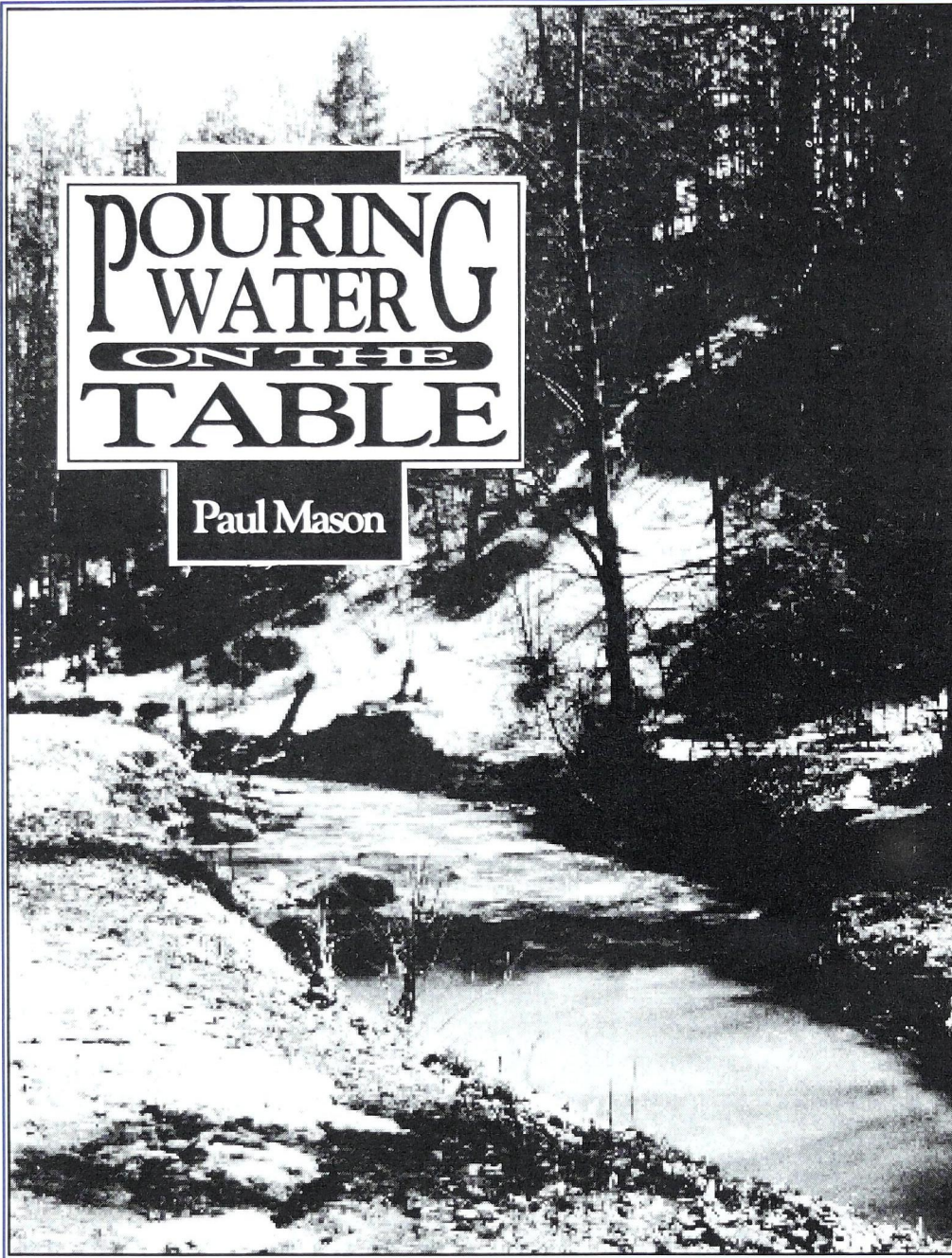


# ONTARIO PLANNING JOURNAL

JULY/AUGUST 1991 VOLUME 6 NUMBER 3



## POURING WATER ON THE TABLE

Paul Mason

**Water is a basic element of life.**

*Paul Mason on Waterloo's experiences in securing its water supply .....p.3*

**Sewell inquiry**

*Stories: pages 6, 17 & 18*

**OPPI Conference in Muskoka**

*Peter Neice extends an invitation to come to Muskoka in October .....p.21*

Manett

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S

ome planners are contemplating water resource issues as a new focus in the

planning and development approval process. If you read Diana Jardine's editorial on the matter you will see a lot of the traditional assumptions we planners have about water buried within it. She refers to water as a "commodity" and suggests we may want to "put it on the table" with the other planning issues where we work. The point of this article is that such attitudes won't serve you very well with the "water planning" issue.

If you want to get serious about water resource planning at the municipal level, then you should be prepared to deal with a range of issues that are "messy" from the perspective of traditional planning practice. In the face of Provincial and corporate inaction, the Region of Waterloo stepped in to deal with the groundwater contamination crisis in Elmira in 1989, even though we had no direct legal or corporate responsibility to do so. Two years, dozens of studies, \$20 million in costs and two major lawsuits later, we are becoming painfully aware of problems that comprehensive water management presents to our planning functions.

We are beginning to form a different image of "water" issues.

Why? Because water isn't a commodity, it is a basic element of life on the planet. If you want to get serious about water management you must treat it in the same way as "land" in land-use planning. You can't just "put it on the table," you have to be prepared to replace the table with a water tank into which you dump the planning issues for resolution.

Ok, ok, enough of the metaphors! The purpose of this article isn't to give a sermon. I'll leave that to Mr. Crombie and his Watershed Report. The purpose is to raise a few points that should cause you to give sober thought to the idea of "greening" your existing planning program with water management concerns. Don't get me wrong. I think it is essential that we start to plan "ecologically." But getting Ontario municipalities into a system of ecological planning presents enormous conceptual, legal,

## COVER STORY

# POURING WATER ON THE TABLE

by Paul Mason

jurisdictional and, ultimately, political problems that we have only begun to discern in Waterloo.

### CONCEPTUAL PROBLEMS

You'll notice I slipped a reference to "ecological" in the place of "water resource" planning in the last paragraph. In trying to deal with water resource issues, I think we can get a lot of guidance from the ecosystem concepts we learned in planning school. So dig out that old Ecology 101 text and dust off your copy of Ian McHarg's *Design With Nature* to re-acquaint yourself with some basics.

Pay particular attention to that diagram of the Water Cycle. You know, the one with the little rain cloud precipitating on one side of the forest while squiggly lines rise skyward from the other side to denote Evaporation. Arrows

usually represent the flow of water along the surface and through the subsoil of the forest to a little pond or stream that is fed from both sources. What the diagram doesn't show is the enormous impact that agriculture, deforestation, mining and urban development have on the flows of water through the Water Cycle. Your task, should you decide to accept it, is to compensate for this disruption through major changes in the location, design and engineering of planned development.

This is no easy challenge when many of the impacts are not easily perceptible. For example, there can be a major reduction in the water table and increase in surface runoff that results from urban development of a property using conventional engineering. Unless storm water is retained and infiltrated to compensate for this impact, the base flow in nearby surface water bodies is reduced and stream quality and quantity is degraded. Wave goodbye to the fish, wetlands and other ecovales that you want to protect by your "green" planning program. Conversely, if you happen to be using the water table below urban development as a water supply source, you will have serious reservations about infiltration of storm water that contains a high proportion of contaminants. Who gets to drink the clean water, the people or the fish?

How do you build a capability to mitigate these effects when the land-use planning system has divided the environment into artificial designations, planning districts, zones, and sites to permit planning of individual properties and not focused on the ecological role of those lands in a larger natural cycle—probably by re-directing your entire planning program toward a comprehensive Watershed Study conducted at the same time as your land use plan. The only way to deal with the cumulative impacts of land use on water resources is to put a detailed evaluation of the issue up front in the policy stage, not as a condition of subdivision approval at the end of the process.

The challenge of the Watershed approach to community planning is to weigh the eco-values against the



development objectives. You must define the extent to which the two are compatible or can be compromised, one for the other. That, in turn, means that we planners have to find a way of organizing and financing such studies to let in the ecologists, hydrogeologists and water resource engineers as equal partners in the land use policy process at the Official Plan stage. The mind boggles!

### LEGAL PROBLEMS

The Ontario planning system is designed to make the development process predictable by conferring stronger "rights" to future use and redevelopment with each successive approval. A serious approach to water management/ecological planning runs counter to this concept. Why? Because successful management depends on control over density, design and construction details in relation to ecological conditions. These details are not usually dealt with by the Ontario system until "rights" to development of the land have been accorded overwhelming priority. Hence, we "tinker" with water management issues rather than addressing them from the outset.

Early last year, the experience in Elmira prompted us to look at other activities in Region of Waterloo that could yield ground water problems. It didn't take much investigation to discover that research on private sewage systems (septic tanks) had confirmed they are a major source of pollution in groundwater. To determine if we had a

problem, the Regional Health Unit conducted a random sampling of over 500 private wells. Two thirds of the shallow "dug" wells and 20% of the deep "drilled" wells were found to be contaminated with coliforms or nitrates or both. It is now fairly evident that most of the shallow aquifer in the Region is contaminated. The really scary part comes from the realization that similar conditions probably exist throughout Southern Ontario.

How do we contend with this circumstance when we have thousands of potential lots already designated in our Official Plans for development on private service systems? Do you ignore the fact these systems are unsafe to people continuing to rely on the aquifer for untreated drinking water? How do we prevent that development until public and environmental health issues are addressed when the Planning Act does not allow upper tier jurisdictions, which are responsible for the delivery of such programs, to use Interim Control By-laws? How do you force a "replanning" of designations that were approved only a few years ago by all the appropriate agencies on the assumption that private service systems were effective?

Not only does "water" planning force a re-evaluation of commitments already made, it places far stronger focus on the post-approval stage. There is not much point in imposing extensive requirements for erosion and siltation control in development approvals if you can't effectively monitor and immediately correct non-performance of those requirements. Neither can you regulate the stripping of vegetation and the

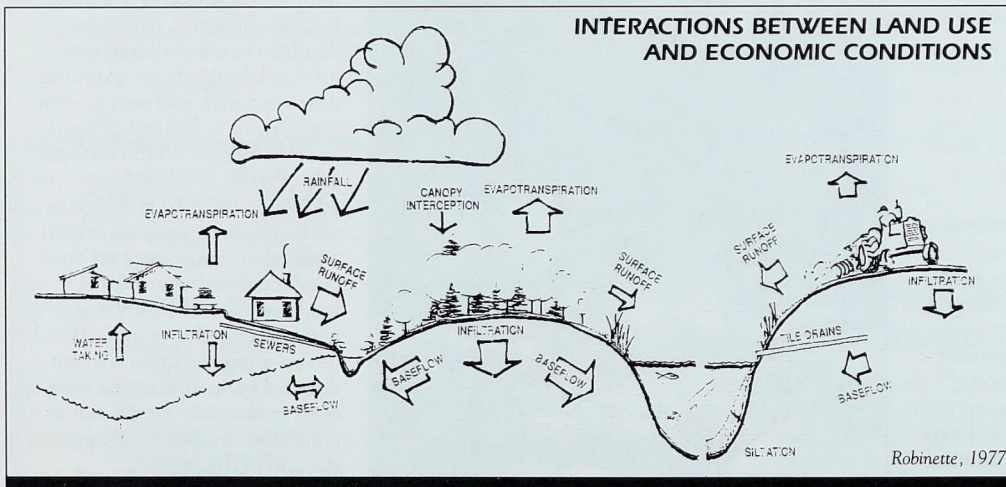
grading of land outside of plans of subdivision, the radical alterations to natural water courses arising out of the Drainage Act, the storage of toxic chemicals on unprotected water supply aquifers. Municipal planners can regulate future land use but are effectively powerless to prevent all sorts of damage to natural ecosystems from current development projects. No coherent Provincial authority seems to be available as a backup.

These, and other legal problems become the stuff of day to day life when you take on an ecological planning objective. All you can do is put your shoulder to the wheel and push for environmental interests as far as the legal system will permit; at least until the legal system starts to catch up.

### JURISDICTIONAL PROBLEMS

An illusion exists in the public's mind that someone is responsible for "the environment" from the perspective of the ecological processes which support it. The reality is that responsibilities are fractured into innumerable, overlapping or disjointed pieces between local, regional, provincial and federal agencies. No one really has "control" over environmental management issues. It was the source of considerable surprise to Regional politicians to learn in our Health Unit well survey that there is no water quality approval system for individual private wells in this Province. This condition exists despite the fact that gastro-intestinal disease has been found to be some 30% higher for people who rely on rural well systems over public water supplies.

It follows, therefore, that if you are going to institute a planning program with ecological objectives, that the other agencies be on board with the effort from the beginning. This is no easy task when the Province can't make up its mind whether to "green" the Planning Act or expand the Environmental Assessment Act into a general planning tool. Similarly, agencies like MNR, MOE barely have sufficient staff to fulfil



their current mandates, let alone take on the added commitment of a meaningful municipal liaison and policy co-ordination function.

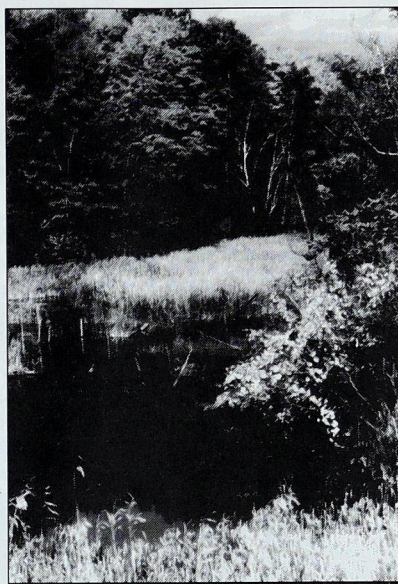
Where jurisdiction is lacking, ineffective or ambiguous, the municipal authority will have to face the prospect of being the one to fill the vacuum. As a result of the Elmira contamination experience, the Region of Waterloo has brought hydrogeologists on staff to provide continuing support for groundwater protection efforts that are essentially an MOE responsibility. Our Health Unit is working on revised policies to make the installation, inspection, testing and approval of a drilled well the pre-condition to approval of a private sewage system. The realization is growing here in Waterloo that if you are "in" for a penny, you must face the prospect of being "in" for a pound.

### POLITICAL PROBLEMS

Other than being appropriately "green" for the upcoming elections, what is in an ecological planning program for the politician? Sure, there is a vocal and growing constituency for environmentally sound government practices. Is it strong enough to support those practices through the complications, compromises and costs associated with such a program? Ecological planning isn't about "protecting" the environment; it's about finding the difficult compromise between the impacts of man's activity and the maintenance of ecological processes that support natural features. Is your political system prepared to deal with these difficulties?

Fifteen years ago the Region of Waterloo was the first to institute an Environmentally Sensitive Areas policy designed to give planning consideration to rare, unique or endangered plants and ecosystems on private land in 69 designated sites. The implementation of that policy involved compromise of

these eco-values with development interests in some locations to achieve preservation in others. Now that the compromises of 5 to 10 years ago are being implemented with final planning approvals, a number of citizens groups are mounting "save the environment" campaigns. These groups see past compromise as a failure of the policy rather than the protection of remaining sites as a success. This new public pressure is difficult for politicians who weren't around 5 to 10 years ago to deal with.



*Ecological planning is the compromise between human activity and natural ecological processes.*

If there is weak political support for ecological planning the first indication will likely be a resolution (or other gesture) to get another agency or government to "do" something. We have found from the experience of the last few years that other agencies can be politically "committed" to ecological issues, but that does not mean that they are prepared to actually "do" anything meaningful in our circumstance. The Province has been very supportive of our groundwater protection efforts, but that still hasn't yielded any more than a tiny fraction of the money needed to back those efforts.

Discussions with other jurisdictions who have taken a serious approach to water management (e.g., State of

Maryland, Dayton Ohio) seems to support the notion that ecological planning is most effective at the county or local level. Although federal and provincial governments have most of the legal and financial tools for implementation, the resolution of ecological planning issues takes place at the level of the individual drainage shed, aquifer and watercourse. Until both municipal and provincial politicians see the relationship as a partnership, implementation will be difficult. It will take a succession of strongly committed, independent Councils to stick with the issues long enough to achieve some tangible results in today's political circumstance.

### CONCLUSION

The foregoing might lead you to believe that the Region of Waterloo has a comprehensive policy for ecological planning. Sorry, no such thing exists. As the largest urban jurisdiction in Canada now completely reliant upon groundwater for its municipal water supply, we have a more direct stake and perhaps a stronger political commitment to water management than other places. For the moment those efforts are focused on confined issues such as water supply aquifer protection, privately serviced development designations, designated Environmentally Sensitive Areas, etc. Until the Regional Plan Review and the Regional Ground Water Protection Strategy are completed in 1993 or 1994, we will still be addressing water resource issues on a disjointed basis. The writing seems to be on the wall, however, that conventional land-use planning will be profoundly affected as one moves toward a "green" system in future.

*Paul Mason is Director of Development, The Regional Municipality of Waterloo.*

*Photos by Mike Manett.*

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## NO "CAKEWALK" FOR SEWELL COMMISSION OF INQUIRY

by Dave Hardy

**W**ith the observation that, "the Planning Act assumes that everyone should do good planning but ensures that no one knows what good planning is", former Toronto mayor John Sewell, began the first of many public presentations as new Chair of a Commission of Inquiry into the Relationship Between Public and Private Interests in Land-Use Planning.

The Commission, to be called "New Planning for Ontario," was one of several new land-use planning initiatives by Ontario's NDP government. The NDP also decided to pick up where the Liberals left off and, through the Ministry of Natural Resources, announced implementation guidelines for new development and a two-year planning study on the Oak Ridges Moraine.

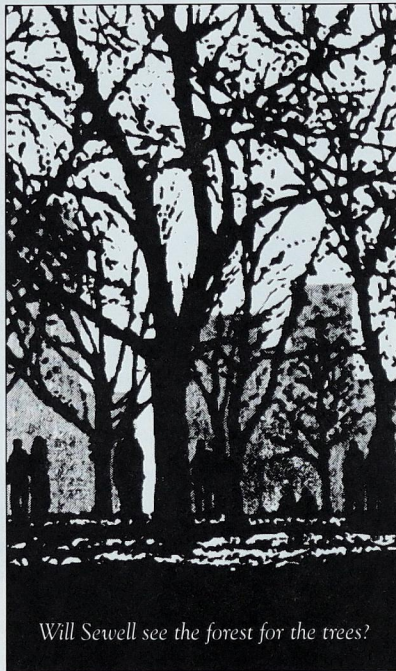
Sewell was appointed in early June by Municipal Affairs Minister Dave Cooke along with Toby Vigod, Executive Director of the Canadian Environmental Law Association (perhaps more famous for her role in rallying Provincial environmental groups to oppose streamlining the Planning Act), and University School of Rural Planning and Development at the University of Guelph Professor and planner George Penfold.

Speaking to the Conservation Council of Ontario about a week after being appointed, Mr. Sewell presented a five-point agenda for the next two years. Given the tone of the questions and scope of concerns raised by the planners and other people at the meeting, the Commission is in for anything but a cakewalk.

Excusably, Sewell seemed unprepared for the provincial scope of his mandate. He did his best to address questions from the range of interests represented by the Conservation Council about planning issues specific to Northern Ontario, the New Planning for Ontario Commission vs. the Greater Toronto Coordinating Committee and rural agricultural communities in Southwestern Ontario. And he joked about not knowing what an "ecosystem based approach" was—

failing to draw many laughs from the predominantly environmentalist audience.

Sewell set out the first priority as an examination of goals, a bit of irony not lost on the planners listening, The Act should become an instrument that is designed to achieve goals and it needs to be clear," about goals that make sense." The priority of the Planning Act now, according to Sewell, is the sorting out of land uses, with the environment, energy, housing .etc., coming distant second's,



*Will Sewell see the forest for the trees?*

third's. "We need to give all objectives fair weight."

His second point addressed the question of growth. The Act is skewed now toward the administration of growth. Volunteers Sewell, "maybe there should be the planning of 'no growth' areas like wetlands or agricultural communities. Maybe we should have three types of planning regions: urban, rural, and changing." Following on the heels of the second point, Mr. Sewell led into the next point with the words, "predictable", "efficient", "open", "timely" as objectives the Act should pursue. While doing so,

the Planning Act should be oriented to bringing clarity and accountability to the lowest level.

As a long-time politician and former head of the Metro Toronto Housing Authority, Sewell, as expected, was not at a loss for comments about professional planners and the development industry.

Planning in Ontario, "encourages large development companies. Once Olympia and York investments understood how to plan in Ontario, they were ready to take on the world." The four-year period cited as the delay period for approvals, "means that small developers and small-scale change is eliminated from the development process."

On the Ministry of Municipal Affairs and Ministry of the Environment, "there's no coordination of land uses at the Provincial level. Each Ministry has its own Minister. Its own Act. Its own staff. And, its own turf. God forbid any integration."

The final point on the Commission's agenda, says Sewell, is an examination of the political side of planning. "Most politicians see politics as a full-time career...rather than as a public service." With full-time staff of their own and other support, "their job is to get re-elected as opposed to making decisions on principle." As a result, many of the decisions of principle are thrown back to planners and staff. Speculating about what might change, Sewell wondered whether there might be room for a new default policy at the Provincial level to kick in when decisions of principle were not forthcoming. The Commission, according to Sewell, needs to look at accountability, at vision, and at weighing the local good vs. the provincial good.

Not surprisingly, there were many questions. And, many of Sewell's off-the-cuff responses were as spicy as his prepared remarks.

As Sewell has never been one to mince words, the next two years will be an interesting time in the history of land-use planning in this province.

*Dave Hardy is a Principal with Hardy Stevenson and Associates.*

**T**he momentum from last year's OPPI conference in Ottawa appears to be continuing in the Muskokas. Peter Neice and his band of volunteers are preparing to host the second annual OPPI conference at the extraordinary Deerhurst Resort in October. Make sure that you register soon.

One of the most popular speakers at the Ottawa event was the NCC's Jean Piggot. This year, David Crombie is the keynote speaker. By October, Mr Crombie's Royal Commission will be in the final stages of preparing its conclusions, while another conference guest - John Sewell - will be launching into his own examination of public/private interests in the field of planning. His fellow commissioners are also well-known to Journal readers, OPPI member George Penfold and Toby Vigod, who is executive director of the Canadian Environmental Law Association. Look to find all three commissioners stalking the halls of the OPPI conference.

With so much change and turmoil in matters of planning and the environment, the conference organizers have wisely put a strong emphasis on presenting the views of experienced planning professionals to provide some balance and context to the debates. Max Bacon, Diana Santo, John Bousfield and Jim Balfour are four people who can be counted on to do just that.

**CONTENT PLUS  
LOCATION PLUS YOU  
WILL ADD UP TO A GREAT  
OPPI CONFERENCE IN  
OCTOBER**

to come and fraternize.

Finally, I would like to draw your attention to the Communication Awards. The deadline is September 6. As we mentioned in our most recent editorial, there is a lot of good work being done in Ontario, in both the private and the public sectors. Let's give recognition where it's due. One of the categories is for a Special Journalism Award. Although the scope of this is very broad, incorporating newspapers and magazines sold on the newstands, there have been many excellent articles in the Journal in the past year (this is a completely objective opinion!). Members are encouraged to look through back issues as a possible source of inspiration for nominations.

Glenn Miller, Editor

LETTERS

**We want to hear from you—write to us with your comments on the Journal, about articles or matters on your mind.  
Send a letter to the OPPI office, or fax it to (416) 483-7830.**

**NEW PUBLICATIONS TO NOTE**

The Program in Planning at the University of Toronto has recently published Economic Evaluation of New Medical Technology in Ontario: A Case Study of Lithotripsy by Kathryn Fisher (No. 36) and The Greater Toronto Area 1990–2021: Some Strategic Issues (No. 37). This is the proceedings of four seminars organized by the Program in Planning.

John Hitchcock

*Editor's Note: These publications will be reviewed in the Journal in the near future.*

**CORRECTION**

William Hollo's telephone number is 224-6135. Incorrect information appeared in a recent edition.

**PLANNER'S ROLE SHOULD NOT BE VISIONARY**

Re: "Planner As Visionary," by John Sewell, *The Journal*, Volume 5, Number 6.

As always, John Sewell forces us to think. I read his speech with great interest and I hope it will generate a serious and in-depth discussion among OPPI/CIP members about society's expectations and our role within society. To begin with, I would like to make it clear that I do not believe that planners, considering the environment within which they are operating, can be visionaries. The best we can hope to achieve is the accommodation of a variety of pressures and the mitigation or prevention of any excesses and hardships which may result from the current instability in our social, economic, and political institutions. In other words, today's planner should be a coordinator, not a visionary.

It is somewhat easier to generate dreams and visions in the less dynamic times of a gradually evolving, culturally homogeneous society. However, we live in an age of unprecedented unpredictability, where change follows change with

alarming speed and allows almost no time for adjustment, where trends lose their meaning and "right" and "wrong" switch sides with frightening acceleration. The toll is high: today's planner is being continuously tipped off balance, and like a rock climber, must move very cautiously and with great apprehension. John Sewell correctly pointed out that our Official Plans are not fulfilling their expected role in the planning process. They cannot, whether they articulate a "cloudy vision" or Mr. Sewell's "organized and minutely articulated" vision.

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Still, Mr. Sewell appears to be unduly harsh on certain visionary planners. The quotations he has chosen might be more enlightening had they been discussed within the context of their times, the real and perceived deficiencies of cities during that period, and the set of challenges which faced that particular generation of planners. Many nineteenth and twentieth century architects and planners, strongly influenced by a variety of social reformers and utopians, were convinced that they could reform society via architecture and urban planning. For some, the scientific socialist doctrine of revolution as a purifying force was particularly tempting: it provided a clean slate to build a better world, unhampered by the chains of private ownership. This is one reason why so many avant-garde architects and planners, including Le Corbusier, rushed into the Soviet Union after the Revolution, volunteering their services to the Bolsheviks.

It should not be surprising that visions related to human settlements frequently assume the existence of a political power capable of implementing those visions. Mr. Sewell is appalled that governments have implemented their particular visions

despite opposition, but he appears to put most of the blame on the vision itself. It might be instructive to remember that since the major obstacle to implementing any large scale vision has usually been private ownership, silencing the opposition was often aimed at landowners and those with a vested interest in the capitalist system. For example, most avant-garde architects and planners honestly believed that the only way to guarantee decent accommodation for the general population was by means of a state-run housing development. Thus, the destruction of private ownership was a necessary prerequisite for social justice - thereby the "magic" of either a dictatorship of the proletariat or a particular political party with sweeping powers to implement a noble dream. The implementation of any vision is difficult to reconcile with the idea that only the daily interaction of free acting individuals should shape both society and their settlements since such a position has a very limited or non-existent need for visions.

Any planner who does attempt to formulate a possible scenario for the future risks being accused of thinking they are

someone who knows better than others. However, those few brilliant minds among planners who do embark on experimentation and the formulation of alternatives are usually well-seasoned professionals with a long history of recognized achievement, and seldom simply the crackpots or arrogant egotists Mr. Sewell would like us to believe. It is often forgotten that futurists and visionaries, like other professionals, artists, and politicians, acquire knowledge and experience over time and their work and/or statements reflect a stage of that professional and intellectual development. It is unfortunate that visionaries are so often oversimplified and have become the easy targets of summary condemnations by a variety of contemporary critics who rarely find the time or interest to put the original work into its historical perspective.

Le Corbusier and his followers were criticized ad nauseam. To despise them has almost become an intellectual obsession. But strangely, things do go in waves and cycles. While we desperately try to eliminate Le Corbusier's evil legacy from our Official Plans and zoning regulations, we should not be too surprised if the new generation of planners, particularly those dedicated to concepts of sustainability and planetary health, were to find some of the ridiculed and discredited ideas of the International Style movement refreshingly inspirational.


Vladimir Matus,  
OPPI



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# NEW DECADE — NEW CHOICES

## THE ROLE OF PUBLIC TRANSIT IN THE 90S

### THE CHALLENGES FOR TRANSIT

by Al Cormier

**H**ow can public transit address the mobility needs of the 90s? Transit systems must contend with flat or declining ridership, reduced subsidies, and demands for cost efficient operations on one hand. Historically, the industry would have attempted to contain its costs by lowering the level of service provided while increasing fares—but this only begins the downward spiral of higher fares, lower ridership and reduced service.

Yet, transit systems are also increasingly called upon to act as providers—providers of at least part of the solution to the environmental and urban congestion crises that face our cities and towns today. Growing concerns over environmental issues, coupled with constraints on public funding, mean that tomorrow's transportation corridors are most likely those that already exist today. Planning emphasis will be on maximizing the throughput from existing transportation facilities.

In the face of these challenges, what are the issues of the 90s, and how can transit play a greater role in resolving them?

#### THE ISSUES OF THE 90S

**1. URBAN LAND USE** The low density residential, commercial and industrial land uses of our urban areas are designed around the automobile, and difficult to serve competitively by transit. Transit must make sure such auto-oriented designs are avoided in the future; identify modifications to existing developments that can make transit service more competitive; and concentrate on alternative service strategies for low density service areas.

**2. MOBILITY FOR THE DISABLED** The

demand for mobility by persons with reduced mobility is increasing dramatically. Additional investments are required to make conventional transit services more accessible, and parallel transit services more responsive.

**3. FINANCIAL CONSTRAINTS** The competition for economic expansion and independence, combined with public resistance to higher taxes, has severely restricted fiscal policies. In some jurisdictions, provincial operating subsidies to transit systems have now

participation rate should lead to increased transit usage by women in the short term. However, increased concerns over personal safety, coupled with increased auto availability and usage by women, may well negate these increases. As more women join the workforce, they will be more likely to switch to cars if transit cannot offer a satisfactory alternative.

Projected declines in the manufacturing sector will lead to declines in support staff employment—traditional transit users—leading, in turn, to ridership reductions. The growing service sector, with variable work hours and other non-routine characteristics, is hard to serve effectively with conventional transit services. Decentralized urban growth will also lead to more widely dispersed travel patterns and reduced transit ridership.

Finally, the unknown duration of the current economic recession and other factors such as free trade may have significant impacts on transit's potential market.

#### 5. CHANGING CONSUMER EXPECTATIONS

The adverse environmental impacts of the private automobile are well known. Changes in social attitudes and values concerning these impacts suggest that consumers will have greater expectations for transit service and hence demand more responsive transit organizations. Consumers will become more willing to seek and accept "environmentally-friendly" alternatives to auto use, but they will also demand a price based on the comfort, frequency, reliability, speed and safety of the service.

**6. THE URBAN INFRASTRUCTURE** Policy makers have begun to realize that more roads do not solve the problem of



Transit operators must explore new service alternatives.

been (Saskatchewan) or may soon be (Quebec) eliminated. Yet, opinion polls tell us that there is widespread public support for increased expenditures in public transit, as congestion worsens and the environment deteriorates. Could it be that the decisions of our politicians are not in keeping with public attitudes?

**4. DEMOGRAPHICS AND SOCIO-ECONOMIC TRENDS** Transit's market share (transit trips as a percentage of total vehicular trips per day) is expected to decrease 4%–11% between 1986 and 2006, as Canada's population ages.

Recent trends suggest that the increasing female labour force

congestion. In fact, the opposite is often true. Large stretches of urban land have been taken over by the automobile and its infrastructure. Our days as limitless consumers of energy and resources in our private automobiles are coming to an

end. Breaking the habit, after decades of increasing use, won't be easy. We must change attitudes in our cities that lean to providing available, low cost parking and tax incentives that favour travel by car.

There is support at all levels of

government for the notion of using transit to resolve congestion and environmental issues. But the Federal Government, and most of the provinces, have no corresponding policies favouring growth in public transit. Only municipal governments have substantial, direct responsibility for public transit, but their policy and fiscal means are limited.



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### Questions about the Freedom of Information Legislation?

The Municipal Freedom of Information and Protection of Privacy Act, 1989 comes into effect on January 1, 1991. Preparing for the Legislation: A Guide for Municipal and Local Boards and A Summary of Bill 49 for Municipalities and Local Boards are two publications available from the Freedom of Information and Privacy Branch, Management Board Secretariat, 18th Floor, 56 Wellesley Street West, Toronto, Ontario M7A 1Z6

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## THE ROLE OF PUBLIC TRANSIT

Public transit must position itself as a socially and economically acceptable alternative for urban mobility in the 90s. Canadians should be given free choice in urban mobility, and transit should be a competitive and attractive choice. Improved passenger amenities, increased service reliability and enhanced customer service attitudes can help create a more competitive environment for transit. Still more improvements are needed, however, to offer a competitive advantage. Shorter trip times, responsive schedules, frequent service and passenger security and comfort are factors to be considered.

Altering the current modal split will require that transit be given its fair share, if not a preferred share, of transportation funds and road priority. New forms of transportation accounting will be necessary to adequately measure the true social and economic costs and benefits of automobile versus transit travel, and

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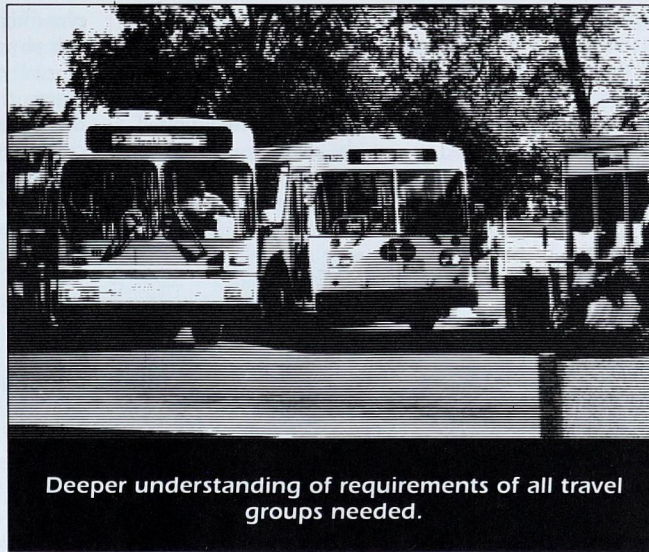
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to highlight the true burden of auto travel on the public purse.

On the other hand, transit management will have to review its service strategies and concepts in order to be able to offer reasonable levels of service to residents and workers in low density areas. A deeper understanding of the travel requirements of all travel groups will serve to identify opportunities for "niche" marketing of transit services. Research initiatives—such as CUTA's Strategic Transit Research Program—should be supported in order to learn more about how transit can best attract potential customers to its services.

Transit operators must explore new service alternatives in order to maintain a cost effective and competitive position. Ways of reducing the requirement for public subsidy should be examined—such as, private funding, privatization of service, or contracting of operating and maintenance services to



**Deeper understanding of requirements of all travel groups needed.**

outside agencies.

The ideas are not new. The challenges facing transit managers in the 90s are not simple and success will not come if a strong partnership is not formed. Transit managers must deal effectively with the various political groups involved, with special interest groups, with consumers in

general, and with their own customers and employees. Politicians at all levels must insist that all transportation professionals, be they from traffic or transit, collaborate to maximize the throughput of the existing transportation infrastructure.

The challenge is to seek the best method of combining decreased availability of funding with changing consumer expectations and attitudes about the environment and urban life, into a competitive mobility product for the 90s and into the future.

*Al Cormier is Executive Vice-President of CUTA (Canadian Urban Transit Association.) From a paper of the same title presented by Mr. Cormier at CUTA's 1991 Annual Meeting. For more information, contact Mr. Cormier at CUTA (telephone 416-365-9800).*

OTHER VOICES

## STRENGTHENING OUR COMMUNITIES

### A SOCIAL DEVELOPMENT STRATEGY FOR METRO TORONTO

by Joe Manion

In September, 1989, the Metropolitan Toronto Council established a Social Development Strategy Task Force comprised of nine councillors to formulate a social plan for the next decade. Put simply, the goals of the Task Force were to set a direction and assess priorities for social and community development in Metropolitan Toronto.

This article's basic aim is to explain the genesis of the Task Force, to summarize the initial phases of its work and, specifically, to review the production and release of its Interim Report, *Strengthening Our Communities*.

#### WHY DEVELOP A SOCIAL PLAN

Traditionally, the Metropolitan municipality resolved social policy issues

or shifts in its role vis a vis social services without benefit of a broad social strategy to set an overall context and direction. What was different in 1989?

Several important things were different. The number of social changes facing Metro was unparalleled—an increasingly diverse and aging population; changing family structures; widening income disparities and visible signs of poverty and homelessness; the impacts of economic restructuring; and the sudden and severe impacts of a deepening recession. These and other changes placed significant pressure on Metro's social services. These pressures focused attention on the larger question of the Municipality's role in meeting social needs and highlighted an entirely new set of overlapping and interrelated service planning and delivery issues. Councillors and staff increasingly

recognized that the scale of changes were exceeding the conventional parameters within which decisions had been made.

Somewhat perversely, the boom of the 1980s brought with it growing concerns about the liveability, quality of life and healthiness of Metropolitan Toronto as a community. The very way these concerns were framed reinforced the sense among planners that a broadly focused social development strategy was required.

Finally, the election of the Municipality's first directly elected Council in 1988 initiated an intense and encompassing debate about the kind of role the Municipality should play in a number of areas, including social and community services.

But what accounted for the call to strike a Council Task Force with a sweeping mandate to address social concerns? The specific impetus resulted

from the reaction of several community planning groups to Metro Council's adoption of the Corporation's first Economic Development Strategy. These groups persuasively argued that successful, sustainable development must be linked to the promotion of strong, healthy, dynamic communities. In turn, they advocated the systematic examination of social issues and needs

within Metro.

Within the Corporation, the completion of the Economic Development Strategy, coupled with the revision of the Official Plan, highlighted the need to consider social issues and programs as a complement to these planning initiatives. Many planning staff and councillors understood the need to better link land use planning and social

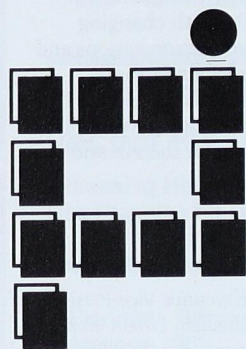
planning processes and to create social and physical infrastructures which are mutually supportive and sustainable. Currently, then, social planning is one of three inter-related pillars which constitute a more comprehensive approach to strategic planning at the Metropolitan level.

At the Provincial level, the release of the Social Assistance Review Committee (S.A.R.C.) Report (recommending wide ranging reforms to social assistance) and the Provincial Municipal Social Services Review (P.M.S.S.R.) (proposing substantial changes in the role of municipal governments re: social services) promised to, if implemented, significantly change the Municipality's role as a social service planner and provider.

Finally, the new Metro Council recognized its unique position to articulate a social vision which would form the basis for redefining the Municipality's community service mandate in the face of a rapidly changing social environment. This vision would simultaneously address quality of life issues through pro-active social development, reform the Municipality's understanding of its roles and responsibilities and rationalize complex and competing models of service delivery within Metro.

As a result of these interlinked "events," Metropolitan Toronto's first Social Development Strategy Task Force was born with the specific mandate to: set a direction for social and community development in Metropolitan Toronto by establishing a set of clearly articulated goals and objectives:

- provide a forum for the broad discussion of social issues with the aim of developing a coherent vision for the future;
- improve service co-ordination and rationalize the provision of social and community services in Metropolitan Toronto;



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- clearly identify the Municipality's role in providing, funding and supporting the services recommended in the strategy; and
- develop a set of recommendations for action and a 5-10 year implementation plan to achieve them.

### PHASE 1 - PROCESS, PROCESS, PROCESS

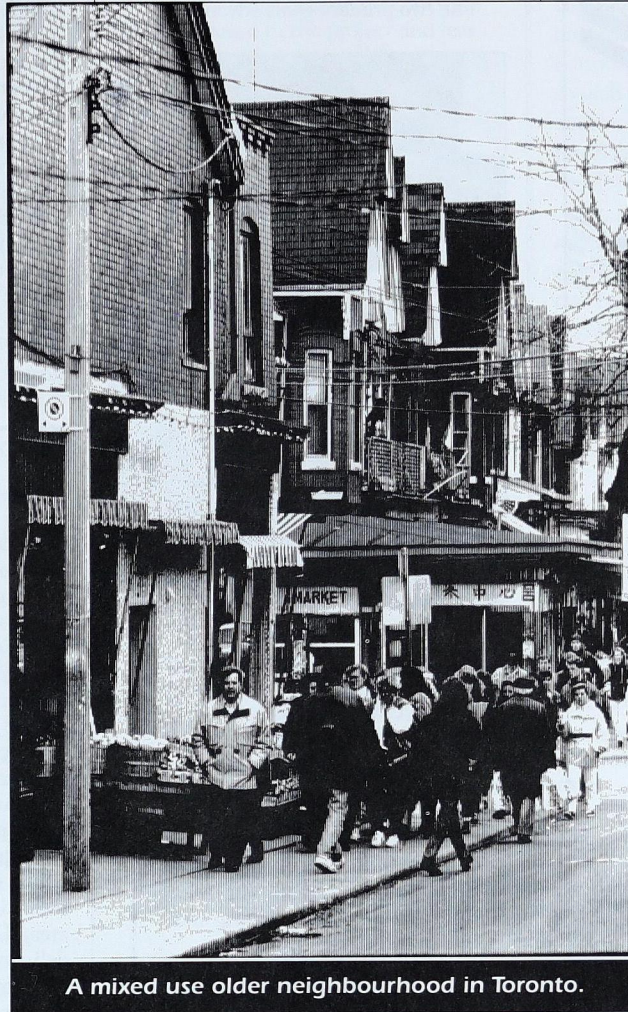
The Task Force's initial activity was to prepare and distribute an interim discussion paper based on extensive community consultations. Supported by senior Staff from the Community Services Department, the Task Force set out to identify critical social issues, conduct and direct research, exchange ideas and information, consult with relevant stakeholders and analyze options and impacts.

Initial "brainstorming" sessions involving various reference groups reinforced the belief that the Task Force's mandate should be broad. Questions about liveability and social well being emerged as key to defining and framing the task of developing a truly "social development" plan.

In terms of a methodology for consultations, the social development strategy presented a unique opportunity to meet constituents to hear first hand the social concerns and issues paramount at the community level. About 70 community meetings were held in Metro's 28 Wards: 59 general community meetings; and 11 special meetings with nine ethno-racial communities to ensure that language, race or culture did not exclude any resident from participating. Overall, some 2,000 residents and service providers attended the sessions.

In addition to consultations, information about social issues and needs were obtained from a variety of other sources; most notably a series of research reports were commissioned to propose innovative approaches to grappling with specific issues e.g., community based planning, citizen

empowerment, socially sustainable development, alternative service models. (Watch for a synopsis of this research in a future edition of the Ontario Planning Journal)



A mixed use older neighbourhood in Toronto.

After much analysis, a set of dominant themes emerged from the community meetings. The distillation of these themes shaped, in important ways, the focus of the Interim Report of the Task Force.

### PHASE 2 - SHAPING METRO'S SOCIAL DEVELOPMENT: GOALS FOR THE 90S

What was strikingly apparent from the consultation phase was that Metro residents are increasingly anxious about their future. A pride/apprehension

dichotomy was clearly evident; many residents expressed genuine pride in their city but also shared a sense of concern that rapid changes on all fronts were irreversibly diminishing their quality of life. The feeling was that Metro Toronto was not just changing but losing something vitally important - the essential qualities that make it a safe, humane and satisfying place to live.

It was this atmosphere of uncertainty, conveyed so powerfully by many residents, that reinforced the Task Force's commitment to reconceptualize the planning and delivering of social and community services.

The Interim Report of the Social Development Strategy Task Force, released in March, 1991, is a discussion paper which aims to convey the Task Force's vision for Metropolitan Toronto and its understanding of the key social issues facing Metro. Ultimately, its purpose is to stimulate debate about the social policy and planning directions that the Municipality should follow.

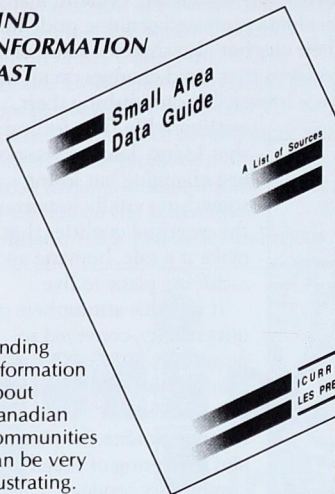
The Report puts forward a simple but forceful vision for Metropolitan Toronto in the 1990s; that "as many people as possible have a decent quality of life". Any meaningful social vision must be based on by a set of fundamental principles which direct future actions. One of the Task Force's key achievements was to propose a set of basic principles to guide the development of strategic

goals.

Based on the themes which emerged from the consultation phase, the Task Force came to the conclusion that realizing their vision of a vital, safe, liveable city required strengthening and supporting the communities that constitute Metro Toronto.

Why stress communities? Because many of the residents and key informants who were consulted strongly agreed that our communities, both defined geographically and in terms of interest, culture and social ties, have

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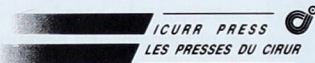
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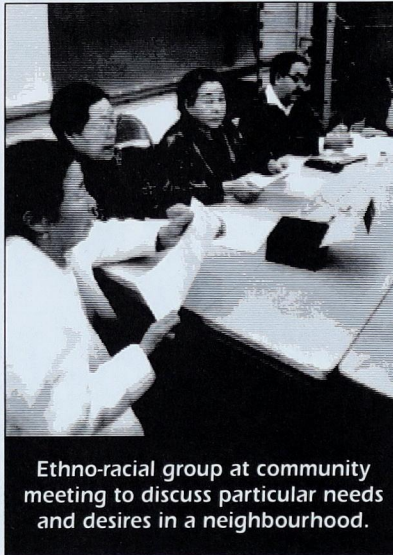
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significantly contributed to the municipality's enviable quality of life. It is through these communities, with their unique spirit and character, that residents gain a sense of identity and belonging.

The two primary goals advanced by



**Ethno-racial group at community meeting to discuss particular needs and desires in a neighbourhood.**

the Task Force grow out of these core ideas. The first goal reflects the enduring significance of communities in the life of our city. The second reflects the critical importance of access to services and resources, which can best be achieved through strong communities.

Achieving these goals required the concrete identification of issues which are so pressing and important that their resolution is vital to sustaining and

strengthening Metro's communities. The Task force identified 6 such key issues.

Ensuring maximum access to the entire social development strategy process has been, and continues to be, a paramount goal of the Task Force. This commitment was reflected in the decision to produce a user friendly Report written in clear language. Recognizing the diversity of the Metro community, summaries of the full Report were prepared in ten languages in addition to English. A variety of other innovative measures have been taken to make the report accessible to Metro residents, regardless of their linguistic background.

The stage is thus set for the final phase of consultations. The anticipation is that the Task Force will obtain useful suggestions and perspectives about ways to achieve the goals it has advocated.

**LOOKING BACK AND LOOKING FORWARD**

The Task Force has accomplished a great deal. For the first time, a set of principles and goals to guide the development of strategies aimed at addressing social issues in Metro has been proposed. Furthermore, consensus on the key social issues facing the Corporation emerged.

The Metropolitan Corporation has traditionally provided a range and level of social services far beyond its narrowly mandated responsibilities as a municipality. Fundamentally, the Task Force must now develop decision criteria which serve as a rational basis for reshaping the Municipality's role in the area of social policy, planning and delivery of community services, and for determining appropriate responsibilities. The Social Development Strategy will articulate broad strategic directions to focus the Corporation's energies in the area of planning for and meeting social needs in an increasingly diverse, dynamic city. Ultimately, the Social Development Strategy allows the municipality to plan for the social impacts of urban physical development, and to integrate its social, economic, land use and strategic planning activities.

*Joe Manion is a Policy Development Officer with the Metropolitan Toronto Community Services Department.*

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# CONSERVATION COUNCIL OPPOSES JAMES BAY II

*The following letter was sent in May from The Conservation Council of Ontario to the Prime Minister.*

Dear Mr. Mulroney:  
Re: James Bay II

I write on behalf of The Conservation Council of Ontario to urge you to use your good offices, along with those of your newly appointed Minister of the Environment, the Honourable Jean Charest, to insist that the proposed James Bay I development in Quebec not be allowed to proceed unless it can satisfy the requirements of a full federal environmental assessment.

The Council brings together representatives of 32 Member Organizations from all walks of life—from rural and urban businesses, labour organizations, professional associations, academia, and environmental interest groups. All of these have a common concern for the state of our environment and conservation and sustainable use of our natural resources.

At two meetings of the Council, we have heard of the damage that would be thrust upon the natural environment in three provinces—Ontario, Quebec and Manitoba—and the Northwest Territories, as a result of the effects of this mega-project on Hudson Bay.

We understand that, apart from the very visible whale population, many other living species—migratory birds, caribou, and numerous mammals, which are dependent upon the habitat in Hudson and James Bays—would be threatened, some to the point where they would be placed on the endangered species list.

The livelihood of 25,000 Cree, Naskapi, and Inuit is likewise threatened. We know that they are dead set against the James Bay II project. On 23 April in Toronto, Grand Chief Matthew Coon-Come said at a public meeting sponsored by one of our member groups, the Sierra Club of Ontario, "We are fighting for our survival." Native peoples told an interchurch delegation from Montreal

who visited Great Whale that they are totally opposed to the project and fear it will destroy their way of life and their links with the land.

These matters—the environment and native rights—are of federal, not just provincial concern and responsibility. It is, of course, unfortunate that relations between Quebec and the rest of Canada are so fragile at present. However, we believe that there will be no meaning to Canada as a country if the federal government is unable to ensure that its laws are respected by all parts of the nation. The responsibilities with which the federal government is charged must be shouldered by you and your cabinet.

Further, we are convinced that, although it is up to the government of Quebec to regulate the rates to be charged for its electricity, the recently publicized information that Hydro-Quebec is subsidizing major

consumers by providing power below cost should be treated as a matter of national interest. The supply of energy to such major consumers happens, of course, to have a direct bearing on the justification for the James Bay II development.

Sir, if this country is to mean anything as an entity, our common environment has to be managed as one environment. On certain issues, and James Bay II is one, the federal government has to take a firm stand and ensure that only environmentally sound development proceeds. We look to you for action in this vital matter.

*Yours sincerely,*  
Phyllis Creighton  
President

*Editor's Note: This letter was prepared by Simon Miles and former Journal columnist Tony Usher.*

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## PROVINCIAL INTEREST IN A WHITCHURCH-STOUFFVILLE ESTATE RESIDENTIAL SUBDIVISION ON THE OAK RIDGES MORaine

by Pierre Beeckmans



In response to the Kanter report, the government has "expressed"\* a provincial interest in the Oak Ridges moraine. The Ministry of Natural Resources has the responsibility of coordinating the provincial action to protect the Oak Ridges moraine.

A proposal to develop a 22-lot estate residential subdivision on 25 acres in Whitchurch-Stouffville became the first opportunity for MNR to act in its coordinating capacity. The applicant reduced the number of lots to 11 and a stringent set of conditions was established to satisfy the conservation authority, MOE and MNR. One condition makes

use of a building envelope to protect the vegetation on each lot. A "limit of disturbance" will be established, not exceeding 3,000 m<sup>2</sup> around each building envelope (32,291 sq.ft.). However, a group of neighbouring ratepayers was not satisfied and the development became the subject of a municipal board hearing on the plan of subdivision and amendments to the official plan and zoning bylaw.

The objectors felt the rural ambience would be lost. They raised various environmental concerns: groundwater pollution, damage to downstream fisheries, disturbance of nesting grounds, destruction of the Carolinian forest, etc. They suggested that these issues should be

addressed on a broad scale rather than simply in response to individual applications.

The Board was satisfied that the proposal would receive adequate scrutiny as it would be recognized as precedent setting for other applications on the moraine. Only one change was made in approving the applications: a condition was modified to require stormwater flows before and after development to remain the same. The decision is dated October 16, 1990.

Source: *Decision of the Ontario Municipal Board.*

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\* (The Planning Act provides for the Minister to advise the municipal board of a provincial interest when he wishes Cabinet to have an opportunity to review a decision on a matter before the Board. This is usually described as a "declaration of provincial interest". The Minister has also been known to announce a provincial interest independent of any particular before the Board. To differentiate such an announcement from a statutory declaration, the latter is described as an "expression of provincial interest".

Pierre Beeckmans is a senior planner with the Ministry of Municipal Affairs

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# IMPLEMENTATION GUIDELINES RELEASED, PLANNING STUDY ANNOUNCED FOR THE GREATER TORONTO AREA PORTION OF THE OAK RIDGES MORaine

**O**n June 24, 1991, the Province released implementation guidelines to protect significant features and control development of the Oak Ridges Moraine within the Greater Toronto Area.

The guidelines, a combined effort by the Ministry of Natural Resources, Ministry of the Environment, Ministry of Municipal Affairs and the Conservation Authorities, strengthen the commitment the Province made in July 1990 with the announcement of the Expression of Provincial Interest in the GTA portion of the Moraine. The guidelines set out eight key principles for determining if a proposed development may be allowed, and clarify the Province's role in land-use planning there.

The principles prohibit development in significant natural areas; restrict scattered development; encourage maintaining or enhancing ecological integrity; encourage landform

conservation; encourage the protection and management of woodlands; prohibit unacceptable development in and around watercourses and lakes; restrict expansion of settlement onto high permeable soils; and prohibit development that has unacceptable impact on groundwater resources.

In addition, a two-year planning study that will lead to the development of a long-term strategy for the GTA portion of the Moraine is now underway. The guidelines are interim and will protect significant features

of the Moraine and control development while the long-term strategy is developed.

The Province will create two committees to undertake this work. A technical working committee will guide

the planning study and development of a long-term strategy. A citizen's advisory committee will assist in the development of the long-term strategy and will consult the public on the strategy.

## COMMISSION OF INQUIRY APPOINTED TO BRING "INTEGRITY" TO PLANNING PROCESS

**O**n June 12, Municipal Affairs Minister Dave Cooke announced a three-person commission of inquiry into the relationship between public and private interests in land-use planning in Ontario.

Former Toronto mayor John Sewell will chair the inquiry. The other two

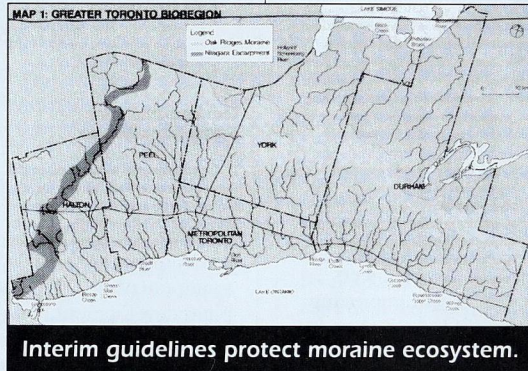
commissioners are Toby Vigod, executive director of the Canadian Environmental Law Association, and George Penfold, CIP, OPPI, associate professor at the University School of

Cooke said the commission is being asked to recommend changes to the planning process that will restore the public's confidence in the integrity of the system.

"Many people in this province feel the public interest is not always served when land-use and development decisions are made in their communities," he said. "The commission will look at ways to make sure the planning process is open, fair and effective, serving the public interest and protecting the environment."

Cooke said the commissioners have been asked to recommend changes—including legislative and policy changes—that will entrench good planning into the land-use development process. They will be consulting politicians, planners, developers, environmental and other community groups and the public to seek consensus on many issues surrounding the planning process.

The commissioners cannot and will not investigate specific accusations of wrongdoing or corruption.



Rural Planning and Development at the University of Guelph.

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"Investigating wrongdoing is the job of the police and the courts. The commissioners will look to the future—at what changes need to be made to protect the integrity of the planning process," Mr. Cooke said.

Cooke said good planning that

guarantees public participation can make a big difference to the quality of life in Ontario's communities now and in the future.

The commission will deliver an interim report within one year, and a final report a year later.

All three individuals are past contributors to the Journal and we expect to provide regular coverage of this pertinent undertaking.

## PLANNING

# PLANNING IN OTHER PLACES—SOME THOUGHTS FOR MR. SEWELL

by Ray Simpson

**A** new decade—a new government—it is time once again to review Ontario planning policy and legislation. The Sewell Commission will be hearing briefs over the next year from a variety of groups, many of them singing the praises of planning systems in other places. Predictably, the commission will hear about the efficiency of free-wheeling Texas and the planning-perfect world of San Francisco.

This popular planning rhetoric will provide few constructive suggestions to address some of the key problems in Ontario planning—the efficiency of the process and the balance and quality of its results. A few well considered ideas from other places are a useful basis for potential reform if they can improve the efficiency or quality of decisions or better yet both. After all, the Sewell Commission will take less time to review the whole process than it often takes to approve a draft plan of subdivision.

Our awareness of planning techniques in other jurisdictions arose from a research assignment Hemson Consulting Ltd. completed for the Planning Policy Branch of the Ministry of Municipal Affairs. The study sought to understand how and how well other planning systems function. The places studied exhibit a variety of approaches to planning and demonstrate a range of innovative features or have a high profile in the media. Jurisdictions chosen for analysis included British Columbia, Alberta, Quebec, Vermont, New Jersey, Texas, California and Oregon.

The overall conclusion of this review is that clear policy set by senior government is the key to efficient and effective planning systems. Uncertainty and a lack of consistent goals at the top works its way through all parts of the system. Clarity in policy is not related to the degree of senior government involvement. Clarity just means that everyone involved knows in advance what is expected of them — be it in a few key areas of concern or in highly detailed expectations.

The research yielded some effective planning techniques that Ontario would be wise to consider for future reform. The eight categories below all provide ideas for increasing the efficiency of decision making without compromising good planning and the last three subjects would go a long way toward improving the physical results of Ontario planning.

### 1 TIME LIMITS SPEED APPROVALS

Every jurisdiction studied makes use of time limits for some element in the planning process, varying from senior government plan approvals to development applications, circulation and appeal decisions. Example time limits include:

- In Alberta, a subdivision application not approved or denied within 60 days gives the applicant an immediate right of appeal to the Alberta Planning Board.
- In New Jersey, a major subdivision application not approved or denied within 95 days is automatically approved.
- In Oregon, local Official Plans must

receive approval from the responsible state government commission within 90 days.

The time limits imposed are not always adhered to, but are met most of the time. The success of time limits appears to be based less on statutory penalties than on the fact that all interested parties (including the public) have a target in mind. The open-ended process in Ontario allows, and even encourages, delays and procrastination by planners and councils. A clear policy environment allows these faster approvals.

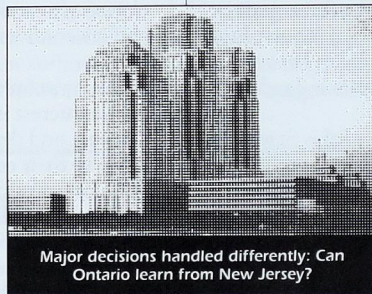
### 2 LIMITING CIRCULATION SPEEDS PROCESS

Ontario casts a very wide net in application circulation. This stands in marked contrast to the highly limited processes elsewhere.

In British Columbia, for example, virtually all circulation of subdivision applications is at the discretion of the municipality with provincial circulation requirements set only for some flood plain development and applications abutting major highways. Otherwise, the municipality is considered competent to decide who needs to be consulted and who need not be.

Alberta takes a different tack where circulation can involve a number of agencies but only where the application fits within a specific set of rules. Those that are circulated are given 40 days to respond and a lack of response is an assumed approval. If an agency has a concern, it must take the initiative to speak up and take responsibility for its mandate rather than forcing municipalities to wait while other agencies dither.

This raises the issue of the nature of senior government policy. Our suspicion is that much of the delay and the need for extensive circulation in Ontario arises



Major decisions handled differently: Can Ontario learn from New Jersey?

from a lack of clear and specific provincial policy. If policy consisted of a clear set of rules municipalities could enforce these rules, eliminating the need for circulation much of the time.

### 3. FLEXIBILITY DESIGNED INTO SYSTEM REDUCES NEED FOR COMPLEX APPROVALS

Municipal planning practice in Ontario has generated a very rigid set of by-laws which include few elements accommodating the flexibility necessary for effective planning.

Any real estate agent will tell you that "they are not making any more land" yet a number of Ontario municipalities have zoning by-laws requiring a minimum lot size larger than those already existing. Surely, building a house on an existing 30 or 40 foot lot should not, by definition, require a variance or rezoning process, since it is a little late to make the lot larger. A zoning by-law can accommodate flexibility and variety.

Flexibility is also incorporated into uses in most jurisdictions. In addition to as-of-right uses there can be conditional uses approved under a fixed set of rules (or an approving officer's discretion). This system avoids many of the similar variances and rezonings repeatedly dealt with at great time and expense.

### 4. OTHER JURISDICTIONS USE MORE RESTRICTIVE APPEAL PROCESSES

The Ontario Municipal Board reconsiders planning decisions put before it. Most other places limit appeals to a judgement of whether a decision was

legally reached by the decision maker, not whether it was a "good" decision. Even Quebec and Oregon, who use appeal tribunals like the OMB, use conformance to law and adopted plans for decisions and cannot vary legally adopted policy—clear policy eases the ability to judge conformance.

An appeal restriction popular in the United States is the limitation of appeal rights to those individuals involved in the municipal approval process—you cannot appeal later if you did not take part in the public participation process at the time of the decision. A further restriction limits issues of appeal to only those raised during the municipal process.

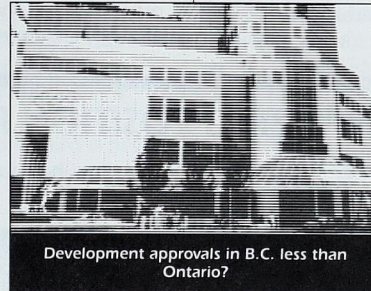
### 5. POLITICAL OR QUASI-POLITICAL APPROVAL OF ALL PLANNING ACTIONS NOT NECESSARY

Virtually all planning decisions in Ontario, large and small, must be made by a Municipal Council or Committee of Adjustment. Other jurisdictions require such approval of major decisions, but minor decisions may be made by appointed approving officers, which significantly speeds the process. Checks and balances are provided by a convenient and accessible municipal level appeal process -politicians need only deal with contentious or disputed applications leaving simple applications

to an administrative process.

### 6. COMPREHENSIVE APPROVALS PROCESSES ALLOW FOR INNOVATION

The "planned urban development"(PUD) approval process commonly used in the United States allows all approvals in a single comprehensive process. This allows innovation since all parties to the process can review the proposed final development result as part of their deliberations.



Development approvals in B.C. less than Ontario?

Ontario's fragmented and bureaucratic process discourages anyone from trying something different this year from what they know was approved last year. Approving agencies are not given all the information to ask "Will this be a nice street to live on?" and so are far more apt to enforce some regulation whose purpose is not clear.

### 7. PLANNING SYSTEMS NEED NOT BE IDENTICAL EVERYWHERE

The large cities of Ontario must operate under the same legislation as the smallest rural and northern townships, despite the great difference between their planning problems and municipal resources. Other jurisdictions see a greater need for effective legislation in different areas than for maintaining a principle of identical legislation:

- The Cities of Vancouver, Montreal and Quebec operate under their own legislation, distinct from the rest of their province.
- California and Texas have taken the approach one step further in allowing "home-rule" cities to virtually write their own legislation while the state provides the planning legislation for the remaining municipalities.
- In Oregon, separate planning statutes and institutions exist for two distinct types of municipalities—urban cities and rural counties.



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## 8. EXTRA-TERRITORIAL JURISDICTION CONTROLS URBAN FRINGE DEVELOPMENT

Texas and Oregon give their cities jurisdiction over some planning matters for distances up to six miles from their boundaries in the surrounding rural municipalities. This is a very easy way to control the problems of urban fringe development which continue to plague

many cities here and elsewhere. Political conflicts are largely avoided by the senior government providing a clear definition of the roles and responsibilities of rural and urban municipalities.

These eight issues are well worth a look when reconsidering Ontario planning law and practice but the most important lesson to be learned from other places is that a faster or more efficient system need not compromise

good planning. Similarly, limited appeal rules or administrative approval powers need not reduce either accessibility to the system or accountability. The only groups served by delay are those who seek delay. We would all be better served by a planning system which makes not only good decisions but timely decisions.

*Ray Simpson is a partner and Russell Mathew is a senior consultant with Hemson Consulting Ltd.*

## OSEM FINALIZING POSITION PAPER ON PROVINCIAL PLANNING

by Jonathan Kauffman

At its AGM on May 31, 1991, the Ontario Society for Environmental Management (OSEM) ratified, in principle, a draft position paper on provincial planning prepared by the Society's Policy Committee. The Committee is now proceeding to finalize the document, incorporating the modifications proposed by the Society's membership. Here is a brief summary of the position paper, taking into account the proposed modifications.

For some time now, the OSEM membership has been convinced that it is time to stop "tinkering" with the existing environmental management program in Ontario, and take a fresh look at the entire provincial land use/environmental planning framework. OSEM has participated in both the EAPIP program and discussions concerning the "greening" of the Planning Act, and considers such projects quite worthwhile as short-term measures. However, neither of these two initiatives addresses the fundamental shortcoming of Ontario's environmental management program—the lack of an integrated system of provincial land-use planning incorporating, as a major objective, protection of the land base.

The land-use planning and environmental assessment system which is in place today is relatively narrow in scope, fragmented, and for the most part, curative in approach rather than preventative. The OSEM membership

fears that serious environmental dilemmas may lie ahead for Ontario, in regions such as the Oak Ridges Moraine, Niagara Fruit Belt, Grey County, District of Muskoka and Temagami/Crown Lands, if action to institute and integrated provincial planning framework is not taken soon.

*In analyzing Ontario's current environmental management problems, OSEM has identified two major concerns:*

- Land use and environmental policy formation and decision making in

involved;

- Ontario has no effective provincial land-use system of a comprehensive or strategic nature. Although it may be feasible to introduce a significant element of "greening" to the Planning Act, this will not overcome the Act's inability to deal with trans-boundary coordination and cumulative effects. Furthermore, the EA Act, as useful as it may be as a documentation and approvals tool, is nevertheless unable to function on its own as a comprehensive planning mechanism.

In order to avoid further deterioration in Ontario's quality of life, the OSEM membership believes that two changes have to occur:

- First, a process has to be devised which will integrate land use and environmental principles at both the policy formulation and plan design levels.
- Secondly, the government has to begin moving toward a provincial land-use plan for Ontario. OSEM believes that this can be done on an incremental basis, using many

of the existing building blocks, so that there is a smooth and gradual transition between the existing and proposed systems.

As a starting point, OSEM would recommend taking a careful look at the approaches developed by Alberta and Manitoba to integrate land-use planning and environmental decision making:

- In Alberta, regional planning extends over almost the entire province, under

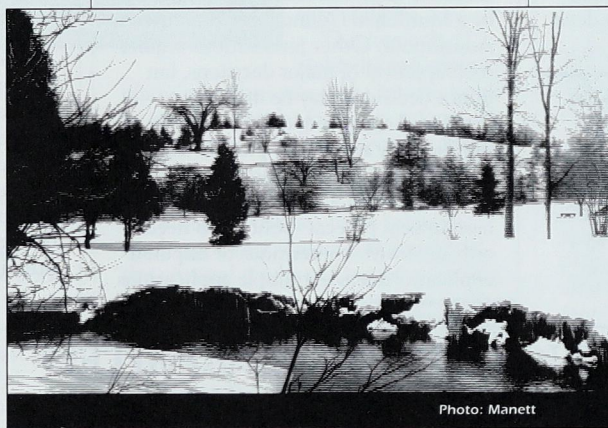


Photo: Manett

Ontario is highly fragmented between a variety of agencies and jurisdictions. As a result, many of the Province's major land-use policies and guidelines concerning agriculture, aggregates, drainage, wetlands, and, most recently, affordable housing, are in conflict with one another. At the operational level, attempting to resolve these conflicts in inordinately lengthy, and may still result in conflicting decisions by the agencies and jurisdictions

the jurisdiction of the Alberta Planning Board. An Integrated Resource Planning System (IRPS), operated by a coordinating body consisting of the major provincial land related agencies, coordinates land use and environmental policies, programs, and plans.

- In Manitoba, all land, except for Winnipeg, is governed by a set of Provincial Land Use Policies (PLUPs) which bind the activities of all provincial departments and agencies. Key decisions are made through a system of interdepartmental committees consisting of a Provincial

Land Use Committee of Cabinet (PLUC) and a statutory Interdepartmental Planning Board (IPB) comprising deputy ministers or the equivalents from all government departments and agencies having a significant interest in land.

While OSEM recognizes that it will be essential to take into consideration Ontario's own distinctive political climate and planning framework, these approaches could serve as a useful starting point for the formulation of a unique Ontario solution.

It should be noted that OSEM is not alone among many other organizations

and agencies in Ontario in pursuing what appears to be a growing social consensus regarding provincial planning. For those who wish to become more informed on this issue, an excellent publication by OSEM's immediate past president Nigel Richardson, entitled *Land Use Planning and Sustainable Development in Canada*, is available gratis from the Canadian Environmental Advisory Council, c/o Environment Canada, Ottawa, Ontario, K1A 0H3. OSEM will keep the Journal updated on future developments.

*Jon Kauffman is a Toronto-based land-use planning and environmental consultant. He writes regularly for the Journal.*

#### OPPI NOTEBOOK

## AN OPEN INVITATION TO ALL DELEGATES: COME TO MUSKOKA!

**T**he SCENERY will be spectacular. The conference is being held at the peak of the fall colour season.

The SETTING—

Deerhurst Resort; 1,000 acres of rolling, wooded landscape on the shore of Peninsula Lake. Canadian Pacific Hotels and Resorts will roll out the red carpet, including deluxe accommodation at the same rate as the 1990 conference, and with the added feature of use of many of their extensive recreational facilities (equipment provided), at no extra charge.

The PROGRAM—"Competing Spaces, Competing Choices" will offer an exciting and challenging framework to examine the allocation of scarce resources for the greatest common good. Tough decisions that impact our human and environmental resources predominate the activities of virtually every planning organization. To define appropriate strategies for the 90s, we have assembled a range of topics and speakers that will approach the theme from different perspectives that we hope will prove informative.

The Plenary Sessions include "Ecosystem Planning" presented by the Honourable David Crombie and "Planning Trends: Past, Present, Future" presented by John Bousfield, Max Bacon, Jim Balfour, and Diana Santo. The workshops include Linear Corridors, Elderwave, Streamlining the Planning

Approval Process, Development Charges Update, and Affordable Housing.

Activities include an Early Bird Golf Tournament, a Sunday Night Barbecue Dinner, Tennis and Squash Ladders, a Fall Colour Tour, a Monday Night Gala Dinner, and a Tuesday night Dinner Cruise on the historic steamship RMS Seqwun.

The conference will combine a full schedule of working sessions with sufficient time to enjoy the extensive

recreation opportunities at Deerhurst and around Muskoka. The atmosphere will be informal—come in casual attire and enjoy the conference with your colleagues!

So come to Muskoka—The Greatest Lakes!

We think you'll be delighted.

*Peter Neice, Chair, 1991 OPPI Conference  
Organizing Committee  
Joe Sniezek, President, OPPI*

OCTOBER 6-9, 1991

## COMPETING SPACES/COMPETING CHOICES! 1991 PLANNERS CONFERENCE

**T**he 1991 Conference Committee has a tough act to follow on the heels of the highly successful Ottawa Conference, but they are confident that the 1991 conference site, the fall colours of the Muskokas and the challenging program will create an attractive educational and information-sharing event.

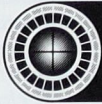
The conference theme—"Competing Spaces/Competing Choices" will explore a variety of perspectives surrounding the tension between allocating scarce resources for the greatest common good and determining just what the greatest common good shall be.

Conference sessions will be designed (planned?) to end around 3 p.m. each day

to maximize the recreational opportunities at and around the Deerhurst Resort complex. In addition, the Conference venue and the vacation destination of the Muskokas dictate "casual" will be the unspoken motto of the 1991 Ontario Planners Conference.

The affable Peter Neice (with the Town of Bracebridge) has taken on the role of Conference Chair and his Committee has been hard at work. An exciting agenda has been put together including workshops providing delegates with practical information; workshops addressing emerging planning issues, trends, and initiatives; and the ever-so-popular mobile

*continued on page 24*



NORTHERN

## THE PLANNER AS PUBLIC ADMINISTRATOR?!

by Jeff Celentano

As a group of professionals dealing with local politicians and the public on a regular and visible basis, planners do acquire a unique set of management skills over their careers.

At the University of Western Ontario's new Master in Public Administration program, a group of five planners are furthering their public sector management education. Incidentally, they comprise the largest single professional group among the first class of part-time M.P.A. students.

The UWO program specializes in local government and is promoted as the only one of its kind in English-speaking

organization behaviour and policy processes in local government.

The part-time program takes three years to complete, taken through a series of weekends and in intensive one-week and three-week sessions.

So why are these colleagues of ours travelling on this extended educational journey? Perhaps it is best to let them speak for themselves:

"I've spent my planning career in various roles in local government agencies ... with a particular goal of a career in management.

Hopefully (the program) will make me better equipped to do so",

Chris Smith, Manager of Planning & Transportation, Waterloo County Board of Education;

"To expand my knowledge and understanding (of local government) to advance in my career",

Hans Madan, Assistant Director of Planning, City of Cambridge;

"To further pursue (my) interest in local

City of London;

"To broaden my perspective of municipal administration through sharing experiences with colleagues and practical learning from the instructors. To date, I have thoroughly enjoyed the demanding curriculum",

William Pol, Senior Planner, City of London.

As these classmates and colleagues head into the final year of their MPA program, it is clear that as planners and public administrators these persons will bring their new skills to bear on local issues. For their respective employers, the pay-offs have already started.

*Editor's Note: Jeff Celentano is also a student in the MPA program at Western and is a classmate of Chris, Hans, Bruce and Wil.*



SOUTH WESTERN

## PROPERTY RIGHTS AND PUBLIC ACCESS TO THE WATERFRONT

by William Poll

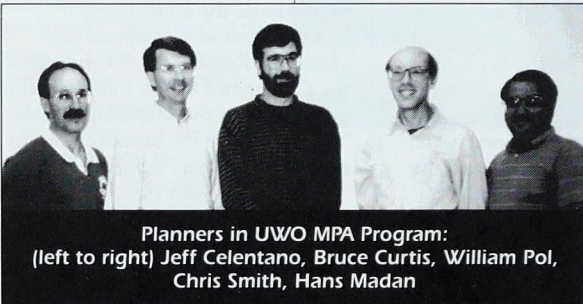
The Southwest District had another successful dinner meeting at the Oakwood Country Club in Grand Bend on June 13, 1991 with 35 members in attendance. The members had an opportunity to play a round of golf before the program meeting and enjoy the beautiful surroundings.

The topic of property rights and public access to the waterfront is closely tied to the property dispute involving the Village of Grand Bend and Archie Gibbs who claims ownership of a pivotal portion of the main beach. The seasonal and weekly influx of cottagers and tourists has a significant impact on the Village and the loss of part of the main beach could reduce the summertime enjoyment of the area.

The speaker was Russell Raikes from the law firm of Choen & Melnitzer, who participated in litigation on behalf of Mr. Gibbs. After an overview of public versus private use of the waterfront and natural areas, Mr. Raikes went on to discuss the opportunities and obstacles available in the Planning Act to deal with regulation of private lands having natural amenities.

Mr. Raikes described the omission of a crown reserve in the original land grant and the Gibb's family claim to the beach through several generations, which created unique circumstances to the Grand Bend dispute. The ownership issue is still before the appeal courts and will have significant impact on the waterfront lands that many municipalities believe to be vested with the crown. The question and answer period after the presentation rounded out the evening.

The Southwest District Annual General Meeting has been set for September 13, 14 and 15 at the Tobermory Lodge in Tobermory.



Planners in UWO MPA Program:  
(left to right) Jeff Celentano, Bruce Curtis, William Pol,  
Chris Smith, Hans Madan

Canada. It will take one year to complete the program full time, with courses on such topics as municipal law, issues in public sector management,

government at the graduate level, studying the interactions between management and the political process",  
Bruce Curtis, Planner



CENTRAL

## HURONIA REPORT

by Celeste Phillips

### MUSKOKA-SIMCOE CHAPTER NEWS

The Muskoka Chapter of OPPI recently held a one-day seminar at the Lake St George Golf and Country Club in Orillia. One topic of note included a description of recent policy changes of the local Health Unit whereby residential lots intended for individual septic installations will require lot areas where 2,000 m<sup>2</sup> of useable area exists, a land area without restraints. Those in attendance also learned that detailed information must be available at the time of consent application as conditional severances are becoming less frequent. The purpose of these policy changes is to protect groundwater resources. The Health Units are attempting, where possible, to preserve natural conditions by retaining natural subsoils and drainage patterns. The second speaker discussed conditions of the Committee of Adjustment and their "planning reasonableness." Further, the need for municipalities to maintain accurate records and a "flagging system" was discussed, as well as the importance of registering agreements. The final discussion related to

the conflicting opinion associated with the hamlet or concentrated growth versus the dispersed growth related to severance activity.

### PRIDE GRANTS

The Minister of Municipal Affairs, Mr. Dave Cooke, recently announced that two Simcoe County municipalities will receive monies from the province under the Program for Renewal, Improvement, Development, and Economic Revitalization (PRIDE). Sewers and water mains will be improved and an arena will be upgraded in the Town of Collingwood while municipal services and parks will be upgraded in Essa Township. The total amount of these grants is approximately \$320,000.

### SIMCOE COUNTY RESTRUCTURING

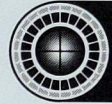
The final report on changes to municipal boundaries and service delivery within Simcoe County has been released. The Simcoe County Study Committee unveiled the report after eighteen months of investigations. Currently, the County consists of 28 municipalities, with the final report recommending a reduction to sixteen municipalities. The 39 members of County Council will vote on each of the over 100 recommendations on July 16, 1991.

## GOLDEN HORSESHOE

Ian Bender is preparing an article on cross-border shopping and its impact on

municipalities in the Golden Horseshoe, particularly Niagara.

Now, however, Ian writes that there is nothing to report on from Niagara because all planners are OTR (over the river, shopping in Buffalo or Niagara Falls, N.Y.)



EASTERN

## CENTRAL CANADA EX STILL FACES OPPOSITION TO ITS NEW SITE

by Bob Pekarchuk

Although they are one step closer to opening an Exhibition on a new site, the CCE still faces some opposition to its choice of a new home in Gloucester by the Ministry of the Environment. It now requires changes to the Regional and Gloucester Official plans in order to pick up stakes and move to its new site. There is no guarantee that these changes and approvals will be forthcoming.

The Environment Ministry had questioned the quality and quantity of water from wells on the site. It wanted stiff requirements for handling stormwater. It warned septic tanks could not handle the expected crowds during the fair. Instead, it recommended the Ex hook into municipal

water and sewer services, a costly proposal in an unserved rural area.

The Ex has now come up with technical reports which satisfy two of the three concerns and the Ministry has suggested a solution for the third problem. The Ex's plans to use ponds to contain stormwater is now acceptable and the revised study indicates the potential for water from the wells will also not be a problem. The Ministry still feels that the septic system will be overloaded but this problem could be corrected by outfitting trucks with holding tanks, which could then be disposed of at Regional Sewage treatment plants.

Regional staff have suggested that the Ex look at land inside the south urban community, a few kilometres north of the proposed site on Limebank Road. That land could be serviced and would be on transit routes. It could also be surrounded by buffer areas to limit its impact on other urban development. A final decision is being awaited.

## WRITERS WELCOME.

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the Journal, consult the  
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inside front cover and  
contact the editor in  
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# FIRST CLASS

*continued from page 21*

workshops, including a waterfront issues tour by boat of Peninsula and Fairy Lakes.

*Here's a sample of some of the workshops being planned for the conference:*

- Linear Corridors
- Open Country Living/Incremental Development
- Preparation for Exam "B"
- Environmental Considerations and the Planning Process
- Elderwave
- Planning Managers Workshops
- Stormwater Management—From Quantity to Quality



*David Crombie will speak on "Ecosystem Planning."*

Highlights of the conference include a keynote address by the Honourable

David Crombie on "Ecosystem Planning" and a panel discussion on "Planning Trends: Past, Present, Future" presented by four well-respected and experienced planning colleagues (Max Bacon, Jim Balfour, John Bousfield, and Diana Santo). Don't miss these two plenary sessions—assured to be both informative and engaging.

The Conference registration fee is the same as last year's—take advantage of the "Early Bird" registration and save. For further information write to the Ontario Planners Conference, P.O. Box 2474, Bracebridge, Ontario, P1L 1S6 or contact the OPPI office. See you in the Muskokas!

## COMPETING COMPETING SPACES CHOICES

**SHARPEN UP YOUR PENCILS  
& DUST OFF YOUR  
GOLF CLUBS & RACQUETS!**

Put the dates October 6 to 9, 1991 on your calendar and set your compasses for the Deerhurst Inn in Huntsville for the 1991 O.P.P.I.

Ontario Planners' Conference

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