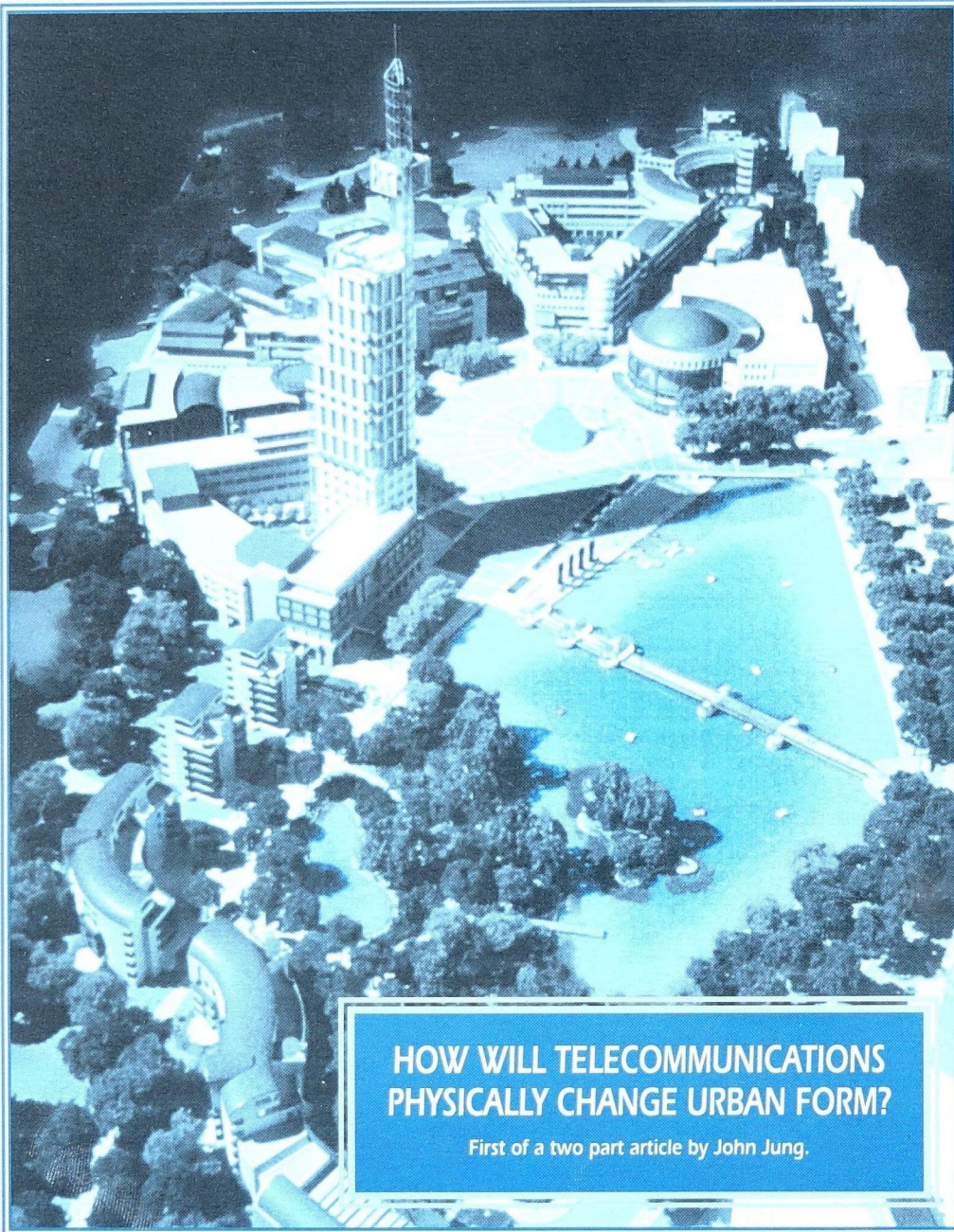


# ONTARIO PLANNING JOURNAL

MAY/JUNE 1993 VOLUME 8 NUMBER 3



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## COVER STORY

# INNOVATION AND CREATIVE COOPERATION: NEW PLANNING TOOLS FOR COMMUNITY BUILDING

by John G. Jung

In a mere blink of a decade, we've emerged from the commodity and manufacturing eras into an economy based on technology. Industries—such as petroleum, housing, cars or steel—no longer dominate in the new economy. Instead, companies are dealing with computers and semi-conductors, health and medical applications, communications and telecommunications, and instrumentation. The weightless, constantly renewable resource fuelling these companies is “information.”

Just how big is this industry? Worldwide telecommunications is a \$700 billion industry of which Canada enjoys a \$21 billion share, employing nearly 200,000 Canadians. The annual employment growth rate is currently about 7%.

### RESPONDING TO THE PARADIGM SHIFT

Innovation and creative cooperation are the new paradigm. Monopolies have given way to competition. Increasingly, in order to survive the speed of innovation, many have opted for partnering, thereby sharing both the risks and opportunities of constantly changing technology—for the mutual benefit of all involved.

During the past century, technology has been advancing at an ever increasing rate to the point where we are able to keep pace. In fact, the process of innovation no longer waits for the invention; instead, expectations of innovations-in-progress create a unique opportunity to plan and build in anticipation of them. This means that while one sector is working towards the achievement of scientific and technical innovation, other sectors could begin to make the necessary changes for anticipated future demands.

Scientific innovation often remains in the laboratory and may never reach commercial application owing to a variety of social, polit-

ical or financial obstacles. In order to be able to overcome these obstacles, greater awareness of the innovation, its potential, and its special requirements is required. Usually business and the scientific sectors are ahead of government and consumers in these instances. This is about to change.

### THE NEED FOR GOVERNMENT INSPIRED ACTION

What is needed is “government policy innovation” to help establish the mechanisms to help bring this research and development to market. The federal government's Green Plan calls for advances in technology transfer; the Ontario Government has devel-

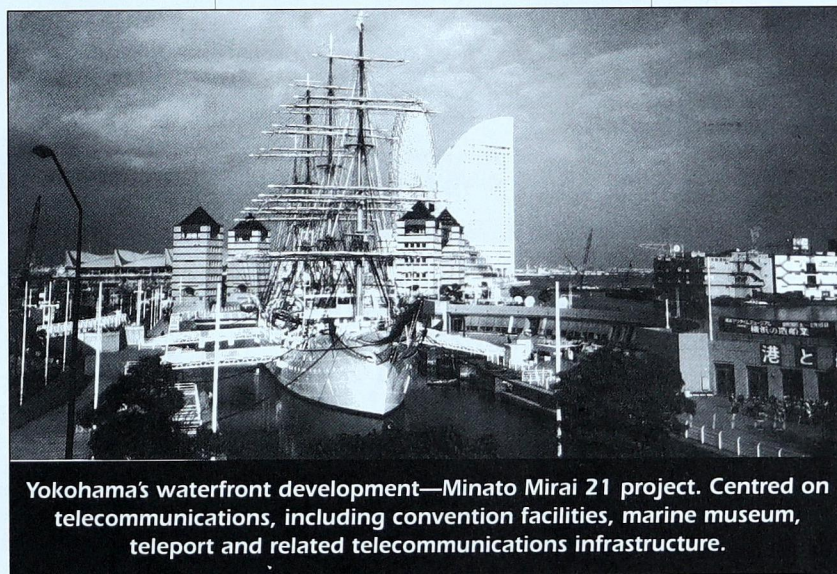
that could, in the fullness of time, render our current social, physical and economic structures redundant.

We have not yet come to understand the changes that video conferencing, electronic data interchange and mobile telephony, to name just a few examples, will have on our current way of life.

An obvious and often stated extension of information-intensive forms of employment is “telecommuting.” As this trend grows there will be related implications to working at home or at branch offices away from the City Centre. Besides telecommuting, technological advances may also provide the impetus for a more universal flex-time for all employees that

may spread the ride to work period congestion. Governments that have chosen a policy to decentralize offices, and businesses that continue to expand their operations with branch offices, will still be able to remain in close contact through video conferencing, electronic data interchange (EDI) and other long distance communication capabilities. This may have a direct impact on construction and related business development in the community where the decentralization occurs. It may also have an impact on the city centres where these uses might have been

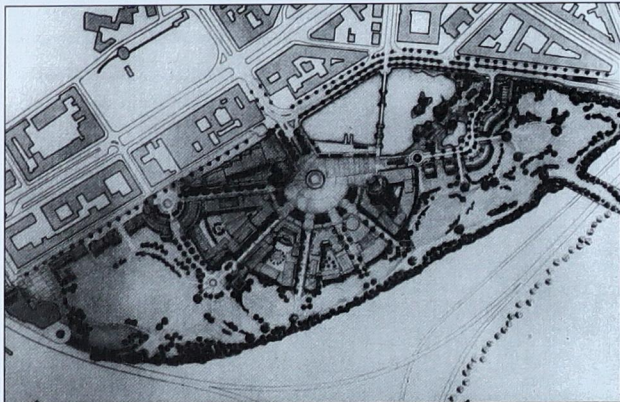
located instead. New uses and new ways of using urban space may have to be considered. Policies that ensure a rich infrastructure and an attractive and safe environment become all



Yokohama's waterfront development—Minato Mirai 21 project. Centred on telecommunications, including convention facilities, marine museum, teleport and related telecommunications infrastructure.

oped a provincial telecommunications strategy; and, at a local level in Toronto, a “Centre for Green Enterprise” and a “Telecentre” have been called for. Just in time too,





Master plan of MediaPark, Cologne.

Designed by Zeidler Roberts Partnership.

the more important to ensure that along with these possible decentralization activities the life of the city also does not become dissipated.

centrally oriented. There is also a growing sense that with advances in telecommunications, city centred projects will be able to redefine themselves and grow into new mixed

With telecommunications, not everyone will be telecommuting or moving their offices away from city centres. Some forms of advanced technologies are too expensive to be developed away from a critical mass of users which suggests that while phones, faxes, and certain satellite services can be extended to peripheral areas, the major costly technologies will likely remain more

use environments, merging new economy "industries" with living and recreational activities. After all, people will still want to deal with people directly, face to face.

### PHYSICAL CHANGES TO OUR COMMUNITIES ALSO LIKELY

Advances in telecommunications technology have implications for planning and design. Specific site lines for satellite, microwave and other wireless reception, may have to be retained thereby potentially limiting the placement and development of certain buildings and other structures. Building forms may reflect the incorporation of a variety of high technology appliances such as microwave and satellite antenna facilities as part of the building design. For instance, instead of a satellite dish farm on a patch of land, these facilities can be incorporated as part of the architectural design of the structure.

Tokyo's Teleport facility, for example, is

#### TOKYO'S VISION IS TO MARKET INTERNATIONAL BUSINESS INFORMATION;

COLOGNE will market its community on a media theme. Cologne's Mediapark is developed by a public/private corporation, sponsored by the City of Cologne.

Montreal recently received a \$40 million shot in the arm related to communication research and development, which included the establishment of the World Electronic Data Interchange Institute. Combined with the Teleport de Montreal, the Montreal community is able to market effectively its communications and broadcasting specialty.

#### PARIS HOPES TO SELL ITS INTERNATIONAL DATA TRANSFER NETWORK;

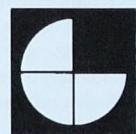
BERLIN'S Teleport is moving to market itself as an international business and conference centre. Amsterdam's Teleport is marketing itself as a major multinational corporate headquarters centre. Rotterdam and Bremen use their Teleports to attract new shipping business activity and promote trade connections around the world.

SEVILLE is using its World Trade Centre and Teleport to be the front and centre of its reutilization of the Expo 92 site into a massive scientific and high tech business park development.

#### YOKOHAMA AND CALGARY HOPE TO MARKET THEIR COMMUNITIES AS "INFO-PORTS";

BANGKOK is planning a telecommunications and tourist tower similar to the CN Tower. Retail, office and entertainment round out the mix, which is focused on a riverside site with direct ferry access to the commercial centre of Bangkok. The NORR Partnership is the designer of the complex.

In ONTARIO, the Premier's Council on Economic Renewal is working on the concept of "Innovative Business Enterprises" which would encourage business, universities, financial institutions and government to form major strategic alliances in order to effectively compete worldwide.



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incorporated on the roof of the main Teleport Communications Centre. Others have advocated eco-architecture and smart-houses, to scratch barely the surface of this topic.

With increased opportunities to link buildings and the greater community with fibre optics, buildings and clusters of developments across the city will be created as intelligent buildings, smart parks and perhaps even a much wider capability, known as "intelligent cities."

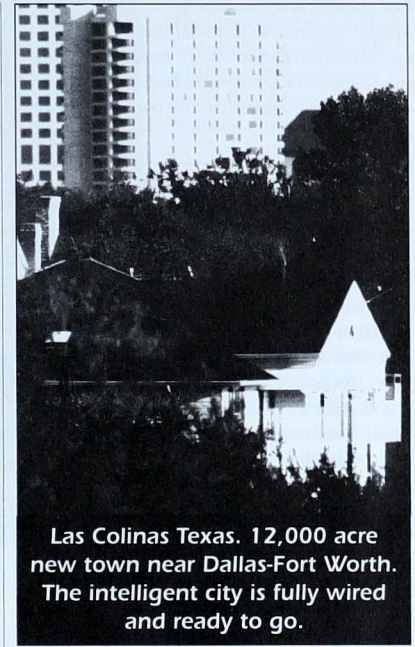
As new installations of telecommunications infrastructure begin to wed the entire fabric of the community together, much of it may still go unused for some time. However, when the application is ready, so too is the new intelligent city. Using fibre optics, integrated switching technologies and satellite communication capabilities, communities which extensively employ these and related telematics as a base enabling infrastructure, will be able to compete more effectively in the global marketplace. This is no different from communities in the past which installed pipes carrying water, gas and electricity. These were essential enabling infrastructure for our

factories in the old economy.

Telecommunications related infrastructure will be the enabling tool of our current and future economies.

The vision for any community should include an implementation approach that best suits the local circumstances. However, in today's fiercely competitive global marketplace, an independent approach by either the private sector or government alone will not be able to achieve the results necessary to sustain and enhance the community's future economic and development outlook. Increasingly, business and government are learning to work together.

*John G. Jung is Director of Planning with the Toronto Harbour Commission. He is also chair of the committee on consultancy with the World Teleport Association, based in New York City. The next issue of the Journal will explore concepts that could work here in Ontario, building on the Premier's Council on Economic Renewal.*



**Las Colinas Texas. 12,000 acre new town near Dallas-Fort Worth. The intelligent city is fully wired and ready to go.**

SUSTAINABLE DEVELOPMENT

## CREATING A SUSTAINABLE REGION

by Mark Bekkering

**L**ike many communities, the Regional Municipality of Hamilton Wentworth has accepted the challenge of sustainable development—creating a community that meets the needs of present and future generations without harming the natural ecosystem. In December 1989 Regional Council established a citizens Task Force on Sustainable Development with the mandate to explore the concept of sustainable development as the basis for review of all regional policy initiatives.

Regional Council also recognized that creation of a sustainable community, "... will depend on the widespread support and involvement of an informed public and of non-governmental organizations, the scientific community, and industry" (1987:21). This resulted in one of the most comprehensive public outreach programs ever organized by a municipality.

During the two and half year mandate, over 1,000 citizens were involved with the Task Force and assisted in developing a community vision and strategy for making the vision a reality. There were nine goals to the public outreach program falling into three

general categories:

- **education goals** - inform citizens about sustainable development, the Task Force, and the activities of Regional Government;
- **citizen input goals** - gather citizen perspectives and concerns regarding the future of Hamilton-Wentworth; and
- **empowerment goals** - develop long term community support, reach people normally overlooked in public participation, and empower citizens with responsibility for action.

The public outreach program involved a number of activities ranging from small focus

group discussions to large scale community forums. Figure 1 identifies that took place during the two and half year period.

### SELECTING A TASK FORCE

Selection of Task Force members was the first step to addressing the goal of empowering citizens and building community support. The individuals selected were respected community leaders, people who could lead the process of creating a sustainable community. The Task Force Chair interviewed applicants and selected 18 representatives from agriculture; business; community organizations; educa-

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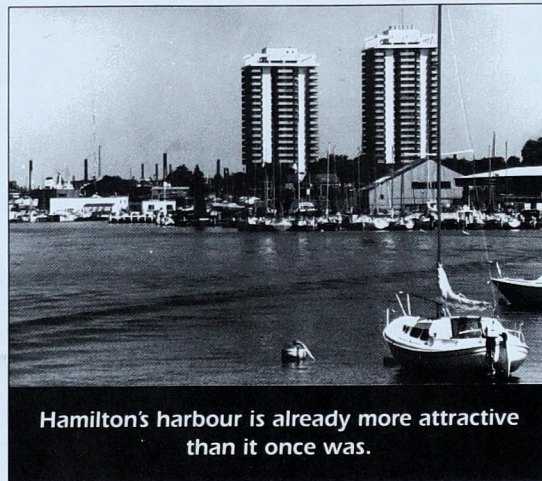


tion; health services; labour; environmental organizations; social services; and urban development. To ensure no single sector or interest dominated, it was agreed to operate on the basis of consensus.

### THE PUBLIC OUTREACH PROGRAM

The first phase of the public outreach program started in the fall of 1990 with a media campaign and distribution of 150,000 newsletters. The objective was to introduce the Task Force, its purpose, and the location and time of seven town hall meetings. There were two parts to the town hall meetings: a drop-in open house in the afternoon; in the evening citizens were led through a discussion by Task Force members, on the basis of four questions concerning issues and values that affected the ongoing work of the Task Force.

One of the nine goals to the program was a desire to reach people normally overlooked in



**Hamilton's harbour is already more attractive than it once was.**

the decision making process. Small focus group discussions with groups, such as, people residing in emergency shelters, seniors, and the non-English speaking community offered these people the opportunity to express their thoughts on the future of Hamilton-Wentworth. Focus group discussions were

guided by the same questions used in the town hall meetings and facilitated by student volunteers from the McMaster Faculty of Health Sciences.

Community ownership and involvement were further fostered through the organization of eight citizen vision working groups. The four month mandate given these groups was to prepare a report outlining visionary directions based on the principles of sustainable development in an assigned topic area. The eight topic areas were selected by Task Force members and based on major issues identified during the town hall meetings.

The efforts of the working groups culminated in an all-day community forum on June 15, 1991, which was extensively advertised. The local community access cable television station was also used to advantage. Members of the working groups presented their vision statements and facilitated small workshops involving the forum participants.

The Task Force then took the group reports and summaries from the town hall meetings, focus groups, and the community forum and prepared a vision statement for the future. In June 1992 the Task Force presented Regional Council with "VISION 2020," which is a statement of the type of community Hamilton-Wentworth will be in the year 2020 if decisions follow the principles of sus-



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tainable development (see *Ontario Planning Journal*, Vol. 7, No. 4). The vision statement accurately reflects the community's values and hopes for the future—a shared destination towards which everyone can move.

With the completion of the vision statement, the Task Force began work on how to make the vision a reality. Eight implementation teams were organized with a four month mandate to develop a report identifying the decisions and actions necessary to make their assigned topic area of VISION 2020 a reality.

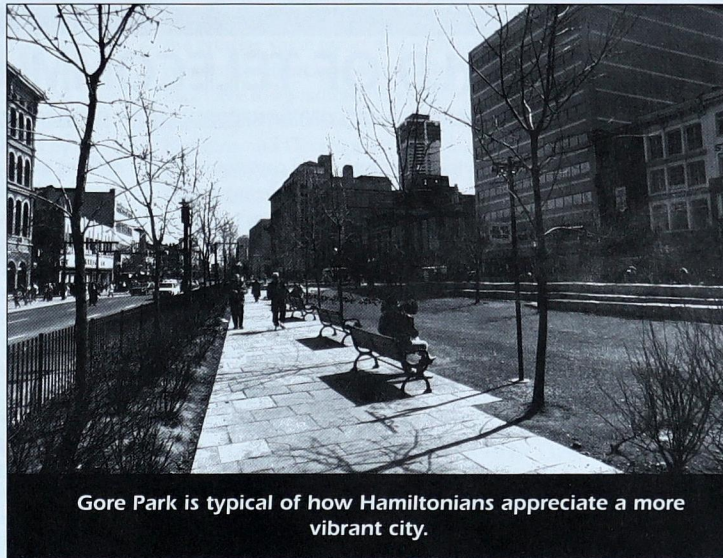
Wider community input on possible tools for implementation was obtained at another forum held in September 1992. In small group discussions, facilitated by members of the implementation teams, forum participants discussed their ideas for action and commented on reports from the implementation teams.

The output from this process was then synthesized into two reports: *Directions for Creating a Sustainable Region and Detailed Strategies and Actions for Creating a Sustainable Region*. These were presented, with over 300 citizens in attendance, to the Region's Economic Development and Planning Committee on January 25, 1993. The directions of these reports were adopted unanimously by the Committee and later by Regional Council.

The reports are wide ranging, covering the topic areas of natural areas, water and air quality, waste reduction, energy consumption, transportation, land use planning, agriculture, economic activities, personal health and well being, and community empowerment. The reports identify the decisions and actions which Regional Council, other levels of government, community groups, business, and individual citizens will need to make, to create the sustainable community described in VISION 2020. The major theme to the strategy is that, working together, we can create a different, better Hamilton-Wentworth — one based on the values and principles of sustainable development.

#### WHAT NEXT?

Activities within the mandate of Regional Government have already been initiated to implement the recommendations of the Task Force. These include revision of policy documents, such as the Region's Official Plan and



**Gore Park is typical of how Hamiltonians appreciate a more vibrant city.**

the Economic Strategy and initiation of a Transportation Plan, a Waste Prevention and Management Plan, and a Health and Social Services master plan. Existing programs, such as the home waste reduction program, construction of bicycle commuter lanes, and personal health promotion will be expanded and built upon. More detailed initiatives will be developed by a senior staff working team and presented to Regional Council.

Regional Council also approved in principle the Task Force's recommendation that the Region host an annual "Sustainable Community Day." The intended purpose of the day is to have Regional Council and the community report on what actions have been implemented to move Hamilton-Wentworth closer to Vision 2020. An annual community report card will be prepared and presented at this community day.

The Task Force was given a mandate by Regional Council to identify, in cooperation

with the citizens of Hamilton-Wentworth, how the concept of sustainable development could guide community efforts. Through its public outreach program the Task Force increased people's awareness of sustainable development and gave citizens mechanisms to voice their concerns and hopes for the future of Hamilton-Wentworth.

The Task Force has developed a solid foundation. In cooperation with these people and organizations, the level of awareness and understanding of the need for incorporating sustainable development into everyday decision making will only increase. Through the efforts

of the Task Force, Hamilton-Wentworth has positioned itself to create a sustainable community.

*Mark Bekkering is policy analyst with the Planning and Development Department, Regional Municipality of Hamilton-Wentworth. He can be reached at (416) 546-2195, fax (416) 546-4364*

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# THE BRAVE NEW WORLD OF TELECOMMUNICATIONS

*The three most important factors in location theory are now connection, connection, connection.*

Once in a while we are lucky enough to attend a conference that strikes a chord.

"The Telecommunications Revolution and Local Government," staged by the Canadian Urban Institute in April, had that effect on me—and judging from the enthusiastic banter in the hallways, at least 400 other people shared this view.

The message for planners is that advances in telecommunications are rapidly changing

the way businesses organize and communicate, both internally and within the marketplace. This is true of public as well as private organizations. The conference might even have been called "The telecommunications revolution in local government."

To quote keynote speaker, Don Tapscott, "A fundamental shift is taking place in the nature and application of technology in business. This change is profound and will have far-reaching effects...on organizations. The information age is

evolving into a second era, and organizations that do not make this transition will fail; they will become irrelevant and cease to exist." If you think he's exaggerating, compare today's list of Fortune 500 companies with one from 10 years ago. Tapscott deals with this issue in detail in his book, *Paradigm Shift—The promise of new information technology*, co-authored with Art Caston, published by McGraw-Hill.

## CONNECTABILITY THE KEY DETERMINANT

The flexibility and power to send or receive vast amounts of information is supplied by a growing network of digitally switched telephone systems, fibre-optic and wireless links, in conjunction with computers, cellular phones, modems and fax machines. Remote face-to-face interaction through community-based interactive TV is already a fact of life in places like New York City.

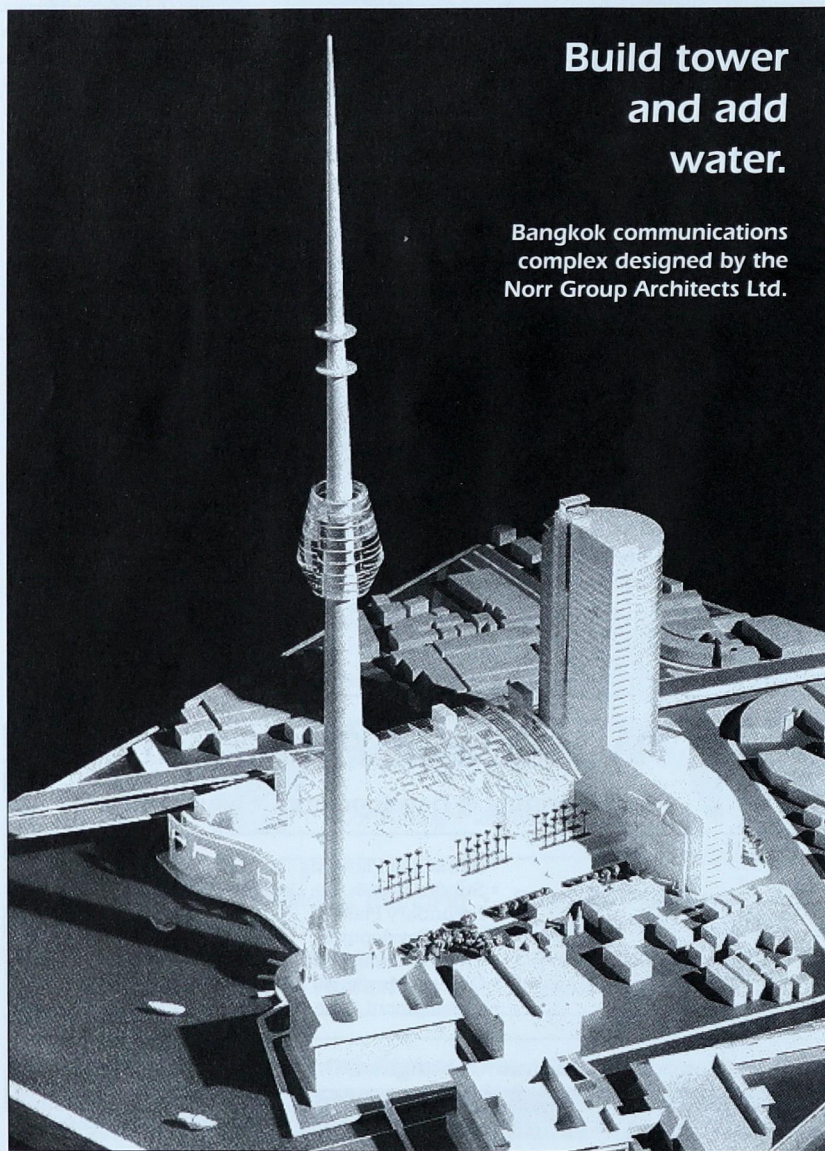
Connectability, rather than distance, is now a key determinant in decisions affecting the location of organizations, large and small.

Evidence that the game is changing is all around us; firms may still wish to benefit from the economies of agglomeration but are choosing to do so on their own terms.

Telecommuting, for example, gives employees the option of doing some or all of their work from the comfort of home and communicating with the office through computer and telephone lines. This benefits both the employer—less office space to lease and operate—and the employee, who may be able to avoid a long commute or schedule other activities such as childcare at more convenient times. Theoretically, telecommuting should also reduce demands on the infrastructure of cities and, in cases where fewer people are driving, reduce pollution—although experts disagree on the extent of such effects.

But working from home is not everyone's cup of tea. And a recent court decision in Ontario revealed that some employers won't take no for an answer. When a large institution decided to make telecommuting mandatory for hundreds of employees, the union grieved the employer's action. They lost, suggesting that today's bright idea can become tomorrow's bottom line.

The impact of new technology is also resulting in significant downsizing and causing corporations to re-evaluate their priorities in terms of the desired layout of office space.



**Build tower  
and add  
water.**

**Bangkok communications  
complex designed by the  
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For many firms, a hi-rise office tower no longer provides the flexibility or informality required in a modern business environment where everyone has access to information. Traditional multi-layered management structures are being replaced by work groups and project teams empowered to act on their knowledge.

### VIBRANT CITIES NEED TOUGH LOVE

Planners can play a key role, starting by being more selective when devising and recommending capital projects that threaten to spread infrastructure spending and investment in Class "A" buildings too thin.

Paradoxically, the same technological innovations that give companies—and the people they employ—the freedom to locate anywhere could at the same time ensure the success of policies that emphasize concentration and intensification,

although some of our assumptions about the prestige value associated with certain types of commercial real estate investment may have to be radically revised. In this regard, **Bob Millward**, Commissioner of Planning and Development with the City of Toronto, was among the crowd at the CUI conference. He concluded that technological change should persuade us to re-evaluate regulations, to be concerned not just with form but with function.

Technology is already having an affect on settlement patterns, he feels, which should allow us to concentrate on quality of life issues, and validate concepts such as main streets development.

It is also no coincidence that our cover story focuses on telecommunications technology. As author John Jung points out in his second series of articles on this subject for the *Journal*, the examples of large-scale urban re-investment from around the world begin with telecommunications but rely on amenities, both natural and man-made, to

make them work. The need for companies and the public sector to share knowledge in the interests of building a more competitive economy has never been greater.

What is needed is a re-affirmation of the urban ethic. Vibrant cities keep our economy ticking, and, more than ever, we should resist attempts to stretch the urban envelope simply because we can. Instead, we should do everything in our power to protect the full range of urban values, including a high quality of life. We should also remember that this applies to the workplace just as much as to where we live.

The paradigm shift is happening. In fact, it's already in overdrive.

Glenn Miller  
Editor

### LETTERS

#### HOW IS A NEW GRADUATE EXPECTED TO GET STARTED IN PLANNING IN THIS TIME OF RECESSION?

Recent articles in OPJ on membership bring to mind problems for the aspiring member. At this juncture in time of academic leaving and economic recession, the question of professional membership in OPPI becomes a concern for the graduating planning student. A graduate is no longer a student, and thus membership in this category terminates within a year. The severe recession and government cutbacks have eliminated nearly all opportunities for planning employment. If a "relevant" planning type position is not secured then provisional membership cannot be granted or retained. What is a recent planning graduate to do in order to remain active, visible or known to others in the planning community?

John Thompson

#### ALL KIDDING ASIDE: WORKS!

Re: City of Ottawa's imaginative approach to advertising zoning by law review, the team has but one comment, the reaction has been positive. Many people asked about the completion date and the process, considering the comprehensive nature of our new Official Plan. In regards to the 1095 days, only one thing to add: 1095-h (1095 and holding).

John Cuthbert and the Zoning Review Team, City of Ottawa

#### IS PLANNING YOUR DESTINY?

The scenario for a new soap opera (sorry, TV drama series) set in the Rockies is entitled "Destiny Ridge". It features "conflict-

ing issues over wildlife conservation, commercial development..." One of the key characters is a town planner. In 100 words or less, write in with your plotline for (a) a crusading town planner, (b) a corrupted town planner, (c) a stalwart, pillar of the community type planner, or (d) all of the above.



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## PLANNING EVIDENCE AT THE ONTARIO MUNICIPAL BOARD: ARE EXPERT WITNESSES LOSING THEIR TOUCH?

by Stanley B. Stein

**T**his article outlines some recent developments in the Ontario Municipal Board's approach to evidence from consultants, and a change in the law related to hearsay evidence.

### THE PLANNER AS ADVOCATE

In recent cases the Board has become more critical of expert witnesses than in the past. Historically, the Board would analyze the evidence of competing consultants and, for reasons given, indicate its preference for the evidence of one witness over that of another.

However, in the *Woodstock Store Wars* case, dated April 30th, 1992 (Board File No. O910026 et al), the Board was very critical of several of the consultants. In particular, one consultant who purported to have carried out certain analyses was found to have not carried out that research and was severely criticized. In the *Barrie Store Wars* decision, released in November 1992 (Board File No. O900112 et al), the Board accused one of the consultants of being pompous and arrogant.

This level of criticism of witnesses is unusual for the Board because it can seriously impair the consultant's reputation. However, it also reflects what has perhaps become a somewhat disturbing trend for the Board, which so often finds itself hearing from the same narrow group of witnesses in one case after the next (particularly with respect to market evidence in shopping centre or similar cases). For

consultants, it is important not to lose their independence and become too closely identified with particular interest groups. The consultant must be perceived as a witness<sup>1</sup> who has maintained his independence of thought and analysis, and not an advocate who pre-argues the case for counsel.

Conflicts of interest or perceived conflicts of interest are also creating serious problems for consultants. In narrow fields of expertise, there are usually only a few consultants in the top ranks, and they are constantly running into situations that may disqualify them from giving evidence in certain hearings. This issue arose recently in a case respecting the ability of a professional engineer specializing in the field of acoustics and vibration consulting (*In The Matter of Alfa Aggregates et al*, Board file Z900257 et al).

Following a motion held to consider the propriety of the witness giving evidence, the Board concluded that the witness could give evidence subject to certain guidelines relating to the source of his opinion. In the course of delivering its decision on this motion, the Board had the following comments regarding the conduct of a witness called to give expert evidence:

Always, it is expected that any witness giving opinion evidence provides his or her best, most well thought out and truthful evidence. A professional person giving opinion evi-

dence does not give one opinion one day and then next day in the same, or a similar situation, give a completely or even a substantially different opinion to the Board, a ratepayer group or any other body. Thus, there should be no fear that a witness before the Board or a consultant advising client and public before a hearing who is truly ethical and professional in outlook, will give different opinions suited for different

occasions and clients. His opinion may, depending on changed circumstances, issues and information, vary from time to time. But it should not vary because clients have different interests. It is the responsibility of any professional person in the consulting field to ensure that this is the case....And were it otherwise, the entire matter of opinion evidence offered to the Board by a host of witnesses would be a mockery; the consultant would be reduced to a mere hired gun."

### PRE-FILED EVIDENCE

There is an increasing tendency for the Board to hold pre-hearing conferences and to require pre-filed witness statements or reports, particularly when a hearing is expected to last three weeks or more. These reports may be taken by the Board and counsel to be read<sup>2</sup> prior to the hearing, so that it is not necessary to review the document at length during the evidence in chief. The pre-filed reports also save time because they avoid surprise evidence and enable opposing counsel to prepare



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cross-examination and proceed with their questions immediately following the examination-in-chief.

The existing planning legislation in a municipality is an essential part of any Board hearing. It is often very useful for the Board and all parties to have an agreed upon document book that contains all of the relevant extracts from the Official plan and zoning by-law, the chronology of staff reports, agency comments, council minutes, and other non-contentious documents. In most cases the document book will be reviewed by at least one of the witnesses, and it is not uncommon for different witnesses to review the documents again to stress the aspects that they rely upon. There seems to be a myth that some Board members are illiterate and that the documents must all be reviewed at length by all the witnesses before they will sink into the Board's consciousness. This myth is not true; the Board will become bored. Use your judgment and avoid further review of documents that may become counter-productive.

### HEARSAY EVIDENCE BY EXPERT WITNESSES

A feature of Board hearings that, until recently, distinguished them from court proceedings, was the ability of the Board to accept hearsay evidence. The Board has broad powers to accept hearsay evidence under the Statutory Powers Procedure Act. However, there has always been a spectrum of practice by the Board in its acceptance of hearsay evidence and the weight that would be attached to that evidence. Some general observations are possible. Professional consultants are often asked to exercise caution, and the force of their evidence will be diminished if it is based on hearsay. Letters from government agencies, for example, perhaps the Ministry of Transportation on critical issues of how a development proposal will affect the public highways, will usually be accepted by the Board without question; it will be up to the parties who wish to challenge the accuracy of that assessment to subpoena the Ministry official and run the risk that further damage will not occur in cross-examination.

Great latitude is given to the public on hearsay evidence, and it is almost pointless to object to its admissibility. Some Board members will stop the witness and try to explain the nature of hearsay evidence and why it should be avoided. But more often, the Board will simply tell objecting counsel that the Board is aware that the evidence is hearsay and that counsel can be assured that the Board will therefore attach the appropriate weight. The result is that the Board's archives contain many

newspaper clippings and copies of Time magazine. Nevertheless, it is important for counsel to be alert to the attempted introduction of hearsay evidence, to exercise judgment, and object on appropriate occasions so that the Board is reminded that the evidence being adduced is hearsay and should be treated with caution.

The law of evidence on the admissibility of hearsay evidence changed last summer as a result of the decision of the Supreme Court of Canada in *R. v. Smith*, 94 D.L.R. (4th) 950. Although this was a criminal case, the Court did not restrict its reasons to the criminal law context. Previously, evidence of statements made by persons who are not available to give evidence at a trial was generally not admissible. On a reasonable reading of the *Smith* case, the Court has swept away all of the particular rules relating to hearsay and has replaced them with a single test: hearsay evidence is now admissible on a principled basis, the governing principles being the reliability of the evidence, and its necessity." The criterion of necessity" refers to the necessity of the hearsay evidence to prove a fact in issue because the relevant direct evidence is not, for a variety of reasons, available—for example, because the individual who made the statement is deceased. Also of importance to Ontario

Municipal Board hearings is the discussion of reliability" in the *Smith* case. The Court stated (at page 18):

The criterion of reliability"—or, in Wigmore's terminology, the circumstantial guarantee of trustworthiness—is a function of the circumstances

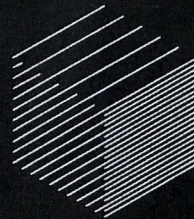
under which the statement in question was made. If a statement sought to be adduced by way of hearsay evidence is made under circumstances which substantially negate the possibility that the declarant was untruthful or mistaken, the hearsay evidence may be said to be reliable; i.e., a circumstantial guarantee of trustworthiness is established."

The *Smith* case has now been followed in a civil case in the Ontario Court of Justice - General Division, *Collier v. Cabrera*, released September 9, 1992. It should be noted that these decisions stress that while the evidence is admissible, its hearsay nature (and the extent to which it is reliable) still affects the weight to be placed on it.

*Stanley B. Stein is a partner with the Toronto law firm of Osler, Hoskin & Harcourt. He is a frequent contributor to the Journal.*

Editor's Note: This article contains extracts from a paper originally prepared for the Canadian Bar Association - Ontario; Municipal Law Program entitled *Civic Savvy: Getting What You Want from Municipalities* held on January 29, 1993 at Toronto, Ontario

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## GOOD NEWS-BAD NEWS

"New Commuter Rail in LA Attracts a Reasonable Amount of Riders (However, Ridership Drops Substantially after Free Fare Period Ends)"  
source: *Urban Transportation Monitor*, November 1992

## WORTH REPEATING

"I have concerns about devoting large amounts of land to vehicular parking in any location but particularly a site critically near the water's edge, which seems to be too limited and valuable resource to be relegated to an extensive parking lot."  
Bob Millward, *Commissioner of Planning and Development*, October 1992

## THE NEW GEOMETRY

"Interestingly, the guidelines call for a 180° process from beginning to end.

There are 180° in a circle and so we are back in the planning wheel only now it is identified in precise time.

It should not be difficult to transform the time frames into a perfect circle."

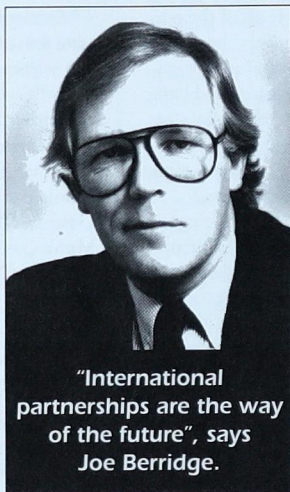
source: *President's Newsletter*,  
published by the *Ontario*  
*Urban Development Institute*

## OTHER PEOPLES BUSINESS

## PUBLIC PRIVATE PARTNERSHIP IN UK IS LAUNCHPAD FOR CANADIAN CONSULTANT

The Toronto firm of Berridge Lewinberg Greenberg is part of the successful consortium chosen by Manchester City Council and the British government to form that nation's bid for the Olympics in 2000. The proposal hinges on construction of an 80,000 seat stadium and includes a comprehensive scheme for regeneration of an inner-city industrial area, the creation of new transportation and restoration of a river valley.

BLG Partner Joe Berridge notes that international competitions involving collaborations between architects and planners from different countries are becoming an accepted way of doing business. Other BLG projects that were launched through such joint ventures are underway in San Juan, Puerto Rico and Amsterdam. Another BLG urban regeneration project in Manchester was featured as a *Journal* cover story in 1992.



"International partnerships are the way of the future", says Joe Berridge.

## CHMC GRANTS RECOGNIZE HOUSING INNOVATION

McNeely-Tunnock Ltd., an Orleans based consulting firm, was recently awarded a CMHC grant to implement "new ideas to improve housing affordability." The McNeely-Tunnock proposal focuses on revising regulations to ease the approvals for accessory apartments.

A Toronto firm, Ferrara Contreras Architects Inc., also received a CMHC

grant to work on ways to streamline approvals for home offices, recognizing the growth in this sector.

CMHC handed out a total of 14 other grants under the Affordability and Choice program across the country.

## MMM AND ZEIDLER ROBERTS PARTNERSHIP PART OF SUCCESSFUL TEAM BIDDING FOR CHINESE AIRPORT DESIGN

A competition to design a \$300 million terminal building at Beijing Capital International Airport has been won by Lockheed Air Terminal of Canada with prime consultant Marshall Macklin Monaghan and Zeidler Roberts Partnership. The Lockheed/MMM team has already successfully combined on Terminal 3

in Pearson International in Toronto. Lockheed are also working on other plans for the airport's expansion. The latter assignment could lead to a private-public partnership. Growth in China is averaging 8%, while international and domestic air travel has been growing at 12%. China is competing against Manchester (see above) for the 2000 Olympics.

## DAVID SHERWOOD ENJOYING NEW CHALLENGES AS A CONSULTANT

Former director of CIP, David Sherwood, recently set up a consultancy based in Vanier, near Ottawa. Not by coincidence, his three areas of speciality are inter-related. In Sherwood's view, the issues of sustainable development, healthy communities and strategic planning are closely linked, and the opportunity to practice what he had been promoting while with CIP was too good to miss.

David is currently working with Quebec City, Toronto and Fort McMurray, Alberta to develop indicators for measuring health. Each of these communities showed interest in CHMC's proposal. Sherwood's bilingual abilities also come in handy on conference calls among the three participants. At a different scale, Sherwood is also helping the township of Ramsey define its priorities for economic development, bringing a pragmatic approach to the concept of sustainability. How do you build for the future with an unbalanced tax base? Regulation is certainly not the answer, while imagination and contributions from the employers of the area just might. This experience also takes Sherwood back to his roots as a rural planner. He also appreciates having some control of his own time once again. This is the revitalized David Sherwood. Best of all, he's enjoying every minute.

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# OPPI Notebook

A BI-MONTHLY ROUNDUP OF OPPI COUNCIL NEWS AND ACTION

## ONTARIO PROFESSIONAL PLANNERS INSTITUTE

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## EXPENDITURE CONTROL. SOCIAL CONTRACTS. IS THE SKY FALLING? HOW WILL IT FALL ON US?

Fifty to 100 of our members could lose their jobs this year. Most of our other public sector members will have to learn to live with wage freezes or rollbacks, "Rae days", and ridiculous expense restrictions. Our private sector members have already been tightening their belts for a while, so they may be more philosophical about public sector contracts drying up for at least the rest of 1993. All of us will continue to be affected by the recession, which a major public sector contraction will only prolong.

From a broader perspective, we must all be concerned about the chaos facing Ontario's governments. Draconian expenditure cuts, the frequent failure of politicians and mandarins to make those cuts on any rational basis, and a reorganization fetish among many senior administrators who seem to have latched onto Mao Zedong's Cultural Revolution as the latest management concept, work together like a cement mixer. Our existing public programs are like dinosaur bones: perhaps antiquated, but recognizable. If you throw dinosaur bones into a cement mixer, what comes out won't look much like what went in.

OPPI has an important role in helping the planning community through these tough times. We aren't a public service trade union. We are the umbrella under which all planners, public and private, are welcome to shelter. Right now, violent summer storms are taxing that umbrella to its limits; can we make it bigger, stronger, and more waterproof? What should the

Institute be doing to better help individual members and the profession at large deal with the effects of expenditure control?

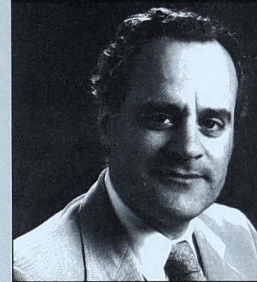
OPPI itself is also vulnerable. Job mailings, and surpluses from our annual conference and seminars like "The Planner at the OMB", are major revenue sources we have traditionally relied on to offer you programs and services while keeping your fees down. These non-fee sources, as well as membership fees themselves, could be impaired.

So far, my message has been one of unrelieved gloom, which fits in with how many of you have been feeling lately. Yet without making light of what some members are facing, there are some promising signs for OPPI and the planning profession.

- OPPI's membership continues to grow. Even from October 1992 to May 1993, our full and provisional membership increased by 72.
- Traditional employer-employee relationships are suddenly ceasing to be sacrosanct. More planners may come to feel that identifying with and belonging to a professional community that will continue to care about them when others don't is in fact worth something.
- Finally, much of our income and importance comes from cleaning up messes others have made. The number and complexity of the problems that taxpayers and private clients will need us to help them resolve will increase, no matter what.

But these are just my thoughts. I'd like to know what you think!

### REPORT FROM THE PRESIDENT



Tony Usher





## PARTNERS ...

OPPI has approached the following partner organizations to solicit interest in developing a regular consultative mechanism:

- Association of Professional Engineers of Ontario
- Consulting Engineers of Ontario
- Municipal Engineers Association
- Ontario Association of Architects
- Ontario Association of Landscape Architects

Canadian Bar Association - Ontario, Municipal Law Section.

There is no regular contact among the professional/consultant organizations in the planning, design, and development field,

although many of these organizations and their members share common interests and concerns. There has, however been intermittent contact and collaboration among all the organizations on various matters. As both public and private sector professionals in all these fields are facing an increasingly competitive and difficult environment, OPPI Council thought it was appropriate to regularize these contacts, strengthen these relationships, and more effectively advance the organization's common interests to their mutual benefit.

As part of an initial approach, OPPI President, Tony Usher has written to each organization to promote the idea of holding bi-annual meetings of the presidents of the associations in order to get to know each other and to identify and discuss issues of common concern. Each association would take its turn hosting a meeting.

## NEW FULL & PROVISIONAL MEMBERS

OPPI welcomes the following Full and Provisional Members. (C) - Central District; (SW) - Southwest District; (N) - Northern District; (E) - Eastern District.

Elected to full MEMBER class:

Salvatore AIELLO (C)  
 Dana L. ANDERSON (C)  
 Benjamin R. BILLINGS (SW)  
 Cheryl D. LOGAN (C)  
 Harvey LOW (C)

Maurice D. LUCHICH (C)  
 Christopher J. PIDGEON (SW)  
 C. Dianne POMEROY (C)  
 David A.H. POSLIFF (SW)  
 Gregory A. PRIAMO (SW)  
 Cindy ROTTENBERG-WALKER (C)  
 Alfonso F. RUGGERO (C)  
 Mary E. SCANLON (C)  
 Margaret A. WALTON (C)  
 Glenn J. WELLINGS (C)  
 Vincent N. ZAMMIT (C)  
 Elected to PROVISIONAL MEMBER class:

Douglas C. BAKER (SW)  
 Ayumi A.M. BAILLY (SW)  
 Cynthia A. BIRD (C)  
 Aloysius W. BLACKETT (S)  
 Mark CHLON (C)

Gregory J. DALY (C)  
 Shelagh M. DEIKE (C)  
 Patrick B. DONNELLY (SW)  
 Tracey M. EHL (C)  
 Diana EVANSHYN-SALTEL (C)  
 P. Anne FARRELL (C)  
 Carolyn N.M. HART (N)  
 Robert J. HUGHES (C)  
 Mary L. JARVIS (C)  
 James R. KIRCHIN (SW)  
 Mark E. LAHAY (C)  
 Derek E. LETT (C)  
 J. David McLAUGHLIN (C)  
 Christopher J.W. MURRAY (C)  
 Denise L. NAUMOFF (C)  
 Allan W. NORMAN (C)  
 Muhammed G. NURADDEEN (E)  
 Lynn M.T. O'FARRELL (N)

David A. PAINE (E)  
 Mehran PARHAM (E)  
 Kim D. PHILLIPPS (E)  
 Tracey Lynn C. PILLON (SW)  
 Nancy K. RATCLIFFE (C)  
 Monika B. ROHLMANN (C)  
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 Carolyn F. ROSS (E)  
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 Todd A. STOCKS (C)  
 Cissy S.K. TANG (C)  
 Petra VOLLMERHAUSEN (C)  
 Jill M. WATSON (E)  
 Jane M. WELSH (C)

## ROLE OF DEVELOPMENT CONSULTANTS IN ASSISTED HOUSING DELIVERY

In response to a request from the Canadian Bar Association-Ontario, OPPI appointed Wendy Nott to represent the Institute on a joint committee with CBAO and the Ontario Association of Architects to review the role of development consultants in assisted housing delivery. Wendy Nott was ably assisted by David Butler.

A detailed submission endorsed by OPPI Council was presented to the Ministry of Housing in late March. It contains 10 recommendations which could significantly improve the effectiveness and efficiency of the delivery of assisted housing. The purpose of the submission is an attempt to clarify the roles of the Development Consultant with regard to other professionals, such as lawyers, architects, planners and engineers involved in the land use planning approvals process.

Given the general limitations of the government programs available for the production of assisted housing, it is the Joint Committee's position that change in program administration is needed to make effective use of available financial resources for housing. It was noted that the recommendations, if acted upon, may entail some additional cost at the outset of a development project, however there would be significant cost-savings in the long run.

Some of the recommendations contained in the submission include:

- During the review of potential development sites, and where the selected development site requires an application for an O.P. or Zoning By-law amendment, or minor variance in order to achieve the proposed residential development, require an independent planning and/or legal opinion from an accredited professional with expertise in the field, as part of the application for housing allocation;
- MOH should expand and update annually its Development Consultant Registry to include information regarding the qualifications and experience of firm members, and details of previous assisted housing experience (on a project by project basis);
- MOH should encourage, and work together with, Development Consultants to establish standards of professional accreditation;
- The internal decision-making function for various components of the development project should be clearly identified. The submission also contains several case studies based on actual experiences, but fictionalized. A full copy of the submission is available to OPPI members upon request from the OPPI office.





# OPPI PARTICIPATES IN ONTARIO HEALTHY COMMUNITIES COALITION

The Ontario Healthy Communities Coalition is an ad-hoc affiliation of professional bodies, provincial organizations and community groups organized to

foster a community-based network. Laurie Mace is OPPI's representative.

The Healthy Communities concept is a process by which the local community determines its own needs and intended outcomes relating to the social and physical environments. What makes Healthy Communities unique, compared to community-based development programs or issue specific initiatives, is its combined focus on community-based action and local government commitment. CIP was a major participant in Health & Welfare Canada's Healthy Communities initiative at the federal level over the past years. Federal support was phased out as the program became self-sustaining; thus a provincial initiative has been under consideration as a logical extension of the federal program.

Phase I of the Coalition program, financially supported by the Ontario Ministry of

Health, was to develop a viable proposal for a development of this network. The proposal identifies tasks to work with local communities in taking action to address social and environmental factors having an effect on their health and well-being.

A key part of the proposal is the support of the Coalition member organizations to orient their membership to the Healthy Communities approach so that they can act as resources to local initiatives.

The proposal, developed in close consultation with the Ministry of Health, requests a five year provincial funding commitment. Council has endorsed the proposal on the basis that the benefits Network to local governments, community planning, intersectoral cooperation, and healthy public policy are expected to be far-reaching and long-lasting.

## CALL FOR SUBMISSIONS FOR 1993 OPPI COMMUNICATION AWARDS

The annual presentation of OPPI's Communication Awards recognize excellence in the communication of a planning concept. This year's awards will be presented at the OPPI Annual Conference, to be held in October in Niagara Falls. Full details are available from the OPPI office

The deadline for submissions is FRIDAY, SEPTEMBER 10, 1993 (4:30 pm). Submissions should be addressed to the attention of Patrick F. McNeill, Executive Director and marked "Communication Awards."

For further information please contact the OPPI Office (1-800-668-1448 or 416-483-1873).

## PLANNING CONSULTANTS WANTED

OPPI plans to publish a "CONSULTANTS DIRECTORY" in 1993 and invites all planning and planning related consulting firms to be part with OPPI members on staff of this important initiative. The Directory will be distributed to all OPPI members, municipalities, various ministries and government agencies and will also be available to the public. The Publications Committee is responsible for this project which will be undertaken on a cost recovery basis. The last directory was published in 1984. To receive listing information, please fax your firm's name and contact person to the attention of the OPPI office at 416-483-7830.

### 1993 COUNCIL MEETING AGENDA

The following are the dates of the remaining meetings of OPPI Council for 1993:

Friday, August 20, 1993

Friday, September 17, 1993

Wednesday, October 27, 1993 (AGM)

Any items for Council consideration are required at least seven business days in advance and should be sent directly to the OPPI office c/o P. McNeill, Executive Director.

### NEW OPPI STUDENT DELEGATE

Andrew Roberts has been elected as the new Student Delegate on OPPI Council for the 1993-94 term. Andrew is a third year student at the School of Urban and Regional Planning, Ryerson Polytechnical Institute and has been an OPPI Student member since 1991. Andrew says that he is committed to "represent Ontario planning students with enthusiasm and dedication". Outgoing Student Delegate, Lori Miller recently graduated from Ryerson and has accepted a contract position with the City of Napean.





## HIRING AND MANAGING CONSULTANTS

Hiring the right consultant for the job and knowing how to manage that consultant throughout the study process leads to successful completion of projects within time and budget constraints. However, the hiring and managing of consultants is an art in itself and success is not easily achieved. At the same time, in these tough economic times, getting the best value for your dollar is a crucial concern. The steps necessary for success were the subject of a recent seminar organized by the Ontario Professional Planners Institute's Program Committee for the Central District.

The session, which was moderated by Patrick Murphy (Region of Halton), had panel members from both the private and public sector. They included Patrick Moyle, Town of Orangeville; Margaret Buchinger, Town of Markham; David McCleary, Region of Halton; Robert Lehman, Robert Lehman Planning Consultants Ltd.; and Elizabeth Howson, Macauley Shiomi Howson Ltd. The approximately 75 attendees included not only planners, but politicians and others who retain consultants.

The seminar covered a range of topics, but it focused on practical strategies and techniques. Participants also received a written hand-out, including a sheet put together by Bob Lehman, which provided a useful summary of some of the key topics discussed at the seminar and is paraphrased below:

### 1. TELL THE CONSULTANT WHAT BUDGET IS AVAILABLE.

Given all the other variables that must be taken into account, one that can be fixed is a budget range. Municipalities that attempt to keep the budget secret only eliminate some good firms who may submit proposals that are more detailed or complex than actually required.

### 2. ALWAYS ASK FOR THE NUMBERS EACH STAFF MEMBER WILL SPEND ON THE PROJECT, THEIR HOURLY AND PER DIEM RATES.

You are entitled to know how much time each person will spend on the project and their hourly rate. You are looking for the tasks and work to be distributed in accordance with the experience necessary.

### 3. THERE ARE TWO FORMS OF TERMS OF REFERENCE, VERY DETAILED AND VERY CONCEPTUAL, AND EACH SERVES A DIFFERENT AND VALID PURPOSE.

If you know exactly what you want, then be as specific as you can in the Terms of Reference. If not, let the consultants demonstrate their creativity and experience.

### 4. ALWAYS INTERVIEW THE CONSULTANT.

A successful consulting job is dependent on the ability of both parties to communicate. The ability to communicate through the written word is shown in the proposal, but the ability to communicate on a person-to-person basis can only be demonstrated at an interview.

### 5. ALWAYS CONTACT PREVIOUS CLIENTS PRIOR TO INTERVIEWING THE CONSULTANT.

A phone call to check the references of the successful candidate is not sufficient, particularly when a decision has already been made. Phone calls should be made to at least three clients of short listed consultants, including clients who are not necessarily listed as references.

### 6. USE OUTSIDE SOURCES TO HELP YOU.

Consultants and planners in other municipalities can assist in estimating budgets and providing Terms of References.

## GRANT LEE JOINS ONTARIO CONCRETE PIPE ASSOCIATION

Grant Lee, formerly manager of marketing with P&R, has joined the Ontario Concrete Pipe Association as Marketing Director. The objects of the association are to maintain high standards of business practice and product quality and provide technical information on the installation and maintenance of concrete infrastructure. Grant, who also spent a brief period with Halton Region as a senior planner, is actively involved with the marketing activities of the *Journal*.

## ETOBICOKE TO HOST AWARDS IN BUSINESS EXCELLENCE

The second annual awards program recognizing excellence in business practice will be presented in June, jointly sponsored by the City and the Chamber of Commerce. Categories include environmental protection, conservation and enhancement. A fuller report will be carried in an upcoming edition of the *Journal*.

## PETERBOROUGH HOSTS "IT'S MY HOUSE TOO"

More than 250 delegates gathered in Peterborough in June to debate Accessible Housing. The conference was held in conjunction with the National Access Awareness Week. Keynote speaker Pamela Cluff of Cluff and Cluff Architects addressed the concept of universality in design.

## ANDY ROZE SETTING UP PLANNING DEPARTMENT IN RIGA, LATVIA

Andy Roze recently left York Region to set up a planning department in his native Latvia. Readers may recall an article by Andy in the *Journal* that discussed the need for such an action. His former colleagues in York would like

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to assist Andy's initiative by establishing a book repository of source materials that establish a library in this fledgling bureaucracy. If you have such material or know how material can be made available, please contact John Livey at the Region of York, telephone 416 895 1231.

### NO VIBRATING BEDS

At a joint OPPI meeting held with the Municipal Law section of the Law Society, developers, consultants and provincial representatives re-lived the heady days of the Motel Strip planning exercise. Discussion was lively but the chairs and tables remained upright.

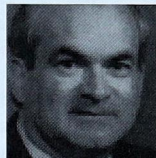
### LAND ECONOMISTS MEET DALE MARTIN

Provincial facilitator Dale Martin was the star attraction at an

Association of Ontario Land Economist's meeting held earlier this spring. The date had been planned to coincide with a provincial announcement on transit funding but that didn't work out: as a result, Dale talked knowledgeably and as frankly as the circumstances permitted concerning the province's approach to decision-making and the priorities fueling those decisions.



Meredith Beresford



G. H. (Gerry) Johnston



John Livey



Brian Hill



Stan Spencer

### JOINT MEETING WITH SCRO

No prizes for the acronym, but the Society for Conflict Resolution does a good job of bringing people together to work out their differences. A joint meeting with OPPI this spring enjoyed a respectable turn out, with several people urging that more joint events be planned in future.

### PEOPLE ON THE MOVE

**Meredith Beresford** has now been Director of Provincial Planning Policy Branch, Ministry of Municipal Affairs for more than a year. She joined the Ministry of Housing in 1974 after working with planning consultant firms in England. Within the provincial Government she was a senior planner and economist; she was Chief Negotiator with the Municipal Boundaries Branch, then became the Branch's Director in 1989.

She is an Honours Graduate from the University of Waterloo and is still associated with the University through the alumni association.

**Bryan Hill** was appointed Director of the Plans Administration Branch, North and East

with the Ministry of Municipal Affairs in April 1992. He started his planning career with the Regional Municipality of Niagara in 1976 and then joined Municipal Affairs in the Sudbury Field Office in 1979.

Since 1979, Bryan has held a number of increasingly responsible planning positions with the Ministry including Manager in Plans Administration Branch N & E, Manager of the Niagara Escarpment Program and Manager in Provincial Planning Branch. He earned a B.A. in Geography from Laurentian University and a Master's in Urban and Regional Planning from Queen's University.

**G.H. (Gerry) Johnston** recently retired from his position as Assistant Deputy Minister, Planning with the Ministry of Transportation to become Director of Transportation at the Waterfront Regeneration Trust.

In 1991 he won the State "Distinguished

Service Award" from the American Public Transit Association.

**Brian Nixon** was recently appointed Director, Environmental Planning Branch, MOE. This is a new Branch with responsibilities for the development and updating of environmental planning policy, guidelines and procedures for land use planning, support for the Ministry's land use plan review program, management of the Niagara Escarpment Program and the co-ordination of MOE's technical review of Environmental Assessments.

Mr. Nixon moved from the Ministry of Municipal Affairs, where he was Manager, Plans Administration Branch, C & SW, for three years.

**John Livey** is the new Commissioner of Planning for the Regional Municipality of York, responsible for the preparation of a new Regional Official Plan.

He was previously with Metro Toronto, where he was Director, Policy Development Division. Since joining York, John has been joined by former provincial colleagues **John Waller** and **Stella Gustavson**. In addition to a varied career with MMA, Stella was a member of the editorial advisory committee of the *Journal* for several years.

John is also President Elect for CIP.

**Dan Cherepacha**, P.Eng. was recently named President of Read Voorhees Ltd., transportation consultants. Dan has held increasingly senior

positions with the firm and has helped establish Read Voorhees as a leader in its field.

**David Harrold** recently joined the City of Mississauga as an urban designer, following a year doing graduate work at New York's Columbia University. David has contributed the *Journal* on several occasions, most recently in issue #4, writing about his experiences in New York.

**Chris Madej** has left the Toronto Harbour Commission to take up a position with the City of Oshawa.

**Susan Small-wood** joined the City of York as Senior Planner, Policy Development, late last year. She is working on proposed amendments to the Housing Official Plan. Susan joined the City of York after 3 years in Metro Planning, Policy and Development Division.

**Stan Spencer** is Mississauga's new City Manager. He joined Mississauga in 1990 as

Commissioner of Transportation and Works. In that position, he oversaw implementation of a revamped winter maintenance program, expected to save the City \$1.3

million a year. Stan was with the Municipality of Hamilton-Wentworth from 1974.

**Pearl Grunland**, BA, MES, MCIP, is now affiliated with the firm of Macaulay Shiomi Howson Ltd., Planning and Development Consultants, as a Senior Associate. As an associate of the firm, Pearl's services to public and private sector clients will focus on land use planning and public consultation matters. Pearl brings with her eighteen years of professional planning experience in government and consulting.

In addition, Pearl will continue to provide independent consulting services to clients in housing, social and community planning and municipal management.

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**COUNTY OF ESSEX PREPARES EMERGENCY PLAN**

Joe Cimer has been involved in preparing an emergency plan for the 21 municipalities in Essex County. An article on this complex but

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vital undertaking will appear in an upcoming issue of the *Journal*.

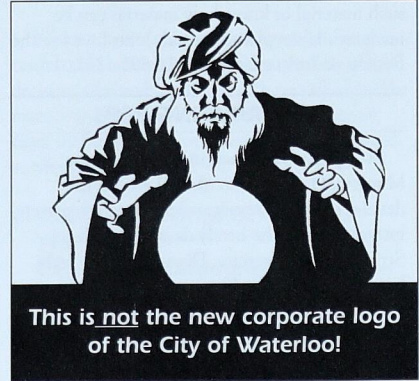
**KEN TAMMINGA GOES GLOBAL**

Ken Tamminga has recently accepted a tenure-track teaching position in Landscape Architecture at Penn State University, where he will be running a design studio in environmental planning. Ken leaves behind a successful practice with Hough Stansbury Woodland. He will be retaining ties with Ontario, in part through receipt of the *Journal*, and his colleagues wish him great success in his new endeavour.

**CITY OF WATERLOO USES PLANNERS IN MYSTERIOUS WAYS**

The City of Waterloo has long been noted for its willingness to try different approaches to management, having been selected by *Fortune Magazine* as one of the 100 best firms to work for.

For the past several years, fellow members of the OPPI, Brian Trushinski, Tom Slomke, Rob Deyman and Greg Romanick have "cycled" through a variety of posts within the corporation. The result has been greater appreciation for corporate priority setting and a heightened level of job satisfaction.



**This is not the new corporate logo of the City of Waterloo!**

Brian was seconded from the Planning department to serve as the City's Environmental Coordinator and to implement the Environment First program. Tom was seconded from his role as Commissioner of Planning to develop an Economic Development strategy while Rob was made acting Commissioner. Greg was also seconded to the CAO's office to work on the Continuous Improvement/Total Quality Management Program. Tom Slomke was subsequently seconded to become the Acting Commissioner of Administrative Services before moving to work with Conestoga-Rovers, a local firm of environmental engineers.

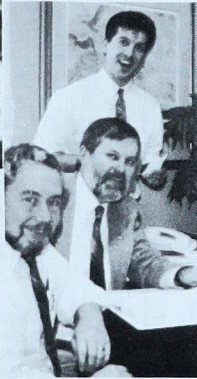
**OUR APPROACH TO PLANNING IS DEDICATION AND ...**

**Teamwork!**

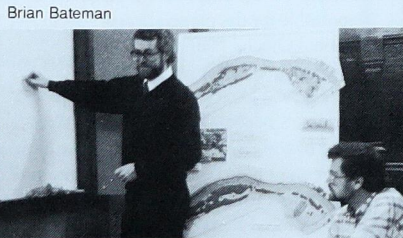
Engineers, Planners & Landscape Architects working in partnership with our clients, government and with the environment.



Paul Puopolo



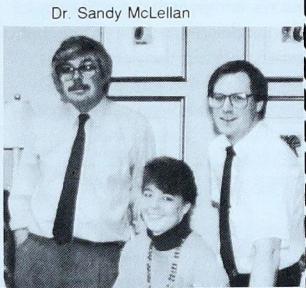
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This year, Greg Romanick became a Director of Planning in a newly combined planning and public works department and planners Tom Mahler and Janice Mitchell were given permanent status.

If this flexibility continues, the *Journal* may have to establish a permanent department to keep up with the changes at Waterloo!



### JOURNEY TOWARD A SAFER CITY

by Nina Catherine Tomas, MPI

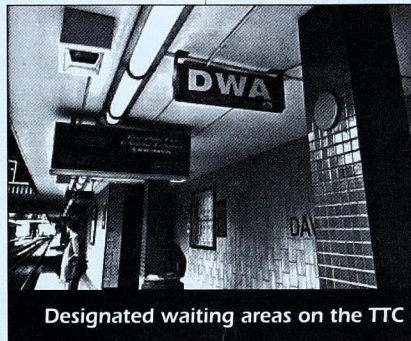
Professional activities provide us with the opportunity to listen, learn and apply. I recently attended a workshop for "Planning and Designing Safer Places," held at Ottawa's new City Hall in April. It featured Prof. Gerta R. Wekerle from the Faculty of Environmental Studies, York University, who is a contributing author of *A Working Guide for Planning and Designing Safer Urban Environments* (1992). The workshop was sponsored by Eastern District OPPI, Crime Prevention Council of Ottawa, Ontario Association of Landscape Architects, Ontario Regional Society of Architects, Planning Department of the Regional Municipality of Ottawa-Carleton and the Women's Action Centre Against Violence.

The issue of safety in cities is important not only to the people who live there but also to visitors. A Safe City is a useful marketing tool in an increasingly competitive world. The advantages of safe cities will emerge through their promotion and success in attracting tourism dollars, new businesses and new inhabitants. Prof. Wekerle's presentation focused on how safety issues can be integrated with good planning. The objective of "good planning" is "to reduce opportunities for crime and to provide opportunities for the potential victim to escape." The *Guide* also provides an excellent representation of issues and questions for planners to consider in integrating personal safety into plan evaluation and policy development.

A checklist is provided in the *Guide* as the basis for assessing the design of new developments in terms of sightlines, entrapment spots (only one way out), movement predictors (such as pathways and tunnels on which a stalker can predict the destination point of a traveller), signage and activity generators (places that attract people).

Although Prof. Wekerle's presentation focused on specific building and design features of spaces, pathways, buildings, etc. that result in unsafe conditions, physical changes to the environment do not go far enough in creating safe places. Solutions may begin with alterations to the built environment but will require the cooperation of groups, professionals, citizens, police forces, etc. to develop programs and policies that will reinforce the public's belief of being safe.

Making places safer means bringing people to them. Good design encourages public spaces to be well used. From this viewpoint, street vendors, who are usually discouraged from parking in prominent downtown locations, are seen as positive additions to the streetscape because with them comes activity and people.



Designated waiting areas on the TTC

Other conflicts exist, such as environmental policies that encourage the use of transit, walking and cycling to reduce vehicle emission levels and

pollution but which do not consider the reluctance of many women to utilize these modes of transportation due to fear. In the hours of darkness, most women, given the choice, will drive a car.

Larger cities have already begun to respond to safety issues through programs and policies. In Ottawa, OC Transpo has a "TRANSECURE" program aimed at making people feel safer on the transit system. Bus drivers are on the watch at all times for people in distress and are ready to radio for help. "TRANSECURE NIGHTSTOP" allows choice drop off locations along routes after 9:00 p.m. for patrons who do not feel safe walking from bus stops. Other initiatives include internal safety audits of transitway stations, transit vehicles, routes and bus stops. An external advisory committee, entitled "Late Night Users Advisory Group," composed primarily of night time users has been set up to perform safety audits of existing transitway sta-

tions and has also reviewed site design plans for future transitway stops. Transitway design features which have been added to enhance safety include the use of glass in elevators and shelters to improve visibility, adequate lighting and landscaping, and placing of emergency phones in transitway stations.

### EOD "EXCELLENCE IN PLANNING AWARD"

A panel of judges unanimously selected a study by Delcan Corporation (HMD Consulting)/The Rethink Group as the first recipient of the "Excellence in Planning Award" given by the Eastern District of the OPPI. Eight projects were submitted for consideration of the award. The successful planning report was entitled "Gloucester Growth Area Recreation Master Plans."

Gloucester is the third largest urban municipality in the Regional Municipality of Ottawa-Carleton (RMOC). Significant new growth areas have been recognized by both Gloucester and the RMOC, and initial community planning and design work is well underway for these growth areas. Recreation is one facet of the new communities' detailed plans.

The results of the study included recommendations of natural areas to be preserved as open space, the development and application of recreation standards and guidelines and the preparation of an overall open space plan. The work was recognized as valuable input into the future long-range city wide parks, recreation and culture plan. The Planning Award is to be presented in June to Delcan Corporation/The Rethink Group at a special ceremony before Gloucester Council. Many thanks to Patrick Déoux, Coordinator of the Award Committee, Andrew Hope, Chairman of the EOD Executive and the judges, Steve Alexander, Max Bacon and John Ibbitson (of the *Ottawa Citizen*) for their interest and time.

### UPCOMING EVENTS/PEOPLE AND PLACES

In June, Rutgers University Prof. Anton Neleson visits Kanata. He will undertake a "Visioning" exercise with the City to reach a consensus on what development standards of the future Town Centre Community should be. Eastern District will be busy throughout the upcoming year with the Fall 1994 OPPI Conference to be held in Kingston. Any volunteers are welcome and can contact any member of the EOD Executive for further information.

Max Bacon is retiring after more than 30



years of dedicated service with Proctor & Redfern. Michael Noonan, formerly with CMHC, has become the General Manager of the Durham Region Non-Profit Housing Corporation.

### CITY OF KINGSTON APPOINTMENTS

Rupert Dobbin is the Director of the Department of Planning and Urban Renewal. Following a departmental organization and staffing survey carried out in 1991 and the retirement of Robert Morris as deputy director, he is now able to make two new appointments. Hugh Gale is Planning Manager (Current), with

responsibility for development review, while Alan Gummo becomes Planning Manager (Policy). Robert Morris will continue to advise the department for the next two years.



### COBALT— A LIVING EXAMPLE OF MINING ABUSE

*Abridged from an article by Arnie Hakela in the North Bay Nugget  
Abridged by J. Celentano*

*Editor's Note: This article is not about laying blame. This article should be seen as an example of the real-life practical issues facing single-industry communities on the decline.*

Once known as Canada's Silver Capital, it supported a

population of 35,000, complete with opera house and even a stock exchange.

But that was back in the 1920s when up to 100 mines were perched in and around the rocky basin where shafts and drifts chased silver veins in every conceivable direction.

Houses and other buildings went up as haphazardly as the mines, often on top of the silver veins which eventually were mined out, leaving a vast network of underground tunnels.

The inevitable happened—backyards and chunks of land simply disappeared overnight. They dropped down into the drifts. Houses were condemned and torn down.

And half a century later, in this town of 1,400, it's still happening.

In fact, governments dished out \$5.5 million (in 1992) for mine hazard abatement during a \$10 million water and sewer improvement project. It also meant an additional \$2 million on new roads and sidewalks.

Cobalt Mayor Roy Scott said mining interests became wealthy in cobalt and left nothing but problems behind.

"The morale has never been as low as it is now. Seven out of 10 people are being assisted in one way or another—welfare, unemployment insurance, pensions, social assistance of some type.

It would be nice to get some help from those mining people that cobalt got started in the first place."

At present, there are no working mines in the town. The last to close was Agnico—Eagle Mines Ltd. a few years ago.

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# MINISTRY ACTIVITIES IN LAND MANAGEMENT A CLASS ACT

by W. (Bill) Wilson

**A**cross Ontario, the Ministry of Government Services (MGS) owns and manages over 100,000 acres of land and 10,000 buildings. This real property includes such institutions as the Ontario Science Centre, courts, jails and psychiatric hospitals.

MGS may be called upon to do just about anything with real property. On December 9, 1992, MGS received approval of a Class Environmental Assessment (Order In Council 3540/92) for all its real property undertakings. This Class EA formalizes early planning procedures which have been in effect for some time.

The Class EA categorizes MGS undertakings into four groups which reflect their degree of potential environmental impact, as follows:

**CATEGORY A** projects, largely including routine repair and maintenance undertakings, require no EA action beyond verification of the proper category. These projects may include repainting, relamping or lawn cutting.

**CATEGORY B** projects include construction, land use changes under the Planning Act, acquisitions and sales. They undergo a six-point provisional site-specific analysis and consultation with the directly affected public (described below).

**CATEGORY C** projects require more detailed EA analysis, including need and alternatives to the undertaking, which cannot be satisfactorily addressed in the Category B process.

**CATEGORY D** projects require a full, individual EA, as they have potential for significant, broad and unpredictable impacts.

Examples would be the construction of a new psychiatric hospital or jail.

The following is a brief explanation and description of the **CATEGORY B** six-point site specific analysis. It is this analysis which will bring MGS agents into more contact with local officials:

## LAND USE OR OFFICIAL PLAN AND ZONING STATUS

MGS has had "Crown Right," Section 50.3(c) of the Planning Act (June 1992 Office Consolidation), to fall potentially back on which could exempt it from the public process required of any private person. This "Crown Right" was rarely used because MGS complied with zoning by internal policy.

With the new Class EA, MGS now voluntarily binds itself to subject all undertakings, where applicable, to the full requirements of the Planning Act, in addition to the requirements of the Class E.A. Unless requested otherwise by an effected municipal council, MGS will not exercise any general authorization for government uses in a zoning by-law or other similar land use control, consent or variance.

## SERVICING CAPACITY

The capacity of servicing (e.g., sanitary and storm sewerage, water system, roads or other access, parking, hydro, gas, etc.) available to a site has been a customary MGS checkpoint. MGS agents are aware that municipal servicing infrastructure, particularly sewer and water, have limits and that those limits are rapidly approaching. Increasing costs of expanding servicing is sensitizing MGS agents as well as municipalities to any development which would draw on the remaining servicing capacity.

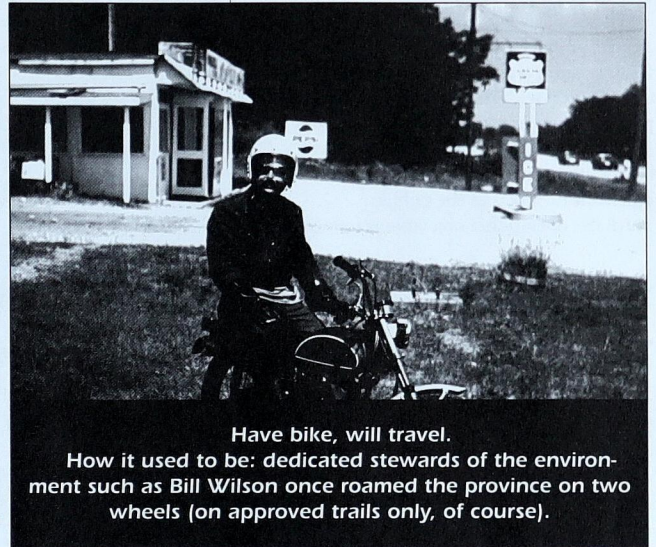
## CONTAMINANTS

The liability of a contaminated site is a major concern for MGS whether in its role of purchaser, manager or seller of real property. MGS may employ its own staff in site investigations and title searches to gain an initial reading on contaminant potential. If these searches turn up any clue of contamination, MGS will call upon one of the fast-growing number of consultants in contaminant management to do a thorough environmental audit.

## HERITAGE

Because the public and various local heritage groups have made it clear that much of its real property has heritage value, MGS makes inquiries about the heritage resource

status of any property before undertaking significant additions or changes to its real property. A heritage resource may include, in addition to buildings, archaeological sites, districts or landscapes of historic and scenic value in



**Have bike, will travel.**  
How it used to be: dedicated stewards of the environment such as Bill Wilson once roamed the province on two wheels (on approved trails only, of course).

rural, village and urban contexts and places which hold significance because of sacred value or long traditional use.

## ENVIRONMENTALLY SIGNIFICANT AREAS (ESAS)

ESAs are Ontario's known special natural areas. They have been identified as no-development areas by provincial ministries, conservation authorities and municipalities. They include areas of natural and scientific interest, unique habitats and wetlands. MGS agents ensure that their undertakings would cause no adverse impact to these areas.

## DISTINCTIVE ENVIRONMENTAL FEATURES

"Distinctive environmental features" means any natural feature (other than ESAs noted above) such as wood lots, high groundwater level, wetlands, springs, waterbodies, topography, ravines, rock outcrops or other feature noted during visual inspections. MGS staff shall literally assess the nature of the subject site and note features that might bear on a development proposal.



The information prompted by these six points now supplement the other traditionally collected site information on ownership, location, price and/or estimated value.

MGS agents are aware of the many opportunities to see relationships between the checkpoints, e.g., stormwater management capacity and topography. If such relationships appear to have a bearing on the feasibility of a project, further investigations with experts can be conducted.

The quality of this analysis may depend as much on public consultation findings as on technical research. Because consultation with the directly affected public is a major part of MGS's site analysis, each of the six points involves at least one contact with a local or provincial official or members of the public.

MGS's operational objective is to inte-

grate and mainstream environmental concerns into MGS operations, without extra internal staff. MGS takes the approach that, with some training and orientation, existing staff will take on most of what might have been previously considered "EA" matters. At the present time, two existing staff members act as advisors to the 1000 MGS Province-wide operational staff to ensure that the intent of the Class EA is met.

More than ever before, MGS staff understand that real estate is a highly interdisciplinary and interactive activity. While MGS staff are aware that they do not have to be rocket scientists to do "EA," or to fulfill MGS environmental obligations, they do regularly call upon private consultants in planning, biology, hydrogeology, contaminant assessment, archaeology, forestry or any area of expertise that may be needed.

## CONCLUSION

Municipal and provincial planners and other technicians can expect to hear more from MGS agents who are, under this new "self-policing" Class EA, implementing Ontario Government programs involving real property.

While MGS Realty Group staff do not call themselves ecosystem planners yet, they are major land stewards in Ontario. From that basic fact, it follows that MGS should have one of the most environmentally sound approaches to land management, planning and development in Ontario. MGS believes it now has such an approach in the new Class EA and the staff to implement it.

Editor's Note: the Class Environmental Assessment described here was prepared for the Ministry by , Sally Leppard of the LURA Group, Geza Teleki and Jonathan Kauffman Consultant

## TRANSPORTATION

# THE NEW CORPORATE FRONTIER: THE BIG MOVE TO SMALL TOWN USA

David Heenan, McGraw Hill, 1991

Review by Jim Helik

**C**ontinuing on the theme of the movement of people out of the cities, leapfrogging past the suburbs to smaller "ex-urban" centres, a theme which has been

the topic of more than one book reviewed here in the past, David Heenan has written a book tracing the movement of both people and major businesses to small towns through North America.

The names of these firms are, by now, often familiar: J.C. Penney moving from Manhattan to Plano, Texas, Sears from Chicago to Hoffman Estates, and numerous smaller firms from Los Angeles to such areas as Seattle.

Other examples are companies that never made the move to the cities in the first place, like retailer Wal-Mart which is still headquartered in Bentonville, Arkansas.

Heenan traces what motivates firms to undertake the often difficult and costly move from their urban locations. The reasons are threefold. The first is the "push effect" out of major urban areas and often out of older suburban areas as well. The litany of woes, which drives out firms, is well known: high land and building costs, traffic congestion, lack of affordable or suitable housing for employees and executives. The second reason Heenan cites, increases in technology and telecommunica-

tions which allow decentralization to take place, has also been explored in the past.

However, it is the third factor that Heenan notes which is new and merits examination: that is a shift in the values of companies and their employees which can lead to ex-urban locational patterns. Firms are generally changing their overall style and image; from a "big is better" to a "small is beautiful." This is manifested in several ways. Headquarters staffs are today often smaller than 20-30 years previously. Head office functions are also often shifted to local operations with many divisions acting, largely, autonomously. Increasing emphasis is also placed on employee retention and locational preferences (what are often referred to as "quality of life" considerations). On the employees side, there is a shift to "heartland values" or what Heenan calls penturban chic. However, he is quick to note that this is no back-to-the land movement:

"The current revolution is being instigated by ambitious, career-oriented professionals. They are searching for a serious business environment where the daily tasks of living—working, getting to work, and leisure—can be simple, easy, and fun. They want it all: the stimulation of a first-class job with the ambiance of a simpler lifestyle."

Yet there are very real limitations to many of these small towns: real life is not a Norman

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Rockwell painting. Heenan notes that these locations are not typically noted for their tolerance of new or differing ideas or habits. Loss of key employees during a move is also a very real problem, with typically up to one-third of senior professionals refusing to follow their company to "the sticks." Isolation from new services, products, and venture capital is also a hardship, particularly for smaller businesses. Perhaps the worst potential problem is the re-emergence of the one industry company town in a new form; with today's small town solely dependent on a single retailing or financial head office rather than the resource-based firm of the past.

Unlike many books which offer few solutions or direction, Heenan concludes with a ten-point action plan for those penturban locations that wish to attract businesses. These final ten pages offer more practical advice than many economic development texts, and merit attention.

*Jim Helik is a Consultant with Hemson Consulting Ltd., Toronto. He regularly reviews books for the Journal.*

#### STUDENT AFFAIRS

### PLANNER-IN-RESIDENCE

by Larry Martin and Emmanuel Pressman



he teaching of planning has come under increased scrutiny by students and practitioners over the recent past.

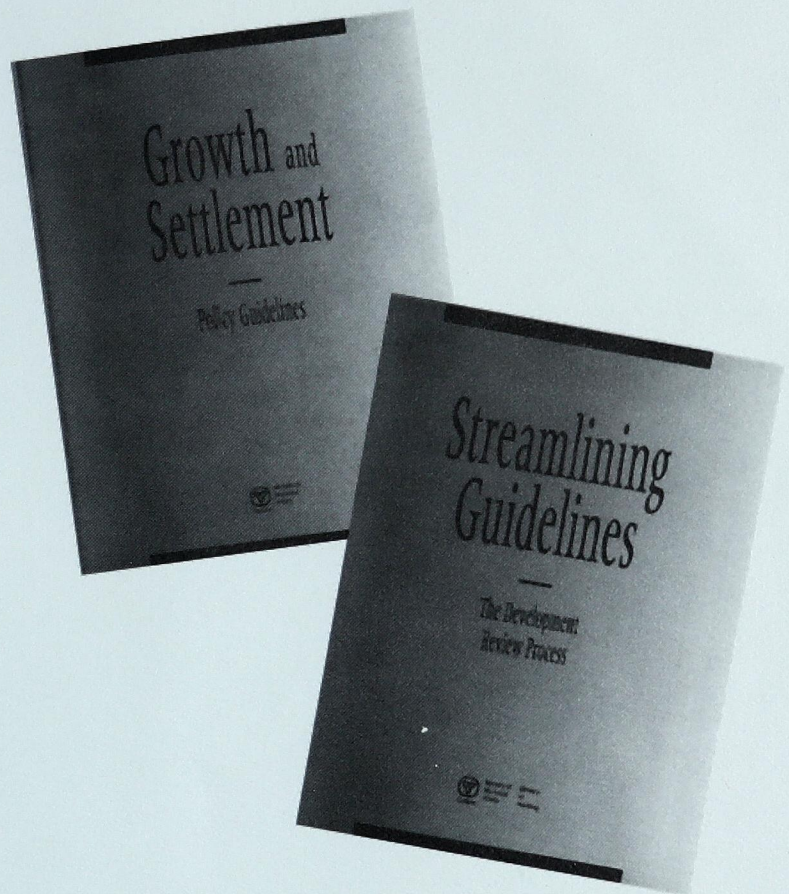
If teachers of planning assume that planning education is simply a one-way transfer of knowledge from university-based educators to students, they run the risk of being judged out-of-touch and irrelevant to actual student needs. The School of Urban and Regional Planning has explored a variety of ways to expand students' awareness of planning practice. Co-operative planning education in which students alternate between four months study and work terms, has proved to be very successful over the past nine years. The Planner-in-Residence program is our most recent effort to bring knowledge of current planning practice into the classroom.

The program is designed to bring richly experienced planners on campus for a period ranging from one month to one academic term. The Planner participates in guest lectures, seminars, workshops and informal small-group discussions with stu-



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dents and faculty. Our energetic and supportive alumni and PRAGMA Council (an advisory body to the School composed of leaders in business, government and the not-for-profit sectors) provide the funding to support the Planner.

Thus far the School has had three Planners, Ray Spaxman, a planning consultant and former Director, City of Vancouver; John Sweeney, former Minister of Municipal Affairs, Ontario; and Gardner Church, for-

mer Deputy Minister for the Office for the Greater Toronto Area. This term the Planner will be Henry Stewart, planning consultant and former Chairman of the Ontario Municipal Board.

Students and faculty members are energized by this opportunity to interact with professionals who can bring their rich, current experience into the classroom and student projects and theses.

*Larry Martin is Director and Professor of the School of Urban & Regional Planning at the University of Waterloo.*

*Emmanuel Pressman is a senior student in the School of Urban & Regional Planning at the University of Waterloo currently in the process of completing his degree.*



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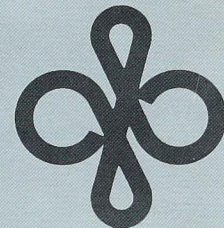
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