

**NOTES ON SPEAKERS' PRESENTATIONS
AND
PUBLIC QUESTIONS AND ANSWERS
AT THE
RURAL LAND USE FORUM, JUNE 19, 2007**

DEBORAH CURRAN – “PRINCIPLES OF SMART RURAL GROWTH”

Deborah is the principal of the law firm Deborah Curran and Company. She is a cofounder and past president of Smart Growth BC and has a long-standing personal and professional interest in urban and rural land use development. Deborah's presentation, Principles for Smart Rural Growth, will examine principles of rural planning, focusing on the costs of land development and planning approaches that support a rural working landscape.

The increasing use of land in BC for urban purposes is leading to growing concern about how to maintain working rural landscapes and vibrant urban centers.

There is currently no consensus about the definition of “rural,” although:

- the development of 1-5 acre lots is rural sprawl;
- curbs and street gutters are a commercial not a rural characteristic; and
- a working environment and economy are critical to a functioning rural community.

Principles of smart rural growth include:

- planning to build a community not just houses;
- maintaining a working rural environment with large lots (100 acres);
- keeping city and country areas separate;
- limiting village “footprints” in rural areas;
- establishing “walkable” and mixed economic land uses in village centers;
- linking green spaces and recognizing ecological cycles;
- increasing transportation options;
- maintaining citizen involvement in the planning process through advisory committees, neighbourhood associations, discussions with developers, and holding planning authorities accountable;
- establishing development plans, sticking to them over time and requiring annual reports about their implementation; and
- recognizing that zoning is not a developer's right.

The use of such smart growth principles leads to:

- more cost-effective building and maintenance;
- healthier and safer communities; and
- a more sustainable natural environment.

JOHN RANNS – "THE METCHOSIN EXPERIENCE"

John Ranns is currently Mayor of the Municipality of Metchosin. John will talk about Metchosin's experience in rural land use planning and will outline some of the key decisions and planning tools used by Metchosin to maintain its rural character.

At one time, Metchosin was like Otter Point and Shirley – unincorporated and being pressured by developers. If Metchosin had not incorporated to protect its rural lifestyle, it would likely now be part of Collwood or Langford.

Metchosin:

- is a rural municipality of fewer than 5,000 people; the population has been stable over the past decade;
- is almost entirely residential in nature, with little industrial or commercial activity;
- provides only a basic set of public services (no curbs or street gutters), primarily through the use of contractors;
- makes extensive use of community volunteers (e.g., volunteer fire dept. emergency services, search and rescue); and
- is in good financial shape with a \$4M budget surplus.

Metchosin has done this:

- by incorporating itself as a municipality rather than relying on the CRD;
- having strong leaders who developed good plans when incorporation first occurred;
- developing a strong initial official community plan and holding politicians accountable to it; and
- avoiding the development of an urban center with interests different from rural residents.

Lessons learned in Metchosin include:

- "Rural" needs to be defined as maximizing lifestyle choices not as "the environment."
- People want to live in a rural area but for different reasons.
- Rural for Metchosin is not the same as the CRD's view: high-density living in rural enclaves, with transportation and environmental standards that destroy rural living;
- Support for rural living comes from people who want to do as they choose on their property;
- High population density areas should be avoided, as they lead to high taxation levels to support more population growth;
- An official community plan that has a strong philosophy and isn't just a technical document is important for holding politicians accountable and avoiding incremental changes;
- As Sooke and Langford are our urban centers, we need to remain green spaces and not become part of their core; and
- Being rural is not just a matter of zoning bylaws, but of many other community values as well.

BRUCE LEMIRE-ELMORE – “IS IT POSSIBLE TO BE RURAL, SMART AND FAIR”

Bruce has been a resident in the Sooke area since 1981. He and his wife have developed a 28-acre property in Otter Point and currently operate a local guest cottage and rentals in Sooke and Victoria. . He is currently a member of the Sooke Bed and Breakfast Association, the Sooke Chamber of Commerce, OPSRRA, and the BC Landowners’ Association. Bruce’s presentation, Is It Possible to be Rural, Smart and Fair?, will underline the challenge that smart growth approaches present to a traditional rural residential way of living. He will suggest a way of resolving that challenge, offering a solution that involves a significant change in zoning. Since any significant change in zoning affects land values – some go way up, others go down – what can be done to mitigate these value changes? How can we be fair while being rural and smart? A program to handle the transfer of development rights can go a long way to getting landowners, especially large ones, on side with smart growth approaches.

Rural residential living means trees and green spaces, living on large lots, and living in rural peace. It is different from urban living.

The Otter Point and Shirley Official Community Plans seek to preserve rural living, but lacking a long-term vision for our communities, include contradictory means to that end. One thrust is to allow more people to live on 2.5 acre lots (some by 4-on-10). The opposite thrust is to focus on preservation and make development more difficult by requiring larger minimum lot sizes. The Smart Growth approach to readily allowing down zoning is clearly not fair.

Our current ideal of rural living is not sustainable as our current development plans with large rural lots leads to rural sprawl, and much road travel with gas-guzzling vehicles. It is a lifestyle dependant on tax support from others.

A successful example of long-term sustainable rural living found in Europe and South America is small villages linked by narrow winding roads, usable by foot or vehicles. The Smart Growth approach to rural development as described by Ms Curran is limited to supporting either a working rural economy (eg, farms, forestry) or a rural preserve; but excludes rural residential living. The proposed village model allows for rural residential living in a sustainable way. Our current Official Community Plan begins to consider this “village model” with the development of settlement containment areas.

We need to adopt a new approach to planning for rural living which:

- looks at a rural village model of development;
- makes a paradigm shift to deal with environmental change;
- uses a planning body of community representatives and technical experts;
- develops a community plan co-operatively with developers;
- recognizes owners property rights; and
- makes use of a planning tool, “Transferable Property Rights” which would allow rural landowners to sell some of their property rights to urban landowners and achieve greater fairness for rural landowners. This brings equity back into the

situation in which central “smart growth” planning moves density, and therefore value, from the rural area into the urban core.

QUESTIONS TO AND ANSWERS FROM THE SPEAKERS

Question

Metchosin and North Sannich are similar in development approach and are partially subsidized by others (phones, power, cable). Won't this result in the development of rural areas where only the rich can live in million dollar homes? Isn't development needed here?

Answers

J. Ranns

Metchosin pays for services and is taxed at assessed property value like all other municipalities. It doesn't have high property taxes because it chooses to have lower public service levels. It is apartment dwellers who pay low tax levels but make greater use of public services. Metchosin is not a place for only millionaires. It has mobile homes, permits secondary suites, and allows up to four employees to work in home-based businesses.

D. Curran

Hornby Island is an example of a place where house size is limited to restrict the building of big houses. Transferable property rights systems work primarily to the advantage of developers. The use of “density bonusing” is a planning tool to increase public green space.

Question

If one had a legal mechanism to establish transferable property rights to sell in urban areas, wouldn't this just increase rural property prices and make rural building expectations similar to those in urban areas?

Answers

B. Lemire-Elmore

We already have property rights like “4 on 10” development. The use of transferable property rights is already occurring in the Seattle area and is quite a sophisticated concept. More information on the idea is available.

D. Curran

There are no rights to “4 on 10” development unless or until established by law. If this doesn't happen, such development rights are only a potential.

Question

Why do we need external experts to do community planning?

Answer

J. Ranns

A common set of rules is needed to maintain a rural lifestyle. To maximize rural lifestyle choices for all, it is necessary to minimize the ability to cut land up into smaller pieces. You need to be incorporated to do your own community planning.

Question

How do we make a better transportation system that would allow connected green spaces and biking for kids, etc.?

Answer

D. Curran

Your community needs to develop a transportation plan to meet its needs. If zoning is fixed, it is difficult to carry out negotiations for road development. When rezoning occurs, it is also possible to get easements for trails and bike paths.

Question

What impact will TILMA have on community planning?

Answer

J. Ranns

It could mean that developers could challenge local zoning decisions and that local bylaws could be overridden by the courts if they are not comparable to Alberta standards. Its impacts are not yet known.

Question

How can we have increased development without reducing the available water supply, especially if there are dryer weather conditions?

Answers

J. Ranns

Metchosin supports the growth of public water systems. About 60% of its residents are on a public water system. Water is viewed as a basic right. However, if people want public water, they also have to pay for the cost of the public water infrastructure (usually 1/3 federal government, 1/3 provincial government, 1/3 local government).

D. Curran

Local governments can choose to restrict some development in some areas by restricting a public water supply.

B. Lemire-Elmore

Kemp Lake is a long term water source that needs to be protected and decided upon by the community. Private developers will likely bring CRD public water to the edge of Otter Point.

Question

How did Metchosin extend public water services?

Answers

J. Ranns

Water is being provided to long-established areas, but not to all new areas. Metchosin does not support using water as a development tool but does see public sewage services in this way. The Bear Mountain development is raising the question of water as a right for the CRD and its Regional Growth Strategy.

D. Curran

Metchosin has a unique development style when compared to other municipalities.

B. Lemire-Elmore

I agree that water should not be used as a development tool. However, if large big development occurs in Otter Point without a public water system, all will suffer in the end.

Question

How can we protect green spaces if people are cutting down trees on their property?

Answer

J. Ranns

A municipality can pass a tree-cutting bylaw to prevent unlimited tree cutting and establish some controls to avoid logging. Owners are generally good stewards of their land.

Question

How does one establish public parkland?

Answer

D. Curran

The community charter gives some authority to municipalities not available to regional governments (e.g., establishing tree-cutting standards). When subdivisions occur, 5% of the land or cash in lieu is available for parkland. Some governments will make zoning changes to allow increased residential density in exchange for increased park and trail provision. Development permit areas can be used to protect some environmental areas from development.

CONCLUDING COMMENTS

Bruce Lemire-Elmore

- We need to develop a vision for the development of our rural areas.
- The vision should have a 50-year time span.
- Should it be a “village center model” or two-acre lots, or should we just freeze development?
- Our vision should inform our official community plan, which doesn’t have a vision and is primarily a technical document.
- The forum today is a process through which we can reflect and begin to develop community consensus.

Deborah Curran

- It's your community.
- Stay involved with its planning process.
- Look closely at economics and service as they will greatly affect your future.

John Ranns

- Developers love the idea of village centers, but it leads to becoming a Sooke or Langford.
- Metchosin has lots of roads and they are not a problem. The provincial government will continue to maintain West Coast Road as a provincial highway irrespective of what incorporations might occur.
- Rural lifestyles are sustainable – as are urban centers – just not together.
- Rural living is sustainable as long as it doesn't have high service costs to maintain. Both Sooke and Langford have higher taxes and more public services than Metchosin.
- The provincial government wants development, not rural areas.
- Keep up the pressure for local incorporation and don't accept the provincial government's view that incorporation can't occur.