

A Planning Experience: From a Small Town Perspective

Douglas Fleming, Administrator, District of Logan Lake
May, 1999

TABLE OF CONTENTS

Introduction	Page 2
The Planning Process	Page 3
Key Issues and Concerns	Page 4-7
Lessons Learned	Page 8
Executive Summary	Page 9

EXECUTIVE SUMMARY

With the municipality's principle land use by-laws (Official Community Plan and comprehensive Zoning By-law) showing signs of age, the Council of the District of Logan Lake initiated a planning process to provide for an in-depth review of each document.

The Official Community Plan was the first land use by-law to be considered.

During the planning process several key issues arose. Three particular areas of interest developed, those being; a proposal to allow for future expansion of the community's industrial park; the development of a modular/mobile home subdivision; and the designation of additional lands for future residential development.

As the planning process unfolded, so to did a local *anti-Council (anti-by-law)* opposition force (created in part to respond to the OCP planning proposals, and in part to prepare for the upcoming fall municipal election). This group would ensure that the planning process would be open to critical scrutiny and be the subject of dogmatic review.

Opponents of the Plan did strive to delay the planning process and tried diligently to undermine the Plan. A management style had to be developed to take into consideration the more positive interests of the opposition forces, while ensuring that the planning process delivered constructive and tangible results.

In the end a number of concessions and innovative concepts became key to ensuring that an acceptable yet progressive Official Community Plan was adopted for the community.

Several important lessons were learned from this planning exercise. These included; **Negotiation vs. Regulation** (the importance of reaching agreement and understanding through constructive discussion vs. simply dictating in an autocratic unilateral manner; **Conviction vs. Compromise** (the importance of standing by one's principles and values as opposed to simply acceding to political and/or non political pressures); **Integrity vs. Adversity** (the value of being *flexible* in one's thinking combined with the desire to seek acceptable yet meaningful alternatives); and, **Communication** (the importance of good two way dialogue, and the fundamental value of understanding the positions and issues presented by the other side).

All of these ingredients assisted in leading the community of Logan Lake to a consensus approach in developing a new long range Official Community Plan for the municipality. A Plan which will hopefully set a solid foundation for the extended future of the community.

INTRODUCTION

With the municipality's principle land use by-laws showing signs of age, the Council of the District of Logan Lake, under recommendation of its Chief Administrative Officer, initiated a planning process to update the community's Official Community Plan and its Comprehensive Zoning By-law. [Note: Section 945 of the Municipal Act RSBC 1979 proposes that an Official Community Plan be reviewed at least every 5 years (also see Section 877 of the Municipal Act RSBC 1996)].

The planning process was expected to be completed within 1 to 1 1 /2 years. While the plans did not call for radical or wholesale changes in either the community's direction of growth, or its general development philosophies, a number of significant issues were raised during the project's public processes. To complicate matters the Official Community planning process began during a municipal election year (this later fact was to prove most challenging and educational).

Because a number of years had elapsed since the two documents had been reviewed, by the general public (OCP; seven years and Zoning; six years - before final revision) it was suggested by the municipality's planning consultants that a planning workshop be held to solicit public input into each of the planning documents during their respective review processes.

As the planning program unfolded, so to did a local *anti-Council* opposition force (this group arose primarily for reasons unrelated to the planning processes, however, the planning exercises became an opportune forum for the group to raise its profile in the community).

The planning documents, as mentioned earlier, did not contain serious or radical departures from the general planning philosophies of the community. However, where the plans did venture into new territory, the opposition forces made it their mandate to target and launch full assaults on those changes.

The process which the Council and its Administrator were destined to follow allowed for some interesting lessons to be learned.

This report will deal primarily with the issues and challenges faced by the municipality's Administrator during the first phase of the planning process (the OCP review process) and will display some of the innovative planning concepts which were developed in order to meet the objectives of both the municipality and, most importantly, the general community.

To begin this report it should be noted that not always do planning exercises follow strictly the paths they were intended to follow. Community issues sometimes vary from those anticipated. Special interest groups add their own unique twists to a planning process, and **good** planning practices sometimes have to be **tempered** to allow for broader public support. Draw these factors together with a municipal election and you have a recipe for either great success, or great failure.

THE PLANNING PROCESS

Because of the age of the municipality's Official Community Plan and Zoning By-law, it was deemed appropriate to undertake a major review of these two land use documents.

The municipality applied for a grant from the Ministry of Municipal Affairs to undertake a planning exercise to update the two documents. The project would be staged over two phases. Phase I; a wholesale review of the municipality's Official Community Plan, and Phase II; an in-depth review of the community's Comprehensive Zoning By-law.

Planning consultants were engaged for the project (Urban Systems Ltd.) and preliminary meetings got underway. During the initial planning process Council identified the need to address certain new land use requirements for the community. A draft plan was prepared which contained reference to these new strategic considerations.

The OCP planning process was expected to take about six months to complete. A schedule for plan preparation, public consultation and plan implementation was developed. As the planning process moved forward a number of issues were raised, some expected, some not. It soon became apparent however, that the planning project was not in for a smooth sail.

The planning consultants recommended two public consultation opportunities to address public issues with respect to the OCP By-law; a planning workshop, and the traditional public hearing. With the OCP being the lead land use document for public consideration, the community process was initiated.

Response to the first draft plan was mixed. A number of issues arose within the community with respect to the plan, and it was not long before an *anti by-law* (anti-Council) opposition force was established. (As noted earlier the *antiCouncil* opposition may have formed for other *pre-election* reasons, however, the Official Community Planning process gave the group a new *raison d'etre*).

Because of the interest shown in the Official Community planning process it ultimately became necessary to hold two separate public hearings, and the total process took over fourteen months.

KEY ISSUES AND CONCERNS

During the OCP review process three key areas of concern became the subject of most debate and discussion.

Planning elements were being put into place for future industrial district expansion, mobile home lot creation, and provisions for new future single family residential development.

Of course everyone wants to see good development occur in their communities. We all want to watch our communities grow and prosper, its just that we sometimes would like to see that development occur on the other side of town, or **YBNIMBY** (Yes, But Not In My Back Yard).

With regard to the proposed industrial district expansion, it was felt by the Municipality that it made good planning sense and that it was prudent and responsible to provide for some reasonably specific long term policies to address future industrial land requirements.

The new Plan proposed an expansion of the community's existing industrial park. From an infrastructure and servicing point of view this proposal made complete sense. The proposal, however, created great controversy in the community.

A prior industrial park development had resulted in the stripping of trees and a total lack of regard for adequate landscape screening. This earlier development was necessary, but visually unattractive.

Concerns arose both about the extension of the industrial area, as being opposite to a residential district, and because of the proximity of the proposed expanded industrial area to an adjacent greenbelt, which had been identified by some as a wildlife sanctuary.

In order to address anticipated concerns, staff recommended the retention of a treed buffer zone along the edge of the industrial district to limit potential visual impacts of future industrial expansion. In addition, it was proposed that a development permit area be established to control the *form and character of development* and to strengthen the tree retention policies.

Many of the adjacent residents were not satisfied with these so called '*government promises*', and the newly formed *anti-Council* opposition rose to the occasion to condemn the plans in their entirety.

Because good planning considerations indicated that the expansion of the industrial area made logical sense (as opposed to the concept of creating an entirely new industrial district, or alternatively, to provide for no further industrial land opportunities) staff felt that it was imperative to find a way to obtain community support for the proposed industrial expansion concept.

Staff and the planning consultants made on site inspections of the lands involved. The two parties also met one on one with a number of the residents of the area to discuss first hand their specific concerns and possible acceptable alternatives/options to meet the objectives of both parties.

A compromise solution was approached that seemed to appeal to (almost) all parties. A hold out exception was the *anti-Council* force. An agreement was reached to establish a registered right-of-way over the proposed treed buffer zone to strengthen the no tree removal intentions of the community. It was agreed that this provision would also be written directly into the Plan.

The alternatives of prohibiting any further industrial development, or reserving the treed area as park (by doing so, because of the established road alignment and servicing considerations, the extended industrial lands could not have met minimum site area requirements for development) was agreed were not reasonable expectations by either party. The proposed solution, however, could address the desires of each of the parties.

While it was expected that there would be some 'peek-a-boo' views of new industrial developments, these new developments would for the most part be successfully screened from view, and it seems that agreements had been reached that any visual impacts would at least be minimal.

A second area of concern focused on the Council's desire to provide more land inventory for mobile and manufactured housing. The challenge before Council was to provide for such land inventory as cost effectively as possible. The area selected as most logical for such development was an area adjacent to an existing single family district, in a transition zone between the single family zone and an adjacent manufactured housing district.

In the early-mid 1990's Council identified a shortage of and need for mobile and manufactured housing land inventory. In order to meet this apparent need Council pursued a recommendation from staff to approach the local School Board who owned land suitable for mobile and manufactured housing. The property owned by the School District included seven (previously zoned) mobile home lots and an adjacent large parcel, which had originally been intended for use as a future school site. The School Boards plans had since changed and they indicated that they would most likely not be pursuing these lands for future school site development.

The Municipality inquired with the School District as to whether they would be prepared to sell off the mobile home sites because of the identified demand. The School Board responded by offering the whole parcel to the municipality, at what it considered a reasonable price. Because Council could foresee the benefits of purchasing the lands from the School Board, and because of the perceived demand for mobile home lots, Council initiated negotiations with the School District for the purchase of the property.

The Municipality subsequently began to sell off the pre-existing, pre-serviced mobile home lots. What was thought would be a 3-5 year supply of land was sold out within fifteen months.

In order to address a perceived lingering need for mobile home lots, Council decided to take a concept forward under its OCP review process to develop the balance of the former School District lands (previously designated institutional) for mobile and manufactured housing.

A development proposal for the property was created by staff. The plan included 14 mobile home lots, a tot lot park and some remainder greenbelt. This plan was incorporated into the OCP planning process. The plan became the subject of much debate and the primary focus of the *anti-Council* opposition forces.

A petition was circulated in the community requesting support to oppose the development concept. Some inaccuracies were distributed while the petition was being circulated as to the actual nature, intent and scope of the development proposed. Very little community support appeared to be forthcoming for the proposed project by the time the proposal made it to its public processes.

In an attempt to balance the perceived real need to supply additional mobile and manufactured home properties, with the interests of the general public, Council held a planning workshop to outline its development proposal. As well, staff also met individually with owners affected by the development proposal. Two way dialogue ensued, with further revisions to the development concept being achieved.

While some residents simply did not want the development to move forward, others saw their input as being vital to the creation of a necessary subdivision, and one in which the residents could ensure would have the least impact possible to their neighbouring properties.

Some of the unique compromises reached to allow the project to proceed included; the creation of a buffer zone (a landscaped pedestrian walkway), between the project and the adjacent site built homes; the municipality offered to sell strips of land to adjacent owners for consolidation with their parcels to extend the distance between the new development and their homes; a tree retention policy was written in to the OCP document to ensure protection of as much of the existing natural cover as possible; access to certain materials from the project was granted to the adjacent property owners (e.g. firewood taken from trees necessary to be cleared to allow the project to be constructed and landscape rock surplus to the needs of the project, as well, access was granted to landscaping materials at cost); the District established a utility parcel to allow a TV signal repeater tower to be constructed to better provide TV service to the residents of the area; and the District undertook a consultation process with the adjacent residents to develop lot design and layout for the proposed mobile home subdivision in a fashion acceptable to the neighbourhood).

An important consideration in ensuring the success of the project, was an exercise to match *change* to *improvement*.

Further technical compromises included; a restrictive covenant being placed on title of the subdivided lots limiting the age of mobile homes to be placed on the property to five (5) years of age or newer; designation of the lands fronting a residential street to single family with a covenant requiring *site-built* homes; registration of a covenant on certain lots (site-built lots) requiring that the homes built be of like nature to those existing in the neighbourhood; and the registration of a one year right-of-repurchase provision (allowing the municipality to repurchase the property if the lot was not developed upon within one year of purchase).

In order to attract community support for the project, Council even proposed a subdivision and street naming contest, which when later held became a great venue to promote support for the project.

While Council tried to mitigate the negative aspects of its development proposal, significant opposition to the planned project still persisted. In act, the development proposal became one of the major issues in the municipality's fall election. Interestingly, in the end, it was the Council members who stood by their convictions and those who supported the development project who were returned to office or elected.

A third, less significant but equally important issue arose, out of the proposal to create a future residential development zone in an area adjacent to an existing residential district. The land proposed to be designated for future residential development was as yet undeveloped, and thought of by some to be park and open space. The property had previously been designated for future multifamily development. Council was infact proposing a lower density designation. Perhaps because of the pressures exerted on those areas deemed to be more imminent for development, or perhaps because of the lesser development potential of the property involved (i.e. higher development costs), or possibly because the opposition forces were wearing down Council, Council chose to follow a more conservative approach and designated a far smaller portion of the land for future residential development, with a greater portion of the lands actually being designated for parks and open space.

Compromise is often a significant component in land use planning. While good planning practices should always be followed, it becomes obvious that sometimes compromise and concession, in a political world, outweighs that which some planners and administrators would view as logical planning consideration. In any event, the **Plan** was eventually adopted, and it was felt that it was a **good** plan, the best plan possible for the municipality at the time.

LESSONS LEARNED

In the case at hand a number of lessons in local government administration and community planning can be learned.

Firstly, in the words of a wise man (namely our Mayor) never, never,,,,, never hold a major Official Community Planning process (or Comprehensive Zoning review) during a municipal election year.... you may not always be successful in achieving the results that you were hoping to achieve.

Secondly, without question, it is imperative, and it is just plain good common sense to ensure that you are in tune with the feelings and attitudes of the community, and, that you offer full and complete disclosure and access to input to all members of your community, regardless of their political agendas. Partnerships are formed through communication and cooperation. The key **here is Negotiation vs. Regulation.**

Thirdly, when you are asked to do a job you must do it with conviction. As a member of the administrative staff your decisions must be based on fact not feeling, and must benefit the whole community. Your decisions should not be compromised by special interest groups (unless their interests also benefit the whole community). Here, **Conviction vs. Compromise** should be the key. When you have to make this point with Council, do it with respect and sincerity, you'll be appreciated for your honesty and integrity, even if your views do not always match precisely with those of the Council.

As a staff member your recommendations should be based on known facts, legislative authorities and good administrative practices. You don't have to argue your point to make it known. If you listen well to others and take their views into consideration, you can learn a great deal and may be able to offer a better final product to the residents of your community as a result. Good *hard service* planning considerations sometimes have to be tempered with the *social* and *human* needs of a community, as long as the greater interests of the whole community remain prime. Here, **Integrity vs. Adversity** becomes the key.

Finally, be **Flexible**, but stand by you convictions. Opposition forces will often try to dismantle you best efforts. Sometimes truly good opportunities can be forfeited with too much compromise. Occasionally lines must be drawn in the sand. When you must do so, seek constructive and innovative methods to draw those lines. Don't allow certain pressures or pressure groups to overrule your basic instincts and values. Good two way dialogue and communication can often settle differences and sometimes allows for positions to be seen which may otherwise be obscured. **Effective Communication** is a key element in any community planning process. Don't be afraid to look, listen, and of course always **learn**. With proper planning a municipality can be successful not only in providing good planning for the municipality, but in actually initiating some of the changes envisioned by the Plan.