# Community Consultation in the Planning and Development Process

## A Guide for Edmonton

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# Introduction

## Preamble

*Community Consultation in the Planning and Development Process* aims to help you weather the often-complex nature of consultation in the planning process. This process can be daunting and even downright stormy for community members, developers and other planning stakeholders, but does not need to be. Usually, there are great benefits for the community and the project when everyone participates in a cooperative manner.

Whether you have struck upon consultation in the middle of a development whirlwind, as storm clouds approach, or in the calm, this guide provides helpful hints. Yet it is not comprehensive. You will also need other advice and resources for your consultation efforts.

## Purpose

*Community Consultation in the Planning and Development Process* speaks to all partners involved in or affected by development. In addition to providing an overview of the community consultation process from idea inception through development completion, it offers information, tools, resources and encouragement to enhance the process.

The guide discusses formal and required processes, but advocates for making extra effort to bring the parties together. Indeed, such efforts often hold the most potential to build great things.
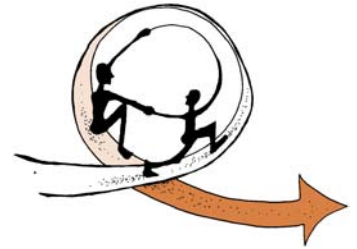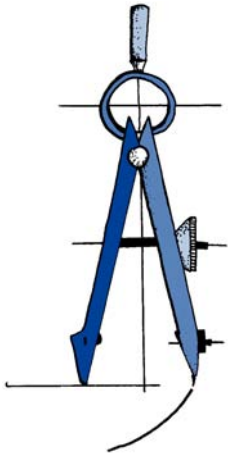
**It is our hope that the guide acts as an accessible and relevant resource that assists users in participating meaningfully and effectively in the land development process to realize mutually beneficial results.**

**--EFCL Steering Committee**
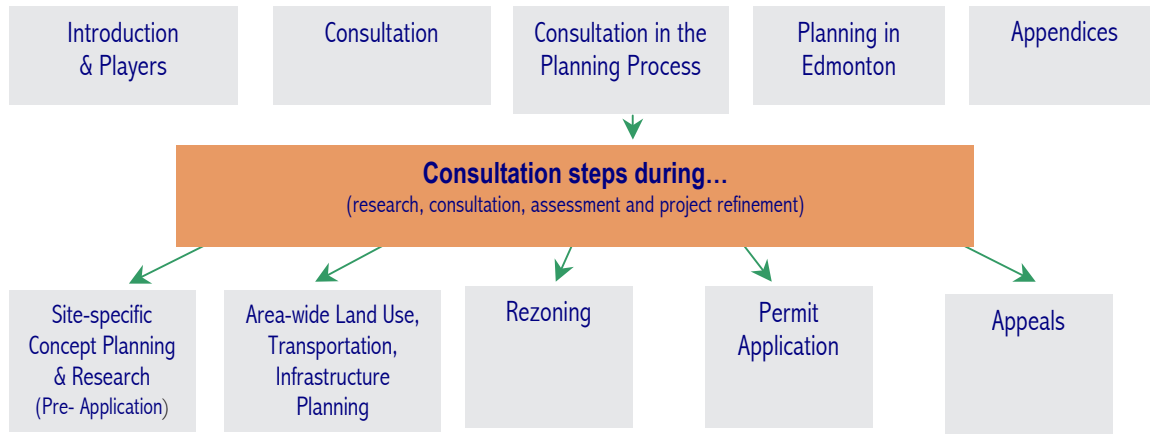
# Seven Principles

*Community Consultation in the Planning and Development Process* reflects seven principles.

1.  Responsibility rests with developers, community members and the City to play proactive consultative roles, making every effort to understand the other players in the planning process.

2.  While consultation does not always end in consensus, it does require respectful attitudes and actions by all parties. The process need not be adversarial or inflammatory, even if the parties disagree.

3.  Community members, community leagues, developers (including builders, architects and others on the development team) and the City of Edmonton are responsible for developing good communities and neighbourhoods.

4.  Property owners have the right to develop their land within legal and regulatory parameters.

5.  At times, positive community growth requires sacrificing local community interests for larger public interests. Conversely, community interests and concerns cannot be negated or ignored by a majority or by the party with the most resources.

6.  People should be treated with respect; everyone is entitled to an opinion.

7.  Over time, community and neighbourhood needs may change. Sometimes development plans, people and processes must also change to accommodate these new realities.

# Using this Guide

Whatever your reason for engaging in the planning process, this guide can help you consult effectively. If you are involved in a particular planning activity (e.g., a rezoning application or subdivision appeal), you may wish to flip directly to *Consultation in the Planning Process* for tips and tools. If you are just wading in, browse the preliminary sections first. For technical background, check *Planning in Edmonton* and related appendices.

| Introduction & Players | Consultation | Consultation in the Planning Process | Planning in Edmonton | Appendices |
|---|---|---|---|---|

**Consultation steps during…**
(research, consultation, assessment and project refinement)

| Site-specific Concept Planning & Research (Pre- Application) | Area-wide Land Use, Transportation, Infrastructure Planning | Rezoning | Permit Application | Appeals |
|---|---|---|---|---|

Several guideposts point the way to the information you are looking for. In addition to the table of contents, tabs, index and cross references, look for these graphics:

Orange swirls mark each new project phase, spots where corresponding opportunities for consultation begin.

Yellow blocks indicate tools that may assist you with consultation.

Different heads signal items addressed to specific players (see p. 4).

# The Players

Everyone has a point of view. Consultation efforts are more successful when you try to understand other players' perspectives.

Think of a stool. Imagine that each leg represents a player in the planning and development process. Developers, community members and the City are all crucial for supporting good development in Edmonton. Understanding where people come from goes a long way to resolving concerns and issues.
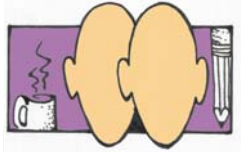
**All players have a responsibility to be respectful of the different viewpoints, perspectives and relevant issues.**

## COMMUNITY RESIDENTS

Community members usually become involved in the planning process when an application affects them directly, typically as volunteers. Residents learn about applications from notices, signs, ads, developers, news reports, community leagues and neighbours.

Roles and Responsibilities

- Provide information and insight on community issues to approving authorities such as development officers and City Council.
- Be attentive to proposed developments and raise any concerns about their potential impact.
- Provide timely response and feedback, recognizing that most developers are trying to run efficient and responsible businesses.
- Address planning considerations, not personalities or preferences.

## COMMUNITY LEAGUES

Organized by geographic area, Edmonton's 145 community leagues are registered non-profit societies governed by the *Societies Act*. The leagues are served by (although autonomous from) an umbrella organization, the Edmonton Federation of Community Leagues. As noted in City Policy C-110, the community league structure offers a "useful mechanism for debate of area concerns and presentation of views and recommendations to Council."[1] Connections between community residents, community leagues and the EFCL are fluid and often complex. Expertise and involvement in planning issues vary widely among the leagues.

Roles and Responsibilities

- Be proactive in learning about, monitoring and speaking to planning and development initiatives affecting the community.
- Consider implementing a subcommittee to intensively investigate neighbourhood planning issues and developments.
- Take a leadership role in setting up information meetings, public forums and consultations to provide input on specific neighbourhood projects.
- Provide information and insight on community conditions to approving authorities such as development officers and City Council.
- Communicate representative community league positions based on research and input from whole community.
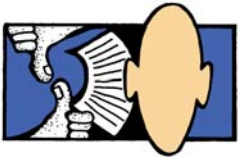
## PLANNING AND DEVELOPMENT

This City of Edmonton department coordinates and provides resources for planning and development matters. The department is made up of professionals with technical expertise and experience in the planning and development process. Within the department are the Planning and Policy Services Branch, the Assessment and Tax Branch and the Development Compliance Branch (see p. 81).

Roles and Responsibilities

- Recommend policies and guidelines on land use, environmental conservation, housing and transportation for both mature and suburban neighbourhoods.
- Review development proposals and coordinate technical reviews to ensure all proposals follow regulations, policies and accepted planning practices.
- Coordinate civic action on development-related issues. Decide on development permits.
- Answer questions and consult on planning policies and procedures with Council members, landowners, developers, community leagues, interested parties and citizens.
- Speak before public meetings or formal hearings.
- Implement the *Edmonton Zoning Bylaw*, Council directives and policy.
- Evaluate issues from both city-wide and local perspectives.

## CITY COUNCIL

Thirteen elected officials represent—and make decisions on behalf of—the citizens of Edmonton. As noted in *Plan Edmonton, Monitoring Our Progress, 2003,* City Council decides land use and development matters, balancing infrastructure needs and land use interests to advance the City's long-term vision.

Roles and Responsibilities

- Set Edmonton's planning framework through such mechanisms as the *Zoning Bylaw*, *Plan Edmonton* and area plans.
- Address major land use issues, such as rezoning, development and major redevelopments.
- Listen to and balance the concerns of developers, community members and the administration.
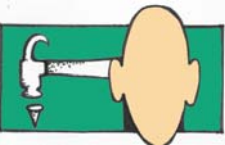
## DEVELOPER

The development industry—comprising primarily for-profit businesses—includes landowners, developers, builders, solicitors, industry associations and a variety of architectural, engineering, planning and environmental consultants. In this guide, all parties are termed "developer." The developer could be a neighbour, someone from outside the community or even the City of Edmonton. The development industry initiates development proposals, subdivisions, rezoning, etc. Developers also prepare and/or submit proposed amendments to Area Structure Plans, Neighbourhood Area Structure Plans, Neighbourhood Structure Plans (see Glossary, p. 101), subdivision plans and various technical and development feasibility studies.

Roles and Responsibilities

- Foster the orderly, efficient and stewardly development of land.
- Encourage effective public participation in the planning process.
- Resist capitalizing on the fact that community members are not always unified, cohesive, planning-savvy or organized.
- Be flexible and reasonable, even adjusting policies, project timelines and processes to effectively consult with the community and meet changes in both neighbourhood needs and the market.

## PLAYERS' POINTS OF VIEW AND EXPECTATIONS

### City Council
Must weigh ward interests in the context of city-wide interests, making land use decisions that reflect broader public needs and community issues.

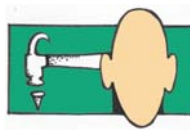Must meet legal obligations and ensure the city functions well.

Unlike Planning and Development, Councillors can consider both planning and non-planning arguments when making decisions.

Expect that information is presented clearly and concisely.

Expect interested citizens to make presentations or represent themselves at public hearings.

Expect staff to provide technically accurate information.

Expect to be lobbied by developers and the public on land use matters.

### Planning and Development
Professionals with technical expertise and planning experience who aim to implement policies fairly and responsibly.

Expect honest and comprehensive applications.

Expect timely, professional input from other departments and agencies.

Expect clear direction from Council.

Expect inquiries and questions from citizens and developers on applications and City policy.

Expect to be engaged in the consultation process.

### Developer
Time and financial costs are of the essence. Developers' livelihoods depend on timely and cost-effective decisions.

May have private, sensitive business information that they choose not to share with the public and competitors for fear of compromising business interests.

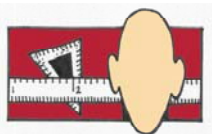Expect that development applications receive fair consideration from all players.

### Community League
Often seen as the organized voice of the community, although the level of knowledge about planning issues varies widely among community leagues and members.

As a group of volunteers responsible for a wide array of activities ranging from soccer programs to safety issues, this voice is often muted by the need to address competing demands.

Expect to be heard within a fair process.

### Community Residents
Often have distinct insights into the history and development of an area.

Typically volunteers who address development issues during their off-work time.

Have extremely diverse opinions and perspectives, often disagreeing among themselves regarding the impact and benefits of proposed developments.
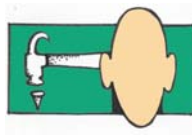
Expect to be heard within a fair process.

### Council

Make decisions on development permits and other matters that are handled directly by Planning and Development.



### Developer

Meet social, economic and environmental goals that lie outside Council-approved plans and the *Edmonton Zoning Bylaw*.

Accept suggestions that are financially burdensome, however worthy.
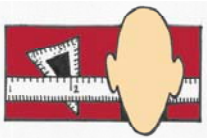


### Planning and Development Department

Advocate for other players.

Create bylaws or make land use decisions outside the *Edmonton Zoning Bylaw*.

Be neutral—the City upholds the position of established and approved plans and bylaws.

Share information given in confidence by any party until the development proposal becomes a formal application.
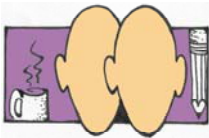


### Community League and Residents

Be expert in all the technical, multi-disciplinary aspects of a proposal.

Speak as one voice for the entire community.

**As far as development is concerned, leagues are often called on to represent the entire community, whether or not they are members. I believe the league is responsible to represent community as honestly as possible.**
—Sheila Bowker, community member
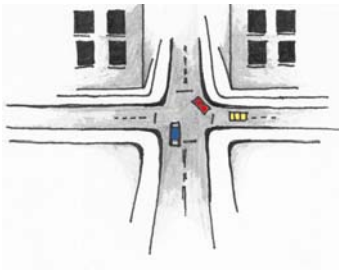
## OTHER PLAYERS

**Other civic departments** such as Transportation and Streets, Asset Management and Public Works, Emergency Services, Police, Community Services and Corporate Services work with Planning and Development to ensure effective review and coordination of plans, development proposals and requirements. Infrastructure decisions are made by the City department responsible for that kind of infrastructure (e.g., Transportation and Streets for roads).

**Other provincial and federal departments** such as those that deal with the environment, community development, industry and heritage may be involved, especially with larger scale developments.

**Edmonton Federation of Community Leagues,** the umbrella organization for Edmonton's 145 community leagues, has a standing Planning and Development Committee to monitor and support community league interests regarding "the development of mature, suburban or prospective Edmonton neighbourhoods." EFCL also fields questions, helping to link various players. Often, community leagues and developers request planning and community contact information, while residents generally contact their community leagues directly. As non-profit societies, community leagues are autonomous from EFCL. Similarly, the relationship between EFCL and the City is advisory, not required or legal.

**Edmonton Region Home Builders' Association (ERHBA),** an association of residential construction professionals, works together to make the industry stronger. Established in 1954, ERHBA now represents more than 300 member companies: builders, land developers, renovators, trade contractors, manufacturers, suppliers, designers, engineers, financial institutions and a host of allied professionals.

**Urban Development Institute (UDI),** a national, non-profit association, represents the development industry. Members are development companies and professionals involved in the industry such as planners, surveyors, architects, engineers, contractors, lawyers, municipalities and utility companies. Edmonton is home to one of UDI's regional offices.

## WHEN THE PLAYERS DISAGREE: UNDERSTANDING LAND DISPUTES

### Multiple parties

Land use disputes are unique. Compared to other public disputes—such as policy conflicts or budget battles—land use disputes often bring more parties to the table with fewer pre-established understandings about how the disagreement ought to be resolved.

Often, the disputing parties:

- Are unequally yoked in technical and professional expertise and available resources
- Have no previous relationships
- Are brought together in conflict, rather than in trust
- Have diverse interests and agendas

### Complex issues

These parties confront an array of complex, intertwined issues. The disputes may involve comprehensive plans, development proposals, environmental cleanups, facility siting, infrastructure changes or natural resource management.[1]

### Significant consequences

Land use conflicts require attention to scientific and technical considerations and involve long-term (even generational) impacts. If mishandled, these conflicts can result in poor planning decisions, disgruntled residents, stalled development projects, community eyesores, wasted investments, extinguished property rights or the destruction of irreplaceable ecological resources.

For these reasons and more, careful attention to consultation processes, stakeholder feedback, and the various players' perspectives is required. As the next sections will outline, open dialogue, effective consultation and opportunities for input can alleviate potential negative effects of land development.

# Consultation

## What is Consultation?

Consultation aims to maximize opportunities for citizens to be informed, heard and considered before a decision is made. Consultation efforts range from simply responding to an official notice to being intimately involved in extensive processes over months or even years.

Consultation is a central principle in sound planning and decision-making. It allows local government, developers, community members and administrators to make informed decisions about planning issues that affect the community. Furthermore, consultation provides a unique opportunity to improve projects.

Land development projects cause change. Whether the development is good or bad, change can be upsetting. When people are informed and consulted, anxiety and concern diminish and people tend to be more receptive and open to change. Consultation gives the opportunity to enhance projects and meet community objectives. In the end, both projects and communities benefit.

Consultation is a 360 degree process. Far from linear, it may require circling back to repeat previous stages, integrating feedback and revisiting certain elements. This roundabout process requires time and effort from all players. The time invested in consultation up front, however, may save a good deal of grief and expense in the long run.

Methods, details and important consultation considerations are outlined in this section while the next chapter more specifically applies consultation to the planning context.

## EFFECTIVE CONSULTATION

**Effective community consultation:**
- Must start early in any decision-making process
- Requires honesty, openness and commitment
- Identifies major differences as well as areas of agreement, which in turn can assist in decision-making
- Enhances relationships between local government, communities, community leagues, developers and City administration

**Consultation is NOT:**
- Manipulative
- Strictly information sharing or gathering

**Consultation methods:**
- Range from discussion through to participatory decision-making
- Vary depending on the goal and outcome
- Should be based on input from key informants and stakeholders, who understand how best to involve those most interested in a potential decision or policy change
- Vary in both cost and time required

Consultation can be one-off, short-term or ongoing, depending on the required outcome. Any or all of the methods outlined in this guide can be used. While information sharing and market research do not, on their own constitute consultation, they can provide useful insights, informing the overall process.

# Consultation: Why and When?

For community members and developers alike, meeting the minimum requirements may not be enough. Developers know that there are instances when they must notify the public about their plans. (See page 16 for a list of these times.) Community members can also "get by," attending public hearings on large proposals while paying little heed to numerous other development initiatives that affect them. This too, may be insufficient. Getting those "ducks in a row" requires more than the minimum.
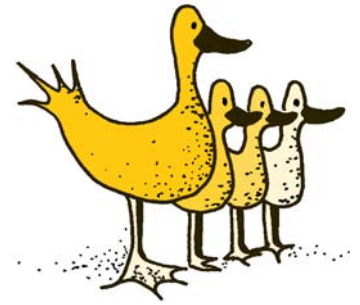
To really get the parties talking, it is often best to do more than the minimum. This guide strongly recommends that—for many types of projects—all parties invest maximum effort in consultation. Development projects and the community will both benefit.

## WHEN TO CONSULT

Consulting often proves beneficial in these situations:

- The project directly affects a significant group in the community (i.e., a majority of residents)
- The proposal will significantly affect the use and enjoyment of neighbouring property (e.g., by changing the adjacent use)
- The project directly and significantly affects, or is perceived to affect, the natural environment
- A significant number of people, or particular groups, will likely have strong views on the project
- The proposed project is likely to directly affect the quality of life for people of Edmonton
- Additional information will help you set project parameters or details[2]

**When it seems scary to go public because it will make the process harder, that is exactly the time to do it. To try and slide anything by will only take longer in the end.**
—Ben Henderson, community member

## WHY CONSULT?

### Reaps invaluable benefits
Effective consultation almost always:
- Encourages creative thinking by welcoming all ideas from all sources
- Can build trust among stakeholders
- Generates synergy and team spirit
- Can help solve neighbourhood problems and builds community
- Can improve overall design fit and safety in the community while enhancing the natural and built environment
- Can improve aesthetic qualities
- Promotes fair and open business practices and enhances marketing efforts
- Increases the likelihood that new residents will be welcomed by the existing community
- Saves time in the long run

### Prevent potential problems
Effective consultation:
- Guards against "less-than-desired" compromises
- Reduces confrontation, changing focus from imposing development to proactive development
- Reduces the likelihood of NIMBY
- Decreases the chance of opposition after a substantial design investment has been made
- Prevents neighbourhood animosity, mistrust or tension
- Prevents wasted efforts and resources on stalled projects

## ALL PLAYERS BENEFIT

Making the extra effort to consult has high potential to address each player's day-to-day concerns. Consider some of the various perspectives to understand why.

> Not in my back yard! That guy does not care about my neighbourhood… I do not see how talking about this is going to help.

A: Often, community concerns can be easily addressed as a design is developed. Early in the process is the best (and least costly) time to effect change.
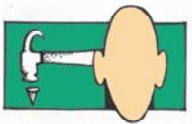
> I just want to get this project rolling… These people are holding me up. Why should I take the extra time?

A: It is when you do not have time or are scared of backlash from the community that consultation could most greatly benefit your project. Initial investments of time can address the concerns that so easily cause later delays, helping to ensure a project proceeds smoothly.
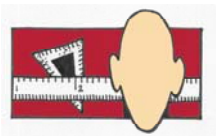
> I'm not sure a whole bunch of this is required and it is making my job way too political. Where is all this going?

A: A knowledgeable and thorough planner can encourage dialogue and good will between the players, setting the climate for amiable communications. As both developers and community members step through the development process together, careful advice translates into better plans.

## STANDARD CITY NOTICE AND CONSULTATION PRACTICES

The standard notification and consultation practices followed by the City of Edmonton appear in the following chart. Special circumstances and developments may require additional notice or consultation.

| Planning Action | Form of notification or consultation | Purpose | Who |
|---|---|---|---|
| Development Permit applications | *Planning & Development Department (5th Floor, ATT Tower)* *City Web site* (www.maps.gov.edmonton.ab.ca) Newspaper advertisement | To inform members of public about the applications. | |
| Permitted Use (Class A) Development Permit approvals | None | | |
| Discretionary Use and Variance (Class B) Development Permit approvals | City Notice (mailed) Newspaper advertisement | To inform affected residents, landowners and community leagues about approved Class B permits, including variances and decisions of the development officer. Note: Developments within Mature Neighbourhood Overlay require more extensive consultation (see below). | Property owners within 60 m* Community league Business Revitalization Zone (BRZ) (if any) General public |
| Development that does not comply with Medium Density Overlay, or lies within Mature Neighbourhood Overlay, or involves Direct Control | Applicant contacts property owners within 60 m* before application | Applicant takes comments and signatures, outlines modifications made to address concerns in application. | Property owners within 60 m* Community league |
| Rezoning Application | City Notice (mailed) Sign on property (sometimes) Newspaper advertisement Public Hearing** | To inform interested parties of rezoning application and formal hearing in front of City Council. | Property owners within 60 m* Community league BRZ (if any) |
| Major redevelopment Adoption of plans Plan amendments | City Notice (mailed) Newspaper advertisement Public Hearing** | To inform interested parties of formal hearing in front of City Council. | General public Community league Affected property owners BRZ (if any) |
| Appeals to Subdivision and Development Appeal Board (SDAB) | City Notice (mailed) | To inform affected parties of a formal appeal in front of SDAB. | Property owners within 60 m* Appellant Developer Community league BRZ (if any) |

*Property owners within 60 m is a minimum, not a maximum. Notices may be sent for properties beyond 60 m too, depending on circumstances.

**City Council Public Hearing agendas and minutes are posted on the City Web site.

# Building a Consultation Strategy

## BE STRATEGIC AND TAKE RESPONSIBILITY

Build your consultation strategy and, while always heeding any issues that arise, stick to it. Incomplete or haphazard efforts can do more harm than not consulting at all. Following through, paying attention, remaining available for conversations and keeping the lines of communication open are all crucial for effective consultation.

Think about consultation not as something that holds up the project, but as crucial to project success. Defining consultation processes early will ensure that important input arrives on time to be effective and to prevent later delays. Good consultation is part of strategic project development.

- Be open to changing your ideas.
- Get to know the community and do not assume you know better.
- Work through your biases so that you can work fairly with the community.
- Earnestly consult to truly get the feel for the whole neighbourhood. Half-hearted consultation runs the risk of belittling and offending people.

Think about consultation not as too much work, but as your role and responsibility within your community. Taking initiative early is exactly the strategic involvement needed to build a good community.

- Be open to changing your ideas.
- Educate yourself and do not assume you know everything about the development (e.g., understand zoning in your area, know your planner).
- Work through your emotions about the project and the developer, so you can fairly evaluate the information on the table.
- Earnestly and truly represent the whole neighbourhood. Half-hearted consultation runs the risk of belittling and offending people.
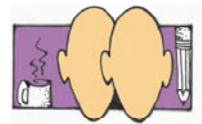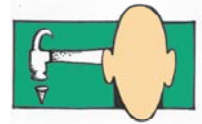
## KEYS TO SUCCESSFUL CONSULTATION

### Begin now

- Consultation must happen early enough in a project cycle to ensure it actually influences the outcome. See p. 41.
- Define your aims—what you want to accomplish.
- Define who should be involved and pull them in immediately.

### Maximize participation

- Turn to organizations such as the Edmonton Federation of Community Leagues and community leagues when in doubt about best ways to reach community members.
- Ask key constituents to help shape the consultation methods. (See page 25 for methods.) Community leaders often have great insights about involving the community.
- Provide all parties ready access to the information they need to draw knowledgeable conclusions, using existing vehicles such as community league newsletters and Internet networks where available.
- Ensure all documents are easy to read and understand.
- Ensure that all views are considered before a final decision is made.
- Follow privacy and confidentiality guidelines.[3]
- Encourage ongoing dialogue, and be willing to listen, truly trying to understand the other's perspective.
- Incorporate a feedback process to inform participants and others about outcomes, decisions and implementation timeframes.
- When in doubt, ask. Poorly planned and managed consultation not only fails to achieve intended outcomes, but reduces community and developer confidence in future attempts.

### Accommodate schedules

- Plan ahead to appear on a community meeting agenda. Most meet monthly and set their agendas in advance.
- Expect to reach developers during the day, while community members, being volunteers, are often restricted to after-work hours.
- Conduct consultation sessions at varying times, for example after work hours or on weekends, to enable participation by a cross-section of residents.[4]
- Avoid times when people's ability to respond is limited, including supper hour, Christmas season, school holidays and major cultural events.

**"Agreeing to be a representative of a community or an organization is admirable and carries much responsibility. A representative is a liaison amongst all parties and must communicate to everyone on total 360 degree basis."**

—Al Parsons,
community member

### Build in extra time

- Active consultation will take more time than you think.
- Invest the time to properly design and test survey tools.
- Allow at least four weeks for individuals, community leagues and other groups to consider and respond to issue papers, reports or surveys.
- Allow enough lead time to be flexible when unexpected events delay stakeholders' ability to respond.
- Expect to travel a 360 degree circle (inform-receive feedback-revise) at least twice before moving ahead.

### Use inviting venues

- Bring the consultation to the community rather than expecting citizens to come to the City or the developer. Consult in a comfortable central location, such as a community or health centre.
- Ensure the location is accessible for people with disabilities and public transit users.
- Make it as non-threatening as possible. For example, a consultation with public housing tenants used a letter drop outlining the key issues, followed by an informal drop-in meeting. Residents were free to come by and chat over soft drinks, snacks and information.
- Ensure the equipment is suitable, including microphones if needed.
- Make sure there are enough chairs.
- Provide parking, childcare and any other items identified as important.

### Guard against hidden bias

- Ensure that those who conduct the consultation activities have no vested interest in the outcome.
- Ensure facilitators and scribes are clear about their roles and have been briefed and/or trained.
- Include opportunities for participants to identify any conflict of interest.

### Show respect

- Honour the views of all parties.
- Value participants' knowledge and skills.
- Plan carefully to ensure people's time is not wasted.

### Be creative and adaptable

- Use strategies such as focus groups and site visits to explore areas of disagreement.
- Set a casual stage to break the ice. For example, hold a sausage sizzle, gather over lunch.[5]
- If plans prove unworkable, be willing to shift in midstream.
- Demonstrate cooperation and commitment to reaching agreement.[6]

## FINANCIAL COSTS

As you develop the consultation plan, consider the resources you will need. Which aspects can be handled internally? Which elements require external expertise, such as a consultant, facilitator or researcher? Assess the most cost-effective way to tackle each task and then tailor your strategy to the project budget.

It may be cheaper to buy some expertise rather than trying to be all things to all people. Public forums could be conducted internally, for example, while a consultant conducts a survey or focus group. Money spent on a good survey or effectively facilitated focus groups can save time and achieve good results for a relatively low cost. It is not necessary to spend a fortune on consultation, but pinching pennies up front may cost you later on.[7]

Possible expenses:
- Venue rental
- Refreshments for meeting(s)
- Printed materials
- Advertising
- Participant costs
- Facilitator and/or consultant
- Other

## NIMBY: NOT IN MY BACK YARD

Many of us believe that urban sprawl is undesirable. We also defend people's rights to operate legal businesses and do not want to see homeless people sleeping on heating grates. We might even support policies that increase the density of mature neighbourhoods, or roll up our sleeves and raise funds for a homeless shelter. All that support, however, may weaken or evaporate when our values rub up against a real life proposal to build "one of those" near us. We have a tendency to want the greater good while protecting our own turf. That tension is at the heart of the Not In My Back Yard (NIMBY) reaction.

NIMBY is a buzz word to describe the negative phenomena that occurs when neighbours do not want a development or facility near them, even though they may see its value. Transit routes, affordable housing, adult stores and pawnshops are among frequent NIMBY targets.

The solutions to NIMBY are varied and contextual. In other words, like other consultation efforts, the solutions may depend on the parties involved, the type of proposed development and the effectiveness of the participation process.

NIMBY - Take Two!

BANANA: Build Absolutely Nothing, Anywhere, Near Anything
CAVE:   Citizens Against Virtually Everything
LULU:   Locally Unwanted Land Uses
NOPE:   Not On Planet Earth
NIMTOO: Not In My Term Of Office

"The NIMBY phenomenon has a curious status: we all practice it, but we almost universally condemn its use by others... It is a human response that is not going to go away...

NIMBY is the negative expression of a very positive force...The existence of NIMBY reactions shows that people care...

The challenge is in finding ways to tap into NIMBY energy and channel it into positive initiatives. To do so, the people who are originating development ideas need to engage those citizens much earlier in the process."
—Lorne Daniel, *Changes in the Neighbourhood,* 2003, pp. 7-8.
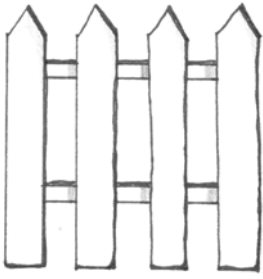
To resolve problems associated with NIMBY, consider the following methods.

- Take a "proactive and conciliatory" rather than a "defensive and aggressive" approach.
- Conduct consultative sessions to give citizens an outlet for their views.
- Talk to nearby residents about the proposal.
- Supply information all interested parties can use.
- Share information on how the proposed development will or will not affect adjacent and local property values.
- Prepare a list of reasons why the project will benefit the community as a whole.
- Conduct a public opinion poll to glean the views of the majority, which may not be reflected in door-to-door petitions.
- Update elected officials and community leaders on developments in housing and the impact of previous developments.
- Inform the public about leading-edge ideas through the media and workshops.
- Involve the building industry as a source of information on innovative building techniques through "home show" style information sessions.
- Document NIMBY challenges and appeals so others may benefit from past experiences.
- Be aware of existing housing needs studies and prepare a longer-term strategy for residential needs.

RESOURCES

*Changes in the Neighbourhood* by Lorne Daniel, 2003
See this resource for specific ways to combat NIMBY.
www.mycommunityinformation.com/housing/ChangesInNeigh.htm

*NIMBY Guidelines*
The Rural and Small Town Research and Studies Programme
Department of Geography, Mount Allison University, Sackville, N.B. E0A 3C0
Tel: (506) 364-2393, Fax: (506) 364-2601, www.mta.ca/rstp/rstpmain.html

"Understanding and Overcoming the NIMBY Syndrome"
Michael Dear in *Journal of the American Planning Association*, Vol. 58, No. 3, Summer 2992, pp. 288-297

*Facility Siting Credo: Guidelines for an Effective Facility Siting Process*
Howard Kunreuther and Lawrence E. Susskind in *Environmental Impact Assessment Review.*
Publication Services, University of Pennsylvania, 1991.
www.mit.edu/afs/athena/org/p/publicdisputes/practices/credo.html

"I've learned to live with myself, so I can learn to live with you," notes a disabled person to opponents of a group home.

--Lorne Daniel, *Changes in the Neighbourhood,* 2003.

## CASE STUDY: SUCCESSFUL COMMUNITY CONSULTATION IN ESTABLISHED NEIGHBOURHOOD[8]

The following study outlines a situation where a league went well beyond the level of commitment and resources usually expected of a community. This example illustrates a community league that took charge of the process early and was rewarded with good results. It is not realistic to expect that most participants can commit these kinds of resources. Nevertheless, it is a good example of the significant benefits of either party getting 'out in front' of the consultation process. Being proactive reaps rewards.

Redevelopment of large public lands in an established Edmonton neighbourhood included a long and extensive community consultation process. So long, in fact, that some community members estimate that they spent more than 500 volunteer hours during the two-year process.

The quiet neighbourhood was primarily developed prior to 1960. The consultation process started early— before the former owner sold the property, originally zoned Urban Services.

### Community League

When community league executive members heard that the owner was considering a move, they immediately requested a meeting. The community league felt it was best to start working with the decision-making powers early in the process, to ward off surprises and position themselves most strategically for the negotiations to come.

The community league wanted to influence the sale process itself, particularly regarding such key issues as traffic volumes, access and the use and enjoyment of community amenities. To that end, the league maintained contact with the owner and was kept informed about its actions. At the same time, the community league found citizens willing to work on influencing the decision. In addition to researching zoning issues and development rules, the group spoke with City staff.

The owner did not specifically grant community requests to be part of the tendering decision, but did explicitly mention community concerns in the tender documents as issues and expectations for any prospective buyer.

The community league put a package together for community members and called a meeting, attended by 100 to 150 people. There, facilitators outlined opportunities to influence the process: during the sale, after purchase, in response to a rezoning application, via legal challenge. Opinions expressed that day helped solidify community values, assess options and set the stage for action.

The community league began speaking publicly. Besides alerting the media, they spoke with Councillors, feeling it was important to inform them from the get-go.

At a second community meeting, a steering committee of 12 people was formed. The committee retained a development consultant and an urban planner to bring the project to the next stage while continuing to research traffic counts and other aspects. In concert with these professionals, the committee worked with 150 community members, Council members and City staff to develop its own plan for the site. The resulting statement of community values and corresponding planning guidelines was provided to inquiring developers. The group also developed a concept plan in case the community developed the land.

In sum, the community was proactive, prepared and certain of its views. While views were not always the same, they were openly debated until consensus was reached. Council members and City planners were consulted and well informed of the process.
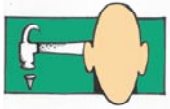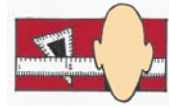
### Developer

The developer who finally purchased the property met with community representatives numerous times. Recognizing the time and effort the league contributed, the developer endeavoured to keep the meetings as short and functional as possible.

Because the community was now quite clear about what it thought, the committee could express its concerns and negotiate in good faith on behalf of the whole community. Various proposals were considered and agreement finally reached, without proceeding to appeal.

The developer noted that this project worked well for the community because the community league possessed both strength and organization.

a) The community league had strong and realistic leadership.

b) Those who spoke had done their homework to ensure they were representing the league.

c) Representatives were qualified or experienced in advocating a position. Understanding that change would occur, they were committed to a fair resolution that would best serve the community.

### Planning and Development Department

Once the developer made the application, a public meeting was held and very well attended. At this meeting a City representative provided information about RPL (Planned Lot Residential).

A City representative then met with the community to discuss the relative advantages and disadvantages of RPL zoning versus the Mature Neighbourhood Overlay, which applies to residential development in the neighbourhood.

RPL zoning is not subject to the MNO, and allows higher buildings than the overlay. In addition, it allows narrower site width and more site coverage than the RF1 zoning surrounding the property. Yet the proposed RPL zoning conforms to the Community Plan for the neighbourhood, which recommends that residential development respond to varying demographics and preferences in housing tenure while maintaining a low-density residential character. RPL allows flexibility while providing single detached housing.

Ensuing discussions between the developer and the community saw the site developed under RPL zoning.

### Conclusion

As this case reveals, consultation is not a passive, occasional activity. It takes a lot of commitment. The responsibility shouldered by all parties with interest in this site, particularly the community league, was enormous. Most projects do not require this kind of effort, but some do.

Two years later, the site contains 60 attractive and varied single-family dwellings. Design controls and a restrictive covenant requiring rear detached garages and lanes resolved community concerns about RPL zoning. Most community members are content with the development density, and traffic solutions seem to be working. Some mature trees and some new trees spot the boulevard.

Best of all, community, developer, City and Council members have successfully partnered together, completing the work necessary to bring about a new development that complements the values of the community. Both new and existing residents enjoy the new development.

# Consultation Options and Resources

Consultation efforts and requirements come in different forms. One size will not fit all. A creative approach can capture the imagination and interest of the people you need to reach. This section includes a few ways to engage discussion, resolve differences and solicit feedback. They are listed in alphabetical order, and not in order of applicability. One of your most valuable tools will likely be meetings with the various players.

Try to make the methods fit the subject, audience and scope of the issue. Complex issues with more than two or three key elements will need more extensive consultation and information-sharing to obtain views from stakeholders. Effective public consultation typically incorporates two or more complementary methods.

RESOURCES
*Public participation toolbox*, p. 112.
This excellent resource shows the pros and cons of about 40 consultation methods, and what they are best used for.

## ADVISORY COMMITTEES OR WORKING GROUPS
Working groups normally involve a cross-section of affected people and/or organizations. These committees allow ongoing exchange of information and views between stakeholders and the project proponent. A balance of interests promotes broad thinking and creative solutions.

The most effective committees are sanctioned by their community leagues with clear terms of reference. The committee, with a clear mandate to explore and consult on behalf of the league and community is empowered to act and able to negotiate in good faith.

The community league and its committees must also make additional efforts to meet and consult with the community itself. A committee's impact can be limited if it does not speak on behalf of the larger community. A clear mandate gives the committee focus as it works through options and proposes change.

Advisory committees or working groups are most effective for more complex projects, but can also be helpful in simpler situations.

## INTERVIEWS
Interviews with individuals and/or small groups, both in person and over the phone, can provide useful information while giving individuals maximum opportunity to have their say.

Interviews tend to result in depth rather than breadth of information. As a result, they are most effective when teamed with other strategies and when the issues are relatively simple. Sometimes interviews with key informants during the up-front consultation phase will help form a clear picture of the important issues.

For consistency, be sure to use a standardized set of questions when interviewing.

**"In my opinion, the biggest mistake people make when it comes to consulting on developments is working hard, not smart. Certain consultation and advocacy methods are time consuming and ineffective. Secondly, the worst mistake is not dealing honestly with the community."**
–Bernice Neufeld, Edmonton Federation of Community Leagues

## MEDIATION

Mediation provides a place for people in conflict to take stock, explore their issues and develop mutually agreeable resolutions. This process is highly effective when people with differing perspectives show potential to reach some agreement with the help of an effective intermediary.

Mediators impartially listen to all sides, conduct a conflict assessment, facilitate in-depth discussion and help disputing parties reach satisfactory conclusions about their issues.

Mediation will likely not be the starting point of your consultation; initial meetings and other efforts typically happen first. To play a key role in bringing disagreeing parties together, however, it must occur while there is still room to maneuver and negotiate. It is best to bring parties together before a proposal reaches Council and/or the Subdivision and Development Appeal Board (SDAB).

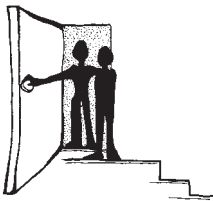Mediation has the best chance of success under certain conditions.
- The status quo is unacceptable, or at least unappealing to most stakeholders.
- There is significant possibility the parties will agree on at least one key issue.
- The process is open, credible and agreed to by the participants.
- All key affected public officials and decision-makers are adequately represented, organized and willing to participate. The right people are at the table to talk about the right things, in a well-organized fashion.
- The parties abide by pre-established ground rules.
- Sufficient financial, regulatory or other mechanisms exist to reasonably ensure that any agreement reached can be implemented.
- Resources are available to support a mediation effort.

By contrast, mediation is ***not*** likely to succeed under the following circumstances.
- There are no areas of potential agreement among stakeholders and no opportunities to give and take. (Beware not to conclude this too quickly, however. It is entirely possible opportunities for agreement will surface when a third-party mediator helps you find them.)
- Key stakeholder(s) refuse to participate or have good reasons not to negotiate.
- An unrealistic deadline for reaching consensus has been imposed.
- A better option exists (e.g., stakeholders can count on meeting their interests through other channels).
- The convenor is incapable of acting as a neutral and autonomous facilitator or wants to control the process and outcome solely for personal gain.
- Huge power imbalances exist among the stakeholders.
- Funds are not available for the mediation effort.
- The parties feel no pressure to mediate (e.g., no deadline or political mandate exists).[9]

## MEETINGS

Meetings of all kinds bring parties together to share information, discuss ideas, hear differing perspectives, build consensus, resolve issues and/or clarify points of disagreement. Good meetings are at the heart of effective consultation. Different parties will need to meet for different reasons. These meetings can be initiated by either party and may have varying goals and outcomes.

| | Face-to-face meetings | Small meetings | Public meetings |
|---|---|---|---|
| Community league & developer | | ✔ | |
| Community league & subcommittee | | ✔ | |
| Community league & community members | | ✔ | ✔ |
| Planning and Development & community league | ✔ | ✔ | |
| Planning and Development & public | | ✔ | ✔ |
| Planning and Development & developer | ✔ | ✔ | |
| Community league & councillor | ✔ | ✔ | |
| Developer & councillor | ✔ | | |
| Developer & community members & league (& Planning and Development) | ✔ | ✔ | ✔ |

### Essential elements

For more formal meetings, a strong chair or facilitator and an approved agenda are essential to keep the discussion focused on the issues. Many people feel intimidated and will not speak up at large public forums. Others are passionate about the issue but not necessarily effective in voicing wider community views. Community meetings need careful preparation and guidance to make sure they do not derail. [10]

Support those with low or no literacy skills by giving opportunities to voice opinions in a non-threatening manner. Immigrants and non-English speakers may have difficulty communicating their concerns in public forums and written surveys. Write all materials as clearly and as simply as possible. When demographics warrant, consider hiring interpreters, using oral surveys and translating written information into other languages.

For more information, see Holding Effective Meetings, p. 124 and the next pages.

## Meeting outcomes

- Depending on the type of meeting and the topic, outcomes will be different. It is good practice to set desired outcomes before each meeting.
- Outcomes might include opening the lines of communication, getting the information right, outlining initial concerns and perhaps opening discussions about amendments or adjustments that might make a development appealing for all.
- Initial information-sharing meetings are usually held to gather project details and some insight into community issues.
- A first Town Hall meeting often aims to assess community members' opinions and, if necessary, recruit a formal committee to represent the community. Without a committee, further work will be less effective and more difficult to accomplish.
- Community committee meetings are often used to collect additional information, set a meeting schedule with the developer and community members, clarify community positions, develop planning arguments, select action strategies, polish position papers and prepare for appeals.
- Subsequent Town Hall meetings retain interest, present the committee's research findings, approve positions, encourage participation and prepare for public hearings and appeals.

## Meeting types

### FACE-TO-FACE MEETINGS

When establishing relationships or seeking to understand other perspectives, face-to-face meetings are often better than phone calls or e-mails. In person, those "others" become real people rather than sources of opposition. Once trust and open channels of communication are built, it is much easier to make progress by phone and e-mail. Face-to-face meetings are best with two or more persons from each perspective. This encourages honesty and ensures that each perspective is clearly stated and understood.

### SMALL GROUP MEETINGS

Small group meetings are ideal for gathering information and building relationships. Initial exchanges and later negotiations often happen in this setting, typically involving community league members and other players.

It is crucial for small groups, as with advisory committees or working groups (p. 25), to define their ground rules and mandate.

**"In our office we use 'partnering workshops' between the client, contractor, engineers and architects to bring everyone up to speed before the construction of a project. I think workshops and meetings are the best way to make everyone feel they have a stake in a project and make themselves heard."**

—Shafraaz Kaba,
Manasc Isaac Architects

### TOWN HALL AND LARGE COMMUNITY MEETINGS

Town Hall meetings are used to inform residents of a project and/or determine a community's position on an issue. Ideally, these meetings involve all the players: community league, residents, developer and a City representative. Sometimes, however, they include community members only.

Focus is key to a successful Town Hall meeting. To keep discussion on track, choose a good facilitator and follow an approved agenda. The meeting must provide an impartial forum for neighbours to express opinions and concerns about the issues without dwelling on personalities. People will disagree, but constructive expression of those viewpoints will produce a much more meaningful outcome than angry, out-of-control arguments.

Invite interest and involvement by using these sessions to present research findings, share information, approve positions, and prepare for hearings and/or appeals. Provide opportunity for parties to submit written comments and evaluations.

Meeting outcomes will vary depending on the stage of the proposed development and community response. Typically, a Town Hall meeting provides a committee with a mandate to forge ahead or indicates insufficient community interest to pursue further action.

### FOCUS GROUPS

Focus groups are small meetings of people representing identified stakeholders. Success depends on accurately and effectively interpreting and using the information generated by the group.

Focus groups are not question and answer sessions, but focused discussions guided by a facilitator. Focus groups can be a way of getting a cross-section of views from people who would not usually contribute to a consultation. Often, the groups comprise people with common attributes or interests, but the mix of people will depend on the purpose of the consultation. Although you can run your own focus groups, it is preferable to employ an independent facilitator who has the confidence of all parties.

People are often paid to attend focus groups. Restrict each group to a maximum of 15. Focus group meetings usually last for about two hours and generate dynamic discussion.

### Keeping meetings calm

It is critical to maintain control during meetings. When people feel particularly threatened about proposed changes, they may act irrationally and tempers can flare. Set and enforce meeting rules regarding who speaks when, how long they can speak and what language is appropriate.

#### RECIPE FOR CALM MEETINGS

- The chairperson acts as a neutral party, showing no bias to one side or the other. (If you lack an experienced chair, recruit one from outside. For chairing tips and external resources, contact the EFCL.)
- People perceive a measure of calm, in-control leadership.
- Speakers are required to state their opinions constructively and reminded that the meeting is a forum for debate and consensus building, not argument.[11]
- Speakers feel their specific contributions are heard and valued.
- Participants are held accountable for their presence and words. A sign-in sheet including names, phone numbers and addresses helps to set that tone.
- All information presented at the meeting is recorded (e.g., on whiteboard or chart paper) and captured in the minutes.

#### RESOURCES
Holding effective meetings, p. 124.

**Consensus is the situation where all parties can state, "I may not necessarily agree with the solution (issue), but I do understand why this is the best solution."**
—Al Parsons

## ONLINE CONSULTATION

Online consultation is a relatively new and innovative vehicle for soliciting input from a great number of residents in a short time. Online consultation can take a variety of forms, including surveys, discussion boards, postings, frequently asked questions (FAQs) and moderated discussions. To maximize participation, advertise the online opportunities in a variety of other contexts and venues, including existing newsletters.
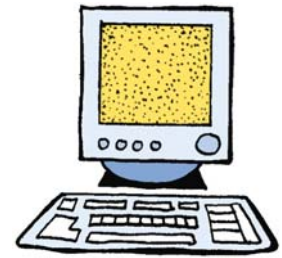
Of course, online methods restrict involvement to those who are able to use and access the Internet. This vehicle typically does not build relationships, nor is it appropriate for comprehensive negotiations. Yet you may find it useful as one method among many.

As noted below, numerous online resources offer help.

### RESOURCES
*A Selective Bibliography of Online Engagement,* by San San Sy, April 2003.
Lists research and articles about the process of online consultation.
www.acjnet.org/docs/bibjune2003.doc

## OPEN HOUSES

Open houses offer venues to share information and invite dialogue. Often used to gather feedback about larger developments, open houses include invitations to view models and plans or to visit similar developments.

## POSITION PAPERS

A position paper clearly articulates a point of view, in about 10 pages or less. The researched paper typically articulates support for or opposition to an issue, with rationale.

Besides highlighting a development's significant impacts, a community league position paper might propose alternatives, outline opportunities for consultation and review actions taken and planned by the community. Once ratified by a community league board, the paper can act as the neighbourhood's official opinion. This does not preclude other opinions, nor does it necessarily assist with consultation efforts.

That said, councillors may appreciate the effort and information, for position papers signal the depth of community support and commitment to an issue. When neighbouring leagues (particularly in other wards) support that position, the paper can become an authoritative tool.

Yet position papers are relatively uncommon among community leagues. When soliciting position papers as a means of public consultation, other players should be aware that many community members do not have the time or resources to participate in submission writing.

## PETITIONS

Petitions are written requests or statements signed by citizens and presented to decision-making bodies such as City Council. Petitions can be used to require action or simply to sound the alert regarding issues of public concern. While this tool can serve as a barometer of support or opposition for a specific issue, it does not necessarily assist with consultation efforts.

If you want to force Council to take some action, your petition must meet complex legal requirements set out in the *Municipal Government Act*. While a legally binding petition can be a valuable tool, extensive preparation and effort are required to obtain enough signatures. This tool is not recommended for small-scale development appeals or concerns.

You can also conduct informal petitions that express public opinion. These petitions are "for information only" and do not legally require any action. Keep informal petitions simple and have the petition wording on the top of each page.

Collecting letters of support may be a more effective tool for demonstrating the extent of support for your position. Politically, a personally written letter is given far more weight than a simple signature on a petition.

### RESOURCES
*Being part of the Government of Your City* and *Presenting a Legally Binding Petition to City Council.* Available through the Office of the City Clerk, City Hall, Tel: (780) 496-8178; E-mail: city.clerk@edmonton.ca

## QUESTIONNAIRES AND SURVEYS

Questionnaires and surveys are useful when specific responses are required to specific issues, such as "Which of the following five colours would you prefer for the front of the building?" Surveys can also be good for generating data to discuss in focus groups or for gauging interest.
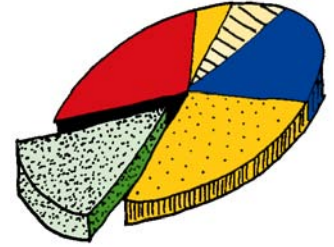
Both quantitative and qualitative information can result from questionnaires and surveys, depending on whether closed (yes/no, multiple choice) or open-ended questions are asked. Questionnaires can be completed by an interviewer (in person or over the telephone) or by the respondent (on paper or online).

Beware of falling into the trap of surveying for survey's sake. Surveys have limits.
- Surveys will not reveal a great deal about the reasons for people's views.
- Surveys can be manipulated and designed to yield desired results, not necessarily the information needed to make the right decision.
- Mail surveys tend to have low response rates that can lead to poor results and less-than-useful data.

Surveys are less effective for complex issues requiring additional information, discussion and consideration. For example, the question "Should more social housing be built in the neighbourhood?" may not be well-suited as a survey question.

In certain situations, surveys can be very helpful.
- They provide a framework for more in-depth investigation.
- They provide credible results by avoiding leading questions and by addressing only one issue per question.
- They obtain base-line data that can be compared with other research, thus helping to ensure that other data is well used.
- They use a statistically significant sample size that encompasses relevant areas, representing a balanced mix of stakeholders.

# Consultation Results

## RANGE OF RESULTS

Having done the best you can to work with all stakeholders, you might encounter a range of outcomes. For a variety of reasons, each process is different and takes on a life of its own. The results will likely be a little more grey than completely black and white, including some successes and some opportunities for learning.

### Possible consultation outcomes

- **Consensus is reached**. All parties compromise to reach a mutually acceptable solution.
- **Majority rules**. Most stakeholders support the proposed development, but a vocal minority remains opposed. If this small group cannot be persuaded, the will of the majority may prevail.
- **Parties agree to disagree**. No agreement is reached or likely. An adversarial situation may develop at the Subdivision and Appeal Board (SDAB) and/or before City Council. The goal is to understand each party's position, not agreement or consensus.
- **Lone wolf (with or without a pack).** The lone wolf proceeds without regard for group processes, agreements or discussions. Watch out for a lone wolf to show up somewhere along the process. Every community has one.

**Consensus is a group decision (which some members may not feel is the best decision, but which they can all live with, support, and commit themselves to not undermine), arrived at without voting, through a process whereby the issues are fully aired, all members feel they have been adequately heard, in which everyone has equal power and responsibility, and whereby different degrees of influence by virtue of individual stubbornness or charisma are avoided so that all are satisfied with the process.**

—The Foundation for Community Encouragement

While not predictable, the consultation process is almost always interesting. Although the outcomes are not always idyllic, effective consultation at least gives all voices a chance to be heard. That alone is significant, for engagement is key to building good communities.

Although outcomes are not necessarily a function of how well the consultation process was executed, the tips on the next page will reduce the likelihood of negative outcomes.

**From my own experience, consensus is rare because it is a lot of work. I have found it effective only in small groups of about 10, when all are sincere in obtaining a result that is agreeable to all.**

—Sheila Bowker, community member

## WHAT TO DO WHEN YOU CANNOT AGREE

Consultation efforts do not always bring agreement. Then again, imagine a world where everyone agreed.

Good and creative things often grow out of healthy expressions of differing viewpoints. Once we recognize that differing opinions are not only allowed but preferred, the process and its results—whatever they are—seem less threatening.

Enjoy the process for whatever it brings. Do not try to shortcut it or muzzle dissent. This will inevitably come to haunt the project and could create difficulties later on.

When discussions go off the rails or even look like they might go wrong, you do have options for action. What is more, dealing proactively with conflict raises new opportunity for creative solutions. When parties take corrective action together, they build a shared interest in an agreed-upon outcome.

**Conflict comes from differences—in needs, values and motivations… Conflict is not a problem in itself— it is what we do with it that counts.**
—Conflict Resolution Network
(www.crnhq.org)

**"A half-hearted consultation can often be worse than no consultation at all because it runs the risk of offending and belittling people..."**
—Ben Henderson, community
member

## Practical steps

As a first step, put yourself in the other party's shoes and answer some important questions.

- What position is the other party in?
- Does everyone involved understand your position? Why or why not?
- Do you think they know the impact this could have?
- How can you talk to them so they will want to listen and understand your experience?
- What would you be willing to take responsibility for?
- What do you want them to take responsibility for?
- What might be a good solution?[12]
- Have you used all possible methods of communicating effectively?

As a second step, try good old-fashioned talking. Simply and calmly discuss your concerns or issues with those directly involved. You may be surprised. People are often a lot more reasonable than we expect.

At later stages of impasse, mediation and/or group facilitation can get things back on track.

## Other conflict resolution tools

- Consider a formal mediation process (see p. 26).
- City planning staff or the ward's City Councillor may help you set-up a group facilitation process.
- Talk with a professional mediator or arbitrator about other methods for resolving impasses.

### RESOURCES

*Alberta Arbitration and Mediation Society*
www.aams.ab.ca
#405, 10707 -100 Ave, Edmonton, Alberta, T5J 3M1
Tel: (780) 433-4881, Fax: (780) 433-9024

*Mediation and Restorative Justice Centre* (Formerly the Edmonton Community Mediation Society and the Edmonton Victim Offender Mediation Society).
www.mrjc.ca
#430, 9810 - 111 St. NW, Edmonton, Alberta, T5K 1K1
Tel: (780) 423-0896, Community Mediation Direct Line: (780) 424-4632, Fax: (780) 423-2467

*Talking with Your Neighbour,* Mediation and Restorative Justice Centre.

**"My neighbour across the alley recently received an allowance to build a larger-than-permitted garage. I received the notice and initially felt quite miffed about it.**

**I talked to him, and he explained why and how he was going to build the garage. I felt a lot better about the whole thing."**

—Lynn Parish, neighbour

## CONSULTATION CHECKLIST[13]

❑       We know why we are undertaking consultation.

❑       We have identified the objectives we want to achieve by consulting.

❑       We have checked to see if work had already been done on this project.

❑       We have defined the aims and parameters of the consultation.

❑       We have ensured the consultation method is appropriate for the key participants.

❑       We have confirmed the appropriateness of the target group with other stakeholders.

❑       We have a realistic timeline that includes lots of time for multiple-loop feedback.

❑       We have chosen appropriate avenues to maximize participant input.

❑       We have found appropriate personnel to perform all the functions required.

❑       We have a strategy for publicizing the consultation.

❑       We know what information needs to be developed and printed (leaflets, kits, Internet, agendas, notices, etc.) and we have a plan in place to provide it when needed.

❑       We know how and when we will provide feedback to the participants.

❑       We have a realistic budget that allows for contingencies.

# Consultation throughout the Planning and Development Process

## Introduction

The project development cycle offers five distinct opportunities for consultation:

1. Concept planning and research
2. Land use, transportation and infrastructure plans
3. Rezoning
4. Permits
5. Appeals

The following charts break each opportunity into three components: preliminary research, consultation, evaluation and project refinement. You will see that some stakeholders are sporadically involved while others are involved throughout.

Not all projects include these five opportunities. What is more, overlap and repetition often occur, with projects sometimes looping backward in anything but a linear progression.

| ACTIVITIES | CONSULTATION OPPORTUNITIES | STEPS |
|---|---|---|
| Concept Planning & Research (p. 42 ) [Pre- Application] | | Research |
| Area-wide land use, transportation & infrastructure plans (p. 49) [with raw, undeveloped land] | | Consultation |
| Rezoning (p.54) [sometimes]    Permits (p. 92) | | Evaluation & Refinement |
| Appeals (p. 94) [sometimes] | | |
| Construction | | |

This section does not attempt to cover all development activities, although many of the methods recommended here can be applied elsewhere. These five activities are highlighted because they involve a range of development sizes and illustrate common technical issues and consultation requirements.

The greatest opportunities for information-sharing, honest dialogue and compromise occur early in the project development cycle. (See "Why first steps are the most important," p.41.) If you are not sure where you are in the cycle, see p. 41.

If you are not clear on some of the specific steps or technical requirements involved in the planning process or could benefit from a refresher, read Planning in Edmonton (p. 79) before proceeding.
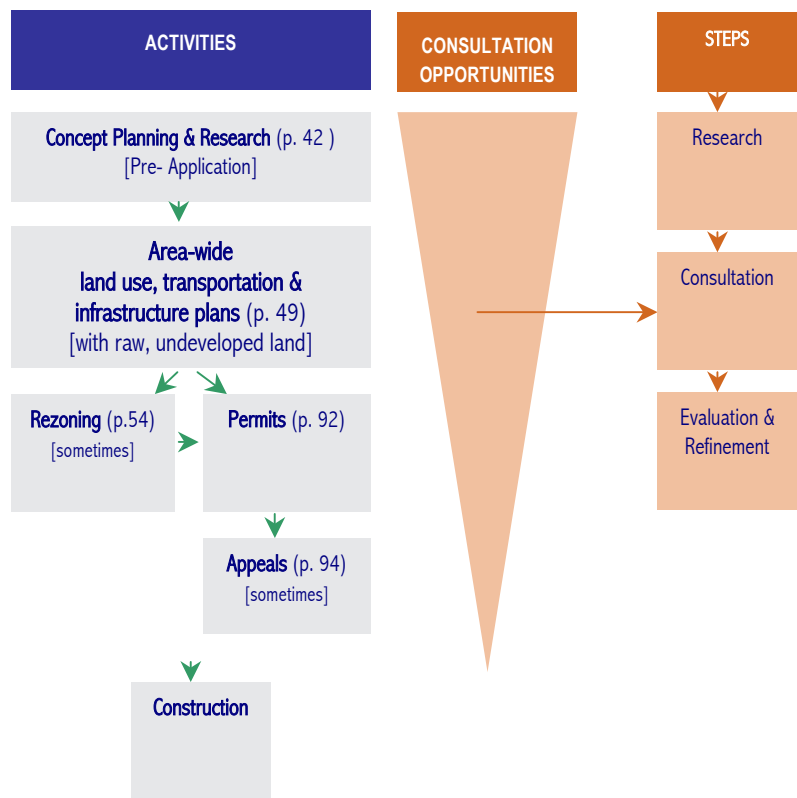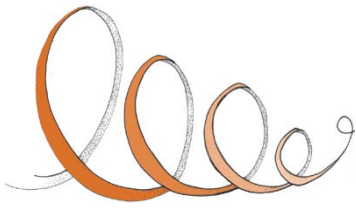
### MORE ROUNDABOUT THAN LINEAR

Project development is not a linear, uncomplicated process; as we have discussed, neither is consultation. When these elements marry, you can be sure that each process will be more roundabout than linear. Some projects are fairly straightforward, while others are extremely complex. The timeline for many projects, from concept design to occupancy, is counted in months if not years.

### Many players

Projects involve many stakeholders. These stakeholders have different points of view, various levels of technical expertise, differing degrees of availability, in some cases conflicting values. Furthermore, stakeholder representatives may change. Key players include the developer, the community, the administration, City Council and other stakeholders. Each player has a distinct responsibility in the consultation process. (See p. 4 for a review of these stakeholders and their roles.)

### Array of outcomes

Consultation has many potential objectives, approaches, desired outcomes and actual results. The milieu of public opinion, negotiation and consensus-building is like a series of crazy traffic circles heading in a general direction rather than a set of intersections with calibrated lights and a definitive destination.

### Benefits of complexity

Complexity can be an asset. In best-case scenarios everyone contributes, cooperates and enjoys the benefits of good development. After all, multiple feedback loops should result in a stronger project.

### Purpose

Ideally, development consultation reveals all stakeholders' needs and positions and, to the greatest extent possible, accommodates those needs. All players are responsible to steward the consultation process—in all of its complexity—in a way that provides long-term benefit to the city as a whole.

### RESOURCES
Smart Choices Catalogue
The City of Edmonton's Smart Choices Catalogue outlines nine ideas for proactive development initiatives. For more information, or to see the ideas online, go to:
www.edmonton.ca

## WHAT STAGE IS THIS PROJECT AT?

Is the proposal for new, undeveloped land?
> If No, go to Concept Planning and Research section
> If Yes, go to the Area-Wide section

Is rezoning required?
> If No, go to Concept Planning and Permit Application
> If Yes, go to Rezoning

Has an application for a development permit been submitted?
> If No, go to Concept Planning and Research
> If Yes, go to Permit Application

Has a development been appealed?
> If No, go to Concept Planning and Research or Permits
> If Yes, go to Appeals

### Why first steps are most important

Thorough investigation during initial concept planning is your best investment. Taking informed action early offers the greatest hope of influencing a project's outcome, particularly when sincerely done.

#### It allows the greatest give and take

Feedback and improvements are easiest to incorporate when concept plans are still in their preliminary stage. Later in the process, the cost of making changes escalates. Investing early in good research, open consultation and informed assessment will improve the project, thus helping to prevent the costs of extensive fixes later.

#### It sets a tone of honesty and respect

Both technical accuracy and civility will help all parties when they hit inevitable bumps along the road. Remember the phrase, "You catch more flies with honey than vinegar"? That certainly applies to planning/development scenarios. It is key to begin on a positive footing, for a tone of secrecy, defensiveness or aggressiveness will likely be reciprocated. Goodwill is not only key to a successful project, but makes the process a lot more pleasant.

Consultation early in the process increases the likelihood of project success while helping to avoid unpleasant public hearings or drawn-out appeals.
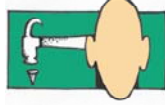
Research
Area Planning
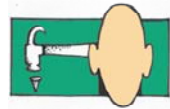Rezoning
Permits
Appeals
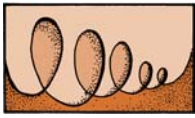
# Concept Planning and Initial Research

This section illustrates opportunities for consultation during initial concept planning and research for both new and existing neighbourhoods. Each player's potential involvement is outlined in three stages: research, consultation and assessment. Their roles will likely vary and occur at different points. For example, Builder Dave buys land and is now considering how it might be used.

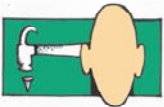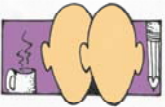|  | **Developer** | **Community** | **Planning and Development** |
|---|---|---|---|
| Key Question | Can we build this development here? | What can developers build on this land, given the parameters and plans set for our community? | How can we ensure that the proposal meets the objectives and interests of the City as outlined in applicable policies and guidelines? |
| **BACKGROUND RESEARCH** | | | |
| Goals | Verify City requirements regarding development of the proposed project. | Understand what types of developments can be built in the community, and on this land. | Advise the applicant about application requirements so Planning and Development and any other relevant department, can evaluate the proposal. |
| Steps | Obtain and review necessary documents, such as ARPs and Community Plans.<br><br>Meet with Planning and Development to confirm development requirements.<br><br>Assess market conditions.<br><br>Evaluate serviceability of land.<br><br>Evaluate engineering requirements. | Review the *Edmonton Zoning Bylaw* and other relevant planning documents as they relate to the area.<br><br>Contact Planning and Development to raise any concerns, ask questions and request applicable plans.<br><br>Note: Before a developer submits a formal application, the department treats any proposal as confidential. If a developer has already raised the proposal with the community, however, the department may be able to discuss it with others. | Assist and advise developer during the pre-application phase, noting existing policies and plans as well as technical requirements that must be met in the application. [Note: The department continually conducts land use studies and prepares Service Concept Design Briefs for newly developing or undeveloped areas. Some may be relevant for the land in question.]<br><br>Proactively identify the opportunities and pitfalls of the proposed concept. |
| Tools | Pre-development checklist, p. 45. | | |

| |  **Developer** |  **Community** |  **Planning and Development** |
|---|---|---|---|
| **CONSULTATION** | | | |
| Goals | Inform the community about the proposed project.<br><br>Understand the community's point of view regarding proposals of this nature. | Understand the concept and provide proactive feedback based on effective community consultation. | Provide information or other assistance to both developer and community on request. |
| Steps | Contact Planning and Development for information or other assistance, if required.<br><br>Arrange to meet with the community league and/or its designated subcommittee.<br><br>Begin to cultivate a positive relationship by being candid and up front.<br><br>Explain why you have chosen this area for the proposed development.<br><br>Explain the merits of the project.<br><br>Explain the requested variances, if any, summarizing the information provided by City staff. | Call the community league and/or its subcommittee together to meet with the developer.<br><br>If the developer cannot or will not meet, assess the proposal with your subcommittee.<br><br>Contact Planning and Development for information or other assistance, if required.<br><br>Provide open and honest feedback on the initial concept plan.<br><br>Explain what consultation methods might be best suited to your community (e.g., small meetings, town halls etc.).<br><br>Identify key contacts within the community who should be involved in consultation. | Attend meetings at the request of the community or developer.<br><br>Outline the planning process to developer or community, if asked. |

| | Developer | Community | Planning and Development |
|---|---|---|---|

**EVALUATION AND REFINEMENT**

| | Developer | Community | Planning and Development |
|---|---|---|---|
| Goals | Understand the community's suggestions and/or questions.<br><br>Assess where changes can or should be made. | Determine how the project will fit in the neighbourhood.<br><br>Understand how the planning rules apply to such a development. | Ensure the proposal meets city-wide objectives and policies. |
| Steps | Based on initial input, determine how the project might be modified or improved.<br><br>Communicate potential adjustments to the community and adjust if agreeable.<br><br>Attend meeting(s).<br><br>Answer questions. | Digest the information provided by the developer, checking facts against the relevant planning documents (i.e., *Zoning Bylaw*, plans, etc.).<br><br>Brainstorm questions that need to be answered beyond issues of land use, such as potential traffic impacts and safety.<br><br>Contact Planning and Development with questions and comments.<br><br>Remind committee members that the proposal will be assessed within planning parameters.<br><br>Assess whether a full community meeting is required to provide clear direction for next phase. | Determine if any bylaw amendments are required for existing ASP/NSP or other statutory plans.<br><br>Contact key personnel in other relevant departments.<br><br>Refer back to any existing Service Concept Design Brief, ASP or NSP. |
| Tools | Pre-development checklist, p. 45<br>Planning parameters (limits), p. 46<br>Assessing a proposal, p. 46 | | |

### Tool: Pre-development checklist

- ❑ Does the project fit in with area and community plans?

- ❑ Will this project meet the requirements of the *Zoning Bylaw*, including any overlays that apply to our particular community?

- ❑ Is the proposed use permitted or discretionary?

- ❑ If discretionary, what adjustments would bring the proposed use closest to the designated zoning for the area?

- ❑ What variances are being considered?

- ❑ What conditions might be applied to such a development?

- ❑ Do we need to address any amenity or parking issues?

- ❑ Are there other planning considerations that should be considered (safety through CPTED principles as on p. 96, aesthetics, etc.)?

- ❑ What traffic or signage considerations do we need to address?

- ❑ What are the merits of such a development?

- ❑ How are the immediate neighbours likely to respond?

- ❑ Is the Planning Department likely to approve this project? With or without a variance?

**Tool: Steps for assessing zoning and use allowed for a parcel of land**

**Confirm the zoning** for the parcel in question.
Ask: **What zoning applies to this site?**
And: **Which overlays, if any, apply to our neighbourhood?**
See *Edmonton Zoning Bylaw* and Overlays, p. 110.

↓

**Confirm whether the proposed development** fits within the uses allowed on the site.
See p. 48

Ask: **Is the proposed use (land use category) listed (allowed) for the proposed site (land use zone)?**
Determining whether the proposed use is listed may or may not be simple, depending on whether the proposal is common or unique. If in doubt, read the definitions in the "Interpretive Clauses" section of the *Edmonton Zoning Bylaw* or call Planning and Development.

↓

Next, note that the list of uses is divided into **permitted** and **discretionary** land uses.

Ask: **Would the proposed development be a Permitted or Discretionary Use**?
This is an important distinction as it affects the permit process.
See Permitted and Discretionary uses, p. 87.

↓

Ask: **What are the development regulations?**
The rules for each land use zone establish minimum project specifications (e.g., yard size and parking) and maximum project requirements (e.g., building height and density limits). The Development Officer may relax some of these rules, but the officer *cannot* relax height, density or floor area ratio. Check the *Zoning Bylaw* for further details.

↓

Finally: **Does the proposal require any variances?**

Work with the checklist of development rules (p. 88) to see if any rules would need to be relaxed for this development to occur.
See Variances, p. 89.
See What a Development Officer can approve, p. 81.
See Understanding land use, p. 85.

This list may feel intimidating, but need not be. Call a Development Officer at Planning and Development for help or clarification.

## Tool: Planning parameters (limits)

Some matters **cannot** be considered within a planning context. The following are considered non-planning issues and Planning and Development does not consider these when assessing permit applications. It should be noted, however, that these issues can be part of the consultation process and may still be considered at Council if the issue proceeds to this level.
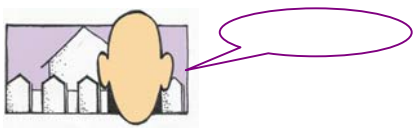
| | | |
|---|---|---|
| **Characteristics of users** | "Those people won't care for the property, they just rent." | The fact that a development will serve renters rather than owners is not a sufficient planning argument. Comments must address land uses, not land users. |
| **Likely economic benefits or losses** | "We will lose business on this street." | A development's likely impact on the tax base, on nearby businesses and/or on property values is not a planning consideration. |
| **Concentration of uses** | "There are too many bars already." | High concentration of a particular use within a neighbourhood is not a legitimate reason to deny a development within planning parameters. |
| **Social or moral differences** | "We can't have an immoral adult video store here." | Moral reasons are not sufficient for planning arguments that deny certain uses recognized in the *Edmonton Zoning Bylaw* (e.g., adult video stores). |
| **Personal opinion** | "It is ugly!" | Unless there are predetermined architectural controls, neighbours cannot argue against a development based on colours, finishes or other personal preferences. |

## SCENARIO: PRE-APPLICATION CONSULTATION ON DISCRETIONARY USE PROJECT

A developer wants to build four units of two-storey row housing on two lots that are zoned RF3 (Low Density Redevelopment). This is a discretionary use in a RF3 zone. A one-foot variance from side yard width requirements would be needed. Two older single-family homes would be demolished.
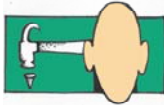
### Developer

Because the property falls within a Mature Neighbourhood Overlay, the developer must consult with all landowners within 60 metres of the site. Wanting to work with the community, the developer contacts the community league. He realizes that neighbours have concerns and would like to give them as much information as possible before going door to door.
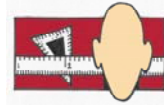
### Planning and Development

Planning and Development reviews the application for technical requirements and access provisions and gives written notice to surrounding property owners. The Department review is based on information from the notification, neighbourhood response and its own review of the project's impact.

### Community League

The community league receives a call from the developer and from neighbours. Some community members are asking the league to write a letter against allowing the development to proceed as a discretionary use.

### Consultation

The community league sets up a meeting with all parties so all voices might be heard. The developer decides to wait until after the meeting to seek signatures supporting the proposed development.

At the meeting, the developer explains the proposed development and shows architectural drawings and landscaping plans. He says that, because both existing older homes (which he has already purchased) are in dire need of repair, it is wiser to replace them with new housing. The units will be sold to interested homeowners. The proposed development complies with height restrictions, he adds, and follows the Mature Neighbourhood Overlay rules for development with the exception of the side yard width noted above. The developer also answers many questions.

The neighbours are pleased to see how well the proposed housing will fit the neighbourhood. Many are happy that these units will be owned rather than rented. Clarity has replaced uncertainty. After speaking to (and in this case receiving approval from) neighbouring landowners, the developer submits his Development Permit Application.

### Conclusion

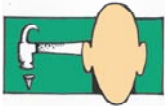The Development Officer (DO) decides this development has merit and warrants approval, especially given its landscaping and architectural features. He issues a development permit allowing the discretionary use of row housing on these RF3 lots with a slightly smaller side yard. The developer is happy that issues were simply and quickly resolved. The neighbourhood now enjoys its first successful row-housing development.
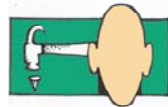
# Area-Wide Land Use, Transportation and Infrastructure Planning
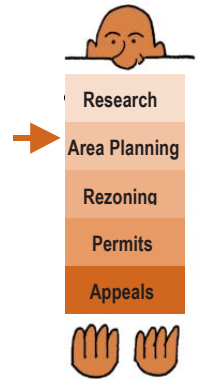
This section illustrates opportunities for consultation during the pre-development phase of subdivisions and major developments. Typically, these opportunities arise when the following plans are being developed and/or amended: Neighbourhood Structure Plans (NSPs), Area Structure Plans (ASPs), Servicing Concept Design Briefs and Area Redevelopment Plans (ARPs). It is a crucial time, as decisions such as how to lay out a subdivision and where the schools may be have major impact in shaping entire segments of the city.

The work required will not necessarily follow the same timeline for all players, but is outlined below in three stages: research, consultation and assessment.

|  | **Developer** | **Community** | **Planning and Development** |
|---|---|---|---|
| Goal | Secure approval of a "high level" plan such as a Neighbourhood Structure Plan, Area Structure Plan or Servicing Concept Brief. | Ensure any plans for adjacent lands are compatible with the existing community. | Verify that the plan meets all City departments' requirements and Council policies. |
| Key Question | What will this future community look like? | | |

| | Developer | Community | Planning and Development |
|---|---|---|---|
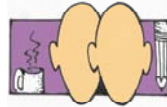
## BACKGROUND RESEARCH

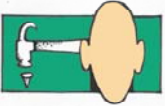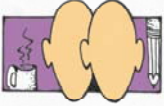| Steps | Obtain landowner support. A majority of the landowners in the undeveloped area must seek Council's approval to prepare an ASP/NSP (unless already designated suburban in the MDP).<br><br>Clarify all technical requirements, timelines and costs for the approval of high level plans e.g., location of services such as water, sewer, roadways, schools and parks, fire protection and other future land uses.<br><br>Hire specialists who can meet the technical requirements.<br><br>Review existing city-wide plans that may be relevant.<br><br>Review plans for adjacent communities.<br><br>Initiate contact with those communities to inform and consult. | Obtain a copy of the Municipal Development Plan and the Terms of Reference for the proposed ASP/NSP.<br><br>Verify which plans apply to your area.<br><br>Understand the relationship between the new plan and existing plans.<br><br>Attend Council hearing if you wish to speak to the initial Terms of Reference.<br><br>Note: Approval is not needed if the suburban area is already designated for suburban use in the Council-approved Municipal Development Plan (MDP). | Provide contact information, if requested, for parties such as EFCL, City staff, etc.<br><br>Consult with the developer on request regarding technical requirements, policies and established planning practices.<br><br>Perhaps facilitate contact between applicant and other City departments.<br><br>Answer citizen questions and provide information on request.<br><br>Perhaps prepare a Servicing Concept Design Brief or other plans and policies affecting the site in question.<br><br>Note: Before a developer submits a formal application, the department treats any proposal as confidential. If a developer has already raised the proposal with the community, the department may be able to discuss it. |
| Tools: Understanding Neighbourhood Plans, p. 52 | | | |

**Get your facts first, then you can distort them as you please.**
—Mark Twain, Author

| |  **Developer** |  **Community** |  **Planning and Development** |
|---|---|---|---|
| **CONSULTATION** | | | |
| Steps | Arrange to present the plans at public meetings, prior to formal application hearing.<br><br>Attend and speak at public consultation meetings.<br><br>Prepare final submission and present before Council at the public hearing. | Submit questions or concerns to both the developer and Planning and Development.<br><br>Work with City staff and the developer to hold one or more public meetings.<br><br>Circulate feedback and incorporate into further action.<br><br>Ask Planning and Development for a copy of their impact assessment.<br><br>If you wish to publicly support or oppose the proposed development, arrange to be on the public hearing speakers' list and attend the hearing. | If appropriate based on the complexity or impact of the proposal, suggest the applicant host a meeting or attend a community league meeting to make a presentation.<br><br>Ensure parties are aware of the planning exercise through a mailed notice of the plan.<br><br>Solicit input through public meetings.<br><br>Ensure that adjacent property owners and community leagues are notified of the public hearing.<br><br>Act as a resource for the community and developer upon request. |
| **EVALUATION AND REFINEMENT** | | | |
| | Review feedback and revise plan accordingly. | Review technical documents such as the City Transportation Plan, regional land use maps and any reports generated for the proposed plan. Assessing impact will likely be the community's key contribution to this process, although the plans are highly technical and difficult for lay people to critique.<br><br>Turn to City staff, as well as hired or volunteer experts who understand engineering and land use planning. Ask about impact on school enrolment, park space, safety and CPTED (see p. 96), walkability throughout the area and traffic connections. | Review the plan for conformity to Council's planning policies and bylaws, servicing standards and costs, etc.<br><br>Facilitate discussion and negotiation to ensure that the interests of the City, community and developer are met.<br><br>Act as a resource if desired by the league.<br><br>Prepare recommendations to Council after considering all the issues.<br><br>Answer questions at the public hearing. |

## TOOL: UNDERSTANDING NEIGHBOURHOOD PLANS

### Plans for new neighbourhoods

Some of the plans that apply to new, undeveloped neighbourhoods are outlined below and in the appendices, p. 101. For an exhaustive list of plans and the process for their development and approval, see *The Planning and Development Handbook for the City of Edmonton.*

### AREA STRUCTURE PLANS

An Area Structure Plan (ASP) sets out the general planning framework for large, undeveloped suburban areas. ASPs identify locations for residential, commercial, institutional and recreational developments and indicate how municipal services such as sewer and water systems, roadways, schools, parks and fire protection will be provided. These plans estimate the number of people expected in the new area and stipulate how development will be staged. Through proposed ASPs, developers must show Council they understand how the plan will impact the existing area, neighbouring communities and other parts of Edmonton. The ASP approval process generally takes four to six months or longer.

### NEIGHBOURHOOD AREA STRUCTURE PLANS

A Neighbourhood Area Structure Plan (NASP) is a "mini" ASP that applies to one or two neighbourhoods. The process for creating and adopting such plans is the same as for Area Structure Plans.

### NEIGHBOURHOOD STRUCTURE PLANS

A Neighbourhood Structure Plan (NSP) is a sub-plan within an ASP. Developers prepare NSPs for areas that will support approximately 4,000 to 7,000 people. NSPs are more detailed than ASPs and show proposed types, sizes and locations of various land uses, transportation networks (excluding local roads) and neighbourhood facilities as well as planned stages of development.[14] City planners review NSPs to ensure they conform to the ASP, provide required services and meet the forecasted housing needs for the area.

## Plans for existing neighbourhoods

Other plans regulate existing communities. Below are those most commonly used.

### AREA REDEVELOPMENT PLANS

An Area Redevelopment Plan (ARP) is a medium- to long-range community planning study undertaken at City Council direction to help guide the development of an individual community. ARPs can address land use (zoning), transportation issues, recreation, open space and some social issues. Extensive public participation is an essential component of the ARP process.

Although development officers are required to refer to ARPs to verify the community's goals for the area in question (particularly in the case of a discretionary use), the relative weight and consideration given to ARPs in Edmonton has changed in recent years. Development officers refer to the *Edmonton Zoning Bylaw* and Mature Neighbourhood Overlay more often than to ARPs, particularly those considered out-of-date.

### COMMUNITY PLANS

Community Plans are non-statutory rather than Council-approved bylaws, although Council does accept these plans by resolution. Compliance is voluntary and is not enforced by planning officials. A Community Plan can be initiated by any community that wants to identify goals for development and recommend practices that further the vision of the community.

For more information on plans, see Glossary, p. 101.

### Resources

*The Planning and Development Handbook for the City of Edmonton*, City of Edmonton, 2001.
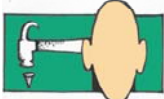Tel: (780) 496-6160; www.edmonton.ca

# Rezoning Property
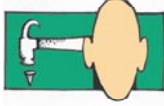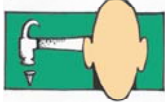
This section illustrates opportunities for consultation during a rezoning application. Players' potential for involvement, outlined in three stages (research, consultation and assessment), will likely vary and occur at different points.

Example: A developer wants to build a multi-family housing infill project on land that is zoned for single-family dwellings only. To make the project possible, the land needs to be rezoned (see p. 90 for more information on zoning).
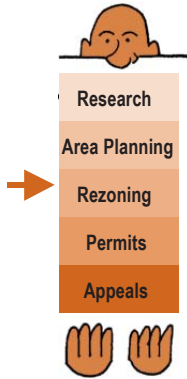
| | **Developer** <br> Can we obtain permission to rezone? | **Community** <br> Do we support the application for rezoning? | **Planning and Development** <br> Should the requested rezoning be approved? |
|---|---|---|---|
| Key Question | | | |
| **BACKGROUND RESEARCH** | | | |
| Goals | Make a compelling case for rezoning. | Remain abreast of proposed changes to local zoning. | Provide clear direction on what is required so the department can evaluate the proposed change in land use. <br><br> Provide a professional and technically sound recommendation to Council regarding the proposed zoning. |
| Steps | Research development possibilities, applicable plans and zoning. <br><br> Meet with Planning and Development to review the project. <br><br> Respond to all comments received from Planning and Development. <br><br> Develop options for consideration. <br><br> Clarify what other departments will require and prepare necessary research. <br><br> Discuss the preferred new zoning and land use requirements with Planning and Development. | Keep in touch with Planning and Development. Ask questions if something is unclear. <br><br> Know the overall community goals for planning initiatives. <br><br> Understand how the various plans apply to your community. <br><br> Understand the implications of rezoning for your area. | Review any applicable plans (e.g., Outline Plan, ASP). <br><br> Advise applicant of requirements, which may include pre-application community consultation, for example in Direct Control areas. <br><br> Evaluate how the proposed zone impacts surrounding land uses and compatibility. <br><br> Coordinate and review technical input from various civic departments and utility agencies. <br><br> Send public notification to property owners within 60 metres or more. <br><br> Provide information to the community, if requested. <br><br> Negotiate with proponent, as required, to achieve specific policy objectives. |

| | Developer | Community | Planning and Development |
|---|---|---|---|

### CONSULTATION

| | Developer | Community | Planning and Development |
|---|---|---|---|
| Goals | Obtain community support for plans and improve understanding of community needs in preparation for Council's public hearing. | Develop a position on the rezoning that encompasses the perspectives of the community and stakeholders. | Ensure appropriate public consultation and notice occur once the application is received. |
| Steps | Work with Community to jointly execute a consultation strategy.<br><br>Inform the community about the plan, receive feedback and address concerns. Present options, if possible.<br><br>In meeting with community, be open to alternative zoning options.<br><br>Meet with City Councillors to obtain support and provide information.<br><br>Participate in public hearing with City Council. | Work with the developer to jointly execute a consultation strategy.<br><br>Ask administrators to share conclusions regarding consequences of rezoning, impact on the area, etc.<br><br>Hold an expanded community meeting and/or small planning committee meeting. Organize the agenda and format to give all interested community members opportunity to provide informed input.<br><br>Inform the developer about the community's positions and where compromise may be possible.<br><br>Formally approve the community league position at a meeting.<br><br>Meet with City Councillors to obtain support and provide information.<br><br>If desired, register for and speak at public hearing. | In most cases (using discretion based on complexity or impact of the rezoning) suggest the applicant host a meeting or attend a community league meeting to make a presentation.<br><br>For Direct Control (DC) areas, provide requirements for pre-application consultation through the appropriate channels.<br><br>Solicit input through public meetings.<br><br>Act as a resource for the community and developer at their request.<br><br>When the proposed zoning does not conform to plan, hold a public meeting to discuss the proposal and the amendments required for approval.<br><br>Prepare recommendation to Council. |
| Tools | How to present at a public hearing, p. 57. | | |

| | Developer | Community | Planning and Development |
|---|---|---|---|
| **EVALUATION AND REFINEMENT** | | | |
| Goals | Provide good, clear information to the community with the view to presenting a joint submission to City Council. | Gain sufficient input and understanding to make an informed response to the application. | Evaluate the proposal, taking into account the adjacent land use, community impact, identified concerns, technical standards and compatibility issues. |
| Steps | Determine where you can offer to compromise.<br><br>Develop a win-win strategy.<br><br>Based on feedback, make final changes before submitting the application.<br><br>Speak at public hearing. | Examine the impacts for the most intense permitted use allowed on that site. Questions to ask:<br>- What is currently permitted?<br>- What could change under the new zoning?<br>- Does the proposal help to achieve the intent and expectations of any approved policies for the neighbourhood?<br>- How will the proposal (positively and/or negatively) impact the neighbours and the community?<br>- What precedent will this set?<br>- How are CPTED principles reflected in the application (see p. 96)?<br><br>Analyze whether it would be more preferable to have a Direct Control (DC) zone, with specific controls, or a regular zone.<br><br>Ask the department and developer about applicable plans and any other outstanding questions you might have.<br><br>Clearly articulate the terms and level of community support for the application.<br><br>Speak at public hearing. | Respond to technical questions from any party.<br><br>Evaluate the impact of the proposal.<br><br>Receive comments and input from the community.<br><br>Prepare recommendations to Council on the zoning application after considering community league, City and developer issues, balancing those interests with overall long-term development needs.<br><br>Convey the department's position and rationale regarding the rezoning application. |

## TOOLS FOR REZONING

### Tool: Preparing for a public hearing before City Council

The final decision on all land use rezoning applications is made by City Council at a public hearing. Every citizen has the right to address Council.

#### SOLIDIFYING YOUR POSITION

- Contact/meet with affected parties.
- Host public meetings in the community.
- Review and summarize relevant planning documents.
- Carefully document meetings, discussions and phone calls.
- Review the Planning and Development Report and Recommendations.
- Discuss any questions/clarifications with Planning and Development personnel and any other relevant City staff.
- Communicate in writing or in conversation with your Councillors, so they are aware of your position and can speak to the issue during the hearing.
- Seek advice from your Councillors.

#### PREPARING TO PRESENT

- Advise affected community residents of their opportunity to provide written and verbal submissions to Council at the public hearing. Note, however, that it is wise for each stakeholder group to limit the number of speakers. Avoid having several speakers repeat the same points.
- If you wish to speak at a Statutory Public Hearing, obtain a registration form online at www.edmonton.ca/meetings or call the Office of the City Clerk at 496-8178. You can also register to speak at City Hall before the meeting begins, but you may have to arrive very early to do this.
- Check with the Office of the City Clerk for more information. Schedules, agendas and minutes for all meetings are available through the Office of the City Clerk and on the City's Web site at www.edmonton.ca.
- Familiarize yourself with procedures by attending a public hearing of Council prior to your presentation.
- Take time to prepare a succinct, well-organized presentation. Each speaker has a maximum of five minutes.
- Practise and time your presentation, including any visual aids.

#### USING VISUAL AIDS

- Various audiovisual equipment is available for use when speaking before City Council, including a document viewer, VCR and PowerPoint software. Contact the Office of the City Clerk (496-8178) at least two days before the meeting to request use of any equipment you need.
- Meet with a City Clerk staff member to review how the equipment operates at least a day before your presentation.
- Whether or not you use audio-visual assistance, your presentation cannot be longer than five minutes.

## AT A PUBLIC HEARING

- You must be ready to speak on a given day, and you may have to wait. Do not count on Council addressing the application at a specific time.
- The Mayor introduces the items on the agenda, in the order established by Council.
- A senior planner describes the proposal and the reasons for the Planning Department's recommendation.
- Those in favour of the proposal or application are called upon to speak first, followed by those opposed.
- Each speaker is allowed five uninterrupted minutes, then fields any questions from Council. Each Council member may take five minutes to ask questions. There is no opportunity for rebuttal.
- Other civic experts (in transportation, engineering, law, planning, etc.) may be asked to provide clarification.
- Anyone may then address Council again, but only to respond to any *new* information introduced during the hearing.
- Council debates and then votes on the application. (Stay for this, to show your interest in the proposal.) A separate motion is made on each issue that requires Council decision or direction.
- Everyone who presents to City Council receives a notice in the mail outlining the decision. Contact the Office of the City Clerk (496-8178) with any questions. All minutes are also posted at www.edmonton.ca.

## PROTOCOL

- When called upon, come forward to the microphone.
- Speak directly into it.
- Introduce yourself and who you represent.
- You may submit a document with the signatures of those you represent, indicating you have permission to speak on their behalf.
- Address the Mayor as "Your Worship" or Mr./Madam Mayor.
- Address Councillors as "Councillor *Last Name.*"
- Raise only points that are relevant to the topic.

- Describe how the issue impacts you and those you represent.
- Review the contact/involvement you have had with the applicant, neighbours and/or community.
- State your reasons for supporting or opposing the item in question.
- Suggest ways to improve the proposal.
- Coordinate your presentation with other presenter(s) if you have many issues to cover. Three clear, concise presentations in 15 minutes work better than one complex and hurried presentation in five minutes.

**Do Not:**
- Rant—present the information calmly.
- Try to cover every issue—be selective.
- Appear close-minded—look for a compromise.
- Make claims you cannot support—be honest about your limitations.

**Remember:**
- Be prepared – rehearse.
- Be informed.
- Stick to the facts.
- Be fair.

### ANSWERING QUESTIONS
- Keep answers brief and to the point.
- Do not claim knowledge you do not have – just say, "I do not know."
- Do not lie or make up answers.
- Keep your cool, even if you do not like the tone or implication of a question.
- If you have spoken to your Councillors and they know the issues well, they may raise questions that you either forgot or did not emphasize during your presentation. This can be a strong element during Council deliberations.

### WRITTEN SUBMISSIONS
- Speak to the City Clerk's Office about submitting written material. It is recommended that you bring 20 copies of your submission.
- Submissions can be photos and must be typed or legibly written.
- To be included in the Agenda of Council, submissions must arrive at the City Clerk's Office at least a few days prior to the public hearing.

### RESOURCES
*Office of the City Clerk*
3rd Floor, City Hall, 1 Sir Winston Churchill Sq., Edmonton, AB T5J 2R7
Tel: (780) 496-8178
Fax: (780) 496-8175
E-mail: city.clerk@edmonton.ca

## Scenario: Rezoning to a Direct Control (DC) Provision

A developer has bought land zoned RA-7 (Low Rise Apartment Zone) and wants to develop an animal hospital. All of the land on the block is vacant and the houses on the north side are in very poor condition. The site is on a major arterial road in an older community that is seeing signs of revitalization as new families move into the area.
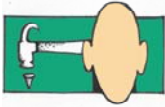
### Developer
The developer wants this site to be rezoned CB2 (General Business District). This zone would allow flexibility in the event the animal hospital proves not to be a viable business. The developer sees this as a convenient location for a needed service.
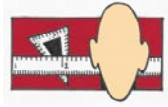
### Planning and Development
Planning and Development personnel clarify what the proposed zone can and cannot accommodate, inform the developer of pre-application consultation requirements and provide advice about conducting a traffic study. In addition, the department provides information at a community meeting.

### Community League
The community league chooses not to be involved. The league executive asks the developer to speak to interested neighbours.

### Community Members
Seeing a need to both retain old housing and develop new, community members do not want to sacrifice land that could be used for housing. The community is also concerned because a school and child's walking route lie along this arterial road. Community members are suspicious the developer will just flip the property to make some quick money.

### Consultation
The developer presents his proposal at a public meeting. Community members express their concerns and inform the developer that they will oppose this development. "This is a discretionary use in a CB2 zone, let alone within a residential area," they remind him.

The developer reconsiders and, at the next meeting, suggests he is now considering Direct Control (DC-2) zoning. Rezoning the site as DC-2 recognizes community members' concerns and gives site-specific control over the development (this is a unique aspect of DC zoning). Planning and Development attends the community meeting to provide information.

The developer conducts a traffic study that addresses the anticipated small increase in vehicular traffic. The developer agrees to use CPTED principles (see p. 96) in design to reduce potential for criminal activity near the development. Safety lighting to ensure full light at night and fencing to keep children safe are proposed.

### Conclusion
The community agrees to the animal hospital under DC-2 zoning, with specific building and landscaping limitations. The application is brought to Council, which approves the rezoning.

# Development Permit Application
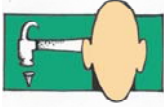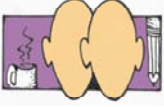
This section illustrates opportunities for consultation during a development permit application. The section includes considerations for all players, although their level of involvement will vary throughout this process. This work is outlined in three stages: research, consultation and assessment.
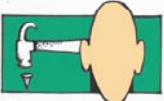
Example: A developer applies for a permit to develop three duplex units as infill in an established neighbourhood.
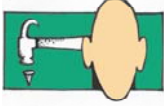
| | Developer | Community | Planning and Development |
|---|---|---|---|
| Key Question | Can we obtain a development permit? | Can we support the application for the development permit? | Will we approve the application for the permit? |
| **BACKGROUND RESEARCH** | | | |
| Goals | Integrate civic requirements and suggested improvements wherever possible so that an application can be submitted. | Understand the proposal and determine the changes, if any, required to meet community needs. | Provide clear information to the applicant, other departments and community members (on request) so that the process flows smoothly. |
| Steps | Meet with the development officer to develop plans.<br><br>Research and respond to all the suggestions received from Planning and Development.<br><br>Develop options for consideration.<br><br>Anticipate any concerns from City departments.<br><br>Submit the application. | Review the application.<br><br>Investigate the zoning and development rules for the area in question.<br><br>Request a CPTED assessment of the development (see p. 96).<br><br>Keep in touch with the developer and planners. | Prior to application, provide information and assistance about application requirements.<br><br>Circulate the application to applicable departments.<br><br>Provide the developer and community members with information and advice regarding permitted and discretionary uses under the applicable zoning. |
| Tools | *Edmonton Zoning Bylaw (*www.edmonton.ca) | | |

| | Developer | Community | Planning and Development |
|---|---|---|---|
| **CONSULTATION** | | | |
| Goals | With the community, jointly execute a consultation strategy.<br><br>Inform the community about what can and cannot be done. | Based on informed feedback from residents, inform the developer about the community's position and where compromise might be possible. | Verify that the required consultation methods have been employed (only required for overlays at this stage). |
| Steps | Inform the community about the plan, receive feedback and address concerns.<br><br>Demonstrate familiarity with the site and its context, including the proposed development and other uses in the area.<br><br>Show how the proposal helps achieve the intent and expectations of any approved policies such as an Area Redevelopment Plan or a Community Plan.<br><br>Demonstrate how the proposal will impact the neighbours and community.<br><br>Present options, if possible. | Take the lead with the Planning and Development Department and/or the developer to hold a public meeting and/or implement other participatory strategies.<br><br>Ensure that all interested community members have opportunity to provide informed responses to the proposal.<br><br>Be sure the subcommittee understands the proposal and general development requirements for the area. | Inform any inquirer what the developer can and cannot do within the zoning.<br><br>Respond to technical questions and provide information about planning parameters, when requested.<br><br>If any variance or discretionary use is involved, mail a notice to surrounding property owners. |
| Tools | Assessing the impact of a development, p. 64.<br>Maximizing participation, p. 18.<br>Receiving and assessing a notice of development, p. 67. | | |

| |  Developer |  Community |  Planning and Development |
|---|---|---|---|
| **EVALUATION AND REFINEMENT** | | | |
| Goals | Integrate feedback and obtain approval for a thorough application. | Based on clear direction from the residents, determine if the community can now support the application. | Accurately and fairly assess whether the application complies with zoning regulations and should be approved. |
| Steps | Based on feedback, make final changes.

Submit the application. | Ask the department to answer any other questions you might have.

Clearly articulate the terms and nature of community support to the developer and Planning and Development. | Assess and evaluate any responses from the community.

For discretionary uses only, take into account the suitability of surrounding uses, compatibility with the block, identified concerns and conformance with existing statutory plans (e.g., ASP, ARP, NSP).

Decide on application. |
| Tools | Checklist of development considerations, p. 66. | | |

## Tool: Assessing development impact

These elements form a checklist as you review the proposal.[15]

**Relationship to existing uses, surrounding buildings and streetscape?**
-Building appearance
-Building materials
-Impact on Neighbourhood
    (privacy, light, etc.)
-Mature vegetation
-Parking

**Compatibility: Fit into surroundings?**
-Height and bulk
-Building materials
-Relationship to neighbour
-Mature vegetation and
    landscaping
-Parking

**Safety: Apply CPTED principles**
(see p. 96)
-Open and visible space
-No lurking or hiding areas
-Adequate lighting and definition
    of space
-Controlled access

LOT COVERAGE

REAR YARD

PARKING

BUILDING HEIGHT

SIDEYARD

FRONT YARD

LOT DEPTH

LOT WIDTH
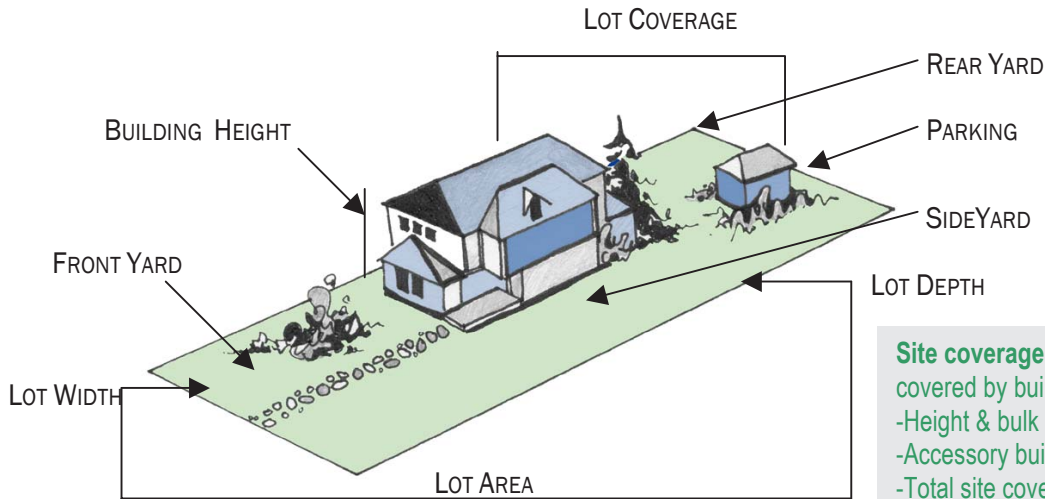
LOT AREA

**Site coverage** (percentage of lot area covered by buildings) for most residences:
-Height & bulk of house          28%
-Accessory buildings (all structures)   12%
-Total site coverage             40%
-House and attached garage       40%



Height
Flat    Sloped

1/2
1/2

Height
Gable    Hip    Mansard    Gambrel
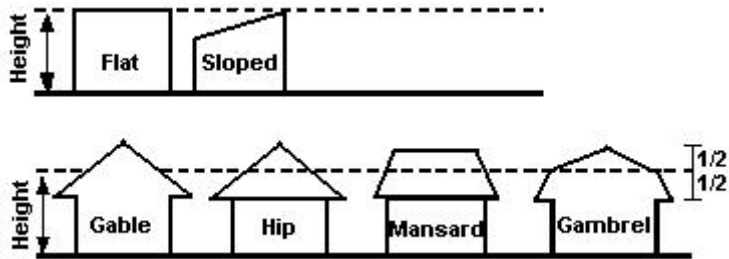
**Height**
No higher than 10m (32.8 ft.) nor 2 ½ storeys for single-detached, semi-detached and rowhousing zones.
No higher than 8.6 m (28.2 ft.) for Mature Neighbourhood Overlay areas.

## Tool: Checklist for development considerations (detailed)
Check the proposal and research the following:

### Zoning and plans
- What is the zoning for the proposed development site?
- Is there a plan for the area, and does the proposed development fit the plan?
- Would the development be a permitted or discretionary use?
- Do any overlays apply to the neighbourhood, such as the Mature Neighbourhood Overlay (see p. 83)?
- Does the proposed development meet conditions of the *Zoning Bylaw*?
- Check for any objections raised by City departments regarding the proposed use.
- Do any other plans apply?

### Appearance
- Photograph the existing site and surroundings. Obtain site diagrams and artist's renditions for the proposed development and compare these with the existing site.
- What are the specific changes to the site's appearance?
- Would minor adjustments to the exterior, landscaping, etc. make the development fit better with the neighbourhood? If so, those might be suggested as possible conditions.
- What development has historically occurred in the area? On the site?
- Has the area always been single-family homes, or have higher densities been allowed?

### Other perspectives
- What is the community league's position?
- What do the neighbours think?
- What do other community members, schools, shopkeepers and/or business owners think?
- What changes should be made to support CPTED principles (see p. 96)?

### Precedent
- What development has historically occurred in the area? On the site?
- Has the area always contained only single-family homes, or have higher densities been allowed?
- Has similar development occurred in comparable neighbourhoods? What were the effects on the community?
- Have other similar proposals been accepted? What variances were granted? These will act as a baseline for the Development Officer in determining what may or may not be allowed.

### Studies
- Review any relevant studies (traffic, CPTED assessment, environmental assessment, sun/shadow, soil stability).

## Tool: Receiving and assessing a Notice of Development

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**THE CITY OF Edmonton** — PLANNING AND DEVELOPMENT

DEVELOPMENT COMPLIANCE BRANCH
5th Floor, 10250 - 101 Street NW
Edmonton, Alberta
T5J 3P4

> This is the number to quote if you have questions about the application.

> Be sure to file any appeal by this date.

SOME COMMUNITY LEAGUE
SOME ADDRESS
EDMONTON, AB

Date:        Dec 24, 2002
Permit No:   24138415-001

> The Application for Development Permit has been APPROVED. This is your opportunity to appeal.

**Notification Appeal Period**

Start Date: Jan 07, 2003     End Date: Jan 20, 2003

**Notice to Property Owners**

**Dear Sir/Madam:**
The Development Officer for the City of Edmonton has approved a development permit that applies to a property near yours.  The proposed development is described below.

**The permit applies to the property at:**

**The proposed development is:**
   To construct a single detached house with a fireplace.

**Relaxation of:**

Section 8.4.17.4.1(i) relaxed - The minimum site area shall be 312 sq.m. for each Single Detached Dwelling.

Existing: 211.4 sq.m.
Deficient by: 100.6 sq.m.

Section 8.4.17.4.4 relaxed - The maximum site coverage for a principal building shall not exceed 28%.

Proposed: 31.5%
Excessive by: 3.5%

Note: Variance granted pursuant to Sections 11.3 and 11.4. Subject to the right of appeal. (Reference Section 21.(1).)

> This is the PROPOSED USE. Note: Zoning is not provided on the notice, so it is unclear whether it is a permitted or discretionary use. Look up zoning for this parcel. Check if permitted or discretionary.

> List of the VARIANCES granted for the proposed development under the existing zoning.

For more information on this development permit, please telephone the Customer Information Centre, at 496-3100 or visit our offices at 5th Floor, 10250 - 101 Street NW, Edmonton, Alberta T5J 3P4. Our office hours are from 8:00 a.m. to 4:30 p.m., Monday through Friday.

**We are letting you know of this permit so that if you object to this proposed development, you may appeal the Development Officer's decision to the Subdivision and Development Appeal Board within 14 days of being notified.**

Appeal forms and more information on the appeal process are available from the Subdivision and Development Appeal Board, Office of the City Clerk, 3rd Floor, City Hall, 1 Sir Winston Churchill Square, Edmonton, Alberta T5J 2R7, or telephone 496-6079.

> You can call to alert the City of your intention to appeal. Note: Ask about how you can formally notify the City and pay the fee at City Hall.

> Call this phone number and quote the permit number (above) to learn the name of the Development Officer. You can arrange to meet with the officer and look at the drawings before making any further decisions about whether you want to appeal.

## Edmonton case study: Stalled multi-family development proposal

A prime scenic property, zoned for institutional use, becomes available because an expanding non-profit organization needs to sell the land. To realize the full value of the once-considered useless land, the organization chooses to have it rezoned to multi-family residential. A developer is found to buy the property.
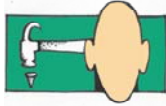
**Developer**
Keen to develop multi-family dwellings, the developer approaches the community league to consult on a new building.
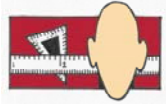
**Planning and Development**
Planning and Development was involved throughout the process.

**Community League**
The community league does not feel equipped to respond. Largely a program-oriented league, it has no interest in planning or political matters.

**Unofficial Community Committee #1**
Instead, a committee of community members interested in the proposed development forms to meet with the developer.

**Unofficial Community Group #2**
Discovering the project late in the process, these community members are deeply opposed.

### Consultation

Initially, most in the community want the land returned to parkland. Weighing the issues, committee #1 decides the residential concept is preferable to other potential developments under the existing zoning, which permits such uses as group homes. While not entirely happy with the proposal, the committee feels it is the best they can get. Committee and developer negotiate for what they feel is the best possible compromise.

After the committee's work is done and the project announced, other community members become aware of the proposal and vigorously oppose it. A huge upswell of opposition is organized in the neighbourhood. Specifically, upset community members (Group #2) disagree with the first committee's judgment about the necessity of compromise, believing there were other options. Group #2 asks the community to vote on various options, giving the impression the vote will be taken into account by decision-makers.

### Conclusion

The fragmented process left its mark:
- A deeply divided community
- Huge political and ongoing legal battles
- Ostracized volunteers
- An attack on the community league executive and
- A severely delayed project (by three or four years)

### Learning

All parties must make every effort to keep the ENTIRE community involved in consultation and negotiation. Maximizing participation may feel tedious, but it pays off. Err on the side of too much rather than too little. Effective community league representation and accountability is especially important for larger developments. Committees should be properly empowered and should report back to the larger community on a regular basis, so as to include the broader community in the process.

In difficult situations, such as this, the City may develop an expanded consultation process that might include extra public meetings, department-facilitated negotiations, hiring an outside facilitator, and giving information about civic policies.

Consultation efforts should aim for the best solutions for all and not the least objectionable compromise. This may seem a subtle distinction, but all parties need to be sure that the project is the best possible scenario. Defending a negative worst-case solution is neither easy nor pleasant for anyone.
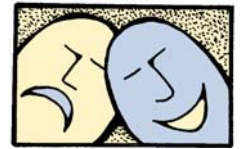
## Scenario: Three points of view on a commercial development

A developer wants to build a restaurant, probably a franchise such as Tim Hortons, on a busy road next to a major sports facility. Zoned CB-1, the lot was formerly a car wash, and before that a service station. The lot is intended for low intensity commercial, office and service uses, the sort often located along arterial roadways that border residential areas.
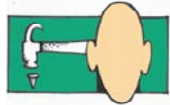
### Developer
The developer has completed all of the environmental reclamation work and has reviewed the zoning. Having done her homework, she is ready to approach the community about her plans.

### Planning and Development
The Development Officer explains the option of changing the zoning to a Direct Control zone. He clarifies the process and asks good questions about traffic in a drive-through coffee shop. He suggests the developer build in a way that minimizes the impacts of sound, garbage, storage, etc., on adjacent neighbours.

### Community League
This inner city community is saturated with liquor stores, adult video stores and pawnshops. Residents are worried about the possibility of another unwanted use on this vacant parcel of land. Community members are unhappy with the CB-1 zoning as they know from experience that if the business originally intended for the lot does not thrive, other permitted but unwanted uses could move in. Under a CB-1 zoning, the community could not oppose those uses.

### Consultation
Before submitting an application, the developer consults with the community by meeting with the community league. She hears their concerns about the use and the current zoning.

The community works with the developer and asks that she consider very site-specific controls. These controls would specify that the site could only be developed for a commercial storefront and that it could never be a liquor store, adult video store, etc. The developer agrees to this site-specific DC zoning and assumes the expense and additional time associated with a public hearing before Council.

### Conclusion
Once all three parties agree with the proposal, the developer hand-delivers letters to all adjacent neighbours. When she presents the proposal at Council, the community expresses its support. Council approves the rezoning.
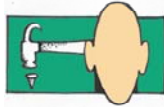
The community is very happy as the lot has been vacant for years and this new business will positively contribute to the community. Both the league and the developer look forward to seeing their local Timmy's open its doors.
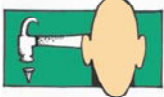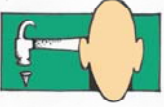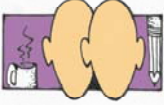
# Appeals

This phase illustrates opportunities for consultation during an appeal. Appeals are made to the Subdivision and Development Appeal Board (SDAB) and/or to the Court of Appeal (see next pages). Specific actions and steps will depend on who appeals the decision and whether the development officer approved or refused the application.

| | Developer | Community | Planning and Development |
|---|---|---|---|
| Key Question | Can we win the appeal? | Do we support the appeal? OR Is it worth the time and resources to appeal this project? | Will the appeal result in a significant precedent or conflict with City policy? |
| **BACKGROUND RESEARCH** | | | |
| Goals | Develop persuasive arguments and/or make compelling changes to support or overturn the decision. | Secure sufficient information to determine whether and how to be involved in an appeal. | Provide clear rationale for the decision to support or refuse the application. |
| Steps | Develop a clear understanding of the basis for the rejection, including level of discretion allowed, variances, etc.<br><br>Develop well-researched arguments to substantiate keeping or changing the decision. | Understand exactly why the project was approved or rejected.<br><br>Review all relevant planning documents. Take photos of the site and neighbouring area.<br><br>Clearly understand the community position on this project.  Note: If you are speaking on behalf of the community league, be sure that you have direction from the community. The league must understand community viewpoints, and the person representing the league needs to clearly understand the league's official position.<br><br>Develop persuasive arguments to support and/or overturn the decision. | Provide advice on policy interpretation and potential impacts if significant issues arise. |
| Tools | Development permit approval with variances, p. 93 | | |

|  | Developer | Community | Planning and Development |
|---|---|---|---|

**CONSULTATION**

| | Developer | Community |
|---|---|---|
| Goals | Secure community support for developer's position on the appeal. | Develop a community position and appeal or oppose the appeal. |
| Steps | Arrange to meet with the community league. | Organize a meeting of the community league or planning subcommittee. |
| | Present a rationale for supporting or overturning the decision. | If acting as the appellant, file the appeal. |
| | Understand community priorities and show how this proposal advances those aims. | Encourage affected residents to attend the appeal hearing or write letters. |
| | Show how impacts of approval are dealt with OR are not an issue. | Have the community league write a letter to Subdivision and Appeal Board (SDAB). |
| | If acting as the appellant, file the appeal. | Prepare position, outline points and prepare presentation. |
| | Solidify your position, outline points and prepare a presentation. | Appear at SDAB to present a position. |
| | Appear at SDAB to present a position. | |
| Tools | Understanding Subdivision and Development Appeal Board process, p.73<br>Hints for making appeals, p. 75 | |

| | Developer | Community | Planning and Development |
|---|---|---|---|
| **EVALUATION AND REFINEMENT** | | | |
| Goals | Make whatever changes are needed to secure approval. | Assess the decision and determine any further action, if necessary, with clear direction from the community. | |
| Steps | Demonstrate to SDAB how civic and community concerns are not a factor or are addressed in the revised proposal. | Determine if approval or rejection is important enough to require further community action.<br><br>Clearly articulate the terms and nature of community support for the project, in whatever form, with the developer and Planning and Development.<br><br>Ask the department or SDAB to answer any other questions you might have. | As the SDAB is independent of Planning and Development, the department simply responds to all technical questions when an application reaches this stage. |
| Tools | Understanding Subdivision and Development Appeal Board process, p. 73<br>Considering the Court of Appeal, p. 76 | | |

## Tool: Understanding Subdivision and Development Appeal Board process

### WHO AND WHAT

The Subdivision and Development Appeal Board (SDAB) is an independent body of Edmonton citizens appointed by City Council. The SDAB hears appeals from persons affected by Development Authority and the Subdivision Authority decisions. In this case, Planning and Development serves as these authorities.

Most appeals (80%) come from applicants challenging a Development Officer's decision to refuse or put certain conditions on an application. The remaining appeals are launched by neighbours and other concerned citizens.

Subdivision appeals may only be lodged by the developer (or in some cases the Province of Alberta), although other affected parties may attend a subdivision appeal hearing.

### TIMELINE

- The completed appeal form and fee must be received by the Office of the City Clerk within 14 days of the date of receipt of the Development Officer or Subdivision Authority decision.
- The SDAB must hold a hearing within 30 days of receipt of a written appeal.
- The SDAB notifies the applicant/appellant and all adjacent property owners of the appeal a minimum of five days before the hearing.

### PREPARING FOR SDAB

- Make at least five copies of materials, one for each SDAB member.
- You may wish to seek professional advice or ask someone else to present your case, although citizens often represent themselves.
- If there is doubt whether the SDAB has the legal right to hear the appeal, it may be important to seek professional advice.
- To become more familiar with the process, consider attending a SDAB hearing before the date of your own hearing.

Tool: Hints for making appeals, p. 75

- Do not speak to members of the Subdivision and Development Appeal Board (SDAB) about an appeal or a potential appeal; this will disqualify them from participating in the hearing. Likewise, SDAB members do not discuss appeal cases with the Development Officer or the Subdivision Authority before hearings.[16]

- Those opposed to the decision speak first. There is no time limit for presentations.

- The SDAB makes its decisions behind closed doors, so you will not hear the debate.

- Decisions must comply with existing legislation and any other statutory plans. The SDAB may waive regulations of the *Zoning Bylaw*, however, if it feels the proposed development does not "unduly interfere" with neighbourhood amenities or conflict with the use prescribed in the *Zoning Bylaw* for that property.

- You will be called in to hear the decision. A written decision is issued within two weeks.

- SDAB decisions may be appealed to the Court of Appeal, but only on a point of law.

RESOURCES

*City of Edmonton Web site*
www.edmonton.ca

## Tool: Hints for making appeals

An appeal is a special type of presentation. Here are some suggestions for preparing appeals to both the Subdivision and Development Appeal Board and the Court of Appeal (see p. 76).

- Provide clear, concise and logical reasons.
- Be prepared to summarize your presentation.
- Specifically address the reasons stipulated in the refusal or statement of conditions.
- Be familiar with the site.
- Practice your presentation before you arrive.
- To help decision-makers understand your position and proposal, consider bringing photographs, illustrative material, well-prepared drawings or written submissions that everyone can read.
- Provide at least five copies, one for each SDAB member.
- Ask neighbours affected by the development to give you their written support or to speak at the presentation.
- Encourage attendance at the meeting. Decision-makers often gauge the level of interest by the number of people participating.

**Tool: Considering the Court of Appeal**

CONSIDERATIONS

The decision to proceed to the Court of Appeal cannot be made lightly, for the process requires a good deal of resources and time. Seriously consider retaining the services of a lawyer if your issue proceeds this far. Furthermore, be aware that there is no guarantee of success. That said, some important cases and issues have been resolved at the Court of Appeal.

TIMELINE

To challenge an SDAB decision, you must apply for a Leave to Appeal with the Appellate Division of the Alberta Supreme Court within 30 days of the decision date. (SDAB decisions are usually issued within 15 days of the hearing.)

CRITERIA FOR APPEAL

The decision of the Subdivision and Development Appeal Board is final unless it can be shown that the SDAB erred in one of these two areas:

- A matter of law (either in interpretation or application) or
- Jurisdiction (a decision was unclear, contradictory or ambiguous or illegitimate planning objectives were used)

# After Consultation is Complete: All over but the building

## THE BUILDING

If the finished development raises questions about the building code, the *Zoning Bylaw*, planning process or other building rules, consult with the City Planning and Development Department or call an architect or planner. These professionals know, or can find, the answers to your questions.

## LEARNING FROM THE EXPERIENCE

As you evaluate the consultation process, ask yourself:

- How did the process go? What went well? What could we have done better?
- Did all parties have the information needed to make wise decisions? If not, why not?
- Did any participants complain about the process? Why? Were these complaints valid? What could we have done to avoid that complaint?
- Did any participant compliment us on our role in the process? Why? How can we build on these strengths?
- What skills were lacking?
- What skills did we discover?
- Do we need to engage specialists or can we be better trained to facilitate the process in the future?
- Did the specialists we engaged meet the requirements?
- Did we get the information we wanted?
- Even if community members did not get the result that they had hoped, are they satisfied that they were heard and that we considered their views?

This evaluation is crucial, although it should be simple enough to avoid eating up too much energy. Keep the methodology proportionate to the time spent on consultation.[17]

## CONCLUSION

Consultation has many objectives, approaches, aims and results. The process is not linear, but roundabout. The milieu of public opinion, negotiation and consensus-building is more like a series of crazy traffic circles heading in a general direction than a precisely aligned set of intersections.

The over-arching purpose of consultation is to build mutual understanding of all stakeholders' needs and positions and, to the greatest extent possible, accommodate those needs. Sometimes all needs cannot be satisfied. That does not necessarily mean the consultation process has failed, particularly if the parties apply what they have learned to successfully shape Edmonton's future.

Research

Area Planning

Rezoning

Permits

Appeals

**"Individual commitment to a group effort—that is what makes a team work, a company work, a society work, a civilization work."**

—Vince Lombardi

# Understanding Planning in Edmonton

## Framework for Planning

### MANY ELEMENTS TO CONSIDER

Many seemingly unrelated elements affect the planning process. When only certain elements are considered, gears may grind. When all elements are taken into account, it goes smoothly. This section explains some of the elements that drive the planning process.

NATURE / ENVIRONMENT

THE LAW / REGULATIONS

SOCIAL / HUMAN FACTORS

INFRASTRUCTURE REQUIREMENTS

PHYSICAL FACTORS (BUILT FORMS)

ECONOMIC CONSIDERATIONS

Dimensions of Planning

EMOTIONAL FACTORS

DEVELOPER INTERESTS

CITY AND COUNCIL INTERESTS

COMMUNITY INTERESTS
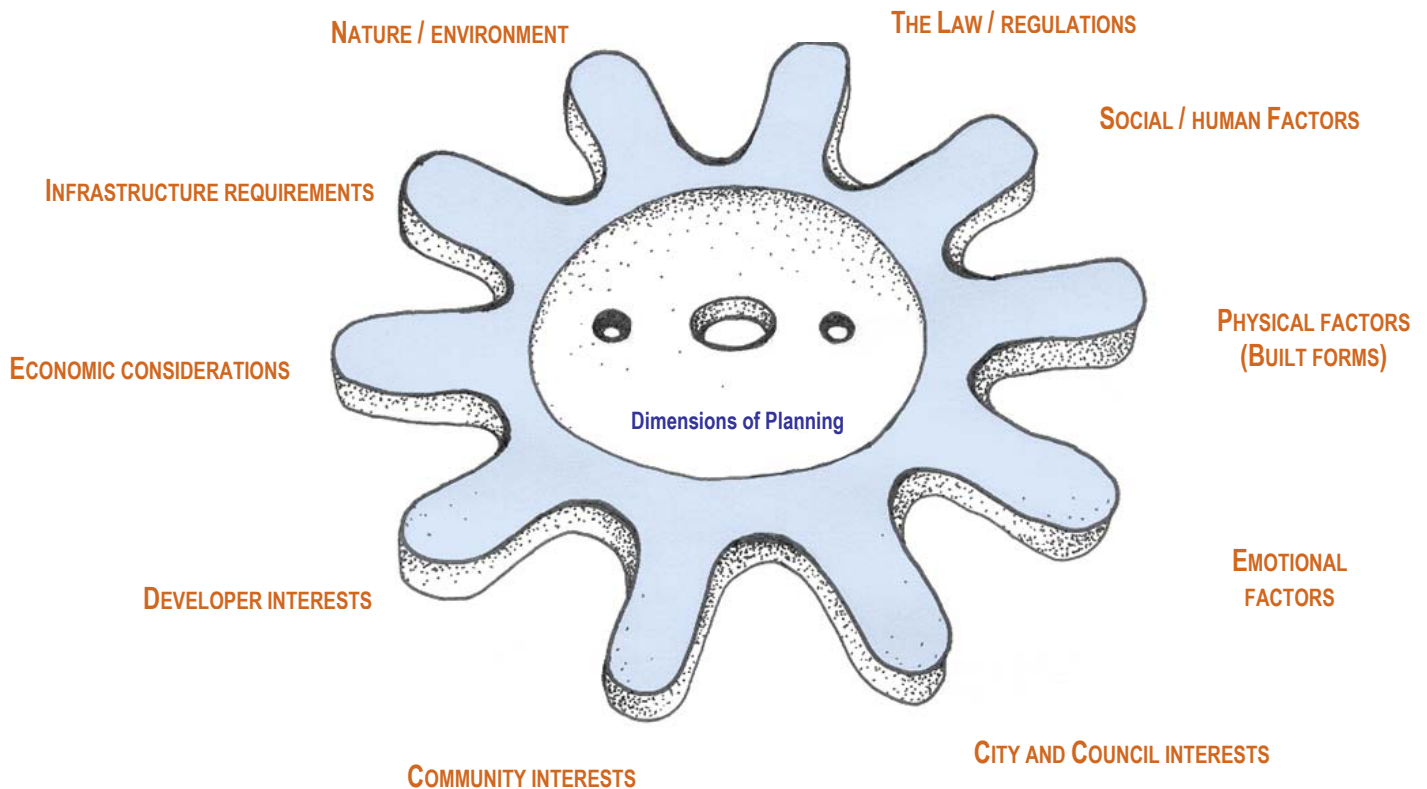
## OVERVIEW

Municipal planning is not just a reasonable thing to do; it is required by law. The Province of Alberta's *Municipal Government Act* details what municipalities can, should and must do regarding land use planning. When entering this arena, it is crucial to understand the legal connections, laws, plans and regulations that govern planning.

The City of Edmonton has an overarching plan—*Plan Edmonton*—that provides general direction for the city's growth. Several detailed plans cover various aspects of redevelopment and new development. These policies are fleshed out in the *Edmonton Zoning Bylaw*, a document outlining the exact rules for developing projects. This "rule book" is very detailed. Among other things, it sets the ground rules for obtaining necessary permits.

The following chart illustrates how these plans make up Edmonton's planning framework.

### RESOURCES
See Glossary, p. 101 for a description of these plans.
See *Edmonton Zoning Bylaw*, p. 82 for an overview of the plans that may apply.
See Legislation: Where to find it, p. 128.
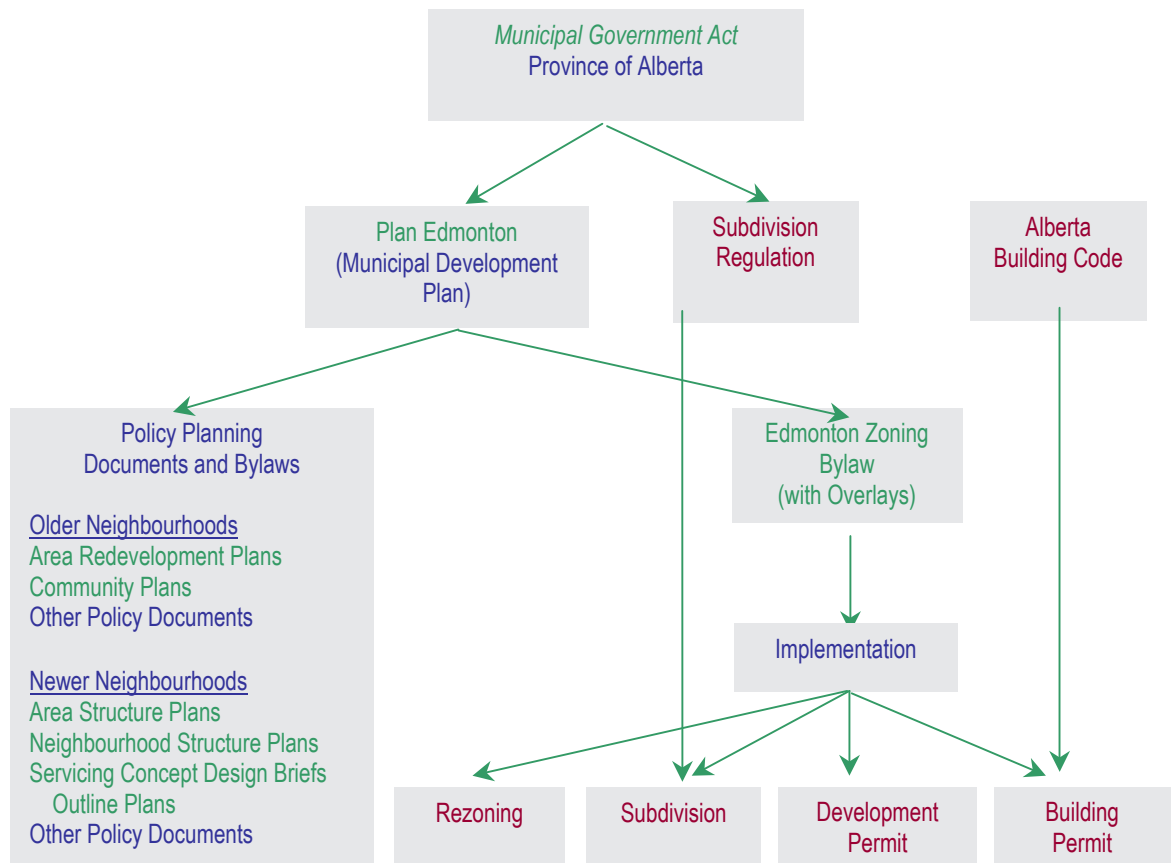
## PLANNING AND DEVELOPMENT DEPARTMENT STRUCTURE

Planning and Development is organized into three branches, each with specific functions. For this guide, the most relevant are the Planning and Policy Services Branch and the Development Compliance Branch.

- **The Planning and Policy Services Branch** provides advice and services to ensure the efficient and orderly development and use of land needed for a safe, healthy, attractive, vibrant and sustainable community. Services include subdivision and bylaws, urban design and heritage, environment, current planning, long-range planning, socio-economic and demographic information, and maps and publications.

- **The Development Compliance Branch** protects citizen health and safety by ensuring compliance with City bylaws and agreements, the *Municipal Government Act* and the Alberta Safety Codes Act. Services include building and development permits, plan inspections, animal control and compliance.

- **The Assessment and Taxation Branch** ensures a tax assessment base that meets approved funding and complies with the *Municipal Government Act* while maintaining a stable balance between the relative share contributed by residential and non-residential property owners.

### Planning and Policy Services Branch

Responsibilities
- Accept Applications
- Policy advice and review
- Resolve problems
- Formulate recommendations to Council

**Key Staff: Planners**

Responsibilities
- Recommend policies and guidelines for land use, environmental care, housing, etc., based on demographic, economic, cultural, social and environmental research
- Prepare plans for developing private lands, providing public spaces and services and maintaining the environment
- Consult with landowners, interest groups and citizens
- Speak before public meetings or formal hearings
- Verify that consultation requirements of the *Edmonton Zoning Bylaw* are met

### The Development Compliance Branch

Responsibilities
- Accept or deny development and building permit applications
- Negotiate agreements for the services and improvements needed to develop raw land
- Ensure that permit conditions, building codes and other requirements are met

**Key Staff: Development Officers (DOs)**

Responsibilities
- Administer the *Edmonton Zoning Bylaw*
- Decide on Development Permit Applications:
  - Review each application
  - Decide, with or without conditions, on applications for development of a Permitted Use (Class A)
  - May relax some regulations. Any variance in maximum height, floor area ratio or density, however, turns the approval into a discretionary (Class B) permit, even in a zone where the use is permitted
  - Decide on applications for a development in a Direct Control Provision
  - Decide on discretionary uses (Class B), with or without conditions, where the proposed development would not, in his or her opinion:
    - unduly interfere with the amenities of the neighbourhood;
    - materially interfere with or affect the use, enjoyment or value of neighbouring properties.

## EDMONTON ZONING BYLAW

Think about the complexity of a city. Now imagine how that city might look if all its houses, parks, stores and factories were built with no standards and no consistency. To guard against this and encourage good, orderly development, the City has established rules as set out in the *Edmonton Zoning Bylaw.*

### Intent

- Regulate the use of land in Edmonton.
- Set such basic standards for development as site coverage, density, building height, yard dimensions, landscaping, road setbacks, flood plains and parking.[18]
- Provide a key tool for implementing all land use and development policies as expressed in the various plans, briefs and legislation.
- Guide the land use rezoning and development permit approval processes (See Development permits, p. 93; Land rezoning, p. 90).
- Regulate the type and mix of housing permitted in a neighbourhood, the location and type of shops and services and the development potential of each property.

### Approach

- Divides the city into a series of zoning categories (districts) as shown on the zoning map.
- Describes the types of uses allowed in the various districts.
- Lists permitted and discretionary uses and development rules (minimum standards) for each land use.
- Defines and interprets planning terms.
- Sets out procedures and criteria for processing land use changes (rezoning).
- Provides procedures and criteria for responding to development applications and appeals.

The *Edmonton Zoning Bylaw* was adopted in 2001, superseding the *Land Use Bylaw.*

RESOURCES
*Online Zoning Bylaw*
http://www.edmonton.ca
*(under Planning> Zoning Bylaw)*

## Overlays

The term "overlay" refers to a special set of regulations imposed in addition to the basic zoning rules. These overlays are topical as well as geographical. That is, each overlay applies to specific and defined areas such as commercial strips or mature neighbourhoods. These overlays are adopted by Council and form an integral part of the *Zoning Bylaw*. Pay close attention to the overlays that apply to the land parcel in question. Zoning maps explain which overlays apply to what areas.

Example: Consider an area zoned CNC (Neighbourhood Convenience Commercial Zone). This area may have much different requirements when the Pedestrian Commercial Shopping Street Overlay applies. Depending on the proposed use, parking requirements or allowable height may vary.

### MATURE NEIGHBOURHOOD OVERLAY

One of the most common overlays is the Mature Neighbourhood Overlay (MNO), whose purpose is to ensure that new low-density residential development in Edmonton's mature neighbourhoods is sensitive to existing development. To this end, the overlay specifies such development regulations as scale, privacy, sunlight penetration and parking. This overlay applies to sites zoned RF-1, RF-2, RF-3, RF-4 and RF-5 within established neighbourhoods. Regulations in the MNO include:

- Where back lanes exist, there shall be no parking on the front of the property and no vehicle access from the front roadway.
- The floor area of the top storey of a 2½ storey building cannot be more than 50 per cent of the structure's second storey floor area.
- When a development permit application does not comply with the regulations in the MNO, the applicant shall:
    - Contact the affected parties (neighbours and the community league) at least 21 days prior to submission of a Development Application
    - Outline any requested variances to the overlay and solicit comments on the application
    - Document any opinions or concerns, expressed by the affected parties, and what modifications were made to address their concerns
    - Submit this documentation as part of the Development Application.

### RESOURCES

*City of Edmonton Web site*
For a complete index and map of overlays that may apply to your parcel of land, go to the online zoning bylaw, and find the map at the end of the document:
www.edmonton.ca

*Mature Neighbourhood Overlay*
www.edmonton.ca

## WHAT ELSE APPLIES TO THIS PARCEL?

After you reach for the zoning map and know the rules for developing the proposed project on the proposed site, be sure to check for other relevant overlays, policies and plans. Do not skip this step, as these parts of the bylaw and other related plans and policies can radically alter allowable uses and development requirements.

Below, a list of plans, policies and elements within the *Edmonton Zoning Bylaw* that may apply to the development proposal you are investigating. Note that older and newer communities have different applicable plans.

From the most general to the more specific, be sure to consider:
- Plan Edmonton
- Area Structure Plans (newer communities)
- Mature Neighbourhood Overlay (older communities)
- Other overlays (see p. 110)
- Neighbourhood Area Structure Plans (newer communities)
- Servicing Concept Design Brief (newer communities)
- Community Plans (older communities)
- Area Redevelopment Plans (older communities)
- Other policies (Historic Resource, Airport Vicinity, University, Ribbon of Green, River Valley, Transportation, etc.)

# Understanding Land Use and the Zoning Bylaw

## LAND USE ZONES

Land Use Zones are divided into major categories such as residential, commercial, industrial, urban service and direct control. These are further sub-divided into smaller categories such as RF-1 (single-detached residence), a residential zone; AP (public parks), an urban service zone; or CB-2 (general business), a commercial zone.
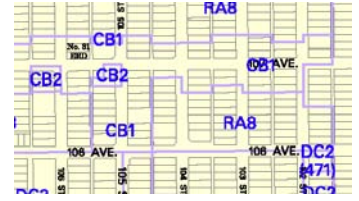
For planning purposes, *"Use* means the purpose or activity for which a piece of land or its buildings are designed, arranged, developed or intended, or for which it is occupied or maintained."[19]

You may hear people use the terms z*ones, designations* and sometimes *districts* to refer to the various land use zones. In Edmonton, *zone* is the preferred terminology.

## LAND USE CATEGORIES

Land Use *Categories* or *Classes* organize specific uses, such as houses, shops, industries and parks. Each Land Use Zone allows certain specific uses. For example, land zoned RF1 can contain single-detached houses but not an equipment repair shop. Land zoned CB2 (General Business Zone), however, can contain the repair shop.

See the process as outlined on page 46 to apply these planning categories to a specific development.

For Land Use Categories, see p. 106.

### RESOURCES

You can access information about your proposed project by locating its proposed use within the "Land Use Categories" on the City of Edmonton Web site. In the Planning section you will find a listing of zones where that use is either permitted or discretionary (see p. 93).
www.edmonton.ca

## TYPES OF DEVELOPMENT

Proposed development of any type must conform to the *Edmonton Zoning Bylaw* and any other applicable plans (see p. 84). Furthermore, all developments require a development permit. Some types of developments you might encounter are listed below.

### New Development

Once a subdivision has been approved, new residences and development can occur within the parameters of *Edmonton Zoning Bylaw* and any other plans (see p. 84).

### Infill Development

Infill "fills in" land parcels in existing neighbourhoods. A development permit and a building permit are required. "Infill" can be residential, commercial, institutional or industrial development. Often these developments involve more "intense" use than the original use.

See especially Residential Zones, p. 106.

### Commercial

Built for commercial uses, these developments include office buildings, retail and service outlets. They occur in areas designated for commercial uses and encompass a wide variety of building types and sizes.

See Commercial Zones, p. 107.

### Multi-Family Dwellings and Multi-Use Facilities

This category encompasses a wide variety of developments that might include row housing, apartment complexes, retail and residential mixed-used buildings. These developments tend to be larger and may have a greater impact on the community. They take more time to assess and process as all parties negotiate allowable uses, zoning parameters and specific development rules such as parking and height restrictions.

See Assessing a proposed development, p. 64.

## PERMITTED AND DISCRETIONARY USE

A development can be considered when its proposed use appears in the list of *permitted* or *discretionary* uses for that zone.

- **Permitted uses:** Uses that are well-suited to a particular land use zone, and thus automatically allowed there.
- **Discretionary uses**: Uses that seem to be compatible within the land use zone, and thus may be allowed. Each application must be reviewed on its own merit to verify that it does not have a detrimental impact on the surrounding area.

Permitted and discretionary uses are defined for each land use zone of the *Edmonton Zoning Bylaw*. The uses identified as *permitted* or *discretionary* cannot be changed without amending the list of uses within the specific zone or by a site-specific rezoning (see Land rezoning, p. 90).

Decisions on discretionary uses and variances may be appealed to the SDAB (pp. 73, 94).

### RESOURCES
See the City of Edmonton's *Zoning Bylaw Matrix* for a list of land use zones where specific use categories are either permitted or discretionary.
www.edmonton.ca

## DEVELOPMENT RULES: PARKING, SITE COVERAGE AND OTHER REQUIREMENTS

For each zone and each use, a variety of development rules and requirements apply. See the specific requirements for the development that concerns you. Some examples follow.

**Parking** is a necessary requirement for most developments. All variables of parking should be considered, including number of spaces, accessory parking, handicapped parking, bicycle spaces and loading zones. The USE of the building (e.g., restaurant, apartment block, factory) can also affect the number of required parking spots for that development.

**Site Coverage** is the total horizontal area of all buildings including accessory buildings. For most infill houses, for example, the site coverage allowed is 28 per cent of the total site.

**Height** of development is an issue for most zones. Every zone has a maximum height restriction. The restriction for most single detached houses is 2½ storeys.

**Landscaping** is the preservation or modification of a site's natural features. Some developments in some zones must have a landscaping plan.

**Density** is the number of residential units per hectare. Does not apply to the number of people or bedrooms; rather, to the number of units. A single detached house is one unit.

Tool: Assessing a proposed development, p. 45.

## VARIANCES

Variances are instances where development rules have been relaxed to allow flexibility for sound planning decisions.

In general, a Development Officer can approve variances (with or without conditions) if the proposed development fits these criteria:

- Does not unduly interfere with neighbourhood amenities
- Does not materially interfere with the use, enjoyment or value of neighbouring properties
- Conforms with the use prescribed for that land or building

Development Officers shall:

- Consider a variance only in case of unnecessary hardship or practical difficulties peculiar to the use, character, or situation of land or a building—factors not generally common to other land in the same zone
- Not consider (except as otherwise provided in the *Bylaw*) variances of maximum height, floor area ratio and density and the regulations specified in the Airport Protection Overlay*
- Consider the general purpose of the appropriate zone

Note: Only development rules can be relaxed. The USES allowed in a district cannot be modified or relaxed. Developments are only allowed if the proposed use is included in the lists of uses for the district.**

Development permits with variances may be appealed to SDAB (p. 94).

### RESOURCES
See the *Edmonton Zoning Bylaw* for more details.
See Notice of approved development, p. 67.

**There is no useful rule without an exception.**
—Thomas Fuller, English physician and writer

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* Exception: Some overlays allow the Development Officer to vary height, FAR and density if an Area Redevelopment Plan, Area Structure Plan or Community Plan support different standards.

** Exception: If an application is made for an unusual use that is not defined in the *Edmonton Zoning Bylaw*, the Development Officer can use discretion to interpret it as the closest equivalent defined use. In this case, the permit would be a Class B Development Permit.

# Rezoning

Rezoning refers to the process of changing the Land Use Zone that applies to a particular parcel of land.

Rezoning is required if a property owner wants to develop land to a use or density not permitted under the Land Use Zone currently applied to that property. Rezoning takes 90 to 180 days, or even longer, depending on the complexity and potential physical and community impacts associated with the proposal.

Rezoning is the preferred term, but you may also see references to redistricting and redesignation. These all refer to the same thing—changing the zoning of a particular parcel of land.

RESOURCES

*Edmonton Zoning Bylaw*
www.edmonton.ca

*Fee Schedule*
www.edmonton.ca

## Rezoning process

In consultation with Planning and Development, the applicant must decide what zone would be appropriate for the proposed use.

The applicant is encouraged to initiate communication with community members and organizations. While mandatory only for Direct Control proposals, dialogue is wise in all cases to gauge public response even before an application is submitted. Applicants can simply call community representatives to explain the proposal and request a meeting if further discussion is needed. Then the applicant considers any community input received prior to finalizing the rezoning application and notes this fact in the application.

The applicant submits a Zoning Bylaw Amendment application, with application fee, to the Planning and Policy Services Branch of the Planning and Development Department.

Planning and Development circulates the application to other departments and agencies for comment. This circulation takes approximately three weeks.

At the same time, Planning and Development notifies the community league and all property owners within 60 metres of the land in question that a rezoning application has been received. The proposed rezoning, along with the date and time of the public hearing, are advertised. Notification requirements are set out in the *Edmonton Zoning Bylaw.*

Once Planning and Development receives comments back from the circulation, the area planner reviews the comments, attempts to resolve any conflicts and prepares a report with recommendations for City Council. Once this report has been approved by the Planning Services Director, the applicant is advised of Planning and Development's recommendation to Council and asked if he/she wishes to proceed to Council. Council is the deciding authority for rezoning bylaws.

Before the rezoning bylaw is forwarded to Council, the applicant must pay advertising fees (about $1,000).

City Council holds a public hearing for all rezoning bylaws. During the public hearing, Council may hear from the applicant and any other members of the public interested in the rezoning. All interested citizens can register to speak at these public hearings. After the public hearing, Council makes a decision regarding the bylaw. City Council holds two public hearings each month to consider such applications.

# Subdivision
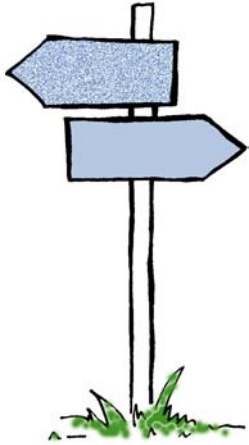
Subdivision is the process of dividing land into smaller parcels. The Subdivision Authority, the group that decides on subdivision applications, is comprised of three Council-appointed staff members from Planning and Development who review technical matters, including conformity with plans, implementation requirements and associated servicing agreements.

Subdivision developers are often responsible for a number of infrastructure and other elements. These include various environmental, planning and surveying tools to prepare the area for servicing and area plans; grading; building utility services (sewer, water gas, electricity, etc.); surface improvements (roads, sidewalks, lighting, etc.); providing appropriate space for recreational and schools facilities.

Subdivision decisions may be appealed to the Subdivision and Development Appeal Board by the applicant, municipality, school boards or the provincial government.

When there is no approved community or area plan, adjacent property owners are notified of applications and invited to comment, but do not have the right to appeal subdivision decisions. Community leagues are not notified on subdivision applications. Legislation also permits appeals of subdivision to the Municipal Government Board on matters of provincial concern or inter-municipal dispute.[20]

RESOURCES
*City of Edmonton Web site on subdivisions*
www.edmonton.ca
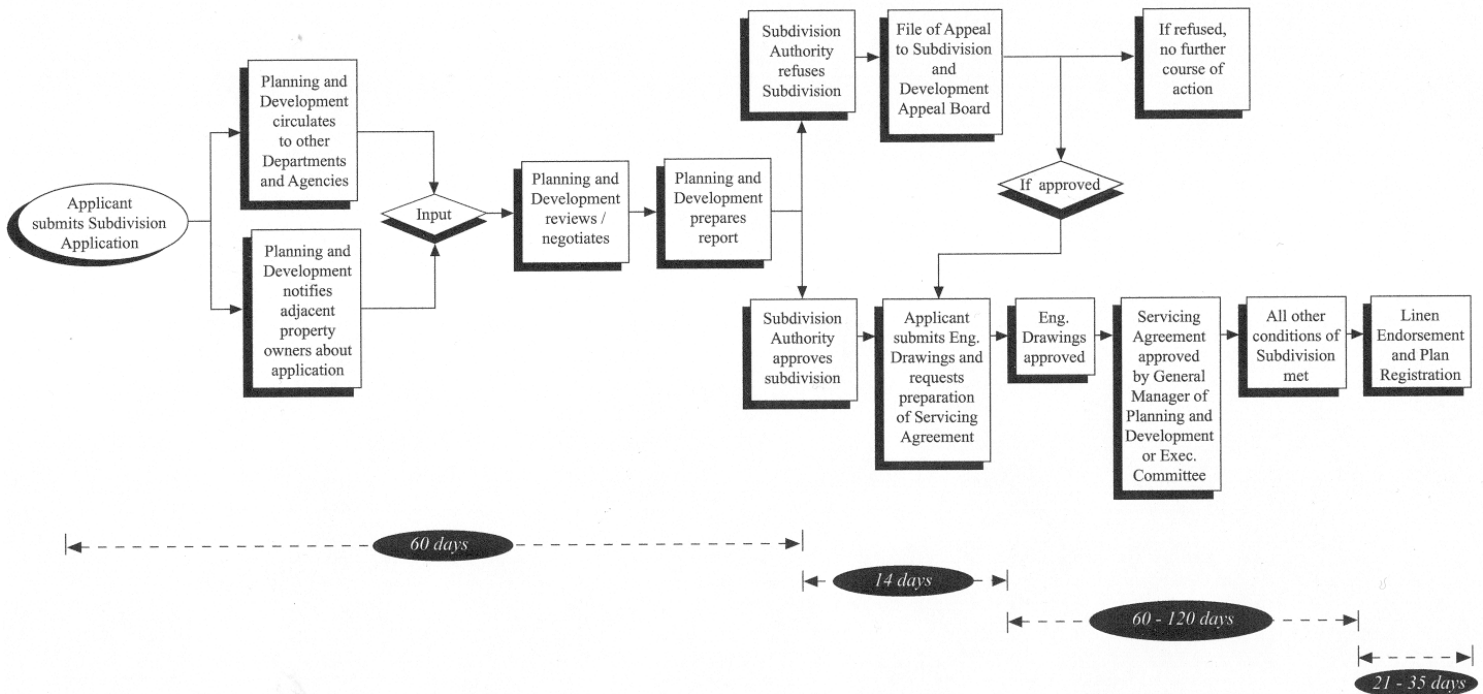


From City of Edmonton, Planning and Development Handbook, 2001, p. 31.

# Types of Permits

## DEVELOPMENT PERMITS

**Development permits** deal with a development's impact on surrounding properties. A development permit is written approval from the City of Edmonton that ensures the plans comply with the *Edmonton Zoning Bylaw*.

A development permit must be obtained before:

- Constructing a new building
- Altering an existing building or
- Changing the use or intensity of use of a property
- Applying for a business licence
- Putting up a sign (except certain temporary signs)

City of Edmonton Planning and Development Department staff can supply information about submitting an application, permit costs and expected timelines. Either City planners or an architect can determine whether a project will require drawings that need to be stamped by an architect or engineer before a permit is issued.

Development permits come in two classes:

> **Permitted Use Development Permit (Class A):** Includes only permitted uses, accessory buildings or activities and complies in all respects to the *Edmonton Zoning Bylaw*.
>
> Applications for signs, accessory functions and occupancy of existing buildings on sites that conform to Direct Control (DC) provisions are also considered Class A Permitted Development applications.
>
> Permitted Use Development permits cannot be appealed unless the provisions of the land use bylaw were relaxed, varied or misinterpreted.
>
> **Discretionary Use Development Permit (Class B):** Includes a discretionary use or requires a variance to any of the regulations of the *Edmonton Zoning Bylaw*. Also includes some applications on sites that are designated Direct Control. These permits may be appealed to the Subdivision and Appeal Board (SDAB).
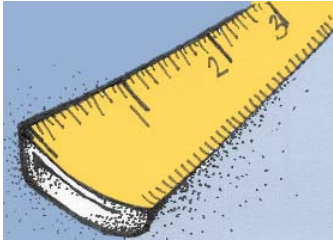
## BUILDING PERMITS

**Building permits** deal with the structural stability of buildings and the health and safety of the building's occupants. Property owners must obtain a building permit before they begin constructing a building or structures.

Once a development permit is approved, the original application becomes the application for a building permit. Developers may be required to provide detailed construction drawings prepared by an architect or engineer.

Building permits are required to:
- Erect a new building or structure (including retaining walls and swimming pools)
- Demolish, relocate, make repairs, alterations or additions to an existing building or structure

The *Alberta Building Code* regulates techniques and materials used in building construction, the occupancy and the use of buildings and equipment to safeguard the health and safety of building occupants. See p. 97 for more information on how to locate the *Alberta Building Code*.

You can start construction without a building permit BUT you are taking a risk that the development officer will reject it or it will be appealed at the Subdivision and Development Appeal Board (SDAB). There could be serious consequences if the building permit is not approved.

There is no public participation portion to the building permit approval process.

## APPEAL PROCESS

If a development or building permit is refused because it does not comply with the regulations of the *Zoning Bylaw* (or if it is accepted with conditions), the proponent may appeal to the SDAB. The appeal must be registered with the SDAB within 14 days after notification of the decision is received. A fee is charged for lodging an appeal.

Persons or groups affected by a proposed development may also appeal if they disagree with the Development Officer's decision to grant a permit. They must submit the appeal in writing to the SDAB within 14 days of the decision.

See Appeals, p. 69; SDAB, p. 73.

### RESOURCES
*City pamphlets* outline when permits are required and describe the appeal process.

For more information about the appeal process, contact the Subdivision and Development Appeal Board in City Hall or call 496-6079.

# Other Planning Considerations

## SERVICES

### Transportation

In the planning context, the Transportation and Streets Department is charged with studying the adequacy of transportation routes and the impacts of any additional traffic that may result from a proposed development.

Adequate assessment and research prior to development (including traffic studies) help address any potential operational, construction and/or design concerns. The department and developers work together to determine any infrastructure improvements and/or modifications required to address concerns such as safety and increased traffic.
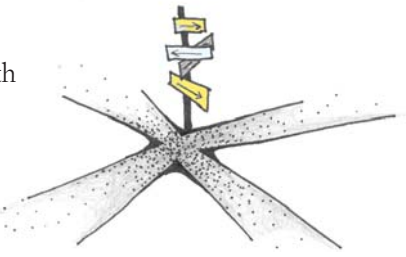
### Infrastructure

Asset Management and Public Works Department and private servicing agencies assess the adequacy of existing and proposed infrastructure (e.g., water, sewer). These infrastructure requirements are regulated provincially. There is no room for local discretion.

### Schools and parks

The City of Edmonton dedicates land for schools and parks. Reserves may be required for all parcels larger than two acres (0.8 hectare). The *Municipal Government Act* requires up to 10 per cent of the gross developable area of subdivided lands to be dedicated for municipal and/or school reserve. Developers may meet the requirement by setting aside reserve land, providing money in lieu or filing a deferred reserve caveat against the title of the lands being subdivided.

Municipal and/or school reserve may be used only for:
- Public park
- Public recreation area
- School authority use
- Buffer separating areas of land used for different purposes[21]

## SAFETY AND ACCESSIBILITY

### Crime Prevention Through Environmental Design (CPTED)
CPTED is based on the principle that appropriate design and effective use of the built environment can lead to a reduction in fear, incidents of crime and an improvement in quality of life. In the planning process, CPTED is a tool to evaluate development for safety and security.

Three concepts form the core of CPTED:

**Natural Surveillance.** Designing spaces so that they are open and more visible by normal users of the space. For example, pedestrian-friendly streets, location and visibility of doors and windows, elimination of hiding spots and adequate lighting.

**Territorial Reinforcement.** The space is clearly defined and signed according to its use as public, semi-public or private. The space can be defined by its interior design, signs, pavement, landscaping and fencing.

**Natural Access Control.** Using various methods to ensure that access to a space is restricted to authorized personnel. This can be achieved by educating those who use the space and enforcing security. For example, by replacing a key system with a card system or by improving door hardware.

It is possible to have a space evaluated for compliance with CPTED principles. A community can seek an assessment when facing a development issue.

A CPTED assessment should:
- Be done by a qualified consultant
- Include consultation with surrounding residents, users, and future users

Currently, the *Edmonton Zoning Bylaw* states that:
- A CPTED assessment must be included with any parking garage development permit application
- Development Officers must consider CPTED criteria when considering any development permit application for a liquor store
- Development Officers can request a CPTED assessment for any development if they believe it is necessary
- Development Officers are required to advise applicants of the City's *Design Guide for a Safer City* (1995), which outlines design guidelines to resolve safety issues

Further information on CPTED can be obtained from the Edmonton Police Service and the Edmonton Federation of Community Leagues.

### Barrier-Free Design

The *Alberta Building Code* includes guidelines to ensure that development is universally accessible and barrier-free.

## ENVIRONMENT

Provincial governments regulate the natural environment, limiting the municipality's ability to consider the environmental impacts of a proposal. Nevertheless, the City's Environmental Planning Group provides advice on planning approvals that involve environmental issues.

With the exception of the policies listed below, *the environment* is not generally used as a specific planning issue to prevent development proposals.

### Environmental reserves

The City can require that land be designated as an environmental reserve and therefore not developed. Environmental Reserves involve "taking" of land or public easement from a private landowner when that land falls under *Municipal Government Act's* criteria for reserves. Examples include a natural water body, water course or shoreline, or land that is subject to flooding or is unstable. Environment reserves are legally dedicated to the City as separately identified parcels when the Subdivision Authority approves the proposed subdivision of land.

Even if land fits the MGA definition, the City may only designate it as a reserve when a landowner applies to subdivide all or any part of the property. Some limits to environmental reserves arise, related to the amount of land being subdivided, but the purpose aims to ensure that sensitive land is left in a natural state or used for a public park. Exceptions can only be made by bylaw following a public hearing.

Significant Natural Areas are wooded areas, wet lands, etc., that Planning and Development declares as environmental reserves. Contact Planning and Development or their online publications catalogue (www.edmonton.ab.ca/ planning_dev) for more information about significant natural areas.

### Health and nuisance impacts

In certain cases, the City requires assessments to predict the impact of a proposed development.

- Environmental Site Assessments check the safety and suitability of the soil in the intended development.
- Impact assessments determine whether proposed commercial/industrial activities will generate off-site environmental nuisance or health impacts. Those impacts include (but are not limited to) air, water, soil and person-made disturbances or emissions.

Based on these, the Development Officer may impose conditions on development.

### Adjacent natural areas

Finally, several City of Edmonton policies and zoning regulations deal with natural areas and how they mesh with other purposes. These include the North Saskatchewan River Valley Area Redevelopment Plan, Metropolitan Recreation Zone and River Valley Activity Node Zone.

## HISTORIC RESOURCES

In Alberta, three levels of historic resource designation exist:
- Provincial Historic Resource (provincial, more protection)
- Registered Historic Resource (provincial, less protection)
- Municipal Historic Resource (civic, see below for details)

The City's Historic Resource Management Program aims to preserve historical resources deemed to be in the public interest. Besides protecting the heritage significance of a building or site, designation as a Municipal Historic Resource under the *Historical Resources Act* may provide incentives for rehabilitation, enhance property value and attract professional assistance and advice regarding rehabilitation options and techniques. Designation by the City means the resource cannot be "unsympathetically altered" or demolished, but does not generally affect the activities in a building or on the property.

Applications for historic designation are evaluated for relative architectural, cultural and contextual merit. The impact of any changes on its historic integrity also is considered. These applications are evaluated by the heritage planner, reviewed by the Historic Resources Review Panel and approved by the general manager of Planning and Development.[22]

### RESOURCES
*Historic Resources,* City of Edmonton
www.edmonton.ca

*Heritage Planner*, City of Edmonton, Planning and Development Department
Tel: (780) 496-6123

*Alberta Historical Resources Act* (Provincial)
www.cd.gov.ab.ca/preserving/heritage/pands/technical_advice/preservation

### Antenna towers

Procedures for determining antenna tower (including cell tower) placements are regulated by federal policy.[23] The City of Edmonton is not the approving authority for telecommunication installations but reviews proposals from carrier companies and indicates whether the municipality supports those installations.

A City development officer has the discretion to require consultation on a site, based on assessing whether a proposed tower will likely impact area residents or the public at large. If the development officer deems that a proposed tower is likely to have no perceived negative impact, no consultation process is required.

RESOURCES

*Highlight Sheet*
City of Edmonton Planning and Development Department, Development and Compliance Branch
www.edmonton.ca

*Telecommunication Tower Policy*
www.edmonton.ca, Tel: (780) 496-3100

*Industry Canada*
Tel: (613) 995-9001

*Safety Code 6*
Health Canada, Information on radio frequency radiation information, etc.
www.hc-sc.gc.ca/ehp/ehd/catalogue/general/iyh/phones.htm

## OTHER RELEVANT LEGISLATION

Legislation that may affect proposed developments includes, but is not limited to, the following:

- *Canadian Environmental Assessment Act*
- *Condominium Property Act*
- *Environmental Protection and Enhancement Act*
- *Highway Traffic Act*
- *Historical Resources Act*
- *Railway Act*
- *Radiocommunications Act*
- *Safety Codes Act*
- *Universities Act*

# Appendices

## Glossary of Terms[24]

| | |
|---|---|
| **Adjacent Land Owner** | Neighbour. In this context, someone who has a direct interest in the development of a nearby property. |
| **Alberta Building Code** | Minimum regulations for public health, fire, safety and structural sufficiency. |
| **Amenity Space** | An area composed of on-site, common or private, indoor or outdoor space, designed for active or passive recreational use. Usually required for large residential, commercial or public use projects. |
| **Approving Authority** | Body legally empowered to make development permit or subdivision decisions (ranges from Development Officer to City Council). |
| **Area Redevelopment Plan (ARP)** | A statutory medium- to long-range community plan that identifies planning goals and objectives for an existing area. This community planning document deals with zoning, housing, economic development, recreation and sometimes traffic, parks, social issues, etc. ARPs contain policies that help guide the development of individual communities. Extensive public participation programs are an essential component of the ARP process.<br><br>The relative weight and consideration given to ARPs in Edmonton has changed over the last number of years. Development Officers must now refer to Area Redevelopment Plans, Area Structure Plans and Community Plans as well as the *Edmonton Zoning Bylaw* and relevant overlays.<br><br>Various City departments can help develop these plans. Community Plans and ARPs can both be initiated by communities, although City Council endorsement is advised. Area Redevelopment Plans involve extensive community consultation and are approved by a bylaw of Council. |
| **Area Structure Plan (ASP)** | Area Structure Plans (ASP) are statutory plans that outline land uses and establish the general planning framework for turning undeveloped areas into new suburbs. They address a range of technical matters such as transportation, servicing networks, locations of schools, parks, and commercial sites. In addition, Area Structure Plans address density issues and types of uses permitted (see Land Use, p. 85).[25] |
| **Airport Protection Overlay (APO)** | Rules controlling development in aircraft flight path areas. |
| **Block Plan** | A "bird's eye view" of building foundations (footprints) surrounding the proposed development. |
| **Board Order** | The decision of the Subdivision and Development Appeal Board. |
| **Building Envelope** | The allowable height and bulk/mass permitted under the zoning for a site. Imagine the building as a cube. Most developers seek to "fill the envelope," maximizing the amount of land, height and mass. |
| **Building Height** | Determined by drawing a vertical line from grade to halfway between the eaves and peak of the roof (not including chimneys, elevator housing, etc.). |

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| **Building Permit** | Approval required from the City to:<br>-Erect a new building or structure (including retaining walls, swimming pools and some decks).<br>-Demolish, relocate and make major repairs, alterations or additions to existing buildings or structures. |
| **Business Licence** | The license required to operate a business in the City of Edmonton. |
| **Community League** | An organization of residents, living within a set geographical area and recognized by Edmonton Federation of Community Leagues. |
| **Community Plans** | Community Plans deal with social and land use issues, but are not binding in that they contain recommended practices that further goals of the community. Compliance is required in zoning and is enforced by planning officials.<br><br>Various City Departments can help develop these plans. Community Plans and ARPs can both be initiated by communities although City Council endorsement is advised. For implementation, ARPs are adopted by bylaw while Community Plans are endorsed by a Council resolution. |
| **Crime Prevention Through Environmental Design (CPTED)** | CPTED is a system based on three principles: natural surveillance, access control and territoriality. When applied, these can lead to a reduction in fear, incidents of crime and an improvement in quality of life. |
| **Density** | The number of residential units per hectare. Does not apply to people or bedrooms. A single detached house is one unit, a duplex is two. |
| **Development Agreements** | Agreements between a landowner and the City concerning provision of infrastructure, public spaces, amenities, etc. |
| **Development Completion Certificate (Occupancy Permit)** | City approval, upon inspection, signifying that all the requirements of the development permit have been met. |
| **Development Enforcement** | A division of Planning and Development that ensures new buildings are built according to the development permit and follows up on complaints. |
| **Discretionary Use** | Uses that may be allowed in a particular land use zone. Applications for discretionary uses are considered on their merits. |
| **Development Officer (DO)** | An official of the City of Edmonton Planning and Development Department charged with administering the Edmonton Zoning Bylaw and deciding on development permit applications. |
| **Development Permit (DP)** | Issued by City of Edmonton Planning and Development, this document includes plans (use, form, intensity, appearance) and conditions of approval. A building permit is also required before construction can begin. |
| **Duplex** | One building containing two dwelling units, each with a separate entrance. |
| **Environmental Reserve (ER)** | Land considered undevelopable because of its natural features or location (e.g., unstable slopes or bogs). A developer may be required to dedicate land as Environmental Reserve at the time of subdivision. Not to be confused with Municipal Reserve. |
| **Floor Area Ratio (FAR)** | The ratio of the gross floor area of a building to the area of the site, used to determine a project's building intensity. To determine FAR, divide the square footage of the building by the square footage of the lot. A building with a floor area of 3,000 sq. m on a 5,000-sq.m lot has a FAR of .6. |
| **Footprint** | A "bird's eye view" of the foundation of a building. |

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| **Historical Designation (Heritage Site)** | A site or building designated to be of historical significance. The City designates Historical Resources. The Province of Alberta designates Historical Resources (more protection) or Registered Historic Resources (less protection). |
| **Home Based Business (Major and Minor)** | A development permit is required for a business to occupy a residence. Not to be confused with a Business Licence. See City of Edmonton brochure, *Setting up a Business in Your Home?* |
| **Infill** | Development (house, multi-family dwelling or commercial) within an established neighbourhood. For example, a new detached house replaces a demolished house in a mature neighbourhood. |
| **Land Use Zone (District or Designation)** | An area of the city designated for a particular type of use as outlined in the Zoning Bylaw. e.g., RF4. |
| **Legal (or Existing) Non-Conforming** | Existing buildings or developments that do not conform to the present regulations for that zoning and/or use. These are often noted, but then allowed (usually due to the age of building or other site-specific circumstances). Different than a variance. Under regulations, these structures can only undergo normal maintenance and cannot be expanded or significantly altered. |
| **Legal Plan** | Final survey plan in the subdivision process. Registered at the Land Titles Offices. |
| **Mature Neighbourhoods** | Older, established communities, generally developed before 1970. |
| **Mechanical Site Plan** | Drawing of underground services. |
| ***Municipal Government Act* (MGA)** | Provincial legislation setting out the procedures, types of arguments that can (and cannot) be considered in planning decisions and the rules that govern various planning processes. Sets out the authorities designated to oversee and approve developments for different areas in the Province of Alberta (e.g., the City of Edmonton develops bylaws and oversees land use in Edmonton). Provides guidelines and parameters for municipalities to administer local improvements, set planning policies and make decisions. Establishes a hierarchy of plans (from the MGA to municipal plans and beyond). The framework outlining planning authority and procedures (plans, overlays, etc.), and in what order they are considered. |
| **Municipal Reserve (MR)** | Land the developer gives up at the time of subdivision for park and school purposes. Subdivisions require setting aside municipal reserves. |
| **Municipal School Reserve (MSR)** | Land the developer gives up at the time of subdivision for joint school and park purposes as part of the dedication above. |
| **Neighbourhood Area Structure Plans (NASP)** | Basically small Area Structure Plans that apply to just one or two neighbourhoods. Not to be confused with Neighbourhood Structure Plans, which provide more detail than ASPs. Approved by a bylaw of Council. |
| **Neighbourhood Structure Plan (NSP)** | As a "next step" to an Area Structure Plan, developers prepare Neighbourhood Structure Plans (NSP) for areas that will support approximately 4,000-7,000 people. NSPs are more detailed than ASPs and show a neighbourhood's land use types, size and location, transportation network (excluding local roads), location and size of neighbourhood facilities and planned development stages[26]. Similar to Neighbourhood Area Structure Plans (NASPs). Neighbourhood Area Structure Plans are basically "mini" Area Structure Plans applying to one or two neighbourhoods. They are approved by a bylaw of Council. |

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| **Notice** | Notice can take the form of an advertisement in the paper, letter or sign. Notice usually includes the decision of a Development Officer regarding a specific application and the avenues for appeal. |
| **Occupancy Permit** | Ensures a building complies with the building permit. Needed for most buildings. |
| **Outline Plan** | Similar to an ASP, NSP or NASP but is approved by Council by resolution instead of bylaw. While there are still applicable Outline Plans, they are no longer prepared. |
| **Overlay** | A special set of regulations imposed in addition to the standard regulations in a land use zone, much as a transparent overlay can superimpose new or different information on a map (e.g., Mature Neighbourhoods Overlay). |
| **Plan Edmonton** | Edmonton's Municipal Development Plan is a general, comprehensive 10-year plan that provides direction for city-wide planning and development as well as implementation of more detailed plans (by private land owners and the city). *Plan Edmonton* sets out priorities and directions for the city's development and its relationship with other regions.<br><br>*Plan Edmonton* outlines the City's priorities and is implemented through Area Structure Plans, Servicing Concept Design Briefs, Neighbourhood Structure Plans, Area Redevelopment Plans, land use controls and regulatory measures such as the *Edmonton Zoning Bylaw*.<br><br>All land development plans must conform to the policies and strategies of *Plan Edmonton.* The City may refuse a development or plan that does not conform to this plan.[27] |
| **Parking** | Parking in the planning context refers to on-site spaces, primarily for motor vehicles. There are minimum numbers of parking stalls required for various uses in each land use zone. |
| **Permitted Use** | Uses suited to a particular land use zone. Applications relating to permitted uses that comply with the Zoning Bylaw must be approved. |
| **Real Property Report** | A legal document that shows the location of all visible public and private property boundaries. This survey plan is used for Certificates of Compliance and, often, during real estate transactions. |
| **Rezoning (redistricting)** | When the existing land use zoning does not allow for a proposed use, the developer may apply for a change in zoning. This requires a public hearing of City Council. |
| **Semi-Detached Dwelling** | A building containing two dwellings attached at one side. |

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| **Servicing Concept Design Brief (SCDB)** | Servicing Concept Design Briefs contain most of the elements of an Area Structure Plan and establish a general framework for municipal infrastructure, servicing, planning and development and environmental requirements. SCDBs are generally applied to an undeveloped suburban area considered to be an integrated planning unit.<br><br>A SCDB provides civic planning information on the general placement and development of major land uses, including municipal and school facilities. Neighbourhood Area Structure Plans (NASPs) are prepared for smaller areas within the SCDB to facilitate development of individual neighbourhoods.<br><br>Adopted by Council resolution and inherently flexible, SCDBs may not need to be amended in the light of new technical information, market uncertainty or differing landowners, unless amendment is necessary to comply with a rezoning proposal. |
| **Setback** | The distance a building must be from the front, side or rear property line. Setbacks are calculated from the public right of way (e.g., the front street), the alley, the back lane, etc. |
| **Sign Permit** | Issued for less permanent signs. Signs that may have a greater and more permanent impact on the surrounding area require development permits. |
| **Single-Detached Dwelling** | A single residential building intended to have only one dwelling unit (but may contain a secondary suite). |
| **Site Coverage** | Percentage of the lot that can be covered with principal and accessory buildings. In residential development, this includes the house and garage. |
| **Site Plan** | "Bird's-eye" drawing of the land for a proposed development. Includes setbacks, existing trees and proposed buildings; may also include an elevation plan. |
| **Statutory** | Statutory plans are passed by bylaw and have legal authority, while non-statutory plans are not legally binding in the same sense and act as a support to statutory plans. Statutory plans are required by the *Municipal Government Act,* are passed by bylaw, and are followed by subordinate plans and planning approvals. Statutory plans have the same status as statutory plans in the *Edmonton Zoning Bylaw*. |
| **Subdivision and Development Appeal Board (SDAB)** | A body appointed by City Council to hear appeals of decisions made by a Development Officer or Subdivision Authority. |
| **Variance** | Instances where the development rules have been relaxed to allow flexibility for sound planning decisions. |
| **Zoning By-law (Edmonton Zoning Bylaw, Land Use Bylaw)** | The bylaw that establishes procedures for processing and deciding upon land use and developments, and divides the city into land use districts. Sets the rules that affect how each area in the city may be used and developed. Also includes zoning maps. |

# Zones and Land Use Classifications

| Zone | Zoning Code | Description |
|---|---|---|
| Single Detached Residential Zone | RF1 | A zone permitting single detached housing. Other residential uses and residential-related uses are discretionary. |
| Residential Small Lot Zone | RSL | Primarily for single detached housing with front attached garages in undeveloped suburban areas at a slightly greater intensity than RF1. Semi-detached housing as well as other residential-related uses are discretionary. |
| Low Density Infill Zone | RF2 | Usually applied to existing developed areas of the city where single detached housing is permitted while providing for sensitive small-scale redevelopment at a higher density. Semi-detached housing as well as other residential-related uses are discretionary. |
| Planned Lot Residential Zone | RPL | Primarily for single detached housing, providing greater flexibility of site size and site design on a planned basis. Semi-detached housing, up to four units of row housing and other residential-related uses are discretionary. |
| Low Density Redevelopment Zone | RF3 | Usually applied to existing developed areas, permitting single and semi-detached housing. On appropriately sized sites, duplex housing (one unit over the other) and up to four units of row or apartment housing are discretionary, through conversion, infill or redevelopment. Residential-related uses are also discretionary in this zone. |
| Semi-Detached Zone | RF4 | Intended primarily for semi-detached housing (side by side), but also permitting single detached housing. Duplex housing. |
| Row Housing Zone | RF5 | Intended for low to medium density multiple family housing, generally as row or semi-detached housing on sites of less than 1.4 ha. Similar development on larger sites, family-oriented apartments, single detached housing and other residential-related uses are discretionary. |
| Medium Density Multiple Family Zone | RF6 | Intended for medium density multiple family housing in the form of stacked row, semi-detached and duplex housing, on sites less than 1.4 ha. Development on larger sites plus other residential-related uses are discretionary. |
| Low Rise Apartment Zone | RA7 | Permits apartment or stacked row housing of not more than four storeys, developed to a maximum of 125 dwellings/ha on sites not exceeding 1.4 ha. Similar development on larger sites, single detached, semi-detached and duplex housing and residential-related uses are discretionary. |
| Medium Rise Apartment Zone | RA8 | Permits apartment or stacked row housing to a maximum of six storeys and developed to a maximum of 224 dwellings/ha on suitably sized sites. Similar developments on larger sites, single detached, semi-detached and duplex housing and residential-related uses are discretionary. |
| High Rise Apartment Zone | RA9 | Permits apartment or stacked row housing, to a maximum height of 45 m, developed to a maximum of 325 dwellings/ha on suitably sized sites. Similar developments on larger sites, single detached, semi-detached and duplex housing, personal service shops, convenience retail stores, professional offices, clinics as well as residential-related uses are discretionary. |
| Rural Residential Zone | RR | Permits permanent single detached housing in a rural setting without provision of a full range of urban utility services. |
| Mobile Home Zone | RMH | Permits mobile homes in a mobile home park or subdivision. Single detached housing is a discretionary use. |

## COMMERCIAL ZONES

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| Neighbourhood Convenience Commercial | CNC | Permits low intensity convenience commercial and personal service uses serving the day-to-day needs of neighbourhood residents. |
| Shopping Centre Zone | CSC | Permits large shopping centre developments serving a community or regional trade area. Residential, office, entertainment and cultural uses may also be included. |
| Low Intensity Business Zone | CB1 | Permits low intensity commercial, office and service uses along major roads next to residential areas. Residential and automobile-oriented uses are discretionary. |
| General Business Zone | CB2 | Permits more intensive commercial, office and service uses than the CB1 District, requiring larger sites and accessibility along or next to major roads |
| Highway Corridor Zone | CHY | Permits and encourages high quality commercial development along roads serving as city entrance routes. |
| Commercial Office Zone | CO | Permits medium intensity office development on the periphery of the downtown, around light rail transit stations and other locations offering good accessibility by both automobile and public transit. |

## INDUSTRIAL ZONES

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|---|---|---|
| Industrial Business Zone | IB | Permits the development of light industrial uses as well as low intensity business and office parks when no nuisance factor is evident and the development is compatible with any adjacent non-industrial district. Some commercial and community service uses are discretionary. |
| Medium Industrial Zone | IM | Permits manufacturing, processing, assembly, distribution and repair uses that carry out a portion of their operations outdoor or require outdoor storage areas. |
| Heavy Industrial Zone | IH | Intended for major impact industrial uses that may have detrimental effects on adjacent uses due to noise, odour, or fire hazards. |

## URBAN SERVICE ZONES

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|---|---|---|
| Urban Service Zone | US | Permits public and privately owned facilities of an institutional or community service nature such as schools, day care centres, community centres, churches and hospitals. |
| Public Utility Zone | PU | For public utility installations and facilities. |
| Public Parks Zone | AP | Permits active and passive recreational uses and landscaped buffers. Community, cultural and recreational uses are listed as permitted and/or discretionary. |
| Metropolitan Recreational Zone | A | Applies to natural areas and parkland adjacent to rivers, creeks, ravines and other areas intended for active and passive recreational use and environmental protection. Permitted uses include public parks, farms and single family housing on sites greater than 8 ha. Community and recreational uses are discretionary. |
| Municipal Airport Zone | MA | Intended for the operation of the Municipal Airport, permitting industrial uses and government services associated with the airport. Certain commercial uses which provide a direct service to airport operations or users are discretionary. |
| River Valley Activity Node Zone | AN | This Zone allows for limited commercial development within activity nodes in designated areas of parkland along the river, creeks and ravines, for active and passive recreational uses, tourism uses, and environmental protection in conformance with Plan Edmonton, the Ribbon of Green Master Plan, and the North Saskatchewan River Valley Area Redevelopment Plan. |

## AGRICULTURE ZONES

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|---|---|---|
| Agricultural Zone | **AG** | Permits agricultural use, and discourages any other uses which might interfere with agricultural use. Some non-interfering or necessary uses are discretionary. |
| Urban Reserve Zone | **AGU** | Reserves land for future residential growth. Farms are the only permitted use. Other uses which do not involve extensive development are discretionary. |
| Industrial Reserve Zone | **AGI** | Establishes reserve land for future industrial development. Farms are the only permitted use. Other uses which do not involve extensive development are discretionary. |

## DIRECT CONTROL (DC) DESIGNATION

Perhaps one of the most misunderstood designations is the Direct Control (DC) designation. Unlike other zones, DC provisions have their own bylaw reference numbers, specific uses and accompanying sets of development guidelines.

Each application for Direct Control is tailored to address specific development aspirations for the site or area that cannot be accommodated under any standard zone. In a sense, Direct Control provisions are "custom made" or "fine-tuned" regulations designed for a unique character area in a neighbourhood or for one specific site or project. Most DC provisions generally follow the rules of another land use zone with some exceptions, exclusions or additions. For example, a DC-2 site may generally follow the rules and guidelines of a CB-2 zone but allow only autobody and paint shops.

Like all the other land use zones, DC provisions are legal bylaws passed by City Council. Any changes to the uses or rules require a full public hearing and approval by City Council.[29]

| | | |
|---|---|---|
| Direct Development Control Provision | **DC1** | A direct control provision for sites designated as historical resources or sites of unique character as identified in an area structure or area redevelopment plan. |
| Site Specific Development Control Provision | **DC2** | A direct control provision with site-specific land use regulations to address circumstances that would be inappropriate or inadequate given the existing or future surrounding developments and the interest of the applicant and the public, generally[30]. |

## SPECIAL AREAS

Special Areas are specifically defined geographic areas of the city, such as Terwillegar Towne and Downtown Edmonton, where there is a need for a unique blend of uses and regulations that are not available in the conventional zones of the *Edmonton Zoning Bylaw*. New zones may be created within Special Areas to achieve the planning objectives of an Area Structure Plan (ASP) or an Area Redevelopment Plan (ARP).

## LAND USE CATEGORIES

Adult Mini-Theatres
Aircraft Sales/Rentals
Animal Hospitals & Shelters
Apartment Hotels
Apartment Housing
Auctioneering Establishment
Automotive & Equipment Repair Shops
Automotive & Minor RV Sales/Rentals
Bars and Neighbourhood Pubs
Boarding & Lodging Houses
Broadcasting & Motion Picture Studios
Business Support Services
Carnivals
Casinos & Other Gaming Establishments
Cemeteries
Child Care Services
Commercial Schools
Community Recreations Services
Convenience Retail Stores
Convenience Vehicle Rentals
Custom Manufacturing Establishments
Detention & Correction Services
Drive-in Food Services
Drive-in Motion Picture Theatres
Duplex Housing
Equipment Rentals
Essential Utility Services
Exhibition & Convention Facilities
Extended Medical Treatment Services
Farms
Fascia Off-Premises Signs
Fascia On-Premises Signs
Flea Markets
Fleet Services
Fraternity & Sorority Housing
Freestanding Off-Premises Signs
Freestanding On-Premises Signs
Funeral, Cremation and Interment Services
Garage Suites
Gas Bars
General Contractor Services
General Industrial Uses
General Retail Stores
Government Services
Greenhouse, Plant Nurseries & Market Gardens
Group Homes
Health Services
Hotels
Household Repair Services
Indoor Participant Recreation Services
Industrial Reserve Use
Industrial Use
Land Treatment
Limited Contractor Services
Limited Group Homes
Livestock Operations
Major Alcohol Sales
Major Amusement Establishments

Major Home Based Business
Major Impact Utilities
Major Second Hand Stores
Major Service Stations
Minor Alcohol Sales
Minor Amusement Establishments
Minor Home Based Business
Minor Impact Utility Services
Minor Second Hand Stores
Minor Service Stations
Mobile Catering Food Services
Mobile Homes
Motels
Natural Resource Development
Natural Science Exhibits
Nightclubs
Non-Accessory Parking
Non-commercial Farms
Outdoor Amusement Establishments
Outdoor Participant Recreation Services
Personal Service Shops
Private Clubs
Private Education Services
Professional, Financial & Office Support Services
Projecting Off-Premises Signs
Projecting On-Premises Signs
Protective & Emergency Services
Public Education Services
Public Libraries & Cultural Exhibits
Public Park
Rapid Drive-through Vehicle Services
Recycled Materials Drop-off Centres
Recycling Depots
Religious Assembly
Residential Sales Centre
Restaurants
Roof Off-Premises Signs
Roof On-Premises Signs
Row Housing
Secondary Suites
Semi-detached Housing
Single Detached Housing
Small Animal Breeding & Boarding
Establishments
Special Industrial Uses
Specialty Food Services
Spectator Entertainment Establishments
Spectator Sports Establishments
Stacked Row Housing
Temporary Shelter Services
Temporary Signs
Temporary Storage
Tourist Campsites
Train Station
Truck & Mobile Home Sales/Rentals
Vehicle & Equipment Sales/Rentals
Veterinary Services
Warehouse Sale

## OVERLAYS

Airport Protection Overlay (APO)
City-Wide Master Overlay
Floodplain Protection Overlay (FPO)
High Rise Residential Overlay (HDRO)
Industrial Plan Overlays (IPO)
Major Commercial Corridors Overlay (MCC)
Major & Minor Second-hand Stores Overlay (MMSSO)
Mature Neighbourhood Overlay (MNO)
Medium Density Residential Overlay (MDRO)
North Saskatchewan River Valley & Ravine System Protection Overlay (RPO)
Pedestrian Commercial Shopping Street Overlay (PCSSO)
Suburban Neo-Traditional Residential Overlay
Statutory plan overlay (SPO)

### Resources
See *Edmonton Zoning Bylaw* at www.edmonton.ca

# Contacts

| | Telephone | Fax | E-mail / Web |
|---|---|---|---|
| **Planning and Development Department**<br>City of Edmonton<br>5th Floor, 10250 - 101 Street<br>Edmonton AB  T5J 3P4 | (780) 496-3100 | (780) 496-8450 | For more detailed contact information see:<br>www.edmonton.ca |
| General Manager | (780) 496-6050 | (780) 496-6916 | |
| **PLANNING AND POLICY SERVICES BRANCH**<br>Manager<br>Maps and Publications<br>Senior Subdivision Officer<br>Heritage Planner<br>Planning Services North Director<br>Planning Services South Director<br>Conservation Coordinator | (780) 496-6100<br>(780) 496-6160<br>(780) 496-6198<br>(780) 496-6123<br>(780) 496-6092<br>(780) 496-6116<br>(780) 496-6080 | (780) 401-7050 | |
| **DEVELOPMENT COMPLIANCE BRANCH** | (780) 496-8465 | (780) 496-6054 | |
| **ASSESSMENT AND TAXATION BRANCH** | (780) 496-5001 | (780) 496-5030 | |
| **Office of the City Clerk**<br>**Subdivision and Appeal Board** | (780) 496-8178<br>(780) 496-6079 | (780) 496-8175<br>(780) 496-8175 | city.clerk@edmonton.ca |
| **Alberta Association Canadian Institute of Planners**<br>PO Box 596<br>Edmonton, AB  T5J 2K3 | (780) 435-8716 | (780) 452-7718 | aacip@aacip.com<br>www.aacip.com |
| **Alberta Association of Architects**<br>Duggan House<br>10515 Saskatchewan Drive<br>Edmonton, Alberta  T6E 4S1 | (780) 432-0224 | (780) 439-1431 | info@aaa.ab.ca<br>www.aaa.ab.ca |
| **Downtown Development Corporation**<br>Main Floor, Chancery Hall<br>3 Sir Winston Churchill Square<br>Edmonton, Alberta T5J 2C3 | (780) 424-9001 | (780) 425-5974 | info@eddc.org<br>www.eddc.org |
| **Edmonton Federation of Community Leagues (EFCL)**<br>7103 - 105 Street<br>Edmonton, AB   T6E 4G8 | (780) 437-2913 | (780) 437-4710 | efcl@telusplanet.net<br>www.efcl.org |
| **Edmonton Region Home Builders' Association (ERHBA)**<br>201, 10544 – 114 Street<br>Edmonton, AB | (780) 425-1020 | (780) 425-1031 | info@erhba.com<br>www.erhba.com |
| **Urban Development Institute (UDI)**<br>Edmonton Chapter<br>#895, 10310 Jasper Avenue<br>Edmonton AB  T5J 2W4 | (780) 428-6146 | (780) 425-9548 | info@udiedmonton.com<br>www.udiedmonton.com |

## IAP2 — THE IAP2 PUBLIC PARTICIPATION TOOLBOX

### Techniques to share information

| TECHNIQUE | ALWAYS THINK IT THROUGH | WHAT CAN GO RIGHT | WHAT CAN GO WRONG |
|---|---|---|---|
| **PRINTED PUBLIC INFORMATION MATERIALS** | | | |
| ● Fact Sheets<br>● Newsletters<br>● Brochures<br>● Issue Papers | ● KISS! - Keep It Short and Simple Make it visually interesting but avoid a slick sales look<br>● Include a postage-paid comment form to encourage two-way communication and to expand mailing list<br>● Be sure to explain public role and how public comments have affected project decisions. Q&A format works well | ● Can reach large target audience<br>● Allows for technical and legal reviews<br>● Encourages written responses if comment form enclosed<br>● Facilitates documentation of public involvement process | ● Only as good as the mailing list/ distribution network<br>● Limited capability to communicate complicated concepts<br>● No guarantee materials will be read |
| **INFORMATION REPOSITORIES** | | | |
| Libraries, city halls, distribution centers, schools, and other public facilities make good locations for housing project-related information | ● Make sure personnel at location know where materials are kept<br>● Keep list of repository items Track usage through a sign-in sheet | ● Relevant information is accessible to the public without incurring the costs or complications of tracking multiple copies sent to different people<br>● Can set up visible distribution centers for project information | ● Information repositories are often not well used by the public |
| **TECHNICAL REPORTS** | | | |
| Technical documents reporting research or policy findings | ● Reports are often more credible if prepared by independent groups | ● Provides for thorough explanation of project decisions | ● Can be more detailed than desired by many participants<br>● May not be written in clear, accessible language |
| **ADVERTISEMENTS** | | | |
| Paid advertisements in newspapers and magazines | ● Figure out the best days and best sections of the paper to reach intended audience<br>● Avoid rarely read notice sections | ● Potentially reaches broad public | ● Expensive, especially in urban areas<br>● Allows for relatively limited amount of information |
| **NEWSPAPER INSERTS** | | | |
| A "fact sheet" within the local newspaper | ● Design needs to get noticed in the pile of inserts<br>● Try on a day that has few other inserts | ● Provides community-wide distribution of information<br>● Presented in the context of local paper, insert is more likely to be read and taken seriously<br>● Provides opportunity to include public comment form | ● Expensive, especially in urban areas |

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| TECHNIQUE | ALWAYS THINK IT THROUGH | WHAT CAN GO RIGHT | WHAT CAN GO WRONG |
|---|---|---|---|
| **FEATURE STORIES** | | | |
| Focused stories on general project-related issues | ● Anticipate visuals or schedule interesting events to help sell the story<br>● Recognize that reporters are always looking for an angle | ● Can heighten the perceived importance of the project<br>● More likely to be read and taken seriously by the public | ● No control over what information is presented or how |
| **BILL STUFFER** | | | |
| Information flyer included with monthly utility bill | ● Design bill stuffers to be eye-catching to encourage readership | ● Widespread distribution within service area<br>● Economical use of existing mailings | ● Limited information can be conveyed<br>● Message may get confused as from the mailing entity |
| **PRESS RELEASES** | | | |
| | ● Fax or e-mail press releases or media kits<br>● Foster a relationship of editorial board and reporters | ● Informs the media of project milestones<br>● Press release language is often used directly in articles<br>● Opportunity for technical and legal reviews | ● Low media response rate<br>● Frequent poor placement of press release within newspapers |
| **NEWS CONFERENCES** | | | |
| | ● Make sure all speakers are trained in media relations | ● Opportunity to reach all media in one setting | ● Limited to news-worthy events |
| **TELEVISION** | | | |
| Television programming to present information and elicit audience response | ● Cable options are expanding and can be inexpensive<br>● Check out expanding video options on the internet | ● Can be used in multiple geographic areas<br>● Many people will take the time to watch rather than read | ● High expense<br>● Difficult to gauge impact on audience |
| **INFORMATION CENTERS and FIELD OFFICES** | | | |
| Offices established with prescribed hours to distribute information and respond to inquiries | ● Provide adequate staff to accommodate group tours<br>● Use brochures and videotapes to advertise and reach broader audience<br>● Consider providing internet access station<br>● Select an accessible and frequented location | ● Provides opportunity for positive media coverage at groundbreaking and other significant events<br>● Excellent opportunity to educate school children<br>● Places information dissemination in a positive educational setting<br>● Information is easily accessible to the public<br>● Provides an opportunity for more responsive ongoing communications focused on specific public involvement activities | ● Relatively expensive, especially for project-specific use<br>● Access is limited to those in vicinity of the center unless facility is mobile |

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| TECHNIQUE | ALWAYS THINK IT THROUGH | WHAT CAN GO RIGHT | WHAT CAN GO WRONG |
|---|---|---|---|
| **EXPERT PANELS**<br><br>Public meeting designed in "Meet the Press" format. Media panel interviews experts from different perspectives. | ● Provide opportunity for participation by general public following panel<br>● Have a neutral moderator<br>● Agree on ground rules in advance<br>● Possibly encourage local organizations to sponsor rather than challenge | ● Encourages education of the media<br>● Presents opportunity for balanced discussion of key issues<br>● Provides opportunity to dispel scientific misinformation | ● Requires substantial preparation and organization<br>● May enhance public concerns by increasing visibility of issues |
| **BRIEFINGS**<br><br>Use regular meetings of social and civic clubs and organizations to provide an opportunity to inform and educate. Normally these groups need speakers. Examples of target audiences: Rotary Club, Lions Clubs, Elks Clubs, Kiwanis, League of Women Voters. Also a good technique for elected officials. | ● KISS - Keep it Short and Simple<br>● Use "show and tell" techniques<br>● Bring visuals | ● Control of information/ presentation<br>● Opportunity to reach a wide variety of individuals who may not have been attracted to another format<br>● Opportunity to expand mailing list<br>● Similar presentations can be used for different groups<br>● Builds community good will | ● Project stakeholders may not be in target audiences<br>● Topic may be too technical to capture interest of audience |
| **CENTRAL INFORMATION CONTACT**<br><br>Identify designated contacts for the public and media | ● If possible, list a person not a position<br>● Best if contact person is local<br>Anticipate how phones will be answered<br>● Make sure message is kept up to date | ● People don't get "the run around" when they call<br>● Controls information flow<br>● Conveys image of "accessibility" | ● Designated contact must be committed to and prepared for prompt and accurate responses<br>● May filter public message from technical staff and decision makers<br>● May not serve to answer many of the toughest questions |
| **CENTRAL INFORMATION CONTACT**<br><br>Providing access to technical expertise to individuals and organizations | ● The technical resource must be perceived as credible by the audience | ● Builds credibility and helps address public concerns about equity<br>● Can be effective conflict resolution technique where facts are debated | ● Limited opportunities exist for providing technical assistance<br>● Technical experts may counter project information |

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# Techniques to compile input and provide feedback

| TECHNIQUE | ALWAYS THINK IT THROUGH | WHAT CAN GO RIGHT | WHAT CAN GO WRONG |
|---|---|---|---|
| **INFORMATION HOT LINE** | | | |
| Identify a separate line for public access to prerecorded project information or to reach project team members who can answer questions/ obtain input | • Make sure contact has sufficient knowledge to answer most project-related questions<br>• If possible, list a person not a position<br>• Best if contact person is local | • People don't get "the run around" when they call<br>• Controls information flow<br>• Conveys image of "accessibility"<br>• Easy to provide updates on project activities | • Designated contact must be committed to and prepared for prompt and accurate responses |
| **INTERVIEWS** | | | |
| One-to-one meetings with stakeholders to gain information for developing or refining public involvement and consensus building programs | • Where feasible, interviews should be conducted in-person, particularly when considering candidates for citizens committees | • Provides opportunity for in-depth information exchange in non-threatening forum<br>• Provides opportunity to obtain feedback from all stakeholders<br>• Can be used to evaluate potential citizen committee members | • Scheduling multiple interviews can be time consuming |
| **IN-PERSON SURVEYS** | | | |
| One-on-one "focus groups" with standardized questionnaire or methodology such as "stated preference" | • Make sure use of result is clear before technique is designed | • Provides traceable data<br>• Reaches broad, representative public | • Expensive |
| **RESPONSE SHEETS** | | | |
| Mail-In-forms often included in fact sheets and other project mailings to gain information on public concerns and preferences | • Use prepaid postage<br>• Include a section to add name to the mailing list<br>• Document results as part of public involvement record | • Provides input from those who would be unlikely to attend meetings<br>• Provides a mechanism for expanding mailing list | • Does not generate statistically valid results<br>• Only as good as the mailing list<br>• Results can be easily skewed |
| **MAILED SURVEYS & QUESTIONNAIRES** | | | |
| Inquiries mailed randomly to sample population to gain specific information for statistical validation | • Make sure you need statistically valid results before making investment<br>• Survey/questionnaire should be professionally developed and administered to avoid bias<br>• Most suitable for general attitudinal surveys | • Provides input from individuals who would be unlikely to attend meetings<br>• Provides input from cross-section of public not just activists<br>• Statistically tested results are more persuasive with political bodies and the general public | • Response rate is generally low<br>• For statistically valid results, can be labor intensive and expensive<br>• Level of detail may be limited |

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| TECHNIQUE | ALWAYS THINK IT THROUGH | WHAT CAN GO RIGHT | WHAT CAN GO WRONG |
|---|---|---|---|
| **TELEPHONE SURVEYS/POLLS** | | | |
| Random sampling of population by telephone to gain specific information for statistical validation | ● Make sure you need statistically valid results before making investment<br>● Survey/Questionnaire should be professionally developed and administered to avoid bias<br>● Most suitable for general attitudinal surveys | ● Provides input from individuals who would be unlikely to attend meetings<br>● Provides input from cross-section of public, not just those on mailing list<br>● Higher response rate than with mail-in surveys | ● More expensive and labor intensive than mailed surveys |
| **INTERNET SURVEYS/POLLS** | | | |
| Web-based response polls | ● Be precise in how you set up site, chat rooms or discussion places can generate more input than you can look at | ● Provides input from individuals who would be unlikely to attend meetings<br>● Provides input from cross-section of public, not just those on mailing list<br>● Higher response rate than other communication forms | ● Generally not statistically valid results<br>● Can be very labor intensive to look at all of the responses<br>● Cannot control geographic reach of poll<br>● Results can be easily skewed |
| **COMPUTER-BASED POLLING** | | | |
| Surveys conducted via computer network | ● Appropriate for attitudinal research | ● Provides instant analyses of results<br>● Can be used in multiple areas<br>● Novelty of technique improves rate of response | ● High expense<br>● Detail of inquiry is limited |
| **COMMUNITY FACILITATORS** | | | |
| Use qualified individuals in local community organizations to conduct project outreach | ● Define roles, responsibilities and limitations up front<br>● Select and train facilitators carefully | ● Promotes community-based involvement<br>● Capitalizes on existing networks<br>● Enhances project credibility | ● Can be difficult to control information flow<br>● Can build false expectations |
| **FOCUS GROUPS** | | | |
| Message testing forum with randomly selected members of target audience. Can also be used to obtain input on planning decisions | ● Conduct at least two sessions for a given target<br>● Use a skilled focus group facilitator to conduct the session | ● Provides opportunity to test key messages prior to implementing program<br>● Works best for select target audience | ● Relatively expensive if conducted in focus group testing facility |
| **DELIBERATIVE POLLING** | | | |
| Measures informed opinion on an issue | ● Do not expect or encourage participants to develop a shared view<br>● Hire a facilitator experienced in this technique | ● Can tell decision-makers what the public would think if they had more time and information<br>● Exposure to different backgrounds, arguments, and views | ● Resource intensive<br>● Often held in conjunction with television companies<br>● 2 – 3 day meeting |

# Techniques to bring people together

| TECHNIQUE | ALWAYS THINK IT THROUGH | WHAT CAN GO RIGHT | WHAT CAN GO WRONG |
|---|---|---|---|
| **SIMULATION GAMES** | | | |
| Exercises that simulate project decisions | ● Test "game" before using<br>● Be clear about how results will be used | ● Can be designed to be an effective educational/training technique, especially for local officials | ● Requires substantial preparation and time for implementation<br>● Can be expensive |
| **TOURS** | | | |
| Provide tours for key stakeholders, elected officials, advisory group members and the media | ● Know how many participants can be accommodated and make plans for overflow<br>● Plan question/ answer session Consider providing refreshments Demonstrations work better than presentations | ● Opportunity to develop rapport with key stakeholders<br>● Reduces outrage by making choices more familiar | ● Number of participants is limited by logistics<br>● Potentially attractive to protestors |
| **OPEN HOUSES** | | | |
| An open house to allow the public to tour at their own pace. The facility should be set up with several stations, each addressing a separate issue. Resource people guide participants through the exhibits. | ● Someone should explain format at the door<br>● Have each participant fill out a comment sheet to document their participation<br>● Be prepared for a crowd all at once - develop a meeting contingency plan<br>● Encourage people to draw on maps to actively participate<br>● Set up stations so that several people (6-10) can view at once | ● Foster small group or one-on-one communications<br>● Ability to draw on other team members to answer difficult questions<br>● Less likely to receive media coverage<br>● Builds credibility | ● Difficult to document public input<br>● Agitators may stage themselves at each display<br>● Usually more staff intensive than a meeting |
| **COMMUNITY FAIRS** | | | |
| Central event with multiple activities to provide project information and raise awareness | ● All issues, large and small must be considered<br>● Make sure adequate resources and staff are available | ● Focuses public attention on one element<br>● Conducive to media coverage<br>● Allows for different levels of information sharing | ● Public must be motivated to attend<br>● Usually expensive to do it well<br>● Can damage image if not done well |
| **COFFEE KLATCHES** | | | |
| Small meetings within neighborhood usually at a person's home | ● Make sure staff is very polite and appreciative | ● Relaxed setting is conducive to effective dialogue<br>● Maximizes two-way communication | ● Can be costly and labor intensive |

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| TECHNIQUE | ALWAYS THINK IT THROUGH | WHAT CAN GO RIGHT | WHAT CAN GO WRONG |
|---|---|---|---|
| **MEETINGS WITH EXISTING GROUPS** | | | |
| Small meetings with existing groups or in conjunction with another event | ● Understand who the likely audience is to be<br>● Make opportunities for one-on-one meetings | ● Opportunity to get on the agenda<br>● Provides opportunity for in-depth information exchange in non-threatening forum | ● May be too selective and can leave out important groups |
| **COMPUTER-FACILITATED WORKSHOP** | | | |
| Any sized meeting when participants use interactive computer technology to register opinions | ● Understand your audience, particularly the demographic categories<br>● Design the inquiries to provide useful results<br>● Use facilitator trained in the technique | ● Immediate graphic results prompt focused discussion<br>● Areas of agreement/disagreement easily portrayed<br>● Minority views are honored<br>● Responses are private<br>● Levels the playing field | ● Software limits design<br>● Potential for placing too much emphasis on numbers<br>● Technology failure |
| **PUBLIC HEARINGS** | | | |
| Formal meetings with scheduled presentations offered | ● Avoid if possible | ● Provides opportunity for public to speak without rebuttal | ● Does not foster constructive dialogue<br>● Can perpetuate an us vs. them feeling |
| **DESIGN CHARRETTES** | | | |
| Intensive session where participants re-design project features | ● Best used to foster creative ideas<br>● Be clear about how results will be used | ● Promotes joint problem solving and creative thinking | ● Participants may not be seen as representative by larger public |
| **CONSENSUS BUILDING TECHNIQUES** | | | |
| Techniques for building consensus on project decisions such as criteria and alternative selection. Often used with advisory committees. Techniques include Delphi, nominal group technique, public value assessment and many others. | ● Use simplified methodology<br>● Allow adequate time to reach consensus<br>● Consider one of the computerized systems that are available<br>● Define levels of consensus, i.e. a group does not have to agree entirely upon a decision but rather agree enough so the discussion can move forward | ● Encourages compromise among different interests<br>● Provides structured and trackable decision making | ● Not appropriate for groups with no interest in compromise<br>● Clever parties can skew results<br>● Does not produce a statistically valid solution<br>● Consensus may not be reached |

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| TECHNIQUE | ALWAYS THINK IT THROUGH | WHAT CAN GO RIGHT | WHAT CAN GO WRONG |
|---|---|---|---|
| **ADVISORY COMMITTEES**<br><br>A group of representative stakeholders assembled to provide public input to the planning process | ● Define roles and responsibilities up front<br>● Be forthcoming with information<br>● Use a consistently credible process<br>● Interview potential committee members in person before selection<br>● Use third party facilitation | ● Provides for detailed analyses for project issues<br>● Participants gain understanding of other perspectives, leading toward compromise | ● General public may not embrace committee's recommendations<br>● Members may not achieve consensus<br>● Sponsor must accept need for give-and-take<br>● Time and labor intensive |
| **TASK FORCES**<br><br>A group of experts or representative stakeholders formed to develop a specific product or policy recommendation | ● Obtain strong leadership in advance<br>● Make sure membership has credibility with the public | ● Findings of a task force of independent or diverse interests will have greater credibility<br>● Provides constructive opportunity for compromise | ● Task force may not come to consensus or results may be too general to be meaningful<br>● Time and labor intensive |
| **PANELS**<br><br>A group assembled to debate or provide input on specific issues | ● Most appropriate to show different news to public<br>● Panelists must be credible with public | ● Provides opportunity to dispel misinformation<br>● Can build credibility if all sides are represented<br>● May create wanted media attention | ● May create unwanted media attention |
| **CITIZEN JURIES**<br><br>Small group of ordinary citizens empanelled to learn about an issue, cross examine witnesses, make a recommendation. Always non-binding with no legal standing | ● Requires skilled moderator<br>● Commissioning body must follow recommendations or explain why<br>● Be clear about how results will be used | ● Great opportunity to develop deep understanding of an issue<br>● Public can identify with the "ordinary" citizens<br>● Pinpoint fatal flaws or gauge public reaction | ● Resource intensive |
| **ROLE-PLAYING**<br><br>Participants act out characters in pre-defined situation followed by evaluation of the interaction | ● Choose roles carefully. Ensure that all interests are represented.<br>● People may need encouragement to play a role fully | ● Allow people to take risk-free positions and view situation from other perspectives<br>● Participants gain clearer understanding of issues | ● People may not be able to actually achieve goal of seeing another's perspective |
| **SAMOAN CIRCLE**<br><br>Leaderless meeting that stimulates active participation | ● Set room up with center table surrounded by concentric circles<br>● Need microphones<br>● Requires several people to record discussion | ● Can be used with 10 to 500 people<br>● Works best with controversial issues | ● Dialogue can stall or become monopolized |

8

| TECHNIQUE | ALWAYS THINK IT THROUGH | WHAT CAN GO RIGHT | WHAT CAN GO WRONG |
|---|---|---|---|
| **OPEN SPACE TECHNOLOGY** | | | |
| Participants offer topics and others participate according to interest | ● Important to have a powerful theme or vision statement to generate topics<br>● Need flexible facilities to accommodate numerous groups of different sizes<br>● Groundrules and procedures must be carefully explained for success | ● Provides structure for giving people opportunity and responsibility to create valuable product or experience<br>● Includes immediate summary of discussion | ● Most important issues could get lost in the shuffle<br>● Can be difficult to get accurate reporting of results |
| **WORKSHOPS** | | | |
| An informal public meeting that may include a presentations and exhibits but ends with interactive working groups | ● Know how you plan to use public input before the workshop<br>● Conduct training in advance with small group facilitators. Each should receive a list of instructions, especially where procedures involve weighting/ ranking of factors or criteria | ● Excellent for discussions on criteria or analysis of alternatives<br>● Fosters small group or one-to-one communication<br>● Ability to draw on other team members to answer difficult questions<br>● Builds credibility<br>● Maximizes feedback obtained from participants<br>● Fosters public ownership in solving the problem | ● Hostile participants may resist what they perceive to be the "divide and conquer" strategy of breaking into small groups<br>● Several small-group facilitators are necessary |
| **FUTURE SEARCH CONFERENCE** | | | |
| Focuses on the future of an organization, a network of people, or community | ● Hire a facilitator experienced in this technique | ● Can involve hundreds of people simultaneously in major organizational change decisions<br>● Individuals are experts<br>● Can lead to substantial changes across entire organization | ● Logistically challenging<br>● May be difficult to gain complete commitment from all stakeholders<br>● 2 — 3 day meeting |

## CONFLICT CHECKLIST

**It is time to take action: Walk a problem through these questions.**

### 1. Win/Win
What is my real need here?
What is theirs?
Do I want it to work for both of us?

### 2. Creative response
What opportunities can this situation bring?
Rather than "how it is supposed to be", can I see possibilities in "what is"?

### 3. Empathy
What would it be like to be in their shoes?
What are they trying to say?
Have I really heard them?
Do they know I am listening?

### 4. Appropriate assertiveness
What do I want to change?
How will I tell them this without blaming or attacking?
Is this a statement about how I feel, rather than what is right or wrong?
(Be soft on the people, hard on the problem.)

### 5. Co-operative power
Am I using power inappropriately?
Are they?
Instead of opposing each other, can we co-operate?

### 6. Managing emotions
What am I feeling?
Am I blaming them for my feelings?
Will telling them how I feel help the situation?
What do I want to change?
Have I removed the desire to punish from my response?
What can I do to handle my feelings? (e.g., write it down, talk to a friend, punch a mattress)

## 7. Willingness to resolve

Do I really want to resolve the conflict?
Is resentment caused by:

        something in my past that still hurts?
        something I haven't admitted to needing?
        something I dislike in them, because I won't accept it in myself?

## 8. Mapping the conflict

Define briefly the issue, the problem area, or conflict in neutral terms that all would agree on and that do not invite a "yes/no" answer.

Who: write down the name of each important person or group.

Write down each person's or group's needs. What motivates him/her?

Write down each person's or group's concerns, fears or anxieties.

Be prepared to change the statement of the issue as your understanding evolves through discussion, or to draw up other maps of related issues that arise.

| Issue | |
|---|---|
| Who: | Who: |
|    Needs: |    Needs: |
|    Concerns: |    Concerns: |
| Who: | Who: |
|    Needs: |    Needs: |
|    Concerns: |    Concerns: |

### 9. Designing options
What are the possibilities? What seems impossible might yield good ideas.
What options give us both more of what we want? Be creative, mix and match.

### 10. Negotiation skills
What do I wish to achieve? Be really clear about the general outcome, though you may change your route there.
How can we make this a fair deal - with both people winning?
What can they give me?
What can I give them?
Am I ignoring objections? Can I include them?
What points would I want covered in an agreement?
Is there something that could be included to help them save face?
Is saving face important to me? Do I particularly need anything?

### 11. Mediation
A. Can we resolve this ourselves or do we need help from a neutral third person?
Who could take on this role for us?

B. Is mediation the most appropriate role for me in this? If so, how would I set up and explain my role to both parties?

Can I create the right environment for people to open up, understand each other and develop their own solutions? What might help?

### 12. Broadening perspectives
Am I seeing the whole picture, not just my own point of view?
What are the effects of this beyond the immediate issue? (e.g., on other people or groups)
Where might this lead in the future?

## MEETING CHECKLIST

| One month before | Book an appropriate venue | <ul><li>Easy to get to via public transport.</li><li>Convenient parking.</li><li>Offers wheelchair access and facilities.</li><li>Good acoustics, lighting, sound system, sight lines.</li></ul> |
|---|---|---|
| | Buttonhole key people | <ul><li>Find a first-rate facilitator and/or chair.</li><li>Invite stakeholders who should speak (e.g., developer, City, neighbours).</li><li>Find a host to prepare refreshments and help welcome participants.</li><li>Arrange for a scribe and/or equipment to record all views.</li><li>Ensure someone is familiar with all the presentation equipment.</li></ul> |
| | Prepare a timely and accurate meeting announcement | <ul><li>Venue (street address, directions)</li><li>Time and date</li><li>Issue to be discussed</li><li>Intent of meeting</li><li>Who is conducting the consultation?</li><li>Sponsors and/or hosts</li><li>Contact information for more information</li></ul> |
| | Advertise to obtain maximum participation | <ul><li>Distribute fliers to libraries, schools, community centres, health centres, community groups, neighbourhood residences, local shops and/or malls.</li><li>Use neighbourhood Web pages, list serves, newsletters and other existing media.</li><li>Provide interviews, public service announcements, perhaps advertisements for radio and television, daily press.</li></ul> |
| One week before the meeting | Finish pulling it all together | <ul><li>Confirm the booking.</li><li>Familiarize yourself with the venue and request more chairs if needed.</li><li>Identify and arrange for all speakers' or consultants' presentation needs.</li><li>Prepare all material needed for the meeting, including registration forms, name tags, evaluation or feedback forms.</li><li>Arrange child-care provisions, if appropriate. Consider providing a box of toys and play area for children if child-care cannot be arranged.</li></ul> |
| On the day of the meeting | Prepare the venue | <ul><li>Set up the room so that it is comfortable and functional.</li><li>Set up the equipment and lighting and make sure it is working and located appropriately.</li><li>Arrange refreshments so as to put participants at ease when they arrive.</li><li>Set up a registration table at the entrance with name tags and information handouts etc.</li><li>Set out presentation materials.</li><li>Prepare all materials to be handed out at the meeting so that no time is wasted.</li><li>Welcome people as they arrive.</li></ul> |
| During the meeting | Hear and honour all viewpoints | <ul><li>Begin on time.</li><li>Be welcoming and enthusiastic.</li><li>Restrict the time allocated to presenting information to around one quarter of the total session.</li><li>Ensure that contact details of all participants are obtained.</li><li>Make sure everyone can see and hear.</li><li>Introduce the team members.</li></ul> |

|  |  | • Explain the context of the issue and where the consultation session fits in.<br>• Outline what will happen with the participants' consultation input.<br>• Emphasize that the purpose of consulting is to obtain views and input and that it is not necessary to reach agreement.<br>• Allow input from all participants, whether through small groups or as a whole group.<br>• Allow one person to speak at a time.<br>• Ensure that all those who wish to be heard have been heard; encourage quiet people. Encourage respect for differing views.<br>• Listen to and record all views.<br>• Keep the discussion focused on the issues, not on personalities.<br>• Kindly rein in people who threaten to dominate or disrupt the proceedings. |
|---|---|---|
|  | Wind up the meeting | • Summarize and clarify the issues and points raised.<br>• Explain the feedback process and the next steps.<br>• Ensure that all participants have contact details for further information.<br>• Thank everyone for their participation.<br>• Hand out evaluation forms, if appropriate. |
| After the Meeting | Follow up promptly | • Prepare a summary report on the participant's input.<br>• Distribute the report with an acknowledgment to all participants.<br>• If appropriate, place a copy of the report on the Internet and distribute more broadly (e.g., to Councillors, other neighbourhoods, via newsletters).<br>• Prepare the next phase of the consultation process. |

## CITY OF EDMONTON RESOURCES

The following information brochures can be found on the City of Edmonton Web site (www.edmonton.ab.ca) or can be picked up at:

City Hall or
Planning & Development Department
Development Compliance Branch
5th Floor, 10250 - 101 Street NW
Edmonton, AB   T5J 3P4

- Addressing
- Animal License
- Appealing Decisions
- Basement Developments
- Being Part of the Government of your City: Presenting an informal petition to City Council
- Bicycle Parking
- Business License
- Commercial Buildings
- Compliance Certificates
- Uncovered Decks
- Disabled Parking
- Fences in Residential Areas
- Garages
- General Land Use Zone Summary
- Guide to Development and Building Permit Processes in the City of Edmonton
- Houses or Additions
- Home Based Businesses
- Hot Tubs
- Mature Neighbourhoods
- Minimum Maintenance Standards
- Need an Encroachment Agreement?
- Satellite Dishes in Residential Areas
- Sheds in Residential Areas
- Starting a Business
- Subdivision
- Summer Fun - Recreational Vehicle Dos and Don'ts
- Temporary Signs
- Zoning Bylaw Amendments (Rezoning)
- Web site.

Smart Choices Catalogue

The City of Edmonton's *Smart Choices Catalogue* outlines nine ideas for proactive development initiatives. For more information, or to see the online showcase of ideas, go to:
www.edmonton.ca

## How to write a position paper

Effective position papers follow this general format.

**Title page.** Identify the project, application number, date, and name of person/organization submitting the paper. Keep it simple and clean. Avoid elaborate fonts and crowded pages.

**Executive Summary.** Brief and to the point, conveying the essence of the position paper, including the position statement and key recommendations. One page maximum.

**Table of Contents.** List each section of the position paper and its page number.

**Introduction.** Outline the events leading to the position paper and why your group has jurisdiction to respond to the issue.

**Consultation Summary.** Outline all actions taken by your group to consult with the affected public, the developer and Planning and Development. Summarize consultation methods, results and barriers, and provide tallies of the people involved.

**The present.** Describe the proposed development site, including the aspects particularly relevant to your position. Convey what amenities are available and used, what structures predominate and the area's demographics. Showcase the area's existing scale, character, noise, traffic and pollution levels. Avoid simply listing facts; instead, discuss how each point contributes to the community's use, enjoyment and value. Include demographic information where applicable.

**Issues.** Provide an analysis of the issue, discussing EACH relevant aspect, one at a time. Include background, current status, arguments for/against various alternatives and potential solutions. Note which proposed solutions are unacceptable, and why. List any unanswered concerns.

**Conclusions/Recommendations.** Describe what you would like the SDAB or Council to do. If you would like the proposal modified, conditions lifted, decisions reversed, etc., specify how so. Assuming your audience is completely ignorant, explicitly state your desired outcomes, leaving nothing to speculation.

**Sources.** List all documents cited in the paper and all documents consulted to prepare the paper.

**Appendices.** Attach the relevant history of the community consultation. This may include maps, pictures, development applications and decisions, appeal applications and decisions, studies and surveys, letters of support, meeting minutes, newsletter updates, meeting notice flyers.

# Legislation

| Information Source | Format and Location | Address and Contacts |
|---|---|---|
| *Edmonton Zoning Bylaw* | Library<br>City of Edmonton Web site<br>(www.edmonton.ca)<br>Planning and Development Department<br><br>A CD Rom version can also be purchased from City of Edmonton Web site, in-person, by mail or telephone from Maps and Publications. | **Location Address:**<br>Maps and Publications<br>Customer Information Advisory<br>7th Floor Reception<br><br>**Mailing Address:**<br>Planning and Development Department<br>5th Floor, 10250 - 101 Street NW<br>Edmonton, AB T5J 3P4<br>Phone: (780) 496-6160<br>Fax: (780) 496-6054 |
| Plan Edmonton | City of Edmonton Web site<br>Planning and Development Department<br><br>A paper or CD Rom version can also be purchased from City of Edmonton Web site, in-person, by mail or telephone from Maps and Publications. | **Location Address:**<br>Maps and Publications<br>Customer Information Advisory<br>7th Floor Reception<br><br>**Mailing Address:**<br>Planning and Development Department<br>5th Floor, 10250 - 101 Street NW<br>Edmonton, AB T5J 3P4<br>Phone: (780) 496-6160<br>Fax: (780) 496-6054 |
| Area Redevelopment Plans<br>Community Plans<br>Area Structure Plans<br>Neighbourhood Structure Plans<br>Neighbourhood Area Structure Plans<br>Servicing Concept Design Plans | Some of these plans are available online through links on the City of Edmonton Web site.<br><br>Can be also be purchased from Library, Maps and Publications section of the City of Edmonton Web site, or in-person, by mail or telephone from Maps and Publications. | **Location Address:**<br>Maps and Publications<br>Customer Information Advisory<br>7th Floor Reception<br><br>**Mailing Address:**<br>Planning and Development Department<br>5th Floor, 10250 - 101 Street NW<br>Edmonton, AB T5J 3P4<br>Phone: (780) 496-6160<br>Fax: (780) 496-6054 |
| Provincial Publications:<br>   *Municipal Government Act*<br>   *Historical  Resources Act*<br>   *Airport Vicinity Protection Area Repeal*<br>   *Condominium Property Act*<br>   *Highway Traffic Act*<br>   *Historical Resources Act*<br>   *Railway Act*<br>   *Safety Codes Act*<br>   *Universities Act* | Alberta Queen's Printer publishes, distributes and sells Alberta's legislation, selected federal publications and codes and department publications.<br><br>You can view the catalogue on Web site and purchase online:<br>http://www.qp.gov.ab.ca | Queen City Printers<br>Electronic and Print Copies<br>Edmonton Bookstore<br>Main Floor, Park Plaza<br>10611 - 98 Avenue,<br>Edmonton, AB T5K 2P7<br><br>Phone: (780) 427-4952<br>Fax: (780) 452-0668 |

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Conflict Resolution Network, www.crnhq.org.

Daniels, Lorne, *Public Participation Handbook*, Red Deer, 2003.

Davis, Peter & Vincent, Ange, *Consultation Manual: A model for effective consultation for the Alice Springs Town Council*, p. 4.

Edmonton Federation of Community Leagues, Planning Presentation Handouts, June 2003.

IAP2 Headquarters, *Public Participation Toolbox*, 11166 Huron St. Suite 27, Denver, CO 80234 USA, Tollfree: 1-800-644-4273, Fax: (303) 458-0002. www.iap2.org

Kunreuther, Howard and Lawrence E. Susskind, "Facility Siting Credo: Guidelines for an Effective Facility Siting Process" in *Environmental Impact Assessment Review*. Publication Services, University of Pennsylvania, 1991. www.mit.edu/afs/athena/org/p/publicdisputes/practices/credo.

Mediation and Restorative Justice Centre, *Talking with Your Neighbour: A Guide to Resolving Conflicts with your Neighbour*, Edmonton, Alberta, 2003, p. 10.

The Rural and Small Town Research and Studies Programme, Department of Geography, Mount Allison University*, NIMBY Guidelines*, Sackville, N.B. E0A 3C0, Tel: (506) 364-2393, Fax: (506) 364-2601.

Strategic Press Information Network , *The SPIN Project*. www.spinproject.org/index.html

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# Endnotes

[1] *Conducting Conflict Assessments in the Land Use Context*, p. 3

[2] Peter Davis & Ange Vincent, *Consultation Manual: A model for effective consultation for the Alice Springs Town Council,* p. 8.

[3] *Ibid,* p. 9.

[4] *Ibid,* p. 8.

[5] *Ibid ,* p. 27-29.

[6] *Ibid,* p. 20.

[7] *Ibid,* p. 13.

[8] This case study was compiled with information from the Edmonton Journal, July 5, 2003, I-4, the community league's former president, the developer and the City of Edmonton, Planning and Development Department.

[9] *Conducting Conflict Assessments in the Land Use Context*, p. 16-17.

[10] Peter Davis & Ange Vincent, *Consultation Manual: A model for effective consultation for the Alice Springs Town Council,* p. 17-19.

[11] Derived from Edmonton Federation of Community Leagues, Planning Presentation Handouts, June 2003.

[12] Derived from *Talking with Your Neighbour: A Guide to resolving conflicts with your neighbour*, Mediation and Restorative Justice Centre, 2003, p. 10.

[13] Peter Davis & Ange Vincent, *Consultation Manual: A model for effective consultation for the Alice Springs Town Council,* p. 26.

[14] City of Edmonton, *The Planning and Development Handbook for the City of Edmonton*, 2001.

[15] The illustrations were based on illustrations in the City of Calgary, *Community Guide to the Planning Process*, 2002. Illustrations re-drawn by Jessica Hiemstra, 2003. Contact EFCL for copyright permissions.

[16] City of Edmonton Web site (www.edmonton.ca/planning_dev), June 2003.

[17] Peter Davis & Ange Vincent, *Consultation Manual: A model for effective consultation for the Alice Springs Town Council,* p. 22.

[18] City of Edmonton, *The Planning and Development Handbook for the City of Edmonton*, 2001.

[19] *Edmonton Zoning Bylaw* (www.edmonton.ca/planning_dev).

[20] City of Edmonton Web site (www.edmonton.ca/planning_dev), June 2003.

[21] City of Calgary, *Community Guide to the Planning Process*, 2002, p. 5.25.

[22] City of Edmonton Web site (www.edmonton.ca/planning_dev), June 2003.

[23] Effective November 2002, this policy is being reviewed by Industry Canada.

[24] Developed with reference to the *Glossary of Common Planning Jargon*, City of Calgary, 1995.

[25] City of Calgary, *Community Guide to the Planning Process, 2002.*

[26] City of Edmonton, *The Planning and Development Handbook for the City of Edmonton*, 2001.

[27] City of Edmonton, *The Planning and Development Handbook for the City of Edmonton*, 2001.

[28] City of Edmonton Web site (www.edmonton.ca/planning_dev), June 2003.

[29] City of Edmonton, Web site (www.edmonton.ca/planning_dev), June 2003.

[30] City of Edmonton, Web site (www.edmonton.ca/planning_dev), June 2003.

# Acknowledgements

*Community Consultation in the Planning and Development Process* is a project of the Edmonton Federation of Community Leagues (EFCL). The Federation thanks its committed and insightful volunteer Steering Committee members for their expertise, guidance and time. Their contributions have made this document a resource for developers and community members alike.

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> Web:    www.efcl.org

ISBN 0-9734856-0-4.

We heartily welcome any corrections, additions or other input about this guide. Please submit these to the address above for consideration in future editions.