

Building Connections: An Inter-jurisdictional Approach to Planning

The Collaborative Development and Management of the Okanagan Rail Trail

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ABSTRACT

Planning development across multiple jurisdictions can be challenging to manage on a governance and policy-level. While inter-jurisdictional agreements are a common method to manage multiple municipalities in the United States, their use in Canada is less documented. Though there is no clear roadmap for planning inter-municipally, best practices can be taken from the Okanagan Rail Trail example, which brought several jurisdictions together to develop and manage a joint asset. Lessons identified within this case-study are important, although, are not a definite blueprint for success. Characteristics for successful collaboration inter-municipally involves promoting actions such as respecting individual governance structures, enacting informal administrative arrangements, collaboration amongst stakeholders and involving the public.

1.0 / INTRODUCTION

Over the last 30 years, old railway lines have transitioned into recreational and tourism assets for jurisdictions by creating rail trails (Reis & Jellum, 2012). These trails can be utilized as both a tourist attraction and as a transportation corridor, while promoting sustainable modes of transportation including cycling or walking. Rail trails are defined as multi-use and



FIGURE 1 | Notice to the Public Pre-Construction

characterized by their location on a former railway line or parallel to an active railway (Moore et al., 1994 in Reis & Jellum, 2012). Rail-to-trail development is a less theorized topic, especially in a Canadian context, making the development of the Okanagan Rail Trail a unique case study.

A distinctive characteristic of the Rail Trail includes an inter-jurisdictional approach that was taken to acquiring, developing and managing the asset. Planning development that is managed by separate jurisdictions can be a challenge due to coordinating decisions amongst separate government organizations. Despite this, an inter-jurisdictional approach was taken to coordinate activities associated with the Rail Trail by its owner jurisdictions.

“It’s an interesting project because it brings together multiple jurisdictions in the Okanagan that all have to work together to create something truly fantastic for the region”

— Daylin Mantyka, Urban Systems



FIGURE 2 | CN Railway Prior to Redevelopment

Inter-jurisdictional agreements can help achieve like-minded goals and have been described as an, “innovative governance arrangement” (Andrew, 2009, p. 133). Though, alternative research has suggested that a decentralized and voluntary approaches “may ensure service and policy continuity” (Spicer, 2015, p. 1). Areas of focus explored in this research include governance amongst jurisdictions, an informal administrative agreement, collaboration and public participation.

2.0 / BACKGROUND

The Okanagan Rail Trail opened in September 2018, the continuous 50-kilometre corridor extends from the District of Coldstream to the City of Kelowna. The Rail Trail was a discontinued CN Railway corridor that was bought and reconstructed by multiple owner jurisdictions. Owner jurisdictions involved in the purchase and development of the Rail Trail included the Regional District of North Okanagan (RDNO), the District of Lake Country, the City of Kelowna, and the Okanagan Indian Band.

The owner jurisdictions, partnered with the Province of British Columbia invested \$22 million into the purchase of the railway (Okanagan Rail Trail, 2020), this was reduced from CN Railway's original asking-price of \$50 million. To maintain equal authority, the owner jurisdictions identified they were to assume all decision-making on issues surrounding the trail including development, management, maintenance, and governance (Gerhard Tonn & Associates, 2018). Additionally, stakeholder jurisdictions including the City of Vernon and the District of Coldstream were invited to participate in the shared vision for the Rail Trail.



FIGURE 3 | Owner and Stakeholder Jurisdictions: Opening Ceremony

While owner jurisdictions have championed the acquisition and development of the Rail Trail (Gerhard Tonn & Associates, 2018), stakeholder jurisdictions have participated in the process extensively. Following the acquisition of the rail corridor, it was determined that the vision of the Rail Trail could only be achieved through collaboration amongst owner and stakeholder jurisdictions.

This inter-municipal collaboration was described by Urban Systems' Communications and Engagement Coordinator, Daylin Mantyka stating, "It's an interesting project because it brings together multiple jurisdictions in the Okanagan that all have to work together to create something truly fantastic for the region".

"Partners from each of these jurisdictions and the Okanagan Rail Trail Initiative form the Inter Jurisdictional Development Team (IDT) who come together to make decisions on constructing the trail"

— Daylin Mantyka, Urban Systems



FIGURE 4 | Location Map

3.0 / FACTS OF THE CASE

3.1 A Vision for Future Opportunities

The vision of the Okanagan Rail Trail was to, "develop and manage a world-class rail trail that linked the communities of the Okanagan Valley" (Gerhard Tonn & Associates, 2018, p. 4). The trail was created to be inclusive of various members of the community by offering different levels of trail type and intensity. Furthermore, this coordinated vision created by elected officials determined that facilities along the Rail Trail were essential including parking, rest areas, benches, wayfinding, and interpretive opportunities (Gerhard Tonn & Associates, 2018).

These facilities have increased opportunities in the area for recreation, transportation, tourism and events along the trail and within communities (Gerhard Tonn & Associates, 2018). Additional factors involved in developing the Rail Trail included volunteer groups, staff committees and an informal administrative agreement.

3.2 Friends of the Okanagan Rail Trail

Since its infancy, the Rail Trail has been supported by the community, which has been displayed through the fundraising, volunteerism, and promotion of the trail. The local volunteer group, Friends of the Okanagan Rail Trail or (FORT) have promoted the Rail Trail as a community amenity and continue to support the growth of the asset. FORT's programs are operated in coordination with owner jurisdictions (Okanagan Rail Trail, 2020).



FIGURE 5 | Friends of the Okanagan Rail Trail

3.3 Appointed Staff Committees

Initially, to purchase the rail corridor, owner jurisdictions developed an agreement to better negotiate with Canadian National Railway (CN Railway). Rather than pursuing a formal agreement, stakeholders decided to follow a terms of reference to negotiate the acquisition of the CN Railway right of way (Gerhard Tonn & Associates, 2018). The acquisition of the right of way was to be managed by a staff committee known as the Inter-jurisdictional Acquisition Team (IAT).

The IAT was composed of representatives from both owner and stakeholder jurisdictions, these representatives provided recommendations to respective elected bodies on topics surrounding the Rail Trail. Once the right of way was successfully acquired, the IAT expired and the defined term of reference was used to establish a secondary staff committee known as the Inter-jurisdictional Development Team (IDT).

These committees were created to advise and provide recommendations to city councillors and the regional board. The final decision making is based on the collective votes of owner jurisdictions, which results in coordinated and consistent decisions surrounding the development of the Rail Trail.

3.4 An Informal Arrangement

A terms of reference was used by the IAT and IDT to better coordinate the actions associated with the Rail Trail. This arrangement considered various topics involved with the initiative including:

“purpose, interpretation, principles, vision, matters requiring joint or coordinated action, the appointment of staff committee, responsibilities of owner and stakeholder jurisdictions, required consultation and communications with councils and regional board” (Gerhard Tonn & Associates, 2018).

A foundational concept outlined in the terms of reference includes that jurisdictions maintain full authority of their section of the trail and that governance processes are respected in separate local governments (Gerhard Tonn & Associates, 2018).

“It’s very rare for a region such as the Okanagan to be presented with a new product that has the potential for that much economic impact”

— Kevin Poole, City of Vernon’s Manager of Economic Development and Tourism

This informal approach was utilized to establish how jurisdictions would manage future development and ongoing maintenance and use of the Rail Trail. To maintain consistency among jurisdictions, associated guidelines were created to manage the Rail Trail. These would ensure that the shared vision was achieved and decisions were reflective of all parties involved.

Positive outcomes resulting from the Rail Trail involving both owner and stakeholder jurisdictions include land use, tourism and the local economy, and urban mobility.



FIGURE 6 | Fundraising for the Rail Trail

4.0 / OUTCOMES

Outcomes of the Okanagan Rail Trail were written in collaboration with Jamie McEwan, Director of Community Development at the District of Lake Country, which is an owner jurisdiction. Outcomes of the Rail Trail included land use, tourism and the local economy, and urban mobility.



FIGURE 7 | Urban Mobility

4.1 Land Use Opportunities

The Rail Trail has had positive outcomes in the Okanagan Region. The development of the trail has undoubtedly impacted land use in the area. Jamie McEwan stated, “the Rail trail will be a catalyst for redevelopment along the Oyama Isthmus, and has even spurred initial analysis around servicing to facilitate mixed uses in the neighbourhood”. The Rail Trail could eventually lead to additional development in the area, Jamie McEwan stating, “The Isthmus could very well become a second or third “Main Street” for the District, becoming a lively, inclusive, and diverse community hub that is centered upon the walkable, accessible, and enjoyable Rail Trail”.

4.2 Boost in Tourism and the Local Economy

The Okanagan Rail Trail has had positive effects on tourism and the local economy in the Okanagan. The Rail Trail is promoted on various tourism mediums including Tourism Kelowna, Let’s Go Biking, and BC Rail Trails, amongst others. The trail has become a notable attraction in the Okanagan region promoting lakes, ecosystems, indigenous culture, and urban experience. Additionally, the Rail Trail has become part of a larger vision for the area with additional developments are being planned in cohesion with the rail trail corridor.

“The ORT will be a catalyst for redevelopment along the Oyama Isthmus, and has even spurred initial analysis around servicing to facilitate mixed uses in the neighbourhood”

— Jamie McEwan, District of Lake Country’s Director of Community Development

Jamie McEwan stated, “With the future extension of servicing, alongside development, of parks and trails on the Oyama Isthmus, the Rail Trail will become an appealing area for mixed use development. With appropriate planning, this will lead to higher quality of life for residents and a more diverse economy and population”.

4.3 Increased Urban Mobility

Active transportation within and between jurisdictions has improved as a result of the Rail Trail. Between January 1st 2019 to April 26th 2019, activity between Kickwillie Loop and Kekuli Bay included, “users from Kickwillie Loop: pedestrians recorded at 27,794 and cyclists at 11,712, while users from Kekuli Bay: pedestrians, 8,637 and cyclists at 2,940” (Squire, 2019). Additionally, the Rail Trail has provided linkages between jurisdictions for non-motorized modes of transportation.

Also, residents of jurisdictions have embraced the rail corridor and positive outcomes have been observed. Jamie McEwan stated, “The Rail Trail has already had a dramatic impact on residents’ behaviour in the community when it comes to active transportation. Residents are getting their bikes fixed up for the first time in decades, as they now have a safe, separated, and nearly “at grade” transportation solution to not only get exercise, to commute to work and recreation opportunities. We have witnessed tens of thousands of people using the Trail over the course of a year, prior to it even being widely marketed”.



FIGURE 8 | TD Bank Group Corporate Donation

5.0 / LESSONS LEARNED

Lessons learned from the Okanagan Rail Trail involved how jurisdictions approached the development, management and maintenance of the Rail Trail collectively. Main characteristics in the process included governance, an informal administrative arrangement, collaboration and public participation.



FIGURE 9 | Friends of the Okanagan Rail Trail

5.1 Respecting Individual Governance Structures

Early on, owner jurisdictions determined the development of the Okanagan Rail Trail would not interfere with existing governance structures of local government or the Okanagan Indian Band. By respecting existing governance structures, jurisdictions were able to maintain authority over their respective sections of the Rail Trail. Jurisdictions seeking to plan inter-municipally can learn from the Okanagan Rail Trail experience by adopting an informal approach that allows municipalities to reserve the right to make decisions.

5.2 Enacting an Informal Administrative Arrangement

Owner jurisdictions have adopted an informal administrative arrangement, meaning the arrangement is voluntary. At any point, jurisdictions can leave the arrangement without legal implications (Gerhard Tonn & Associates, 2018). This approach allows municipalities the ability to achieve a joint vision but also, to maintain their formal administrative processes. For jurisdictions seeking to co-manage the development and management of co-assets this could be a suitable option. An informal and voluntary arrangement can provide the flexibility necessary to achieve like-minded goals.

“The demand for this type of mobility option has sparked further active transportation planning and investment, which is changing the community for the better”

— Jamie McEwan, District of Lake Country’s
Director of Community Development

5.3 Collaboration Amongst Stakeholders

The collaborative effort of stakeholders was an important component in the development and management of the Rail Trail. A defined principle in the inter-municipal agreement or terms of reference, described “to work collaboratively to support the inter-jurisdictional arrangements agreed to by the jurisdictions” (Gerhard Tonn & Associates, 2018, p. A-1). This collaborative approach was achieved by creating staff committees that were representative of all owner and stakeholders jurisdictions. This approach allows representatives to make recommendations to council surrounding interests or concerns (Gerhard Tonn & Associates, 2018). By requiring consultation between jurisdictions, representatives are able to inform elected councils and the regional board. Jurisdictions seeking to plan inter-municipally, could form staff committees with a simple terms of reference to make the decision-making process more efficient.

5.4 Involving Public Participation

Involving the public and special interest groups has enriched the Okanagan Rail Trail development. For example, the Friends of the Okanagan Rail Trail has actively fundraised money for the development of the trail. In addition, FORT provides programs including Trail Ambassadors and Trail Improvements. By involving the public in the initiative, jurisdictions can achieve common goals for the public amenity.



FIGURE 10 | Okanagan Rail Trail Opening Ceremony

6.0 / CONCLUSION

Planning development among multiple jurisdictions can be challenging due to separate governance structures. The Okanagan Rail Trail development utilized an informal arrangement to mitigate some of the challenges associated with planning between separate governments. The ongoing development of the Rail Trail is dependent on the collaboration of owner and stakeholder jurisdictions. Outcomes of the Okanagan Rail Trail include land use opportunities, a boost in tourism and the local economy, and increased urban mobility. Lessons for other jurisdictions seeking to plan a development inter-municipally can benefit from lessons learned from the Okanagan Rail Trail example. Lessons in this case study included respecting individual governance structures, enacting an informal administrative arrangement, collaboration amongst stakeholders and involving public participation.



FIGURE 11 | Urban Experience

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