

DEVELOPING LAND USE POLICIES

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Summary

This fact sheet explains the use of land use policies for incorporating broad community aspirations into the day-to-day use and management of land on reserve. The key steps in this process are (1) developing a policy area map which indicates the intended use of land, and (2) developing a set of policies that guide land use and development in each area.

Keywords: mapping, direction setting, collecting data, community engagement

What Are Land Use Policies?

Land use policies can provide a vision and regulations regarding the kind of land uses that are permitted in different parts of your community.

Your community's goals will determine what types of policies to include in your Community Plan. *Table 1*, below, shows how several First Nations categorize their lands. From this table, you can see several broad categories of land use policy areas: residential, natural, commercial, and protected areas. Each category may mean different things to different communities.

A Community Plan communicates land use policies in two related ways: (1) a map showing the location of policy areas, and (2) a written section detailing the vision and management direction for the different policy

areas. The **vision** for each policy area provides high-level guidance on desired development patterns. The **regulations** for each land use provide a detailed list of permitted uses and constraints on form or intensity of development in the area.

Figure 1, on the following page, shows an example of a land use policy map from the Lake Cowichan First Nation on Vancouver Island. In this example, the planning area is a small reserve adjacent to a built-up municipality, so the map focuses on assessing appropriate sites for future development and protecting culturally significant areas.

Table 2, also on the following page, shows an example of land use policy regulations for "Natural Areas" from the Kitselas First Nation Land Use Plan³. Note the hierarchy of regulations, which grade from a broad

Table 1 | Example Land Use Policy Areas.

Lheidli T'enneh Reserve LUP ¹	Traditional Use Area; Cultural Heritage Site; Community Development Area; Community Development Expansion Area; Natural Resource Development Area; Environmentally Sensitive Area
Rainy River First Nation LUP ²	Agriculture; Residential; Commercial; Community Use; Recreational; Natural Area; Cultural; Industrial
Kitselas LUP ³	Cemetery; Community; Cultural Education; Cultural Tourism; Elders Housing; Future Residential; Housing; Industrial; Park; Natural Areas; Resource Use; Tourist Commercial; Village Special Management
Lake Cowichan First Nation Community Development Plan ⁴	Mixed-Use; Residential; Cultural Reserve; Protected Open Space

vision to specific permitted uses.

It is helpful to include specific, enforceable, and measurable policies in your Community Plan so that the administration can interpret the document accurately.

Why Develop Land Use Policies?

You can create land use policies to implement the vision and objectives of a Community Plan. They are the framework that allows broad aspirations such as “protect wetlands” or “build more housing” to shape the landscape and your community.

Land use policies can also serve a more generic role of reducing land use conflict in your community. By providing direction on the forms of development

that will occur in different areas, you can achieve the following goals:

- Manage conflicting priorities through separation of uses, such as industrial and residential.
- Direct development into suitable locations. E.g.: save money on piped services by concentrating houses in central areas.
- Preserve or enhance environmental or cultural characteristics by incentivizing or restricting certain forms of development.
- Provide certainty and predictability to an area by laying out clear and consistent development rules.

How Do We Develop Land Use Policies?

To create land use policies with broad community support, it is very important to draw upon information gathered throughout the planning process.

The planning team will conduct public engagement and technical studies to access information on community values and priorities, as well as topography, historic

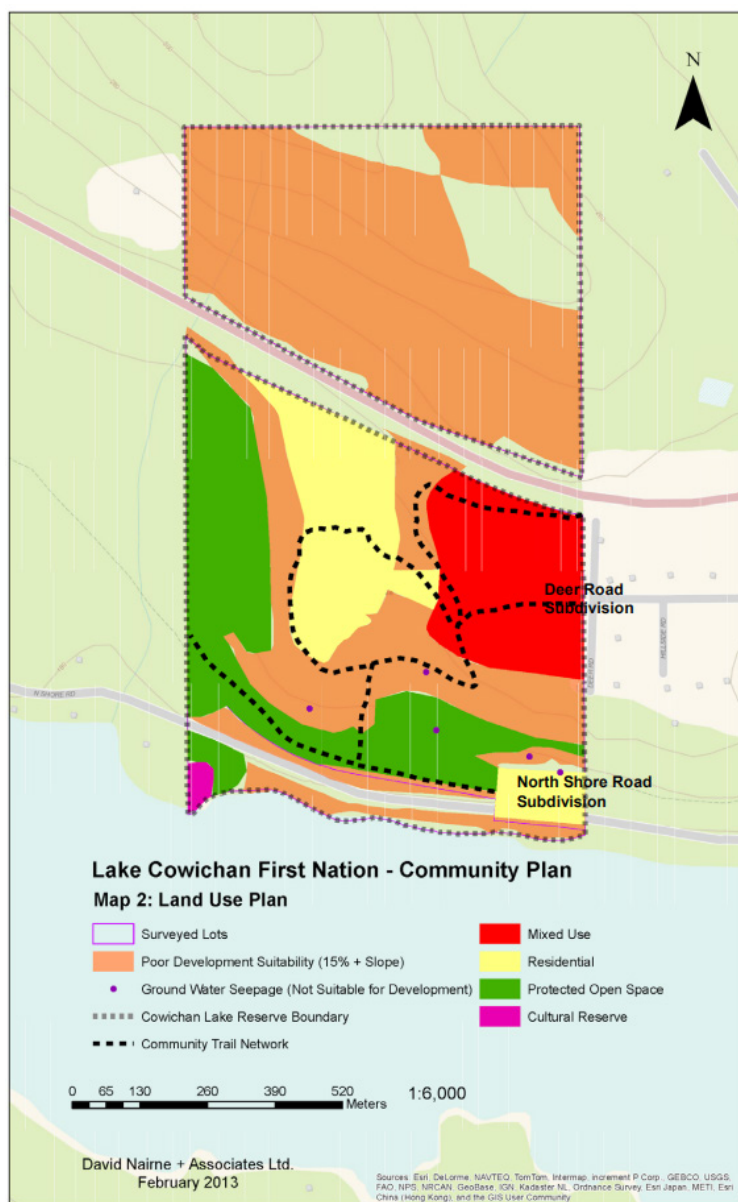


Figure 1 | Example Land Use Policy Map - Lake Cowichan First Nation⁴

Table 2 | Example Land Use Polices - Kitselas First Nation³

Policy Area Name	Natural Areas
Intent	<ul style="list-style-type: none"> • Provide for low-impact recreational and traditional uses.
Priorities	<ul style="list-style-type: none"> • Prohibit resource extraction, except Kitselas members may log on IR 5 for personal use, e.g. firewood. • Encourage separation of motorized and non-motorized trails and areas. • Encourage construction of hiking trails in IR 1 recreation areas.
Allowed Uses	<ul style="list-style-type: none"> • Non-motorized recreation • Traditional uses • Non-timber forest products collection • Timber removal for personal use on IR 5 only
Illustrative Examples of Allowed Uses	<ul style="list-style-type: none"> • Mushroom picking • Boating facilities • Fishing and hunting • On IR 5 only, firewood collection

land use, wildlife populations, existing services, and population projections. This information is usually stored, analyzed, and presented using Geographic Information System (GIS) technology, which your Lands staff or planning consultant may have training in.

Allow time for review of draft land use policies at community meetings and by other administrative departments. Developing land use policies is an iterative process, meaning that you will likely produce several drafts for comment at engagement events. New information may require your planning team go back and gather more information (e.g. if a priority area for housing is identified in an area of unknown quality for construction). An important point to note is that the plan is never done, only done enough! Make sure to balance

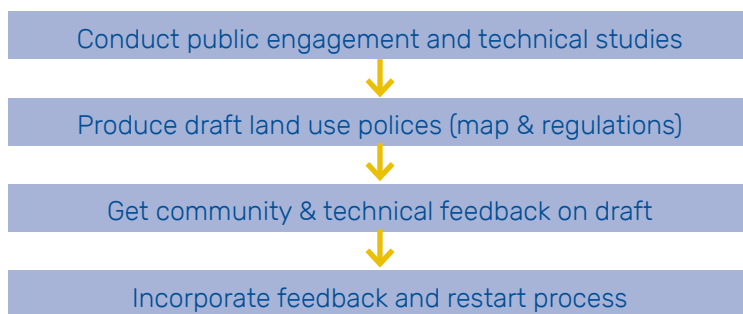


Figure 2 | Planning Cycles

the goal of a thorough and transparent process with time and funding restraints. Figure 2, below, shows an example of this cyclical process.

Who Develops Land Use Policies?

You will want to consult a variety of stakeholders to ensure community buy-in and provide cultural and technical information. These include:

- **Planning Team:** Incorporates multiple sources of information to develop land use policy maps and regulations. Coordinates community engagements, departmental reviews, and manages contractors.
- **Department Staff or External Consultant:** Conducts technical studies and coordinates delegated aspects of the planning process.
- **Elders:** Provide cultural information to ensure proposed land use policies are in keeping with the priorities of your community.
- **Community Members:** Provide guidance and feedback to ensure proposed land use policies fit with community expectations and aspirations.
- **Chief and Council:** Provide political direction for Planning Team to develop land use policies.

Further Reading

BC First Nations Land Use Planning: Effective Practices⁵ by Ecotrust Canada

This resource provides information on the Pre-Planning, Planning, Implementation, and Evaluation stages of planning. The sections on Policies and Land Use Designations (p. 33-36) are helpful for informing land use policies.

<http://www.newrelationshiptrust.ca/wp-content/uploads/2017/04/land-use-planning-report.pdf>

Community Land Use Planning Toolkit⁶ by the National Association of First Nations Land Managers

This resource provides a practical aid for First Nations developing a Community Plan. This guide touches on developing land use policies and is written in plain English for non-technical experts.

<https://nalma.ca/survey-and-land-use-planning>

Endnotes

1. Lheidli T'Enneh, "Reserve Land Use Plan," 2015.
2. Rainy River First Nations, "Rainy River First Nations Land Use Plan," 2017.
3. Kitselas First Nation, "Kitselas Land Use Plan," 2012.
4. Lake Cowichan First Nation, "Community Development Plan," 2013.
5. Ecotrust Canada, "BC First Nations Land Use Planning: Effective Practices," 2009.
6. National Association of First Nation Land Managers, "Community Land Use Planning Toolkit," 2016.