

ONTARIO Planning JOURNAL

SEPTEMBER/OCTOBER 2010, VOL. 25, NO. 5

ONTARIO PLANNERS: VISION • LEADERSHIP • GREAT COMMUNITIES

IMPLEMENTING PROVINCIAL POLICY

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about affordable housing**

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Ontario Planners: Vision • Leadership • Great Communities

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ONTARIO PLANNERS:

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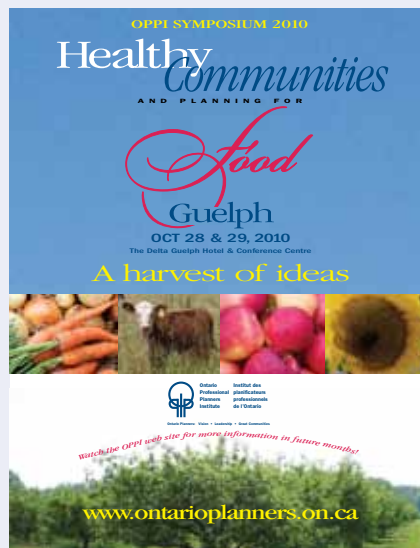
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Orillia Gets Serious About Affordable Housing

Implementing Provincial Policy

Jodi Ball

ONE OF THE MOST POPULAR tourist attractions in Orillia, a city of 31,000 people at the intersection of Lake Simcoe and Lake Couchiching, is the Stephen Leacock Museum. As it happens, Leacock's timeless observation—"The harder I work, the luckier I get"—is an apt description of the ethic that inspires the City of Orillia in its bid to provide affordable housing to those who need it.

Housing has long been recognized as an essential building block for healthy, sustainable communities. As a society we will never be able to achieve our goals if we are inadequately housed. Housing should provide a place for living, for growing, for protection, for security, and for belonging. That housing choice should include affordable housing has been increasingly recognized by governments and other stakeholders as the keystone in developing complete communities. But making the transition from vision to reality takes more than hard work.

Orillia's policy makers have defined three key ingredients to achieve success in facilitating the development of more affordable housing opportunities: strong policies outlined in the new official plan; a commitment to implement the recommendations of the recently adopted Affordable Housing Action Plan; and dedicated housing champions like city manager Ian Brown and the dedicated members of the Housing Committee.

Councillor Ralph Cipolla chairs the committee. "Affordable housing is important in every community...every community needs an Action Plan," he suggests. Cipolla emphasizes the importance of going "beyond identifying needs to identifying concrete actions." It is also critical to provide an opportunity for the community to participate in its development.

Strong policy guidance from the province is also important. The Provincial Policy Statement, in addition to requiring municipalities to provide a range of housing types and densities, requires municipalities to establish minimum targets for the provision of affordable housing. The Growth Plan provides additional encouragement in this regard.

Orillia is designated as one of five primary urban nodes in the Simcoe area. The City's decision to craft its first Affordable Housing Action Plan began as a response to findings from a county-wide housing analysis and the need to better understand and address housing issues at a local level. The Plan includes a detailed analysis of the current housing issues facing the City and recommended actions to support the development of cost-effective rental and homeownership opportunities.

The Action Plan identifies three broad directions and seven priorities to address Orillia's housing needs. From these seven priority areas, the City settled on 35 recommendations to be implemented by the City and its housing partners. The priority actions were:

- invest in a municipally funded rent supplement program;
- host an affordable housing forum;

- hire a Housing Coordinator;
- incorporate the Orillia Municipal Non-Profit Housing Corporation;
- establish an affordable housing reserve fund;
- work with community agencies to increase life skills programming;
- establish an Affordable Housing Task Force;
- promote alternative development standards;
- work with community partners to better understand emergency housing needs such as transitional housing for youth.

The City has already hired a Housing Coordinator. The next step will be for the Housing Coordinator to meet with community stakeholders to coordinate the various roles of the housing partners in implementing the recommendations. The City has also purchased two former school sites for future affordable housing developments.

The City intends to encourage the development of housing that is affordable for low and moderate income households or individuals. In addition, the Plan states that Council may consider relief from municipal permits or development fees. The Plan requires that a minimum of 25% of all new residential development within the "Central Core Intensification Area" meet the provincial definition of affordable housing. This is to be achieved by:

- promoting higher density;
- building smaller units;
- applying for government grants/subsidies, including land dedication;
- encouraging the development of secondary dwelling units.

The Plan further encourages the creation of partnerships with other government agencies and the private sector to promote innovative forms of housing such as triplexes and fourplexes, communal housing, secondary dwelling units, and live-work units. In keeping with the principles of a "complete community," the Plan proposes that higher density housing be located within 250 metres of public transportation routes.

The legislation outlined in the new OP and the actions put forward in the Affordable Housing Action Plan combine to provide the City of Orillia and its partners in housing with a strong foundation to make positive advancements in the provision of more affordable housing opportunities within the City.

Jodi Ball, MCIP, RPP, is a Senior Policy and Research Analyst with SHS Consulting, based in Richmond Hill. SHS worked with Orillia and its stakeholders through all phases of the project. The principals of SHS are Ed Starr, MCIP, RPP, and Christine Pacini. SHS recently was awarded CIP's Award for Planning Excellence for the Peel Housing Strategy.



Downtown Revitalization Strategies in Ontario's Mid-sized Cities

One size does not fit all

Adam Lauder

DOWNTOWNS ARE RECOGNIZED as critical components of vibrant, complete communities. The most successful downtowns are able to attract residents, business (particularly retail and service commercial), recreational amenities and cultural/entertainment attractions, as well as tourists. Successful downtowns are dynamic at varying times of the day (and night), and have a diversity of uses that attract a wide range of demographic groups. Downtown Calgary, Montreal, Toronto,

selection of downtown revitalization tools. Further, there are other components to downtown revitalization that planners should focus on before adopting “big-city” revitalization techniques.

Scholarly literature outlining the contemporary history of North American downtowns tells a generally consistent story, and identifies the following stages of downtown decline:

1. Increasing use of the personal automobile as a primary mode of transportation, corresponding with the construction of highways/freeways: New locations for retail, population and employment growth outside of downtown corresponded with the construction of highways/freeways. These opportunities eroded the agglomeration factor (or pull) enjoyed by downtown. A stereotypical downtown contained over 50% of the retail sector prior to this phase, compared to 4 - 5% in some poorly performing downtowns today.
2. Disinvestment in downtown in favour of commercial development on the periphery, leading to further loss of service: At this stage, downtown became an undesirable location for business. This stage may have included the construction of a regional mall outside the downtown (likely located at a highway interchange), serving to pull customers to the mall and away from downtown.
3. A poor downtown image, spurred by obsolete buildings, vacant store fronts and empty streets: Downtown lost its dynamic past, and in many locales experienced high vacancy rates, low average rents, a lack of retail and personal services, and became an undesirable location for employers. Some downtowns such as London, which serve the broader region, have avoided this last phase.



A streetscape in Uptown Waterloo (Willis Way)

Ottawa and Vancouver come to mind as vibrant downtowns that display these characteristics. These are Canada's top-tier downtowns, and are also hubs for large regions with significant population levels. Strategies to improve these downtowns abound, and planners show significant interest in understanding revitalization “best practices” from top-tier municipalities, believing that what works in top-tier municipalities will also work in smaller, less dynamic municipalities. This is not necessarily the case. Local context matters, and should dictate the

Mid-sized cities, with populations of 50,000 to 500,000, are not smaller versions of Canada's top-tier cities. Mid-sized city downtowns have undergone more severe decline, and generally do not have the capacity to rebound (or transition) from decline like larger cities. Mid-sized cities often do not have special characteristics that act as powerful attractors of residents, business, recreational amenities, cultural/entertainment attractions or tourists. The downtowns of Fredericton, Halifax, Kingston, or Victoria are examples of mid-sized city downtowns that exhibit such special characteristics,

making these downtowns unique within the category of mid-sized cities.

Recognizing the benefits of a vibrant core, many planners in mid-sized cities actively seek to revitalize their downtowns. A survey of Ontario's mid-sized cities found that 85% of responding municipalities had a formal downtown revitalization plan or strategy. The survey asked municipal officials questions related to the use of downtown revitalization tools, the perceived effectiveness of such tools, objectives for downtown revitalization, and the use of evaluation and monitoring techniques, including frequency of reporting, and use of indicators. In short, the survey sought to understand how strategic municipalities were in revitalizing downtowns. The results indicate that municipalities may not be applying the rational comprehensive decision making model in creating, implementing, and just as importantly, monitoring downtown revitalization plans/strategies.

The findings of the survey point to the need for planners working on downtown revitalization to fine-tune their revitalization strategies to ensure their primary objectives are being achieved.

The following are highlights of the survey findings:

- Respondents noted that "Increasing residential population" and "Increasing general activity" were the top two objectives of downtown revitalization.
- The most effective (perceived) tools were "Major strategic infrastructure construction," "Cultural/recreational amenities," and "Emphasis on functional city" (such as road improvements).
- While most municipalities indicated they do monitor downtown revitalization efforts, the overwhelming majority of municipalities indicated they do not have a downtown revitalization monitoring strategy. Many municipalities appear to use data based on availability, rather than tailor the use of indicators based on their objectives (such as increasing residential population).
- Municipalities that monitor their programs rely heavily on economic data, with few using social or environmental data. Social indicators would assist municipalities to understand changes in population levels, house-

hold income, or education attainment of the downtown population, etc, and support the objective of increasing residential populations.

- Municipalities appear to monitor infrequently, and do not always create monitoring documents that are available to the public.

The bread and butter of municipal planners are the creation of official plans, district plans, zoning by-laws, as well as engaging the public on projects. Implementation is not known as the planning profession's strong suit. The survey findings suggest that planners should incorporate the following elements into downtown revitalization programs:

1. Monitoring programs should be included at the outset. Terms of Reference documents for any new revitalization program should identify monitoring programs as an important step of implementing the revitalization program.
2. Planners need to think carefully about which data will be used to assist in monitoring.
3. Monitoring documents need to be available for public debate. A semi-annual report would provide adequate snapshots of a downtown. Many municipalities appear to be producing downtown monitoring reports infrequently, hampering the understanding of the performance of revitalization programs.

Given the resources (staff time, operating funds) that are involved in creating downtown revitalization strategies, more needs to be done to ensure such programs are performing effectively. While the specific tools (likely a mix of incentives and regulation) of revitalization programs should be informed by local context, monitoring efforts could be much more uniform across Ontario. Frequent, robust monitoring can help planners and the public understand how revitalization programs are performing over time, and allow programs to be adjusted or eliminated if needed.

Adam Lauder, MA (Planning), is a Policy Planner with the City of Waterloo.

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Postcards from Barcelona

An authentic city?

Alan Gummo

BARCELONA IS THE REAL THING! A real city with real people, full of vitality, energy, and creativity, and a deep love of being outside with others. This is a city with a long history of adventure, enterprise, and playfulness. A city with spirit. These images and thoughts come from a return to a city I first visited in 1970.

The Ramblas is one kilometre long, and on a clear day you can see no more than a few metres. Then your view is lost in the humanity. Patios, kiosks, and street performers add to the spectacle. In this image an acrobat handstands over his many onlookers. Seconds later he was standing right in front of me, having cart wheeled miraculously through the crowd.

When I was backpacking in Spain almost 40 years ago I encountered a country that was in many places and in many respects down, dark, isolated, and sullen, a characteristic of places run by military dictatorships. Fortunately those days are long gone. The country as a whole has opened to the world, and rebounded, and Barcelona has taken off with it, proving the point that restoration of vitality requires an overthrow of fascist tendencies.

Thirty-nine years ago the Barcelona waterfront was generally considered off-limits by backpackers except those with a committed death wish. The waterfront and the port-side residential enclave of Barceloneta had a reputation for danger and unpleasant outcomes. I recall them being unbearably dark and dreary, from what little I saw of them, and I don't recall holding out any hope for their redemption.

Fast forward to 2009, and post-Olympics the waterfront is a different place. It's now generally conceded that if the Olympics did anything for Barcelona, they allowed the city (and its residents) to re-connect with their waterfront.

Alan Gummo, MCIP, RPP, claims to be an urban gadfly. He has accepted no fellowships or appointments to august bodies, boards, or commissions. He intends to write a complete memoir of his travels. . . when he gets the time. Alan also served as a very effective co-chair of the recent joint conference with CIP in Niagara Falls. He is Associate Director, Regional Policy Planning, with the Region of Niagara.



Such ebullience had to result in Gaudi



The images of Gaudi are everywhere



Stores wedged into centuries-old fabric



The Ramblas is full of vitality



Towers that try to 'square' the corners



The waterfront has bold new elements



Street life offers a range of experience



Cycling is now part of the city's DNA



The Fundacio Miro is a fun excursion



Anonymous street art cheers up passers-by



Impromptu music on the waterfront



Low-key gentrification in Barceloneta

Horses in the Countryside: A Lost Opportunity for Agriculture, or a Recipe for Rural Revitalization?

The four legged economy

Bronwynne Wilton, Wayne Caldwell and Sarah Thomson



PHOTO: JAWILTON

Annual expenditures for horse care estimated at more than \$700M

THEY ARE A QUINTESSENTIAL PART OF rural life, yet the many horses that populate the countryside are largely unrecognized in the census of agriculture and clear numbers regarding their economic impact were not well understood. Some of these gaps in knowledge are being filled in by a recent study Rural Ontario's "Hidden" Sector: The Economic Importance of the Horse Industry by Dr. Bronwynne Wilton and Dr. Wayne Caldwell, University of Guelph.

The numbers are astounding. With nearly 380,000 horses in the province, there are an estimated 62,000 properties with horses compared to 57,000 conventional farms. Their economic impact in a year is estimated at \$7.6 billion dollars and their contribution to agriculture and rural living has previously been undocumented. The report is the summary of an online survey of 1,680 respondents in 2009. Respondents of the survey owned more than 8,000 horses, an average of five horses per owner.

The participants in the study said they spent an average of \$6,900 annually on each horse they own. A total of 71% said they had

made capital investments in their properties over the past five years, an average of \$164,000 per site. Extrapolating these results for the province, we estimate a province-wide investment of \$3.7 billion. This represents a substantial influx of money into the rural community. The estimated annual expenditures by the horse industry in Ontario in property investments and maintenance is \$735 million. Farms reported paying an average of \$3,000 in municipal taxes per year. For the 62,000 properties with horses in Ontario, this equates to an estimated \$186 million in municipal taxes.

The research was funded by a Sustainable Rural Communities grant as part of the OMAFRA/University of Guelph research agreement. According to the survey, only 14% of participants' horses would have definitely been included in the last census. Forty-eight percent of respondents were "not sure" whether they were included or not and 38% said they were definitely not included. These statistics indicate a high level of under-reporting of the Ontario horse population. The main demographic for horse ownership,

especially in the sport and recreation category, is women aged 40-59. Eighty-six percent of respondents indicated that they would like to stay in the industry as long as they could, which bodes well for the industry and the rural economy.

Interestingly, horses are listed under the category of "Other Livestock and Bees" in official census reporting. According to the report there was a 16.7% increase province-wide in the number of horses between 2001-2006 and limited investigation of this sector by either provincial or municipal government agencies.

So why has the burgeoning horse population gone largely unreported? Mostly it has been a recent trend for people to own horses for recreational use and not as farm work horses. Going back to the 1940s and 1950s, horses would have been counted as work horses. It was not uncommon back then for people to own several horses as part of the farm, but recreational horse ownership tends to not be documented. Also, many horse owners do not qualify as farm businesses. Fifty-one percent of the survey respondents said they earn under \$7,000 in revenue from their "horse farms." There are many rules for what can be reported as farm income from an accounting standpoint; for example, revenue from boarding horses is generally not counted as farm income. For instance, in the Greater Toronto Area it may not be unusual to pay an annual fee as high as \$1,000 per horse for boarding.

With the numbers so hard to peg down, it makes it difficult to create appropriate policy, programs, and outreach and education programs for this sector. Horse owners, the survey found, are interested in stewardship, clean water and land for their animals. However, programs such as the Environmental Farm Plan do not see a high level of uptake from the equine sector as many horse property owners are not aware of the program or think that they are not eligible for the grants to make environmental improvements to their farms. The Environmental Farm Plan program is targeted to farms that are registered farm business

operations. It is in areas such as these that the study hopes to identify gaps in servicing the needs of horse farms across the province.

Sting in the horse's tale

Horse farms have an important role to play in bridging the gap between urban and rural communities. This is especially true for sports and recreation facilities. They are usually located on the outskirts of urban locales to draw their clientele. This brings people into the countryside for weekly riding lessons or to visit their horses boarding at a facility. The equine industry is very diverse with various nodes of concentration close to urban areas such as the GTA and Ottawa. Wellington County in Southwestern Ontario, bordering Guelph and the tri-cities of Kitchener, Waterloo and Cambridge, has seen the greatest increase in the number of horses over recent years. For example, there has been a 50% increase in the number of horses in Wellington County from 2001 to 2006, with the number rising from 18,293 to 27,530 horses. Wellington County horse owners were the single largest group participating in the survey. Nine per cent of respondents were from this geographic area, followed by Ottawa at 6% and Simcoe with 5%.

While the use of agricultural land for the recreational use of horses has often been

debated, horse ownership does protect the land, produces a service and supports the rural landscape. Properties used for horses and related activities help to support a vision of a vibrant rural landscape, especially near urban centres. There is also a strong relationship



PHOTO: GILLIAN AUDI

Horses can complement agriculture

between the equine sector and conventional agriculture. There are many partnerships and opportunities for existing agriculture with different income streams such as custom growing of hay for horse operations and the boarding of horses as an additional income source on the farm. There are also business opportunities for feed mills specializing in horse feed, harness and tack shops and other related farm supply businesses.

Equine-related business trends from the respondents indicated that they agreed that business has increased over the past five years. They indicated that most of their customers come from the same geographical area as they do. Interest in equine-related products and services has been increasing over the past five years and owners feel optimistic about the future of their equine-related business or service.

Rural communities and those responsible for leading economic development need to reconsider the horse industry as a positive activity in the countryside that can coexist with and stimulate the local rural economy, particularly in those near-urban areas where it may be difficult to sustain conventional agriculture.

Our report stresses that more resources need to be dedicated to properly collect statistics related to the equine industry. This can help municipalities and the province make appropriate and informed decisions related to horses and horse farms. As rural Ontario continues to undergo transformations it is increasingly important to have a thorough understanding of all sectors that play a role in the mosaic of the Ontario countryside.

Dr Bronwynne Wilton and Dr Wayne Caldwell, MCIP, RPP, both teach at the University of Guelph. Sarah Thomson is a graduate student. The full report is available at <http://www.waynecaldwell.ca/Projects/horsefarms.html>. Wayne is past President of OPPI.



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OAK RIDGES

Guelph's Rural Development Program Turns 30

Therese Ludlow

The first Alumni event for the Rural Planning and Development Program at the University of Guelph took place in late June, celebrating 30 years. It was a great success, bringing in over 100 alumni from all over Canada, the USA, the UK, Mexico and other countries.

Founding Director of the School of Rural Planning and Development at the University of Guelph, Dr. Mark Lapping, was the MC for the gala dinner, Dean Rob Gordon of the Ontario Agricultural College and several alumni took a turn at the podium.



Happy revelers at RPDP's 30th

The room was full of energy and spirit as past and current students caught up with each other, met new friends and discussed various rural planning and development topics. Everyone agreed that the RPD program is unique, high quality and responsible for producing many successful graduates working all over the world.

Here is a summary:

- The RPD Program is the only accredited Rural Planning and Development focused program in North America and is the first graduate school devoted to rural planning and development studies.
- Its host, the Ontario Agricultural College, is recognized internationally for its expertise in agricultural research.



Wayne Caldwell

- There is an active retired faculty that continues to be engaged in teaching and research.
- Alumni are engaged within Canada and around the world in rural planning and development.
- A new one-year masters program has been created.
- Alumnus George McKibbin '85 will serve as the first "planner in residence."
- There is a committed program of research focused on the future of rural communities—within Ontario, across Canada and Internationally.
- The student body hosted the CAPS(Canadian Association of Planning Students) conference this past year.
- The program includes an international stream that was recently accredited by the Canadian Institute of Planners.
- The program has been in existence for over 30 years, has more than 600 alumni, with more than 100 of these in attendance at the recent reunion.

With the success of this past reunion, it is hoped that many

more will occur in the future. It was a wonderful event where many were able to finally come together and celebrate a strong and dynamic program, a program that is current and breeds success of its many students.

Information on The Rural Planning and Development Program can be found on the following website: <http://sedrd.uoguelph.ca/RPD/> or please contact the program coordinator: Dr. Harry Cummings at cummingsarry@hotmail.com.

Therese Ludlow is a current RPD MSc. Graduate Student.

SOUTHWEST

Downtown Brantford's Security Partnership

Mark Gladysz

As Downtown Brantford returns to economic and social stability, a key attribute defining success is decreased crime statistics and an improved perception of safety as a problem in downtown. Many groups are playing interconnecting roles in monitoring and expressing this success. These include the BIA and the City of Brantford's Downtown Action Committee (DAC). Wilfrid Laurier University (WLU) also plays a significant role in conjunction with Brantford Police Services in creating a unique security partnership in downtown.

About four years ago, WLU created the Special Constables Service. The Special Constables function is unlike a standard campus police function as WLU's Brantford Campus is within an established urban environment. There are few Canadian prototypes for this approach. This

model is closer to the American urban university campuses than clearly defined Canadian campuses.

The Special Constables Unit has four staff in a new storefront office on Market Street. The Special Constables are sworn peace officers who work closely with the Police. They have all the authority of police officers on lands and buildings owned by WLU. This close partnership with the police has worked well. The police use the Special Constables' Office as a downtown beat office as well as share patrolling in the



Multi-force collaboration improves service to public

downtown. The Special Constables can count on immediate response from the police if needed. The public has come to see the Special Constables as an auxiliary to the Police. The 24 CCTV cameras on WLU buildings are an important contributor to the surveillance of the downtown environment, and are monitored both in Brantford and Waterloo. The Police have used WLU CCTV video in a conviction. Supporting the Special Constables are student programs that support student safety, including a Foot Patrol safe walk, a Safe Place Program (like a block parent program), and Student Crime Stoppers Committee.

WLU has recently completed a Campus Master Plan, which foresees the growth of the University occupying a large part of

downtown Brantford. Consequently, the Special Constables will increasingly play a bigger role in downtown safety. This convergence of security interests in the parks, streets and semi-private spaces around post-secondary buildings, is an important experiment occurring in downtown Brantford.

Overseeing this shared security environment are a number of boards and advisory committees, such as the BIA, the Town and Gown Committee and DAC. WLU works closely with both the BIA and municipal staff and Police on DAC to review and monitor downtown safety. Every month, the Police provide Beat Stats for review to both groups. Each month, the BIA starts its meeting with a review of the perception of downtown as reflected in the media or information related to recent incidences. Even entities such as the Public Library, special events programming and the Parking Authority find their roles in security reviewed and incorporated into the dialogue.

Recently, a partnership between the Public Library, WLU, Parking Authority and Planning Department resulted in physical changes based on CPTED principles to an area known to the Police as a gathering spot for loitering and other disruptive behaviours. A particular characteristic in Downtown Brantford is that the rate of crime incidents declines when post-secondary institutions are open, and increases in summer when they

close. Also in summer, there is an increase in the presence of marginalized populations, who dominate the public realm.

Increasingly, the City of Brantford and the BIA have been coordinating a response with increased programming in public spaces (music, special events, etc.) and encouraging the post-secondary partners to increase year-round activity.

Brantford is still trying to find the appropriate response to the “summer cycle,” and is looking to tourism and special events to attract visitors and local residents to downtown.

In conclusion, downtown Brantford has slowly developed its own unique approach to managing the surveillance and security of the public realm. The Special Constables augment Police enforcement, and this will become increasingly important as the post-secondary expansion continues. Using a variety of methods, from CCTV cameras to programming of public spaces, a coordinated response by various private and public sector partners is creating a unique partnership in promoting safety and security. Attention to how the downtown is perceived and presented in the media and in the public discourse is an ongoing activity.

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Reinventing the Commercial Shopping Centre

Ben Puzanov

In late June, the Southwest District held its annual Spring dinner meeting at The Rum Runner Pub in Kitchener. Participants heard three experts discuss commercial development and the evolution of the shopping centre over the last half a century. They were David Shorey of North American Development Group, David McKay of MHBC Planning and Ryan Mounsey of the City of Waterloo. The blend of public and private sector planners made for an interesting evening and generated lively discussion.

David McKay, a partner with MHBC's Vaughan office, began by strolling down memory lane and reviewing the history of the shopping centre—the strip malls and variety stores that were popular in the 1930s through the 1950s; the traditional shopping malls that dominated the suburban landscape in the 1960s and 1970s; the regional shopping malls of the late 1970s and the 1980s; and the Big Box power centre developments that dominated the 1990s and are still prevalent today. McKay discussed the appeal of the Big Box format for retailers and explained that the elimination of common areas, a key feature of the traditional and regional shopping malls, has

significantly reduced lease rates and the cost of doing business for tenants.

Fuelled by greenfield development and North Americans' dependence on the automobile, power centres are largely the product of a revolt against “single-purpose” shopping trips. A typical power centre has two or more anchor tenants, which draw consumers in, and multiple smaller, often specialty, tenants which feed from the traffic generated by the large retailers. In return for



Caitlin Graup and Brad Bradford were awarded scholarships at the holiday meeting in Southwest

their services and the consumer traffic they generate, anchor tenants are rewarded with lower lease rates along with other perks not offered to their smaller neighbours.

Drawing on his consulting experience, McKay concluded by discussing retail development in urban, densely populated areas. Citing the LCBO and Shoppers Drug Mart as examples, McKay described a shift away from the standard single-storey retail layout in the inner cities. New design guidelines and attention to urban form have forced these retailers, along with many others, to change the way they operate, revamp their floor layouts and retrofit existing buildings to meet urban area intensification standards. Several large national and regional retailers, including Home Depot, Best Buy and Save-On-Foods, have started to incorporate condominiums above their downtown stores in large urban centres.

David Shorey, Managing Partner with North American

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Development Group, focused on the lifestyle centre and its impact on the shopping experience for consumers. Shorey characterized lifestyle centres as “open air” shopping centres that provide visitors with an “experience,” unlike power centres. He indicated that a typical lifestyle centre has at least 50,000 square feet of leasable space and has a variety of retail and entertainment destinations, such as apparel and home goods stores, cinemas and restaurants. Shorey added that a main street feel is a defining feature of lifestyle centres and—as with power centres—large anchor stores and a proper tenant mix are vital to their success.

Shorey also described his company’s Park Place development in Barrie. Thought to be the province’s first true lifestyle centre, Park Place will be situated on a 190-acre site at the south end of the city, with a portion of the development on the former Molson Park lands. Park Place

will be located northeast of the Mapleview Drive interchange on Highway 400 and will be adjacent to an existing Big Box node that will help draw consumers to the site. Shorey indicated that Park Place will have nearly 2 million square feet of leasable space and will house retail and office uses as well as restaurants and entertainment destinations. Shorey also noted that the development proposal for Park Place was unsuccessfully appealed to the Ontario Municipal Board because the City did not support the developer’s plans.

Ryan Mounsey, Development Planner and Urban Designer with the City of Waterloo, discussed commercial development in the Region of Waterloo and offered a municipal planning perspective for the audience’s consideration. Mounsey explained that a key driver of recent redevelopment projects around Waterloo was the diminishing supply of land. He added that a reduction in the supply of land leads to a much better

use of land and indicated that a policy shift within his jurisdiction has led to increased densities. Mounsey explained that the commercial development policies of Waterloo’s Official Plan have been revamped and the focus has shifted to neighbourhood-scale development and live-work units.

Mounsey also discussed the area’s mixed use strategy, citing the Bauer Lofts as a unique project that involves an adaptive re-use of a historic industrial building to create a mixed use building offering residential and office space along with boutique retail uses on the ground floor. The Barrel Yards development was also discussed and described as a “mixed use neighbourhood,” a concept that is often neglected in conversations about mixed-use projects.

In addition to discussing the City of Waterloo’s creative, density-boosting policies, Mounsey cited the “stepping” of mixed uses, signage regulations as well

as setback and landscaping requirements as tools available to planners who are implementing mixed use strategies within their municipalities. He concluded by stressing that without the necessary modifications of official plans and changes to comprehensive zoning by-laws, mixed use developments are unlikely to succeed. He added that political will is crucial for the above modifications and changes to be implemented.

The Southwest District’s Program Sub-Committee would like to thank all three speakers for volunteering their time to provide their insight into the state of commercial development across the province. Thank you also to everyone who attended this event and made it a great success.

Ben Puzanov, MCIP, RPP, is a planner with Middlesex Centre and district editor for the Southwest District. He can be reached at puzanov@middlesexcentre.on.ca

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Touring Toronto's Former Railway Lands

Christina Addorisio and Eldon Theodore

In early June, the Toronto District hosted a walking tour of one of the City of Toronto's emerging communities: City Place, the former railway lands west of the Rogers Centre in Downtown Toronto. We selected this area for the tour because for many people, the only experience of City Place is from a passing car on route to the Gardiner Expressway—which does not do it justice. Over the past 15 years, the area has evolved from a barren, contaminated, underutilized industrial area to a livable, exciting extension of the urban fabric. It will ultimately be home to more than 10,000 residents, or 7,500 dwelling units—an excellent reason to walk this neighbourhood to experience the changes ourselves.

Lynda MacDonald, Planning Manager, City of Toronto and James Parakh, Senior Urban Designer, City of Toronto were our guides.

Lynda provided the background and planning history of the area, and the tools used to achieve a framework which allowed for the community vision to become reality. She explained that the lands were originally owned by CN Rail, and the first iteration was for a mid-rise European style community. When Vancouver-based Concord Adex purchased the site from CN in 1996, the vision was reworked. The City worked with Concord Adex to implement a Vancouver-style urban form, moving toward the podium block and tall tower model. Lynda also explained that the original approval for the area, established under a Precinct Agreement (under the *City of Toronto Act*), ensured that a number of

community elements would occur as part of the development. Some of those elements include daycare, a school, a library, an eight-acre park, a linear park, four neighbourhood blocks for affordable housing, and a bridge crossing over the existing railway tracks.

James provided a design perspective as we walked through the community. Although tall towers dominate the skyline of City Place, there has obviously been attention to detail at the ground level to ensure a balance between the public realm and density. Today's density is actually quite similar to the mid-rise European iteration that was originally approved. The pedestrian experi-



Railway Lands tour shows growth of community

ence is also supported by ground floor commercial, mainly along Bremner Boulevard, and anchored by the urban grocery store, which has become a community hub.

James showed how community elements such as public art were carefully placed and used as monuments and way-finders. The linear park at the north end provides a pedestrian connection under Spadina Avenue and across the entire site without pedestrians ever having to mix with busy traffic. The centrepiece of the community would have to be the community park, with a recreational sports-field, and an elevated park with a Canadiana-inspired design by Douglas Coupland. James explained that the elevation of the park (which looks down at the Gardiner) is a result of finding innovative ways of treating and safely storing contaminated soils on-site. Interesting and unique

artwork, traditional paths, wooded glades, and greenery throughout the park contribute to the overall experience, making it a warm and inviting place to relax, walk a dog, play sports, or just enjoy nature.

One particularly fascinating feature of the three-hectare park is the Terry Fox Miracle Mile, a running/walking path in honour of Terry Fox. Various inspirational pictures of Terry as well as glass-encased monuments dot the pathway. The park runs north from Fort York Boulevard and extends from just west of Spadina Avenue to Bathurst Street.

While City Place is not yet complete, walking through what has been built to date suggests that the future is bright for the former railway lands. The City appears to be achieving the original vision—the establishment of a neighbourhood with a sense of place and a distinct identity. Special thanks to Concord Adex for use of their presentation facility and to Lynda and James for educating our group on the history and providing their perspectives during the tour.

Christina Addorisio, MES, is the Secretary Treasurer for OPPI's Toronto District Committee and a Land Use Planner with Bousfields Inc. Eldon Theodore, MUDS, MCIP, RPP, is the Recognition Committee representative for OPPI's Toronto District Committee and an Associate and Urban Designer with MHBC Planning. (This project won a CUI Brownie Award in the late 1990s.)

PEOPLE

New leadership in Niagara

Mary Lou Tanner is the new Manager of Policy Development in the Regional Policy Planning Division of the Integrated Community Planning Department at the Region of Niagara. Mary Lou's focus will be in leading projects to develop new

policy for the Regional Policy Plan, and managing the review of lower tier official plans and policy amendments. A graduate of the School of Urban and Regional Planning at Queen's University, Mary Lou previously worked with the City of Hamilton and Halton Region, as well as in a variety of key corporate, departmental, and division initiatives within Niagara Region Public Works.

Michael Seaman has left Oakville for a new position as Director of Planning with the Town of Grimsby. He will still have the heritage planning function as part of his job and will continue to be the Ontario Planning Journal's contributing editor for



Michael Seaman

Heritage. His new e-mail there will be: mseaman@town.grimsby.on.ca.

Michael Bissett has been promoted to partner at Bousfields Inc. He previously worked at Wood Bull LLP and Cassels, Brock & Blackwell LLP. He has also worked as a municipal planner in Delaware County, Ohio. Also promoted to partner at Bousfields is **Tom Kasprzak**. Kasprzak is a LEED-accredited urban designer who has been with the firm for five years.

Paul Zamodits has been named an associate. He is also a LEED-accredited planner/urban designer, and previously worked as a municipal planner in Loyalist Township.

Delcan has promoted **Manoj Dilwaria**, B.Eng., M.Pl. (Transp.), MCIP, RPP, AVS, to the position of Senior Principal. The Delcan program for senior appointments recognizes members for their leadership qualities, strong technical skills and contributions made to the corporation's growth and success. Over the past two decades, Manoj has provided engineering and planning consulting services to

both the public and private sectors within Canada and internationally. He received his Masters Degree in Transportation Planning and Bachelor Degrees in Civil Engineering from India. The Canadian Institute of Transportation Engineers recently appointed Mr. Dilwaria chair to oversee the update of the current Canadian Neighbourhood Traffic Calming Guide.

Jennifer Keesmaat and **Antonio Gomez-Palacio**, principals with Toronto-based planning and urban design firm Office for Urbanism, announced in late August the merger of their firm with national design firms Cohos Evamy and Hotson Bakker Boniface Haden (HBBH).

Office for Urbanism has received numerous awards for its creative work on downtown plans, site plans, campus, cultural and master plans for cities across Canada and internationally. Cohos Evamy and HBBH are the designers of projects such as Toronto's upcoming Bay Adelaide East office tower, Calgary's International Airport expansion, the Royal Alberta Museum, and UBC's Student Union Building.

Collaborating across studios in Toronto, Calgary, Edmonton and Vancouver, the new firm combines the planning discipline with architecture, engineering and interior design to create an innovative, integrated professional practice.

OBITUARY

Eli Comay, FCIP

Bob Lehman

For me, Eli Comay was a bridge to the early days of planning in Canada. My best memory of Eli is a dinner at Hy's restaurant in Toronto to host Ira Robinson, who was reviewing the York University MES program to grant accreditation. One of the guests asked Eli something about the planning of the Toronto waterfront. Within minutes, the spoons were aligned to represent the Toronto islands; the knives were the railway lines; the forks, Yonge Street; the salt-cellars were ferryboats and a variety of dishes represented a variety of land uses. At that moment the waiter arrived with our dinner and looked at the table with utter dismay.

Eli was the ultimate pragmatist, acerbic, direct and incisive, who believed that the ability to filter experience was what made a good planner.

His long career began after graduating from Harvard University in 1949, where he studied city planning. After a stint at the City of Chicago, he joined the Metro Toronto Planning Department in 1955. He held the position of Planning Commissioner from 1962 to 1966.

After leaving Metro in 1966, his practice focused on projects associated with housing,

transportation, local government reorganization, and planning legislation. At the local level, Eli conducted studies that led to the establishment of planning departments in the regions of Ottawa-Carleton and Niagara. He also consulted for a number of municipalities in the Greater Toronto Area.

His work with the private sector included an appointment as planning coordinator for the development of the Erin Mills community in Mississauga where he worked closely with John Bousfield. Housing was a particularly important area of practice, and he served as Chairman of the

Eli taught at York University from 1969 to 1992, and subsequently held an appointment as Professor Emeritus in Environmental Studies and Senior Scholar. He was elected as a Fellow of the Canadian Institute of Planners in 1993, and served as editor of *Plan Canada*.

In 1969, Eli's office was on Sultan Street in Yorkville, close to the Windsor Arms Hotel. It was a small office and the back room was piled high with bankers' boxes full of material he had collected over the years. He was 50 at the time.

I was in the first year of the MES program and needed a part-time job. He offered me the opportunity to sort out the material, essentially making piles of similar materials and a written inventory. He paid me \$9 an hour, at a time when the minimum wage was \$2. For the next six months I spent two afternoons a week reading material on planning that dated

back to the 1940s. I particularly remember a letter from Earl Levin describing his visit to Chicago, commenting on various planning initiatives and processes. I was being paid to learn, which is probably why I ended up in consulting. Forty years on, that material has ended up in the City of Toronto Archives. (See the link at the bottom of this page for more information.)

I also recall a function one night at a home in Rosedale in 1970 or so, with a number of professors from York and the University of Toronto. The diminutive Hans Blumenfeld held court, perched on a couch addressing the room, treating the 50 year olds like students.

Eli Comay leaves a great legacy of planners from my generation who learned from him. I hope they are passing on some of the same knowledge and wisdom.

Bob Lehman, FCIP, RPP, was one of 12 students in the first class of the MES program at York University.

Eli was the ultimate pragmatist, acerbic, direct and incisive

Ontario Advisory Task Force on Housing Policy in the early 1970s. It was the report of this task force that led to the formation of the Ministry of Housing.

Eli Comay was responsible for the formation of the Ontario Housing Action Program, and served as its first Director, 1973-1974. From 1981 to 1988, he was a Director of the City of Toronto's Non-Profit Housing Corporation, and served as Chairman of the Cityhome Development Committee. From 1981 to 1987, Eli was Canada's representative on the Bureau of the International Federation of Housing and Planning.

He acted as a consultant for the provinces of Alberta, New Brunswick, Nova Scotia and Ontario, and contributed to the Ontario Economic Council's study of municipal planning in Ontario in 1973 as well as the Royal Commission on Metropolitan Toronto in 1976. He also served as Chairman of the Ontario Planning Act Review Committee, 1975-1977, which led to the *Planning Act* of 1981.



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Recognition Committee Pursues Full Agenda

Cathy Saunders

The Recognition Committee in partnership with the Policy Committee continues to implement the initiatives brought forward by the 2007 Healthy Communities, Sustainable Communities Call to Action. As you may recall, the Call to Action focused on the relationship between where we live and issues that are of key importance to communities across the province—obesity and related health problems; air quality in transportation corridors; economic vitality and poverty; and social cohesion.

OPPI identified five issues for priority attention by everyone with an interest and involvement in planning our communities. To be successful in creating healthy and sustainable communities, we must collectively:

1. Refine and verify the results of the public health work on the relationship between sprawl and poor health outcomes, including obesity, in order to better develop land use and transportation design responses to Ontario's unique built environment.
2. Develop design measures and transportation modelling methods to better balance walking, cycling, and public transit against the demand for car use.
3. Prepare more sensitive land use compatibility guidelines to address noise, odour, and air contaminants associated with the mixed land uses and higher densities required by Ontario's growth management policies.
4. Develop planning policies and methods appropriate to different contexts, including in economically declining regions and municipalities, by:
 - Encouraging markets for locally grown agricultural produce;
 - Finding innovative local uses for lands and resources in rural and Northern communities; and
 - Scaling services in declining rural and urban communities to match community needs.
5. Ensure that planning analysis and decisions enable local communities to take control and manage change in a sustainable manner.

Since the launch of the Healthy Communities, Sustainable Communities initiative, OPPI has continued to develop and deliver the Healthy Communities Initiative. This development and delivery has occurred through the following actions and activities.

Partnership with the Ministry of Municipal Affairs and Housing to develop a Healthy Communities Toolkit

This Toolkit was launched at the 2009 OPPI/CIP Conference held in Niagara Falls. The purpose of the Toolkit is to provide a guideline for decision makers and practitioners on how communities can be planned and designed to promote healthy communities. This toolkit includes: planning tools for municipalities to achieve sustainability for the built environment; processes that can be used by the community and their municipality to consider possible opportunities for health-friendly

neighbourhoods; and some best practices that are currently being undertaken in Ontario and elsewhere.

Other Partnerships

OPPI has established partnerships with the Heart & Stroke Foundation, Association of Local Public Health Agencies (ALPHA) and the Ontario Public Health Association (OPHA). With these partners, OPPI can better advance the goals and strategies set out in the Healthy Communities, Sustainable Communities initiatives by ensuring that the message is delivered to a broad range of professionals in the community. These partnerships help each group to gain a better understanding on how existing and future strategies can be linked to provide a more comprehensive program for the entire community.

Storytelling

OPPI believes that the most important resource to achieve awareness of what can be accomplished with respect to Healthy and Sustainable Communities is through "storytelling" from our members to share best practices

(Cont. on page 19)



Cathy Saunders



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North Oakville Secondary Plans Implementation Strategy

The Town of Oakville, one of the Greater Toronto Area's most rapidly growing urban centres, has planned the development of North Oakville as a model of sustainable development and social diversity on a 7,400-acre greenfield area designed to accommodate 50,000 people and more than 35,000 jobs. The Town recognized that nothing less than a complete cultural shift in the way the Town conducted business would ensure that the plans for North Oakville are successfully translated on the ground. This Implementation Strategy, which includes standards and procedures to address zoning, urban design, roads, transit, parking, trails, sustainability, and parks, is intended to bring about that shift and represent an alternative to suburban sprawl development that balances the preservation of natural resources with sustainable, transit-supportive urban community design.



OPPI Excellence

in Planning Awards 2010

Urban/Community Design

City of Toronto

Toronto Urban Design Streetscape Manual



Toronto City Planning has launched a new online format for its Urban Design Streetscape Manual, an important reference tool that will be accessible to the public and used by city planners, designers, engineers, and others to guide the design, construction, and maintenance of streetscape improvements in Toronto. The new online format streamlines the planning process by making this comprehensive

source of streetscape information immediately accessible to everyone involved in designing, reviewing, and approving street and sidewalk improvement projects. The manual provides a clear and consistent palette of materials and design recommendations for all arterial roads and a selection of collector and local roads in Toronto. It emphasizes design quality, durability, safety, accessibility, and amenity in the pedestrian realm through the use of placement guidelines and a large inventory of design details for decorative paving, street trees, medians, lighting, and street furniture.

City of Waterloo/GSP Group Inc.

Waterloo Public Square

Waterloo Public Square was created on the site of a former parking lot on King Street in Uptown Waterloo. Officially opened in May 2009, it has become a popular focal point for the city. The Uptown Waterloo

Public Square Study by the GSP Group Inc. assessed alternative uses for the site, appropriate urban design for this main street location, and alternative sites for a new public square. The planning process successfully engaged the public and provided Council with clear direction on the use of the land and design objectives for the new square. The design responded to a significant grade change and includes a curved accessible walk, terraced landings, amphitheatre-style seating, and a large performance space and skating plaza at street level. Since its opening, the Public Square has been used by thousands of people, in all seasons, for a wide variety of formal and informal activities. The Public Square has been a successful place-making exercise and has become the new heart of the City of Waterloo.



Research/New Directions

Prince Edward County/Ryerson University

Cultivating Rural Creativity



The Municipality of Prince Edward County is well known for its mixture of traditional rural life, creative urban amenities, and community of artists and artisans. However, its Official Plan had not kept pace with its changing identity, nor emerging trends in local and sustainable agriculture. *Cultivating Rural Creativity* is an innovative study undertaken by Ryerson University's School of Urban and Regional Planning for the Municipality's Planning and Economic

Development departments. The study offers recommendations and guiding principles to harmonize the municipal Creative-Rural Economy policy with a comprehensive update of the Official Plan. It examines the relationship between the changing nature of agriculture and land use planning, and was adopted by the Municipal Council as part of the Official Plan review process by a unanimous decision. It will be used by the Municipality to inform the upcoming Provincial Policy Statement review.

Member Service



Terri Johns, MCIP, RPP has been an OPPI volunteer in the Western Lake Ontario District for more than 15 years. Her contributions include service on the district committee, on the organizing committees of three conferences

(one in Hamilton/Burlington and two in Niagara Falls), and as a mentor for other planners. She has supported district activities through sponsorship by her firm and is one of a core group of planners that helped smooth the transition from the former Central District during the start-up of the Western Lake Ontario District.

Communications/Public Education

French Planning Services

Lake Planning Handbook for Community Groups



This handbook and accompanying resource kit were prepared for the Federation of Ontario Cottagers' Associations to educate property owners, community groups, business operators, and government agencies about the strategic process for lake management and stewardship planning. The purpose is to help community groups facilitate a community-based planning process

that engages all stakeholders in defining a vision for their lake and taking actions to attain that vision. It is based on the collective experience of at least 40 lake associations across Ontario and draws upon a seasoned lake planner to provide answers to common questions about processes, roles, steps, and best practices. The handbook comes with a CD resource kit that includes documents that community groups can use, such as completed lake plans, surveys, and background information, as well as templates to help with preparing presentations, communications, workshops, and funding appeals.

Town of Oakville

The Plan for Kerr Village

Kerr Village includes a main street of commercial uses, a wide range of housing types, and many community and institutional uses close to the Oakville GO Station, Sixteen Mile Creek, and Oakville's downtown. The Town's planning staff completed the Plan for Kerr Village as one of six major studies in support of the Livable Oakville Plan. The resulting plan recommends three districts, focusing growth in the northern district and along the length of Kerr Street. Taller buildings and higher densities are concentrated in areas that could be easily served by enhanced transit. The Plan, the culmination of over 30 years of revitalization planning, involved extensive consultation with neighbourhood residents and business owners. Several consultation strategies were applied throughout the planning for Kerr Village, including an interactive workshop where participants broke into small groups to demonstrate their ideas for growth in

Kerr Village using foam building blocks – a method that proved engaging and effective.



Award



Don Morse, MCIP, RPP

has served on the Eastern District Committee since 2004 as a committee member, Treasurer, and eventually Chair and OPPI Council member. He helped create the Town and Rural Planning Workshop, which is held every spring, and a World Town Planning Workshop every fall. He led the Eastern Ontario Visual Character Project to characterize the features that make Eastern Ontario unique and has made special efforts to involve rural planners in district activities.



Nick Poulos, MCIP, RPP

Nick Poulos, MCIP, RPP, PEng, is an experienced transportation engineer and planner who chairs OPPI's Transportation Working Group. He provides leadership on OPPI's responses to transportation policies and programs in Ontario and helps to enhance the profile of transportation planning in the province. He was also an important contributor to OPPI's Healthy Communities initiative and the Call to Action on Active Transportation for Children and Youth, advising the working groups on transportation-related policies.



Paul Stagl, MCIP, RPP

has made a valuable contribution to OPPI as past Chair of the Discipline Committee, a position he held for six years. In this position, he was instrumental in helping raise professional standards in the profession and in ensuring that the committee operated smoothly and efficiently. As a long-time OPPI member and volunteer, he has also worked as an examiner for OPPI and served on OPPI's Membership Committee.



Scott Tousaw, MCIP, RPP

has served on OPPI's Policy Development Committee as Chair of the Agriculture and Rural Affairs Working Group. In this role, he has provided leadership in shaping OPPI policy positions on matters that affect rural communities and agricultural land and activities in Ontario. He has also helped to formulate the Institute's responses to major initiatives in this area. Scott has been an Exam A examiner in the Southwest District for several years, and participated on the Program Committee for the 2010 Symposium.

2010 Scholarship Recipients

GERALD CARROTHERS Graduate Scholarship



Sarah Brown completed her graduate studies at the Queen's University School of Urban and Regional Planning, where she worked on the Visiting Speakers and Events Committee and the Orientation Week Committee and helped organize a workshop on active transportation. She volunteered at the CIP/OPPI

conference in Niagara Falls in 2009, and made a presentation at the conference of the Canadian Association of Planning Students in Guelph in 2010. In her community of Owen Sound, she has participated in Doors Open and in the Green Owen Sound Community Group. While serving as a student intern, she helped CIP prepare climate change case studies for planners, and hopes to pursue a career in energy and climate change planning.

Undergraduate Scholarship



Derek Nawrot from the Ryerson University School of Planning, is pursuing his interest in international planning, particularly bridging the gap between North and South America. Before attending Ryerson, he lived for four years in Brazil and Argentina, and recently presented a paper on Brazil at the

conference of the Canadian Association of Planning Students in Guelph in 2010. He has worked as a volunteer with the international programs group at the Canadian Urban Institute and with the St. Lawrence Forum. He is studying Rio de Janeiro's masterplan for the 2016 Olympics, with a view to learning lessons that can be applied to future international events, both in Canada and abroad.

PAUL BEDFORD Research Grant



Steve Gitao of York University won this award for a project titled: "Planning Housing for Disability and Aging in Ontario: An Exploration of Provincial Policy, Legislation and the Link to Sustainability." The project includes a study of the current disability legislation that governs the creation of housing, as well as

comparisons with other jurisdictions such as Japan, the United Kingdom, and British Columbia. The results are intended to suggest ways in which private-sector builders can be encouraged to create more accessible housing for the elderly and disabled.

WAYNE CALDWELL Scholarship



Tammara Soma graduated from the University of Toronto in the spring of 2010, where she focused on planning for food. She completed a major research paper on the role of food systems planners as part of her master's degree studies and also conducted research on food markets in Spain, labelling systems for food,

and peri-urban agriculture in the Greater Toronto Area. She has worked as a food systems planning liaison for a Toronto City Councillor and as an intern in the Greenbelt Section of the Ministry of Municipal Affairs and Housing. She is one of the founding members of the Toronto Youth Food Policy Council and Chair of its Project Management Committee, as well as a member of OPPI's Agriculture and Rural Affairs Working Group. She is currently employed by Sustain Ontario.

Juries

OPPI would like to thank all those who served on the juries of the 2010 Excellence in Planning Awards.

Sandeep Agrawal, MCIP, RPP, Ryerson University • Ruth Coursey, MCIP, RPP, Town of Lakeshore • Wes Crown, MCIP, RPP, Town of Midland • Angela Dietrich, MCIP, RPP, City of Mississauga • Claire Dodds, MCIP, County of Huron • Paul Ferris, P. Ferris & Associates • Brenda Khes, MCIP, RPP, City of Hamilton • Adrian Litavski, MCIP, RPP, Johnston Litavski Ltd. • John McHugh, APR • Kevin Stolarick, PhD, Martin Prosperity Institute, Joseph L. Rotman School of Management • Amber Stuart, LLB, Davies Howe Partners • William Wierzbicki, MCIP, RPP, Planning Advisory Services

Recognition (cont. from page 14)

in creating healthy communities. With this in mind, we are asking you to share your stories by submitting articles for the *Ontario Planning Journal* and e-bulletin or host a District event that would bring in speakers to share their experiences in the field. The annual World Town Planning Day is an additional forum that can be used to share stories and experiences.

Update of Awards Process

In 2010 the Recognition Committee provided to OPPI Council recommended updates to the Award process. Several changes to the awards program have been put in place to better align it with OPPI's new Strategic Plan, and emerging practice streams in the planning profession, reflect current practices, reduce or eliminate recurring ambiguities in the rules, better recognize the volunteers who make OPPI such a successful organization and celebrate those outside the planning profession who contribute to making great communities.

We are pleased to inform you that we received the highest number of submissions in OPPI's history for the Excellence in Planning Awards in 2010. Every submission was of high quality, making the judges' decisions difficult. We wish to thank those who took the time to submit studies/papers and to the judges for giving up their personal time to review the submissions. The winners will be announced at the OPPI 2010 Symposium to be held in Guelph, October 28 and 29, 2010.

World Town Planning Day

Every year, planners around the world engage in activities on or around November 8 to raise awareness of the importance of planning in their communities. Planners in about 30 countries mark this day by talking to community or student groups, or sponsoring activities that highlight the importance of planning.

Please take the time to plan an event this November 8.

Strategic Communications Plan 2010-2013

OPPI is in the process of developing a three-year communications plan to support and implement the Beyond 2010 Strategic Plan. The purpose of the communications plan is to celebrate and promote the profession; ensure that OPPI members receive ongoing information pertaining to proposed nationwide professional standards; and update members on ongoing activities of OPPI. It is anticipated that OPPI will approve this Communications Plan this fall for implementation in 2011.

Thanks for the Memories

In October 2010, my term as Director of the Recognition Committee will end. First of all, I would like to take this opportunity to thank

the members of the Recognition Committee for their hard work and dedication. Second, thanks goes to my OPPI Council colleagues for their support and good humour over the past five years. Last, but certainly not least, thank you to OPPI staff for their patience and guidance. Good Luck to the new Director and to OPPI.

Your current members of the Recognition Committee are: Kris Longston, Diana Rusnov, Charlotte O'Hara-Griffin, Colleen Sauriol, Michael Tomazincic, Leo Deloyde, Eldon Theodore, David Stinson and David Aston.

Cathy Saunders, MCIP, RPP, is Director, Recognition Committee. She is the Chief City Clerk for the City of London.

*She can be reached at
csaunders@london.ca*

Southwest encourages dialogue

Steven Jefferson

Southwest District wrapped up 2009 with our annual Holiday Social event held in Kitchener at the Doon Valley Golf Course. The recipients of the annual District Educational Trust Foundation scholarships were announced that evening. Caitlin Graup and Brad Bradford (both from the University of Waterloo) were each awarded a scholarship of \$1000. Congratulations to Caitlin and Brad.

UW graduate students have organized a weekly lunchtime series for guest speakers to present topical items for students and faculty. The purpose of the speaking series is to introduce students and faculty to a wide range of people and topics related to the field of planning, and to build connections between theory and practice, between universities, and across disciplines. In late March

Steve Jefferson presented the Healthy Communities Handbook, followed with a question & answer session.

The Region of Waterloo Municipal Planners Forum was held at Cambridge City Hall in

mid April. OPPI President Sue Cumming was the keynote speaker. She too made a presentation on the Healthy Communities Handbook. The city hall is a LEED gold building, and is an example of municipal initiatives in the Handbook.

Approximately 50 people attended the SWD Spring dinner meeting in Chatham in late April. Bruce Curtis (London

MMAH) presented the Healthy Communities Handbook. Brian Tillman (Town of Tecumseh) and Larry Silani (Town of LaSalle) gave an overview of their involvement with the 'Healthy Places, Healthy People: Smart



Steven Jefferson

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Choices for the Windsor – Essex Region of Ontario' initiative. Their work included collaboration with the Windsor – Essex Health Unit staff. The final presentation was made by Elizabeth Arnett, who is the Health Promoter for Elgin – St. Thomas Public Health.

One hundred and seventy participants attended a full-day symposium on falls prevention hosted by the Southwest Falls Prevention Committee at the Stratford Rotary Complex in early June. The event provided a forum for learning and knowledge translation addressing fall prevention for older adults utilizing current research examples of successful community implementation and advocacy strategies.

The opening keynote speaker was Aleksandra Zecevic from the University of Western Ontario. She provided an overview of her research in hospitals and long-term care facilities in a presentation titled "The CSI of a Fall." The rest of the morning was an expert panel discussing "Falls Prevention by Design." This included a presentation based on OPPI's "Planning for an Age-Friendly Communities." The afternoon Forum addressed "It Takes a Community to Prevent a Fall," and the closing Keynote Speaker was Judy Steed discussing the Boomer Tsunami.

The SWD Summer dinner meeting was held in Kitchener in late June, with over 40 in attendance. The topic was the reinvention of

the commercial shopping centre. Speakers included David McKay (MHBC Planning), Ryan Mounsey (City of Waterloo) and David Shorey (North American Development Group).

Work is underway to organize OPPI visits to workplaces across the District to discuss the "Planning for the Future" initiative. Contact the District Executive if your office would like to arrange a visit. We recognize and thank all volunteers across the District for their efforts and contributions to our events.

Steve Jefferson, MCIP, RPP, is a planner with K. Smart Associates Limited in Kitchener.



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Your PFF Questions— The Doctor is in!

Lots of great discussion is happening on PFF and many students have been raising important questions. This part of the Ontario Planning Journal is dedicated to answering some of your questions.

Recently President Sue Cumming, President-Elect Mary Lou Tanner and Student Delegate on OPPI Council Daniel Woolfson had an opportunity to talk with the members of the Student Liaison Committee about PFF and answer their many questions. For all of us who participated, the Q&A was incredibly informative and a great dialogue on PFF. In fact, it was so informative that we thought we would share some of the key points from the discussion with all members of OPPI.

Q: Does PFF force university planning programs to standardize their curriculum?

A: No. The PFF reports identify the types of skills and technical training that all future planners will need. How each university planning program meets the skills and technical education is up to them. The university program has the right, and the opportunity, to demonstrate this through the accreditation process. Recently, one university program did a test run of the accreditation documentation under PFF and found it was not at all onerous. Those responsible for the same program found they were able to demonstrate how their curriculum met the skills and technical education for planners.

Q: What kind of consultation has been done throughout the PFF process?

A: The process started in 2006 when CIP and the affiliates put forward the very best and most knowledgeable people to be on the various task forces responsible for creating the three main reports that provide the basis of PFF. The actual work for PFF began in 2005 with the release of the "New Horizon report." OPPI set up a review team to assist Council and provide Ontario's perspective on the issues, which was done through OPPI Council. The National Affiliate Membership Committee had consultation with over 1,000 planners online that addressed various issues on the "New Horizon report." It is also important to note that the planning profession's legislation has been changing province by province for a few years, so making sure our PFF work reflects provincial legislation for planners has been part of the PFF work. This process has been worked

on by people who have the trust and respect of CIP and OPPI Councils, which led to the production of the three main reports that make up the foundation of PFF. OPPI will continue to work with all levels of membership throughout the province to consult, share information and receive feedback on PFF.

Q: Why is the status of students proposed to change from "Corporate" to "Non-Corporate" status?

A: The corporate class of membership brings certain rights and obligations with it. The most important of these obligations is that the member, in this case the student member, must follow the Code of Practice. We all believe in ethics and ethically based planning practice. However, for students, this means that they are also subject to the Disciplinary Process if there is a complaint about their practice.

Think of it this way—you're working as an intern in a planning office. A citizen, or an applicant, doesn't like your point of view. A complaint is filed and you must provide information and possibly attend a hearing of the Discipline Committee. Is this fair? Is it right for students to be at such risk? The answer is clearly "no."

Q: Will students lose privileges by being a non-corporate class of member?

A: No. And this is the most important part of the issue. Students will still receive the same benefits that they have always experienced without being subjected to the Code of Practice or the Discipline Process. Thanks to the Student Liaison Committee members for bringing forward their suggestions, comments and questions. But wait, there's more. Here are a few more questions about PFF.

Q: Will the Professional Standards Board set the policy and requirements for planners?

A: No. The Professional Standards Board (PSB) is an administrative organization to deliver the membership examination process and the accreditation process for university planning programs. The policies and requirements will be set by CIP, the Affiliates, and ACUPP (Association of Canadian University Planning Programs) representatives who make up CIP's National Membership Standards Committee.

Q: How will the PSB be run—won't this require staff?

A: This is a great question! Yes, there will be staff assigned to run the membership and accreditation processes. There are a number of ways to do this—through the CIP office, through an outsourced organization (yes, they do exist), or through a consortium of affiliates. No decision has been made yet. But what does matter is that the PSB will be both effective and efficient, delivering fair, consistent affordable services to members in the professional standards process and to university planning programs in the accreditation process.

Q: One of the PFF brochures mentions standardizing criteria for selecting Fellows. I thought we already had standard criteria?

A: Thanks for asking this. Yes, there are standardized criteria—the point is to ensure consistency in their application. With a yes vote on PFF, the membership category of Fellow of the Canadian Institute of Planners (FCIP) will be an honorary designation that will replace the membership category. All CIP members who meet the criteria will continue to be eligible for this honour. Those granted the Fellows designation will be considered as Full Members of the Institute with an honorary title permitting them to use FCIP instead of MCIP.

Do you have a PFF Question? If so, we want to hear it so we can provide you and all members with the answer. Send your questions to: planningforthefuture@ontarioplanners.on.ca. Watch for answers in the e-newsletter and the OPPI website www.ontarioplanners.on.ca.

The PFF Webinar

A great deal of information is available on Planning for the Future—online, in the *Ontario Planning Journal*, and through mailings. OPPI is committed to providing you with the information you need to make an informed decision as well as how you can participate in PFF and the decision making process. We are planning a webinar in November to connect with you and talk about this important project. The date and time will be posted on the website and advertised in the e-newsletter.

EDITORIAL

Great Streets Need People

Glenn Miller



*The busier
the streets,
the better
the living—
in more
ways than
one*

MANY MEMBERS of OPPI are old enough to remember a time when Ontario's shops and drinking establishments were closed on Sundays. Some may even recall when bars had separate entrances for men and women, or when the only way to get a drink in a sidewalk café was to buy a meal. Today, one of the signs of a vibrant downtown is the proliferation of patios allowing restaurants, bars and coffee shops to extend their presence on to the street—and significantly improve their bottom line.

If the original motivation for developing a patio culture was to mimic the street-focused culture of European cities, today—for two thirds of the year at least—"taking it outside" provides residents and tourists alike with authentic theatre. We've come a long way, thanks to an increasingly diverse population and a willingness to experiment.

But when San Francisco's former chief planner, Allan B. Jacobs, published "Great Streets" in the early 1990s, he made a point of sketching and analyzing the adjacent blocks as well, acknowledging that successful streets are intimately connected with the surrounding built fabric. They are also hugely dependent on the nature of the activities that animate them. Although planners and urban designers can influence the scale,

density and mix of uses that define the ambience of a street, the magic ingredient that separates the good from the great cannot be prescribed or legislated.

The culture of a place evolves over time, and depends on the skills of enterprising retailers, restaurateurs and investors to create memorable, resilient public spaces. Streets also need people—aka customers. But human behaviour is also hard to predict. The difference between "entertaining" and "rowdy" is subtle. When the balance shifts the wrong way, it is often the neighbours who suffer.

The upcoming elections provide a legitimate forum for aggrieved residents to force a response from municipal officials to clamp down on outdoor eating and drinking. The easy way out is to proceed with bans and restrictions. Planners and urban designers in both the public and private sectors have worked hard in recent decades to make Ontario's streets more interesting and lively. Getting the balance right is in everyone's interests but requires an open debate. Who's listening?

Glenn Miller, FCIP, RPP, is editor of the Ontario Planning Journal. He is also vice president of education and research with the Canadian Urban Institute.

*He can be reached at
editor@ontarioplanning.com*

LETTERS

Response to Paul Bedford's most recent column

Paul Bedford's article in the July/August issue is timely, given that we will soon be voting on a comprehensive by-law change as part of the Planning for the Future Project. Even though a name change for the Institute will not be part of the package, I am old enough to have been a member of the Town Planning Institute of Canada and I believe the genesis for the name change was a desire to recognize that planning practice involved more than "towns." There was also, and this may have come later, a change in the definition of "planning" so that instead of referring just to the planning of "land," the words "resources, facilities and services" were added.

At the time of the name change, the question of whether this might lead to a blurring of the profession's identity was not an issue as there were fewer financial, corporate, convention, military, etc. planners around in those days. Certainly "planning" is a word that has taken off like gang-busters and has become almost synonymous with "managing" or "organizing"; or even just "doing."

Despite the Institute's broadening of its name and opening up to a wider range of planners than just "land planners," the fact is that when I look around it seems that very little has changed and that what the vast majority of members are practising is very much related to land. If in fact we are largely a profession of land planners, then it is appropriate that the Institute's name should reflect this. It is not necessary to narrow the definition of "planning" to recognize in the Institute's name that most of its members are land planners and there will be some members who are not. Whether we use the words: "land," "city," "urban," "regional" is not as important as choosing something that will help give the profession a clearer identity in the public's mind of what we do. As a retiree, I generally say I worked as a "town planner" and this seems to work for most people.

This question of a clearer identity for the profession is not a "branding" exercise in the abstract, but has relevance for some of the action points mentioned in President Sue Cumming's article such as licensing and greater clout generally compared to other professions.

—Nigel Brereton, MCIP, RPP (Ret.)

No Growth without Modern Buses— The rise and fall of provincial funding

Béatrice Schmied and Dennis Kar

In 2002, the Ontario government announced a new funding program for the replacement of aging transit fleets. The Ontario Bus Replacement Program (OBRP) committed provincial funding for a third of the cost of the replacement of transit buses. This was intended to help transit systems renew and expand their fleets to meet the needs and demands of growing populations and new markets.

The program was an overwhelming success. When it began, the average bus in Ontario was over 12 years old - generally considered to be the economic threshold of a public transit bus, after which major and often costly refurbishment is required. As a result of the program, by 2008, the average bus age was reduced to seven years and transit systems began to focus more upon expansion and service level improvements.

This spring, as part of the Provincial Budget announcement, the program was cancelled, leaving municipalities both surprised and disappointed.

To understand the impact of this announcement, it is important to understand the significance of maintaining a healthy fleet in the operation of a transit system and its ability to meet broader provincial and municipal policy directions.

Reduced Maintenance and Improved Reliability

By directly helping to reduce the average age of buses, the OBRP funding program also helped to reduce maintenance costs. A typical 40-ft bus has an average life cycle of 15 years. At about the 12-year mark, transit systems begin to invest considerable budget and resources into repair and refurbishment in order to keep the vehicles running longer than normal. These increased maintenance costs can negatively impact local investment in transit expansion and impact service reliability. According to the Ontario Public Transit Association, the OBRP was largely responsible for a decline in operating costs related to vehicle maintenance.

Service reliability in many systems also improved, because less time was required for maintenance. Having a reliable and

dependable transit service can be a significant factor in mode choice, and this improved as a result of the OBRP.

Going Green—Emission Reduction

The OBRP allowed transit systems to bring vehicles up to new emission standards and to invest in new “green” technology. Transit Windsor, for example, used \$7.2 million in funding to purchase 18 diesel-electric hybrid buses in 2009, highlighting the system’s focus on reducing greenhouse gases and particulate matter emissions and improving fuel economy. There are still buses in Ontario fleets



PHOTO: G. MILLER

Bus renewal a permanent challenge

that fall well below new manufacturing standards and new updated standards are set regularly. With the cancellation of the OBRP, the average age of the fleet is likely to increase and the rate of GHG emission reductions will slow.

Meeting Accessibility Standards

The OBRP funding helped make transit systems more accessible not only for people with disabilities, but for everyone. All buses purchased with OBRP funding were required to be accessible to customers using wheelchairs. Low-floor buses (that kneel to curb height) are also much more accessible to elderly customers, to people with young children, and to everyone in slippery weather conditions. The Accessibility for Ontarians with Disabilities Act (AODA) legislation demands a fully

accessible Ontario by 2025. Many pieces of the legislation are expected to require implementation well before that time. Before the introduction of the OBRP, 30% of transit buses were accessible in Ontario. Largely as a result of the program, over 80% of all transit vehicles are now fully accessible. This significant change can be expected to slow as new investment declines.

Improved Transit Image

The OBRP helped to modernize transit fleets and the image of transit systems. Transit customers can attest to a higher level of ride comfort and quality. New buses are designed with more attention to passenger comfort, including aspects such as better accessibility, more comfortable seating and even new technology such as Wi-Fi access. This helps to brand public transit as a smart alternative to the private automobile rather than the only option for those with no other transportation choice.

In Conclusion

A slowdown in developing better, larger transit fleets can only negatively affect current positive trends. Is that truly what we want and need?

Béatrice Schmied consults to the public transit industry in areas of accessibility, marketing and outreach. She was formerly the CEO of the Ontario Public Transit Association and has been directly involved in the industry for over 25 years. Dennis Kar, MCIP, RPP, is the Ontario Planning Journal’s contributing editor for transportation. He is an Associate with Dillon Consulting and recently taught at Ryerson University’s School of Urban and Regional Planning.

LETTERS TO THE EDITOR

Members are encouraged to send letters about content in the *Ontario Planning Journal* to the Editor (editor@ontarioplanning.com). Please direct comments or questions about Institute activities to the OPPI President at the OPPI office or by e-mail to executivedirector@ontarioplanners.on.ca

PLANNING FUTURES



Coming to terms with an unacceptable future

Paul J. Bedford

IT IS NOT OFTEN that city planners have a close, personal insight into the life of street people but sadly, I do. For the past eight months our son, diagnosed with schizophrenia in his early twenties, has been living on the streets in the shelter system with virtually no contact with my wife or me. It is a painful story but one that has taught me a great deal about myself, and humanity. People are living in unfortunate circumstances in all of our cities and towns, yet there is still a lack of information on the best ways to talk about, plan for, and interact with street people. I hope that my experience will shed some light on this sensitive matter and help the families and friends of those facing similar circumstances to talk more openly.

This is my story. Our son graduated from the University of Toronto with a degree in math, the promise of a fulfilling life ahead of him. However, the past 17 years tell a different story. It has been a journey of endless doctors, social workers and stays in and out of Toronto's Centre for Addiction and Mental Health facility, group homes and boarding homes. At times, there were bright periods where it appeared the medication was working and he was ready to move forward. He successfully completed a university course in philosophy while still a resident of CAMH. However, for every step forward, there were two steps backward, and his situation worsened. He went AWOL several times and once ended up in Ottawa in the middle of winter—cold, on the street and totally alone.

On Christmas Day last year, my wife and I went to visit him in CAMH with some gifts. But it was not a happy occasion with so many lonely and empty people waiting for friends or relatives who would never arrive. He appeared distant and anxious with little two-way communication. We were among the very few visitors that day. The CAMH staff was clearly trying their best to help everyone get through a tough day. I have great admiration for their ability to work in such a difficult environment.

In early February we heard from CAMH that our son was missing again and that the police would be looking for him to bring him back. They were confident they would find him. The police do have the legal power to do this, but only for a limited period of time. Having been in the system for so long, my son, who in spite of his affliction, is a bright man, knew if he could avoid being found, that he would be formally discharged from the hospital system. Later that month I received a communication from CAMH confirming that the police had not been able to locate him and that he would be officially discharged as the legality of the form had expired. To qualify for the assistance he needs, he would have to be found, brought in, and reexamined. This was my worst nightmare. We agreed to leave his clothes in storage

on the assumption that he would eventually turn up.

In the days and weeks that followed I called several shelters to try and see if I could locate him but soon discovered that they are not authorized to reveal names of who is in their care. I began to search out likely places where he might be, but had no success.

The weeks turned into months with no contact of any kind. He was taking what I would call a "deep dive." I had the feeling that after 17 years he had decided enough was enough and was determined to live a different life—relying on the shelter system for a place to sleep, provide food and get clothing all year round. He was content with this and preferred it over the rules and mind-numbing boredom of



PHOTO: G. MILLER

A hand out or a hand up? Cities face hard choices

institutional life. Above all, he valued the freedom he has on the street and the freedom from medication that often had serious side effects. Fortunately, he has never been aggressive or displayed any kind of threatening behaviour. On the street he doesn't worry about politics, the economy or world issues that preoccupy most of us, yet he has the same human needs and emotions that we all experience.

My natural inclination and city planning background has always been to seek professional help and to try my best to arrange care. But then again I am not the one in

his shoes. I have no real understanding of his world and the choices that he has made. Perhaps my wife surprised me most in all this. Despite my urgings to track him down and get him back into the hospital, she supports his decision and wants him to have the freedom to live the life he has chosen for himself. Perhaps it reflects a unique form of a mother's love.

To help me better understand this choice I recently read a fascinating book called *Land of Lost Souls: My Life on the Streets*. The author's name is "Cadillac Man," who is now in his 14th year living on the streets of New York. His journals have been excerpted in *Esquire* magazine and he can be reached at thestreetwalker33@yahoo.com. It changed my perception of street people who come from all walks of life, are true survivors and who can teach planners a great deal about community support, sustainability and ingenuity. They are also the ultimate recyclers, leave a zero footprint on the environment and create internal governance systems that would be models of efficiency.

As I write this article it has now been eight months to the day since we last heard from my son. We do know that he has been seen and recently appeared at the bank to obtain a replacement debit card to access his monthly government stipend. This means that he is alive and functioning on his own, and we are thankful for small mercies. He has made a choice to live life in this way despite all the obvious downsides. For now, I am coming to terms with accepting a most unacceptable future and can only hope that he is safe.

Paul Bedford, FCIP, RPP, is contributing editor for Planning Futures. He teaches at the University of Toronto and Ryerson University, and is on the board of Metrolinx.

Paul serves on the National Capital Commission Planning Advisory Committee and Toronto's Waterfront Design Review Panel. He is also a Senior Associate with the Canadian Urban Institute.



Homeless plus disabled a bad combination

ONTARIO MUNICIPAL BOARD

Planners Interpreting Official Plans— What Does the “Niagara Jet Boat” Case Really Mean at the Board?



Eric K. Gillespie

Every now and then a land use planning decision starts to take on a life of its own. Usually it's because an important issue of law or policy is addressed. Often it comes from our courts. Such decisions are not commonplace. Consequently, when they occur, they are generally scrutinized and may lead to changes in planning practice before the Board. The significance of any particular decision may evolve over time. The Board itself also contributes to these understandings through its interpretation and application of judicial rulings.

Niagara River Coalition v. Niagara-on-the-Lake (Town), known to many as the “Niagara Jet Boat” case, is a matter that has already been the subject of considerable review and debate. The facts have been well documented elsewhere, so suffice to say, the main issue related to the use of a government wharf by a jet boat tour operator offering trips on the Niagara River. Permission had been granted under municipal by-laws enacted in 1993, 2002 and 2008. A citizens' coalition brought an application to quash the 2008 by-law authorizing the use.

The application was made to the Ontario Superior Court Justice and was initially successful ([2009] O.J. No. 2135 (QL) (S.C.J.), 60 M.P.L.R. (4th) 163, 2009 CarswellOnt 2910). The by-law was quashed based on the court's view that it was contrary to the Region's and Town's official plans and was, therefore, void. Specifically, the use of the dock for an amusement-ride operation was a new commercial use and no application had been made to amend the official plan. Moreover, limited access to the dock did not conform to the public-access policies of either official plan.

However, in March 2010 the Superior Court decision was reversed by the Ontario Court of Appeal ([2010] O.J. No. 937 (QL) (C.A.); 68 M.P.L.R. (4th) 1; 2010 CarswellOnt 1332). The court focused on

the fact that pursuant to the non-complying uses provision of the lower-tier municipality Plan, the policy was to permit the continuance of existing uses. Given that the operation was lawfully established pursuant to the 1993 by-law, it was a permissible existing, non-complying use.

The case may well be relied upon before the OMB for a variety of propositions. These include the distinction between matters of law and policy, as well as the further interpretation of cases well known to the Board and those who practice before it such as *Bele Himmell Investments Limited v. Mississauga (City)*, [1982] O.J. No. 1200 (QL)(Div. Ct.); 1982 CarswellOnt 1946) and *Juno Developments (Parry Sound) Ltd. v. Parry Sound (Town)*, ([1997] O.J. No. 976 (QL) (Div. Ct.); 1997 CarswellOnt 1049). It also confirms the basic principle enunciated by courts and OMB in the past that “the interpretation of an official plan is a matter of law” (see the Court of Appeal judgment at para. 37).

At the same time, the issue that will almost certainly be of interest and probably the most concerning for Ontario planners relates to the use of expert planning

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opinion evidence in such cases. The Superior Court relied extensively on the opinion of the Town's planner, who prepared the Official Plan, regarding his interpretation of the provisions relevant to the application (paras. 110 to 121, supra).

In overturning the initial decision, however, the Court of Appeal stated " ... the proper interpretation of an official plan is not a factual matter to be decided based on opinion evidence from planners, but rather a question of law. ... The [municipality] must set out in its official ... plan what it is trying to do. When it fails in its purpose, others cannot fill in the gaps because they are then placing themselves in the position of the [municipality] which alone is responsible for the decision ... It is clear that official plans are not legislation, and where interpretation is necessary, it is a question of law that must be determined on the basis of the documents that comprise such plans. In this instance, the application judge relied on opinion evidence that was inadmissible to determine the scope and meaning of the language used in the Plan." (see paras. 43 and 44, supra)

These and other pronouncements have left many planners and others wondering how to address official plan issues at future

OMB hearings. The answer may lie in three areas.

First, the planner in the Niagara case was not only offering his professional opinion in interpreting the operative Plan, but as a planner centrally involved in its creation. As a matter of law this type of "extrinsic" information is generally irrelevant or inad-

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missible if the words are capable of interpretation based on their "plain and ordinary meaning." As a result, the Court of Appeal simply appears to have been applying basic legal principles that are used in all matters of this nature that come before the courts.

Second, the Niagara case proceeded entirely before the courts, i.e., there was no

OMB hearing, but instead a direct application to quash the impugned by-law. Where a case proceeds before the OMB, different rules of evidence apply. More specifically, pursuant to section 15 of the *Statutory Powers Procedure Act*, the Board is entitled to receive evidence that would otherwise not be admissible in court. While the Court of Appeal was critical of the court below for relying on this type of evidence, it does not automatically follow that the OMB would be unable to do so. In addition, as most planners are aware, Board decisions can be appealed, but only with leave or permission and only on questions of law (see section 96 of the *Ontario Municipal Board Act*). Board decisions are also generally entitled to deference. Consequently, opinion evidence of planners given before the Board may be treated quite differently at first instance and the Board's decision may well be treated differently on appeal.

Third, the real impact of the case may be starting to become clearer as a result of the Board's own rulings. While still a relatively recent decision, a search of reported OMB cases reveals that the Court of Appeal's decision appears to not have been considered or applied in any OMB matter to date.

Although still "early days," this may be an indication that the Board is also distinguishing or viewing the Niagara ruling in a way that does not require it to stop hearing opinion evidence from planners regarding interpretations of official plans. This approach appears to comport with the Board's long-standing practice of receiving such evidence. If any readers are or become aware of other examples of the Board's treatment of this decision, please feel free to contact the author, as the case will likely continue to be of interest for some time to come.

Eric Gillespie is a lawyer practising primarily in the environmental and land use planning area. He is the contributing editor for the OMB column. Readers with suggestions for future articles or who wish to contribute their own comments are encouraged to contact him at any time. Eric can be reached at egillespie@gillespielaw.ca



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Climate Change + Communities: A Call to Action

Beate Bowron



PHOTO: B. SMITH

More severe weather events part of climate change

Catastrophic flooding continues in Pakistan, where a staggering 20 million people have been displaced. In Moscow, the sweltering heat and smog from wildfires persists, resulting in 700 deaths a day. Wildfires are burning again in British Columbia.

The melting of Arctic and Antarctic ice sheets is no longer the focus of trend analyses and predictions, but has evolved into the realm of observation. We have known for a number of years that glaciers are retreating all over the world at an alarming rate. In August, according to the CBC, Canada's largest remaining Arctic ice sheet lost another big chunk—about the size of Bermuda—on Ellesmere Island. As the ice melts, oceans warm and ocean levels rise.

The impacts of climate change will affect planning and the planning profession for a long time to come. In recognition of this fact, the Canadian Institute of Planners (CIP) has devoted its 2010 annual conference in Montreal, October 2 – 5, entirely to this topic.

The conference will bring together planners, scientists, NGO and community representatives from Canada, the U.S. and beyond to share experiences, discuss creative and strategic solutions and acquire tools for action. The conference closes with a Declaration on Climate Change and Communities based on conference presentations, workshops and a plenary session on “Building Capacity to Adapt and Mitigate.”

Keynote speakers include Wade Davis, Fatima Dia Toure, Jan Gehl, Chantal Hebert, Andrew Weaver and Larry Beasley.

Presentations are organized around four streams:

- Climate Change and the Natural Environment
- Climate Change and the Built Environment
- Climate Change and the Social Environment
- Climate Change and the Economy.

The conference showcases CIP's climate

change initiatives ranging from community climate change adaptation planning in Nunavut and the Atlantic Region to climate change planning tools such as a professional Standard of Practice, Benchmarking Surveys and a Report Card. A sizeable Poster Exhibit allows conference participants to interact with scientists from Natural Resources Canada, CIP's volunteer planners who worked in the Atlantic Region and in Nunavut, CIP interns who completed climate change related case studies and others.

Climate change planning is every planner's business. If you have not yet registered for this groundbreaking conference, you should do it now at www.planningforclimatechange.ca.

Looking forward to seeing you in Montreal!

Beate Bowron, FCIP, RPP, is a contributing editor for Climate Change. As president of Beate Bowron Etcetera she is busy with an eclectic portfolio of planning projects in Canada and abroad. Beate has been responsible for the community adaptation planning component of CIP's climate change initiatives and is a member of the Program Committee for the 2010 CIP Climate Change Conference. Beate can be reached at beatebowron@sympatico.ca

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New Support for Strong Heritage Conservation Districts

Moving the goalposts

Paula Wubbenhorst

THE ARCHITECTURAL CONSERVANCY of Ontario (ACO) has just released a new publication that, true to its title, confirms that *Heritage Districts Work!* Strong heritage conservation districts are even better! The report summarizes an investigation of 32 established heritage conservation districts in Ontario. The ACO's study was carried out in partnership with heritage groups and the University of Waterloo's Heritage Resource Centre (HRC).

Ontario Planning Journal readers will be familiar with the characteristics of heritage districts but this publication provides a useful summary of their many benefits. *Heritage Districts Work!* picks up on Dr. Robert Shipley's examination of designated heritage property values. (Shipley is Chair of the

HRC.) The landmark 1998 report pointed out that property values in heritage conservation districts were consistent with or above the community average. This 2009 summary goes even further. Based on figures to 2007, the analysis demonstrates that heritage conservation district property values "generally rise more consistently than surrounding areas." Moreover, "in many cases," property values "resisted real estate downturns."

The research compared property values with those in the surrounding kilometre. Although this is a fair approach considering the disparity of property values between neighbourhoods, it does not take into account the fact that the areas surrounding heritage conservation districts may be reaping some of the district's positive real estate value. The

rise in property values in heritage conservation districts may be even greater than this paper purports.

In addition to property value, the project measured resident satisfaction. Poll results illustrate that 77% of people living or owning property in heritage conservation districts are satisfied or extremely satisfied; 16% are neutral. Only 7% are dissatisfied or very dissatisfied. The "overwhelming" rate of satisfaction is likely attributable to the stability that heritage conservation districts offer.

Perhaps most interesting are the findings regarding heritage conservation district rules. The analysis revealed that: "consistent enforce-

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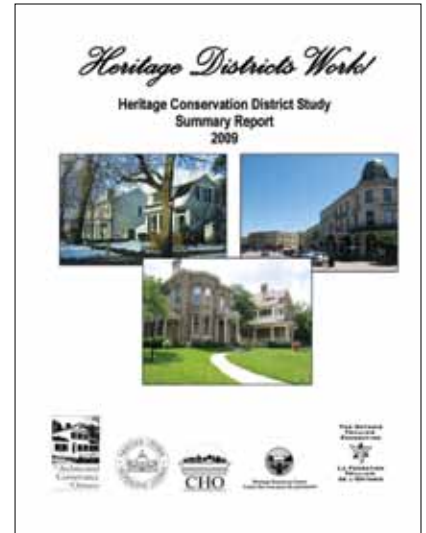
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ment results in higher property value increases." Moreover, "there were more complaints that the rules were not strict enough than there were complaints that rules were too strict."

The authors recommend the creation of more heritage conservation districts and provincial funding to update heritage conservation district plans. They also cite the need for increased public awareness: "Efforts should be made to better inform residents of the benefits of District Designation." This is critical.

As Ontario's communities mature, all planners, whether they are specifically engaged in heritage planning or not, should examine this report. District designation is not limited to

obvious examples such as Niagara-on-the-Lake. When applied with consistent zoning bylaws and other planning tools, many communities, such as those with wartime and postwar housing, have their own special character that can be preserved with district designation. *Heritage Districts Work!* is an essential document for anyone engaged in conserving neighbourhood character.

Heritage Districts Work! is available from the Architectural Conservancy of Ontario (www.arconserv.ca) and the University of Waterloo's Heritage Resource Centre (www.fes.uwaterloo.ca/research/hrc).

Paula Wubbenhorst is Heritage Coordinator for the City of Mississauga. Dave Aston, MCIP, RPP, is a partner with MHBC Planning and contributing editor for In Print.



PHOTO: MICHAEL SZAMMAN

Victoria Square schoolhouse in Markham



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The City: A Global History

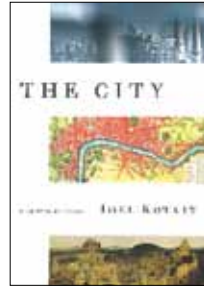
Author: Joel Kotkin
 Publisher: Modern Library Chronicles
 Price: \$21.95
 Pages: 160 + notes
 Date of Publication: 2006

Planning is a forward-looking profession, and the best approach to moving forward involves understanding where we came from. Joel Kotkin's *The City: A Global History* offers a concise, yet comprehensive look at the development of cities from around the world. Discovering how other civilizations have dealt with urbanism can offer insight and ideas to planners contending with modern planning issues.

In an engaging and informative manner, Kotkin manages to cover several millennia of history in 160 pages. This book is a synopsis of the successes and failures of cities. In the preface he outlines three functions of successful cities: to provide sacred space, to engage in commercialism and to offer its citizens security.

This is not a book for history aficionados;

it is for those interested in the development of cities, past and present. Kotkin does not lose his readers in excessive historical detail. For those interested in dates, however, there is timeline of events and milestones provided as part of the introduction. Kotkin traces city development from the earliest civilizations in the Tigris and Euphrates delta through to our modern megalopolises. This book examines urbanism on a mammoth scale; not only does it cover nearly the entire time span of human civilization, he discusses cities from all over the globe. He mentions Oriental, Islamic, European and North American city development. Kotkin finds fundamental and basic characteristics between all of these urban environments.



According to Kotkin, a city that fails at one of the three main functions of a successful city does not succeed for long. He sites that Carthage, Amsterdam and Venice shone brightly as commercial centres. Athens and Rome were stable and thrived through military prowess

and conquest, providing their citizens with security. Some civilizations, such as Egypt and Dal al' Islam, excelled at providing sacred space and incorporated religion in to their laws and governments as well as the cities' designs. Despite their achievements, each civilization, whether in a few centuries or a few millennia, all reached a zenith, then eventually declined, and were eclipsed.

The book ends with a brief commentary on modern cities. Kotkin calls them Ephemeral Cities. He argues that Ephemeral Cities severely lack the two functions of successful cities: sacred place and security. Kotkin hypothesizes that since our cities today are only great commercial centres they will not be able to sustain themselves. Modern urbanism does not provide citizens with all three characteristics of successful cities. Kotkin's book reinforces what is already commonly felt among planners; that our cities must evolve or perish.

Kotkin does not provide any conclusions or recommendations, he leaves it up to the reader to synthesize the information and use it as they wish. By reviewing and trying to understand the successes and failures of other societies we can perhaps find solutions to problems faced by cities today.

(Cont. on page 32)

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In Print (cont. from page 30)

Becoming an Urban Planner

Published by the APA, "Becoming an Urban Planner" is a guide suitable for high school students or other young people thinking about entering the profession. Although it is a very American view of the world, some chapters are contributed by Canadians - notably Joe Berridge, veteran planner and partner with Urban Strategies Inc. Published by John Wiley & Sons, the book is well illustrated and worth a look for anyone hoping to find a readable, informative glimpse of how our profession works. At 336 pages, the book worth the price of entry and can be found at major Canadian bookstores.

Thinking Planning and Urbanism

Beth Moore Milroy, FCIP, RPP, professor emerita, Ryerson University School of Urban and Regional Planning.
336 pages; \$34.95 in paperback
UBC Press, 2010

Who should be responsible for "holes in the urban fabric" created when various land uses vacate their locations? Why do so many urban streets appear disjointed and badly designed? Moore Milroy explores and reconstructs the redevelopment process using the experience of Dundas Square in downtown Toronto. Her analysis identifies a number of problems, including the difficulty of successfully connecting theory and practice. She concludes that the lessons to be learned from remaking an important public space in Toronto are widely applicable to practitioners across Ontario (and elsewhere).



(A longer review will follow.—Ed.)

IN PRINT

David Aston, MCIP, RPP, is contributing editor for In Print. Readers interested in doing book reviews should contact David Aston at daston@mhbcpplan.com.



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