

# The Challenges of Collaborative Land-Use Planning: A Case Study of the Kawartha Highlands Signature Site

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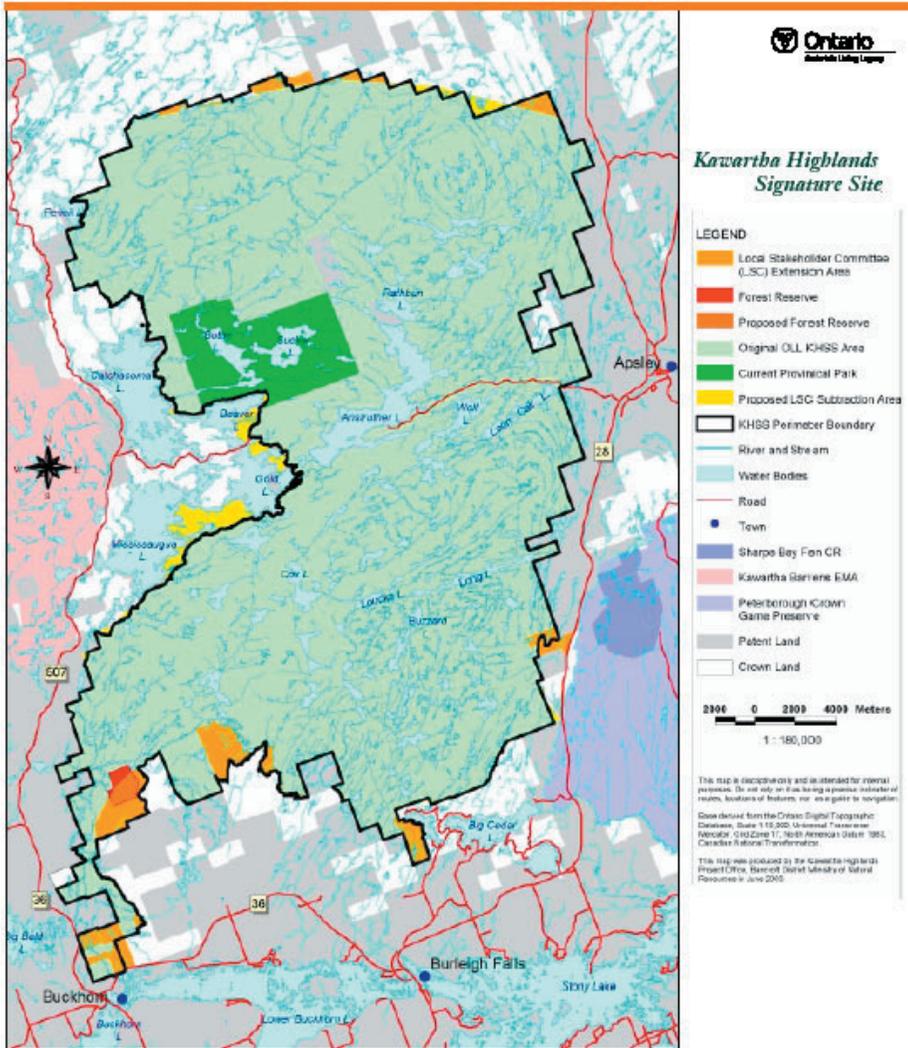
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## Abstract

*By examining the design and public reception of the Kawartha Highlands Local Stakeholders Committee, this paper highlights some of the fundamental challenges of implementing a more participatory approach to land-use and protected area planning. What needs to be addressed is how to appropriately acknowledge the legacy of historical land-use conflicts through process design. It is a question that can be at least partially answered by an analysis of the lengthy and polarized debate that was waged over the future of the Kawartha Highlands Signature Site.*

## Introduction

Tucked away in the Kawarthas, some 50 km north of the City of Peterborough, lies a 35 000-ha tract of land that has become a haven for cottagers and weekend recreationists. During the *Lands for Life* land use planning exercise, the Ministry of Natural Resources (OMNR) selected the Kawartha Highlands for inclusion within the province's rapidly expanding parks and protected areas system. The OMNR also committed itself to the establishment of a Local Stakeholders Committee (LSC) to guide the initial planning of the Kawartha Highlands Signature Site (Figure 1). The mandate for this committee, which was formally established in July 2000, was ambitious: it was going to work with the OMNR to make significant land-use and policy decisions, while also developing a co-stewardship organization for the long-term management of the area. Despite the wide scope of its mandate, the committee process was designed so that it stayed within the required timeframes, submitting its final recommendations to the Minister of Natural Resources in October 2001.



**Figure 1.** The Kawartha Highlands Signature Site (Source: Kawartha Highlands Plan).

Among a series of more specific recommendations, the committee concluded that the area should become a fully operational provincial park, a recommendation that, as we shall see, contributed to the growing dissention amongst a vocal portion of the local community and various provincial interest groups. This paper will summarize some of the findings of a larger research project (Barry, 2004) by highlighting important aspects of the design of the LSC, while also examining some of the key features of the debate that occurred over the future of the Kawartha Highlands. The study was based on the analysis of

project documents, local media, and interviews with several LSC members and the OMNR's project coordinator.

## **Designing a Collaborative Process for the Kawartha Highlands**

Collaborative processes are often faced with the task of balancing numerous goals and objectives and the Kawartha Highlands LSC was no exception. A balance had to be struck between the committee's efficiency, workability, cohesiveness, accountability, transparency and broad representation. Choices were made and, at times, one objective was traded-off for the sake of another. These strategic choices began at the very outset, as the selection of committee members tried to ensure that the process would be perceived as broadly representative, while also generating a sense of cohesiveness and a common vision among the committee members. Certain stakeholders were excluded from the committee process, since a personal commitment to natural heritage protection was seen as absolute prerequisite. Persons who intended to act as formal representatives of identifiable interest groups were also excluded, as it was felt that the time that they would need to liaise with their organization would slow down the process, making it virtually unworkable. These choices suggest the committee's laudable ability to achieve its mandate efficiently was, at least partially, achieved at the expense of broader representation.

Such 'trading-off' of procedural objectives can be seen in other aspects of the committee process. Meetings were conducted behind closed doors and were kept strictly confidential and, while this decision has obvious implications for the overall accountability and transparency of the LSC, it was justified by gains in other areas. Closed meetings meant that the committee had the flexibility to re-open decisions as new information surfaced and the security to voice initial thoughts and opinions freely, without fear of premature public criticism. Yet the design of the planning process was also careful to ensure that the public was not completely alienated from the committee process, as the LSC organized numerous public open houses and mass mail-outs. The time and energy that was spent on extra public consultation suggests that efficiency was not the committee's 'bottom-line'. Instead, the designers of the LSC were engaged in a complex juggling act, in which it was exceedingly difficult, if not completely impossible, to simultaneously give the various procedural goals the same level of attention. Certain objectives were 'tossed' higher at certain stages of the collaborative process, but the LSC tried to ensure that none of its objectives were

dropped entirely. While the timed ascent (or descent) of certain procedural objectives could be seen as justifiable, or perhaps even necessary or prudent, it is still important to examine the soundness of these choices by contextualizing them within the broader political landscape.

## Public Reaction to the Local Stakeholders Committee

The public reacted to the Kawartha Highlands planning process in two distinct ways: correspondence sent directly to the MNR and letters to the editor published in the region's newspapers. Although the comments received by the OMNR indicate a high level of support for the Local Stakeholders Committee (OMNR, 2002), the author's critical analysis of the media's coverage of the Kawartha Highlands planning process presents an entirely different story. Two general trends in the media's coverage need to be specifically highlighted, the first of which relates to how the Kawartha Highlands was used as a vehicle to rekindle unresolved debates and past grievances.

By examining the history of provincial land-use planning, it becomes apparent that the controversy surrounding the Kawartha Highlands was deeply rooted in two of the most significant expansions of the provincial protected areas system: *Lands for Life* (L4L) and *Strategic Land Use Planning* (SLUP). Beginning in the 1970s, SLUP – an initiative that was meant to coordinate and integrate various land-uses – might be considered to be the first major battle in what has come to be known as 'the war of the woods'. For it was during this planning process that the various users of Ontario's Crown land began to organize themselves into what some have termed the "*pro- and anti-park coalitions*" (Killan, 1993: 350), each trying to undermine the power and legitimacy of the other. So, while SLUP had been originally seen as a mechanism for resolving resource conflicts, the complete opposite was the case: positions became even more entrenched as environmental interests were clearly and consistently pitted against the hunting community.

*Lands for Life*, on the other hand, was seen "*as an attempt to resolve Ontario's 'war of the woods'*" (Rodgers, 2001: 1), as the various interests were to be given more opportunities to participate in land-use and natural resource planning. Yet L4L, arguably, did little to promote any sort of agreement on the nature and necessity of parks and protected areas. As one observer noted, conservationists argued that the "*proposals don't go far enough*" and that park policies

should not be weakened to accommodate for hunting, mineral exploration and forestry. Anglers and hunters, on the other hand, suggested that their recreational pursuits should not be restricted through the creation of new provincial parks, while the forest and mining industries highlighted the perceived economic losses that would result from an expanded protected areas system (Rodgers, 2001: 32-33). Since the Kawartha Highlands was a product of L4L, it was only logical that such fundamentally different visions for Ontario's Crown land would spill over into this localized planning process.

Several articles and letters to the editor published in the *Peterborough Examiner* (the region's daily newspaper) gave voice to and fuelled the polarized debate that was developing between some of the province's most prominent conservation groups and the angling and hunting lobby. The environmental community was publicly accused of being unwilling to "*fairly share the gift of public land and fish and wildlife habitat*" (Reader, 2003: A4), while Crown land recreationists were shamed for resisting the appropriate regulation and conservation of "*an area of national [ecological] significance*" (Ladurantaye, 2002: B2). Quotations and sentiments such as these suggest that the controversy surrounding the Kawartha Highlands could accurately be described as a re-fracturing of Crown land interest groups down old fault lines, with both sides easily slipping back into their historical roles. However, it would be simplistic to suggest that the Kawartha Highlands debate was merely a reenactment of past land-use conflicts, as a significant portion of the local community was also very critical of the design of the LSC process.

Such public criticism forms the second major trend in the media's coverage of the Kawartha Highlands planning process. While many of the published critiques of the Kawartha Highlands committee could be described as emotional and unsubstantiated allegations, some spoke to specific elements of the planning process, flagging many of the strategic choices that were discussed in the previous section. For example, one cottager wrote:

*"The committee mandate was far too narrow, the process did not allow for the ongoing sharing of information or open discussion and the committee make-up was lacking in significant representation of the true local multi-user stakeholders..."*  
(Chown, 2003: 4).

And while other letters did express complete confidence in the work of the LSC, it appeared as if the damage had been done and the committee's legitimacy had been seriously called into question.

Initially, it seemed as if the 'Eves' government' was trying to appease the concerns of stakeholders who felt excluded by the LSC. They did so by introducing the controversial *Recreation Reserves Act* (Bill 239), which was supposed to strike a more appropriate balance between protection and use. But, it was also a Bill that was condemned by the both the LSC and the environmental community for its lack of meaningful natural heritage protection. In an apparent attempt to avoid further controversy, the Tory government eventually backed away from the Bill, leaving it to die on the order paper, but the Kawartha Highlands debacle was still in need of an agreeable solution.

In March 2003, almost three years after the planning process began, Premier Eves responded to this need by appointing an MPP, Chris Hodgson, to lead yet another consultation process. The Hodgson process translated into closed-door meetings with four prominent provincial and local interests groups, including the original LSC. In the end, the final products these meetings bore a great deal of similarity to the LSC's initial recommendations, forcing one to question whether or not these extra phases in the Kawartha Highlands planning process could have been avoided.

## **Conclusions and Implications for Future Planning**

By examining the procedural choices that were made during the design of the Kawartha Highlands' committee process, as well as the public's reaction to the work of the LSC, this case study has highlighted some of the challenges of collaborative land-use planning. It has suggested that such decision-making processes are often guided by several potentially competing objectives (e.g., efficiency, transparency, etc.) and that these objectives might need to be (temporarily) traded-off for the sake of another. In the case of the Kawartha Highlands, broader stakeholder representation and the transparency of the committee meetings appear to have been partially sacrificed to achieve a more efficient collaborative process. While these choices may have seemed prudent at the outset, the committee's ability to fairly represent and account for the needs of all stakeholders was later called into question in letters to the region's daily newspaper. The committee's illegitimacy in the eyes of a very vocal portion of the local community ultimately extended the entire planning process, as

the Tory government sought to appease the opponents of the LSC through the creation of Bill 239 and the Hodgson consultation process.

The extension and alteration of the Kawartha Highlands planning process suggests that the strategic design of collaborative processes needs to employ a broad historical lens. For the ways in which the controversies surrounding *Lands for Life* and *Strategic Land Use Planning* were brought forward and incorporated into the Kawartha Highlands debate were not unforeseeable and they serve as powerful reminders that collaborative land-use planning does not, and should not, occur in a vacuum. Instead, it carries the legacy of past land-use planning and management decisions, a history that is often marred by resentment, suspicion and distrust. The real challenge lies in how the practitioners of collaborative planning choose to mitigate such tensions through process design. The Kawartha Highlands planning process suggests that efficient and streamlined decision-making processes are not always possible. Collaborative processes are anything but tidy and an already messy process can get even messier when its design fails to appropriately acknowledge the presence of historical resource conflict.

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