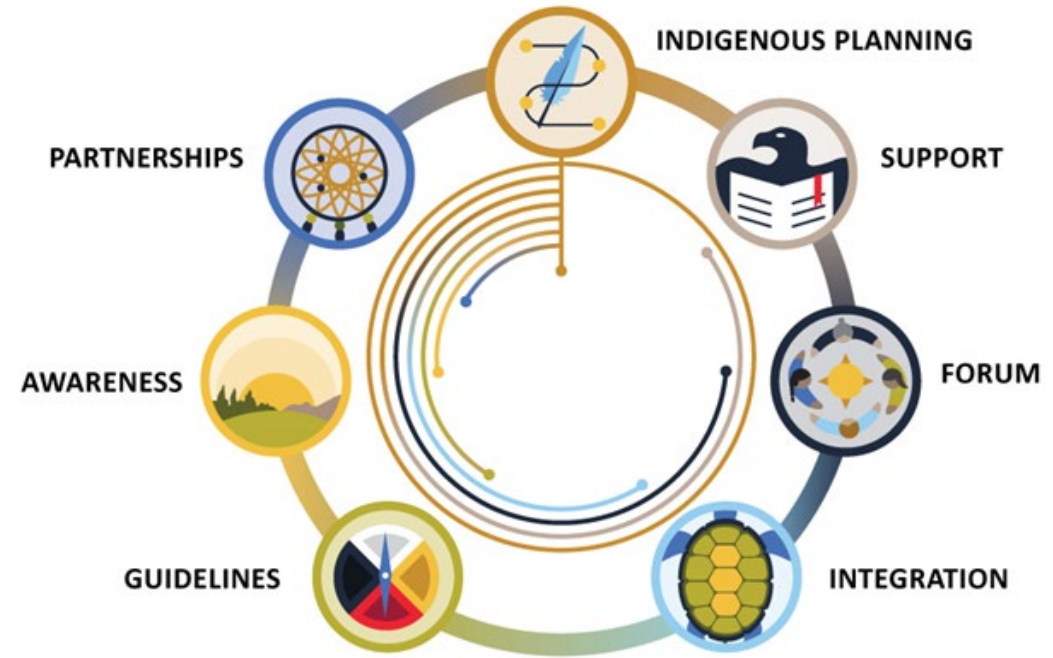


Land Use Plan Development General Overview

Land Use Planning & Regional Networking Workshop
April 9, 2024



This presentation is intended as advice for your consideration.

Indigenous communities across Turtle Island have been undertaking land use planning since time immemorial. The ideas and theories presented today, tomorrow, and in all our materials are based on our knowledge and understanding of land use planning from our perspective, which has been influenced by the Western world view of planning.

Your First Nation's planning processes may be different than what we present at this workshop, but we hope some of the information provided will be helpful in your own unique planning processes and documents.

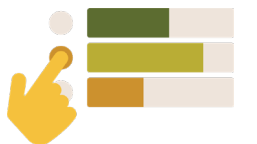


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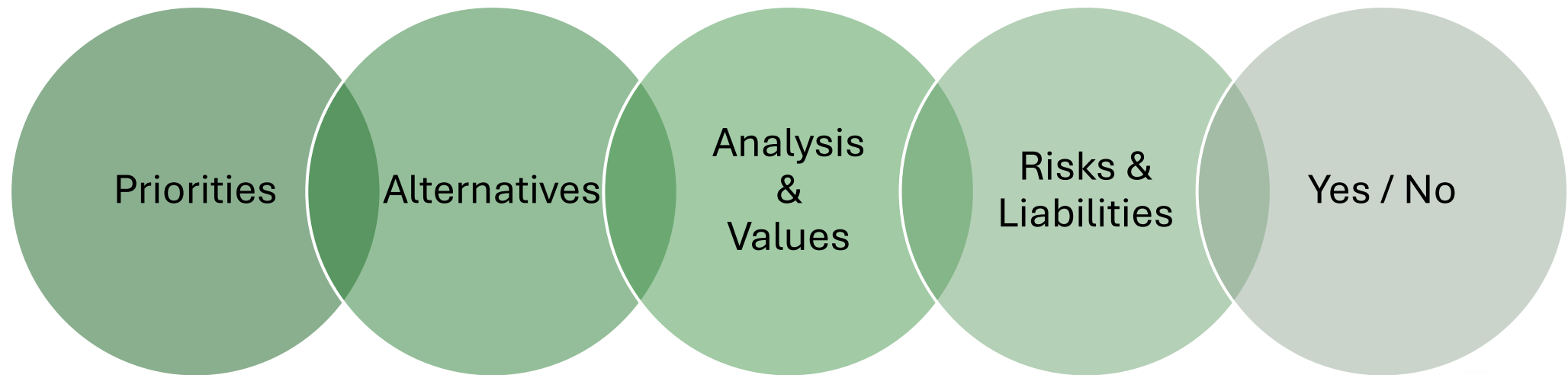


Does your First Nation have a Land Use Plan?



Why Do We Plan?

- Land use plans guide decisions related to the organization and use of land.
- Plans can help your First Nation determine where you want to go and offer a process to help you get there.



- To Help Improve Decision-Making and Navigate the Tough Decisions

What is Land Use Planning?

Land Use Planning (LUP) is about deciding how land should be used in the future and managing how it's being used now. The goal is to ensure that land is used in the best possible way, considering political, social, cultural, environmental, and economic factors.

Land Use Plans:

- Provide a shared vision and path for the future
- Proactively manage growth
- Assist in improving communities
- Consider how development and the natural environment interact



What are Land Development Procedures?

Land Development Procedures are the customized guidelines for each community on how to implement their development-related Laws. Land Development Procedures clarify the processes that all proponents (including the First Nation itself) must follow for any proposed development on First Nation Lands.

Changing, converting or restoring landforms



- Landscaping
- Clearing vegetation
- Tree removal
- Grading & filling
- Gravel quarries
- Mining & resources
- Habitat restoration

Installing and maintaining infrastructure or other public works



- Water supply
- Sewer
- Treatment plants
- Transfer station
- Stormwater
- Irrigation canals
- Pipelines

Construction, alteration, renovation, demolition of physical structures



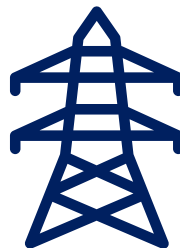
- Homes, offices and industrial facilities, hospitals, schools
- Fences, swimming pools
- Decks, sheds, garages
- Lighting and signage

Subdividing, stratifying, dividing interests in lands or structures



- Lease
- Sub-lease
- Strata
- Licence
- Permit
- Easements
- Rights-of-Way

Connecting to utilities and other services



- Electricity
- Renewable energy
- Internet
- Telephone
- Natural gas
- Drinking water
- Wastewater

Transportation infrastructure



- Roads
- Intersections
- Bridges
- Parking lots
- Sidewalks
- Public trails
- Airports

LUP Development Considerations: Process, Planning & Procedures

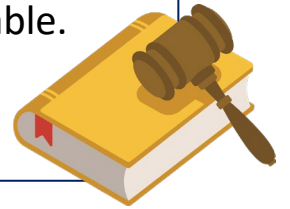
Land Use Planning and Plan Amendments

- Overall costs to consider when developing or amending a LUP
- LUP updates can take 6 months to complete



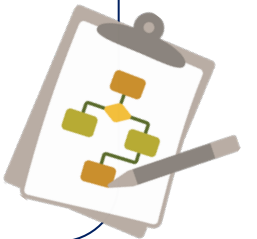
Laws & Policies

- A LUP will need supporting laws to be enforceable.
- LUP Policies could support existing First Nation laws.



Community Design Guidelines

- Guidelines provide direction as to what design of buildings (residential, condo, commercial and industrial) should look like in order to maintain a specific “look and feel” of the Community.



Zoning, Setbacks & Buffers

- LUP ideally could include Zoning for lands
- Land Code or LUP should also detail how zoning amendments must occur (Community Vote, Chief and Council, Lands Committee Vote)
- The LUP can provide guidance to setback and buffer zones with the Zoning Laws being used for enforcement

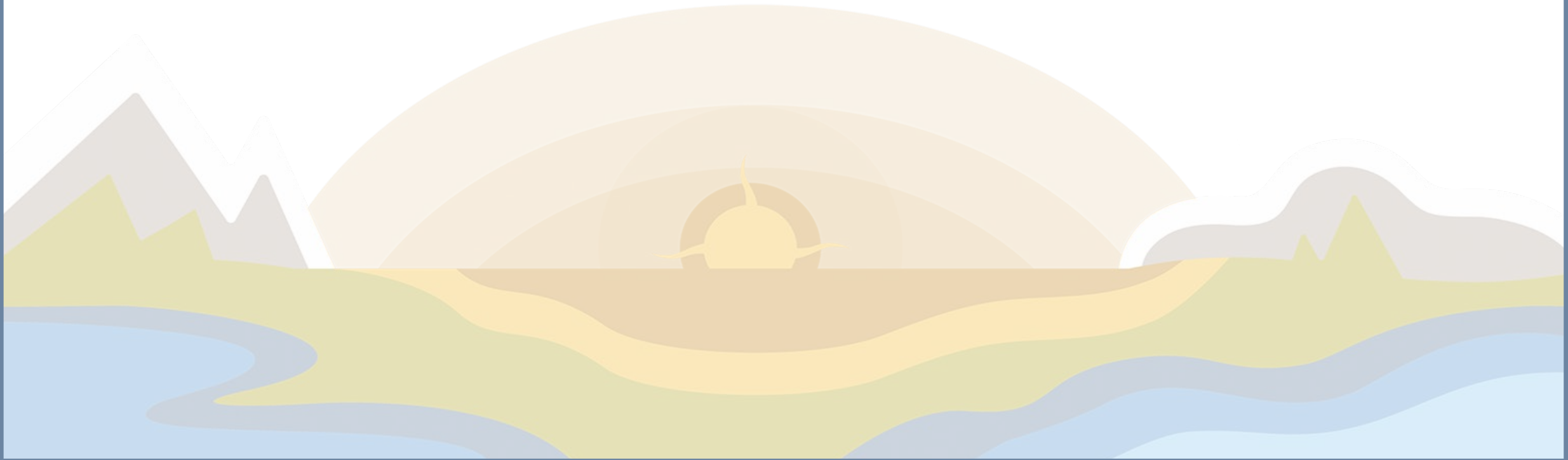


Community Engagement

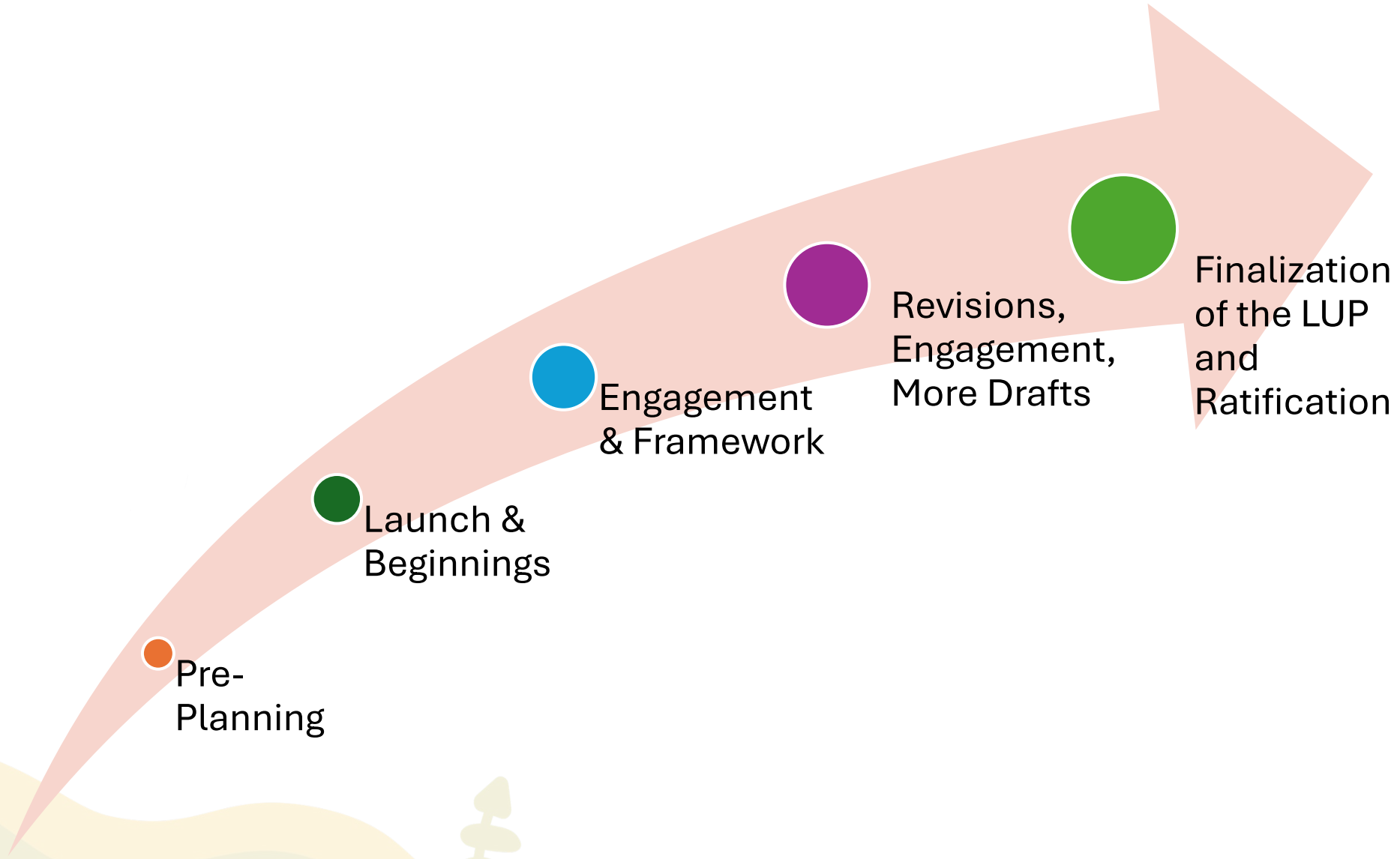
- Opportunities to educate and engage in mutual learning with Community members and Lands Staff.



Overview of the Land Use Plan Development Process



Main Steps in Preparing your Land Use Plan (LUP)



Where are you in your land use planning process?



Step 1: Pre-Planning



Seek & Obtain Approval



Assemble Your Team

- Who are the key players?
- Will a consultant be hired, or will it be completed in-house?



Develop a Planning Inventory

- This information can feed into your Community Profile for the LUP background section of the Plan.

Step 1: Pre-Planning

Tool: Create & Maintain a Strong Team



Form a team that works well together and supports the goal



Build a Lands Committee



Build capacity within your First Nation



Include a range of perspectives in your team; consider having a youth delegate or someone who lives off-reserve

Step 1: Pre-Planning

Tool: Consultants

A good consultant should:

- Help design & facilitate meaningful conversations with community members
- Provide support where needed
- Seek to build capacity within the First Nation
- Take direction from Lands Manager/staff
- Share accountability with the First Nation for planning & implementation outcomes



Which department(s) have been involved in the development of your Land Use Plan?



Step 2: Launch & Beginning



Host Internal Staff Planning Meeting

- Building consensus and developing cross-departmental relationships will come in handy as you move forward in the LUP process.



Launch the LUP

- Consider hosting an event to share this exciting new community initiative.



Complete Visioning

- The vision will inform your entire land use plan process and be the thread throughout the plan.



Conduct Technical Studies & Continue Planning Inventory

- Identify what information you have and where gaps exist

Step 2: Launch & Beginning

Tool: Working Across Departments

- As your LUP takes shape, it may be a good idea (if you haven't already), to get your First Nation's administrative team looped-in and on-board with all things LUP.
 - E.g., Host a 'walk through' of the LUP to seek your colleagues' input and advice, which may help you see areas that were blind spots to you so far.
- Developing a 'Communications Process' to manage incoming applications that impact various departments could be a Planning Process for consideration.
- It is likely that the LUP will affect or influence the work of other departments so the LUP should be developed with their input and endorsement.
 - Having them included and supportive of the LUP could also help avoid implementation slow-downs in the future.
- In tomorrow afternoon's panel discussion, we will hear from First Nations on how their LUPs have assisted with balancing economic development and community protection.

Step 2: Launch & Beginning

Tool: Gathering Knowledge/Planning Inventory

-  Land features, geography, sensitive ecosystems, climate change and hazards.
-  Understand and inventory natural resources, wildlife, and migration patterns.
-  What is the capacity of the land to handle new development? Market analysis and Land suitability analysis.
-  Water health, soil studies, slope analysis and floodplain mapping.
-  Traditional Use & cultural heritage mapping, Archaeological & scared sites.
-  Community history, socials, art, and language.
-  Boundaries, property ownership and jurisdiction.
-  Demographic make-up and projections.
-  Housing needs assessment.
-  Community mapping, law/policy development and land development procedures.
-  Employment rates and economic trends.

What existing documents did you use to build your LUP?

(e.g., housing plan, resource management plan, community comprehensive plan, environmental mgmt. plan, community quality law)

Did you use an existing LUP (draft or old plan) when you started your LUP development process?



Step 3: Engagement & Drafting the LUP Framework



Host series of engagement sessions

- Find out how your community members see your First Nation, and what they want to see in the future.



Confirm overall sections of the LUP

- Drafting the framework of the LUP can help envision what it will look like as a final product, and what you need to do to get there



Sketch Out Proposed Areas of Use

- Begin zoning through identifying what activities could be permitted in specific areas of the First Nation.



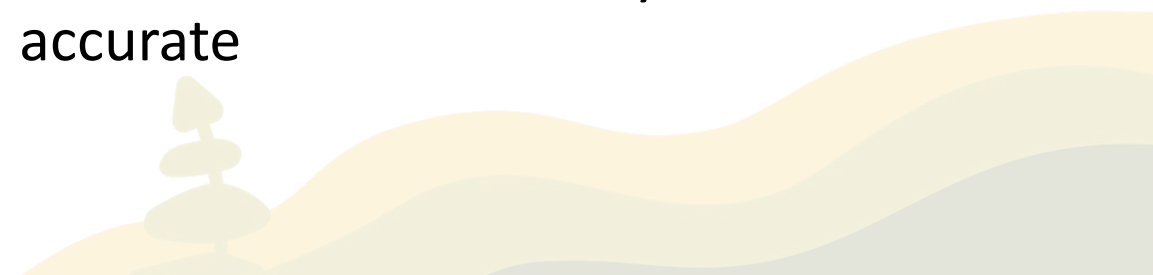
Draft Policies

- What will be permitted in certain areas? What will be prohibited?

Step 3: Engagement & Drafting the LUP Framework

Tool: Community Engagement & Data Analysis

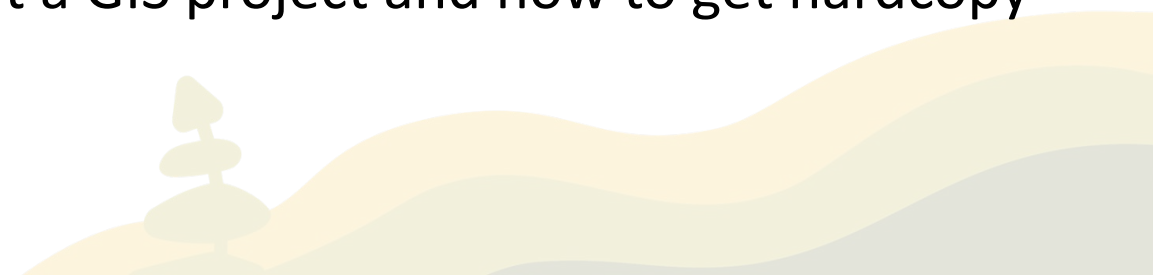
- Community-led Facilitation
- The Role of Listening in Planning
- Respect Amongst all Participants
- Communicating Results to Community Members
- Technology /tools that can gather and sort your responses
- Pattern and theme recognition
- Identifying who is missing from your datasets
- Check-ins to make sure you're accurate



Step 3: Engagement & Drafting the LUP Framework

Tool: Geographic Information System (GIS)

- GIS is used for identifying, checking, and displaying data related to geographic features on the Earth's surface
- GIS & mapping are useful support tools for meaningful community engagement and developing a vision for the community lands
- Accurate surveys and mapping are vital for an effective LUP
- GIS courses on our website (www.labrc.com):
 - GIS101: introduces the fundamentals of GIS
 - GIS102: contains instructions on how to start a GIS project and how to get hardcopy data digitized into a map.



Step 4: Draft Revision, Engagement & Further Drafts



Develop the First Draft of the LUP

- Working off of what you've done and heard so far, create Draft #1.



Engagement(s)

- Go back to your Nation and make sure Draft #1 reflects what they have been telling you and what they want.



Draft #2 LUP

- Using what you heard through engagement, incorporate feedback into the second draft.

Step 4: Draft Revision, Engagement & Further Drafts

Tool: Managing Engagement Challenges in Later Stages of LUP Development

- Community Engagement in later stages of LUP development will be different than in the earlier stages.
- Managing a range of knowledge presents its new set of challenges.
- With many things happening in the First Nation at the same time, you may run into 'engagement fatigue'.
- Consider piggy-backing existing events or trying something new or never done before to build intrigue and interest.



Does community engagement look different at different stages of the Land Use Plan development process (early versus later stages)?



Step 5: LUP Finalization & Ratification



Final Review/Revisions:

- Conduct final community engagement and outreach on the Draft #2.



Ratification Process

- Follow as prescribed as per your Land Code.



Final Steps

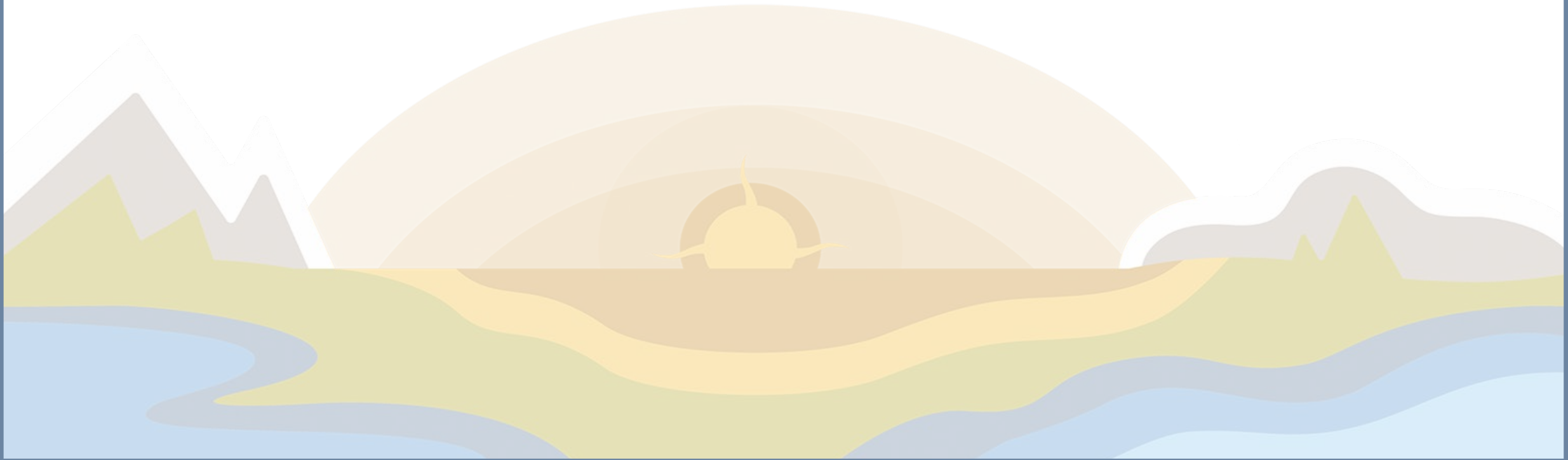
- Celebrate the completion of your Land Use Plan!
- Implement

Step 5: LUP Finalization & Ratification

Tool: Enforcement

- Enforceable rules and regulations can help control the development of land
- Portions of the LUP will be enforceable, and other parts will not be
 - This is intentional. Guidance documents can be updated as your LUP is implemented and your circumstances evolve, laws are (by design) harder to change and update.
- For your LUP to be enforceable, your laws, Land Code, and LUP should connect and align
- A Land Development Law is one way you can help ensure your LUP is implemented, so considering enforcement prior to ratification is key

Land Use Plan Contents and Example Chapters



Commonly Used Chapters

Introduction & Purpose

- Table of Contents
- Background
- Purpose of the Plan
- How to use the Plan

Vision & Principles

- Help bring the Community Voice into the LUP document
- Document and share FN vision and governance approach, outlines path forward

Land Use Policies

- Detailed policy guidance for lands management on reserve lands
- Gather community voice to provide direction

Zoning

- Mapping Schedules
- Zoning Definitions / Overview
- Zoning Guidelines

Implementation Plan

- Work Plan
- Plans for Specific Tasks
- Monitoring and Evaluation reporting

Planning Process Documents

- Development Application
- DCCs, Forms, Checklists
- Regulations based on Law
- Zoning Areas
- Amendments Process
- Lands Staff Review Process

Chapter: Introduction & Background

A typical Introduction could include:

- **Background:** describing who you are as a First Nation and brief history
 - Many First Nations refer to similar sections in their Land Code or Governance Plan when developing the LUP background section
- **Purpose of the Plan:** to help guide land use and community development
 - Consider what has led to this moment and what are the goals of your First Nation
- One note, while land use plans are intended to be read and interpreted in their entirety, it is important to consider that often this does not occur.
 - Sections and pieces of your LUP are typically reviewed in separate chunks. Because of this, be sure to provide references to any laws, regulations or guidelines in each applicable portion of the LUP.

Chapter: Vision & Principles

- Using your First Nation's values to guide the direction and principles of your Land Use Plan can be key to creating a meaningful document that brings value to community members.
- Discover what your First Nation's values are by hosting Community engagement sessions to receive input and guidance from community members.
- May want to consider using a different medium (i.e. videos with spoken word, music, creative arts, story-telling, etc.) to speak about the Vision and Principles of your Nation and Community.

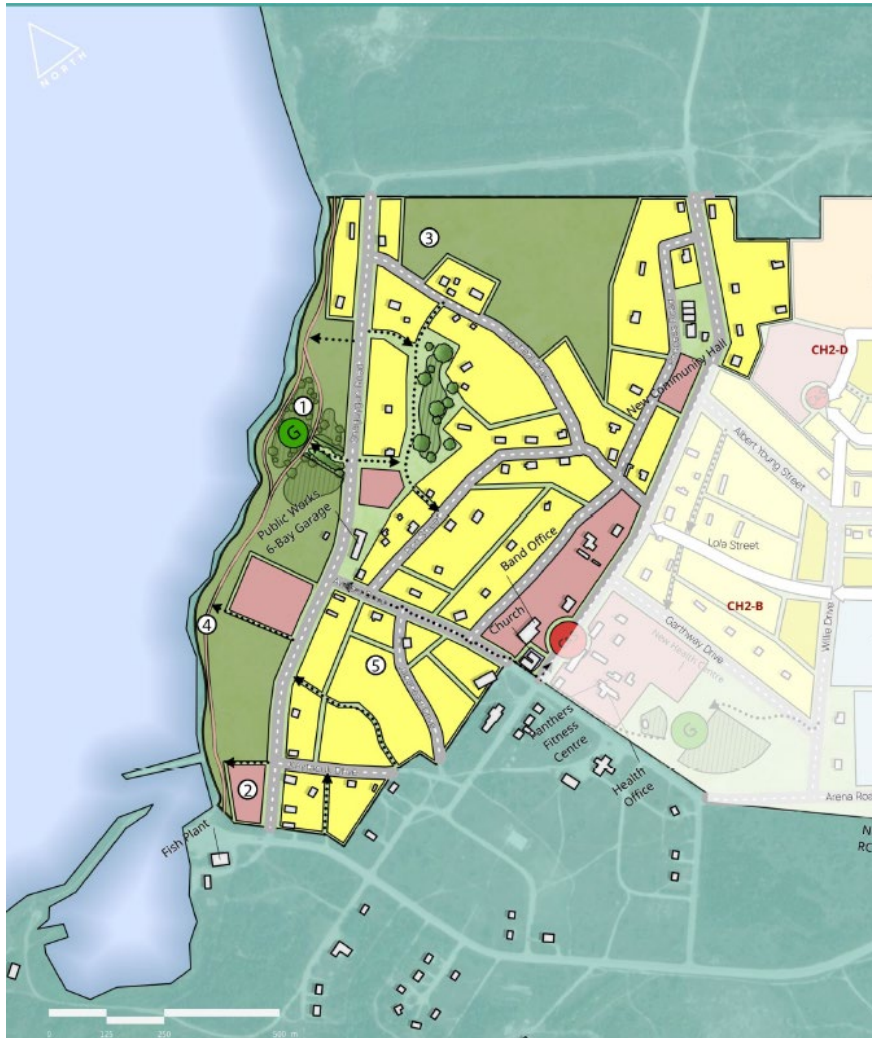


Chapter: Land Use Policies

- Land use policies are established so that future development occurs in appropriate areas and that land is allocated in a way that meets the community vision, values and principles.
- Each policy will have a set of rules that are set and determined by the First Nation.
 - For example, a LUP could set out that home businesses such as a cake decorating business may be permitted in the Residential area, but a heavy industrial use such as a tire factory would not be permitted.

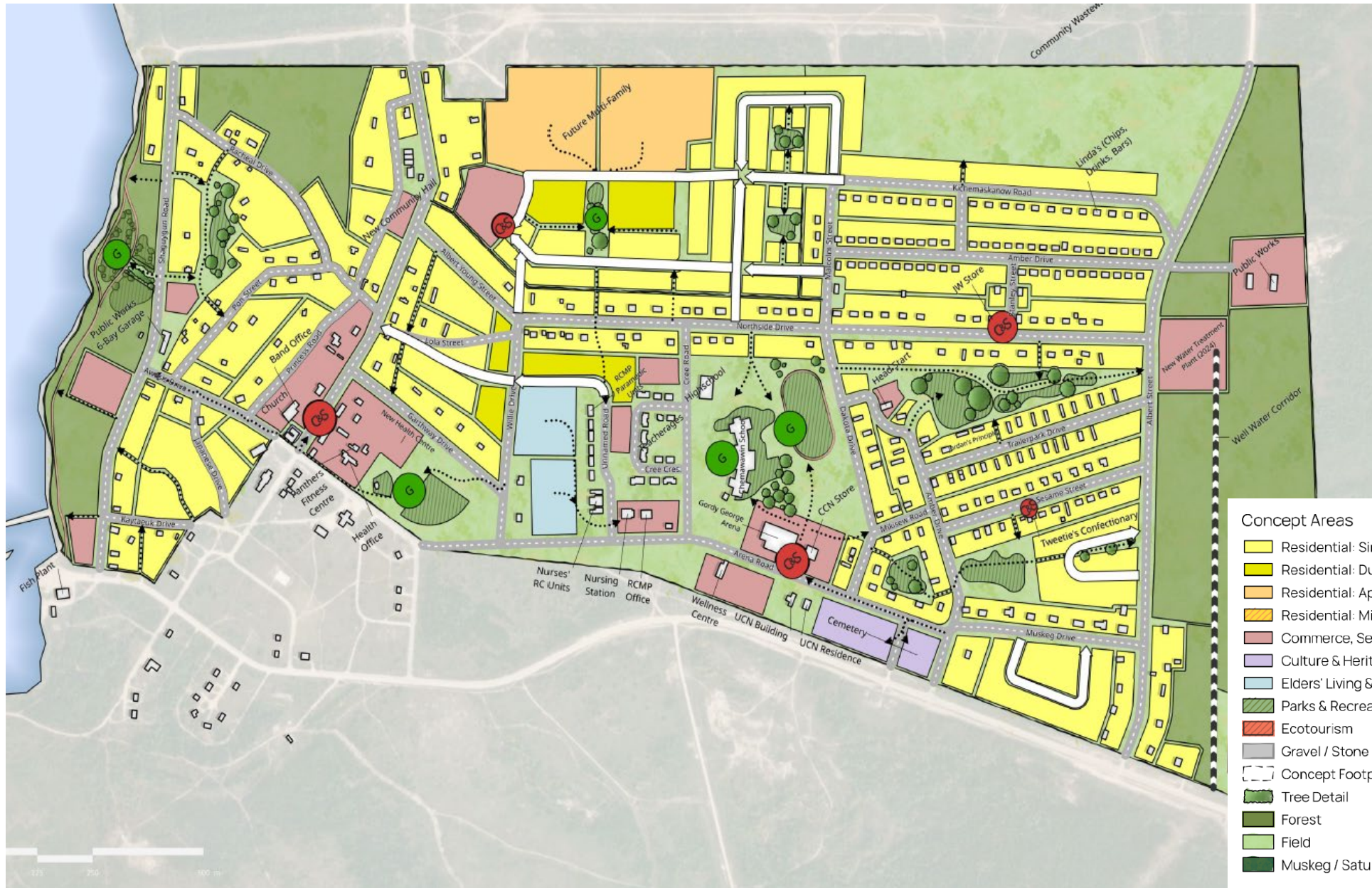


Chapter: Zoning



- Zoning takes direction from the policies within the Land Use Plan. Zoning indicates which land uses are permitted in which area
- Zones can be single or multi- use
 - e.g., low density residential; commercial/residential
- Each zone may have its own set of rules or regulations to inform permitted development in those areas
- Land use zoning is used to establish the vision for effective land use management throughout the First Nation.

Chapter: Zoning



- Concept Areas**
- Residential: Single Family Detached
 - Residential: Duplexes and Townhouses
 - Residential: Apartments
 - Residential: Mixed Tenure
 - Commerce, Services, & Employment Lands
 - Culture & Heritage
 - Elders' Living & Gathering
 - Parks & Recreation
 - Ecotourism
 - Gravel / Stone
 - Concept Footprint
 - Tree Detail
 - Forest
 - Field
 - Muskeg / Saturated Soil
- Concept Nodes**
- C&S Commerce & Amenity Node
 - G Gathering Node
- Concept Lines**
- Path Connection
 - Infrastructure Corridor
 - Trails
 - Road Connection

Common Land Use Categories

Some examples of Land Use Areas or Zoning Designations

- Residential low density
 - Residential high density
 - Green Space/ Park/ Natural Area
 - Commercial or Industrial
 - Protected Area/ Sacred Site
 - Agricultural
 - Recreational
 - Community Use
 - Traditional/ Cultural
- Mixed-Uses:**
- Commercial- residential
 - Commercial- Industrial
 - Economic Development Zone
 - Comprehensive Development Zone



Chapter: Implementation & Next Steps

Implementation, Monitoring and Evaluation are just as important as LUP development.

Implementation:

- Outlines roles and responsibilities, community involvement, and policies to ensure the effective implementation of the LUP
- Should include:
 - A commitment to implement the LUP
 - An outline of:
 - Major actions
 - General schedule
 - Responsibilities of Chief and Council, staff, committees, members, others.

Monitoring & Evaluation:

- The LUP identifies where we are going; a good monitoring and evaluation program can help us see when we have arrived
- Determine your metrics for success and identify how often you will measure

Commonly Used Chapters

Introduction & Background

- Table of Contents
- Background
- **Purpose of the Plan**
- How to use the Plan

Vision & Principles

- Brings the Community Voice into the LUP document
- Document and share First Nations vision and governance approach
- Identifies path forward for lands

Housing Strategy

- Community Engagement
- Design Guidelines
- Sub-division, Servicing and Development process / law

Zoning

- Mapping Schedules
- Zoning Definitions / Overview
- Zoning Guidelines

Implementation Plan

- Work Plan
- Plans for Specific Tasks
- Monitoring and Evaluation reporting

Planning Law Documents

- Law Development based on LUP policy
- Community Ratification of Law (based on Land Code)

Looking at the commonly used chapters:
Are there any additional chapters you would add?



Implementation: TOMORROW MORNING!

- Land Use Planning is not a linear process. Your Plan is a living document that is intended to continue to adapt as your First Nation realizes outcomes and to help direct further action.
- Building off your completed LUP, implementation can be undertaken in a variety of manners, both visible in your Nation (e.g. roads, infrastructure), and invisible but key (e.g. laws, design guidelines).
- Having a solid Land Use Plan will enable your First Nation to build your community and develop your land with community-determined priorities.

