening
- Signs, drainage, tree cutting

Changing Zoning

- **Types of Amendments:**
 1. Council-initiated changes
 2. Rezoning applications



Rezoning Applications



- Initiated by a landowner who wants to change the permitted use or density of use on their land.
- Usually the largest and most significant development application you will deal with.
- Process guides are often used to inform everyone of the process
- Must conform with OCP

Council-initiated changes

- To prevent or avoid unwanted land uses
- To implement policies and goals
- 'Housekeeping' changes and updates
- If there are proposed changes to use or density, the public must be notified and a public hearing is held.

OCP/Zoning

- 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. It is the one that affects land owners and residents directly
- There is a requirement for consistency between the OCP and Zoning on new applications

Questions about Zoning?

Regional Growth Strategy (RGS)

- Promote human settlement that is socially, economically and environmentally healthy
- Make efficient use of public facilities and services

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 (housing, transportation, parks etc)

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

RGS - Implementation

- 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

RGS in the Real World

- Complex, complicated and time consuming
- Require acceptance and learning of a new and common language
- Consensus is extremely difficult to achieve and is perilous

"RGS is an extremely valuable, effective and innovative planning tool available to local government. It requires significant political and professional planning leadership to be successful."

Questions so Far?



Development Variance Permits (DVP)

- Zoning regulations may not anticipate every circumstance affecting parcels of land.
- DVP applications permit local government 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

Development Variance Permits (DVP's)

- DVP applications may propose changes to siting regulations including:
 - Setbacks, height, parking
 - Landscaping
 - Subdivision standards (some)
- Notice to neighbours is required before a decision is made.
- If a DVP is approved, notice is registered with the Land Titles Office.

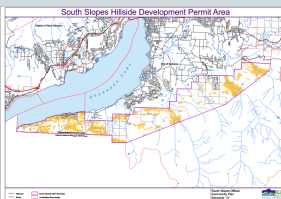


Temporary Use Permits (TUP)

- OCP's may designate areas where temporary uses may be permitted.
- TUP is a form of temporary zoning.
- The TUP may include 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 once.
- Notice to neighbours is required before a decision is made.



Development Permit Areas (DPA)




- OCP may designate certain areas as DPA's
- Justification must be stated as to why a DPA has been created
- DPA must include guidelines for the permits that will be issued.

Development Permit Area Purposes

- Protection of the natural environment
- Protection from hazardous conditions
- Protection of farming
- Revitalization of commercial areas (downtowns)
- Form and character of intensive res/comm/industrial
- Promote energy conservation
- Promote water conservation
- Promote reduction of greenhouse gases

Other Development Control Tools

- 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?





