

URBAN ENTERTAINMENT CENTRES

ANCHOR-SCALE DEVELOPMENTS THAT ARE LARGER THAN LIFE

WHAT ARE THEY? WHO IS BUILDING THEM? AND WHAT WILL THEIR IMPACT BE?

Urban Entertainment Centres package large-scale retail, leisure and entertainment uses in a dramatic new way which allows each use to retain its own corporate identity, usually one that is a draw in its own right.

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Consensus reached locally may outscore plans devised by central government

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URBAN ENTERTAINMENT CENTRES: ANCHOR-SCALE DEVELOPMENTS THAT ARE LARGER THAN LIFE

WHAT ARE THEY? WHO IS BUILDING THEM? AND
WHAT WILL THEIR IMPACT BE?

By Glenn Miller



Like the Internet and Big Box retailing, which arrived in our lives with stunning speed, the Urban Entertainment Centre is an exotic new breed of development that has rapidly become part of our profession's lexicon, with references appearing in the media and planning reports all over Ontario. As a developer advised an OPPI audience in Kitchener last November, planners should not make the mistake of underestimating the importance of Urban Entertainment Centres, which are a far cry from downmarket arcades. "Urban Entertainment Centres are fast becoming a force to be reckoned with," he cautioned.

Urban Entertainment Centres package large-scale retail, leisure and entertainment uses in a dramatic new way which allows each use to retain its own corporate identity, usually one that is a draw in its own right. According to one U.S. expert, the target market for Urban Entertainment Centres is a marketing person's dream, running "from young adults to baby boomers who want to have fun and get food and drink under the same roof." Although projects like the West Edmonton Mall introduced large scale amusements and entertainment to the retail environment over a decade ago, the modern Urban Entertainment Centre is descended directly from failed attempts in the U.S. to transplant theme parks to urban locations. After some costly growing pains and experimentation to find a winning formula, developers in places like London (England), Manhattan, Seattle, Baltimore and San Francisco have successfully created a viable product that is now entering Canada. Urban Entertainment Centres reflect changing consumer taste and a strong desire to deliver added value for each dollar spent. From the corporate perspective, Urban Entertainment Centres provide an attractive vehicle to exploit the superior draw and expanded selling power of corporate images

and brand names. Several American projects have been built around sports themes, for example, that feature sporting goods retailers, products and the marquee draw of individual stars.

SIZE, SCALE AND MIX ARE CRITICAL ISSUES TO SUCCESS

According to David Langer, co-developer of Festival Hall, a 450,000 sq ft multi-use retail/entertainment project planned for John Street in downtown Toronto, "The mix of uses in Urban Entertainment Centres may not be unique, but the size and scale (of the developments) is totally new." He points out that although the smallest retail tenant in his Festival Hall project will have 18,000 sq ft of floorspace, the right project mix and "complementarity" of the uses is just as important as scale. "Large format restaurants will be selling theatre rather than just food, and the movie experience won't stop when the lights come up. The marketing will continue right into the lobby with T-shirts and other movie-related merchandise. Large format bookstores will offer music and refreshments."

But for Langer, a key breakthrough is the

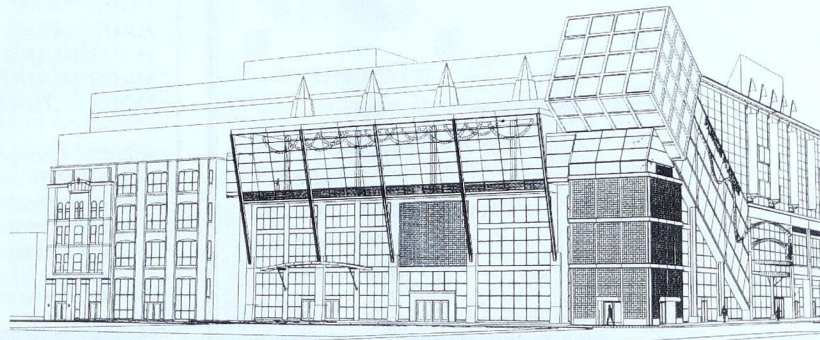
sophistication of the technology available today. At Festival Hall this will include 15 state-of-the-art, floor-to-ceiling movie screens with digital sound and "stadium seating" for between 140 and 600 people, to be created by Paramount Famous Players, and the first 3-D Imax theatre in Ontario, as well as the power of high end electronic games and "virtual reality experiences."

Although there are numerous Urban Entertainment Centres on the drawing boards in Ontario, the only one already open to the public is located adjacent to Square One in Mississauga City Centre. Jonathon Hussman, President of Playdium Entertainment, describes his Sega City project in Mississauga as "the new arcade of the future, the forefront of 21st century entertainment." Playdium has a joint venture agreement with theme park specialists MCA, SegaGameworks and Hollywood's Dreamworks SKG. The Mississauga location also features the first Imax Ridefilm ("The most explosive experience available."). There is a 1.5 km go-kart track, rock climbing, beach volley ball, mini-golf and a Cito Gaston Baseball Academy, where visitors will be able to match their skills against star pitchers in a virtual batting cage. In addition to the Mississauga location, Playdium plans to develop as many as 40 Urban Entertainment Centres across Canada, including one "somewhere" in downtown Toronto, where the offering will be designed to complement the downtown milieu, with greater emphasis on retail, eating and "urban theatre."

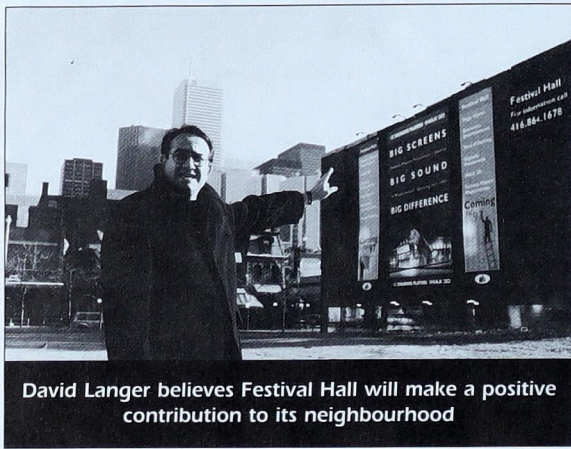
URBAN ENTERTAINMENT CENTRES AS ECONOMIC GENERATORS

The economic potential of Urban Entertainment Centres is attracting the interest of major developers and civic officials alike, although not all cities are putting out the welcome mat. Toronto's

Paul Bedford believes

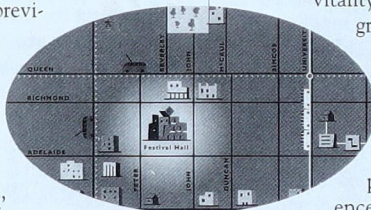


Elevation of Festival Hall.



David Langer believes Festival Hall will make a positive contribution to its neighbourhood

"Toronto is ready to catch the wave of opportunity in urban entertainment," and his staff are currently steering a number of projects through the approvals process. Mississauga, on the other hand, is treating Playdium Entertainment's 12 acre project as an "interim use," leaving little doubt that an office tower would be more welcome. The City of London has been quick to see the potential of Urban Entertainment Centres and has processed an OPA restricting them to the downtown core, expanding the definition of the "planned function" of downtown to include Urban Entertainment Centres, in order to complement other revitalization initiatives (see previous issue). This leaves the owners of regional shopping centres who planned to augment retail with entertainment somewhat nervous. As a compromise, floor space maximums for entertainment uses have been established. In Montreal, plans to redevelop the venera-



ble Forum have received a rough ride at city council, while in Minneapolis, attempts to revitalize a section of the downtown core have hinged on a key developer being able to put together an Urban Entertainment Centre project. Currently stalled, this is a reminder of the large financial risk involved in Urban Entertainment Centres. According to David Langer, "Planners need to realize that 'slow' is as bad as 'no,' because Urban Entertainment Centres are typically financed privately, so delays are costly as well as unsettling to the potential tenants." Adds Patrick Devine, a lawyer with extensive experience in retail and entertainment projects, "It is important for developers to know the municipality and adapt their approach accordingly."

FESTIVAL HALL DESIGNED AS A POSITIVE CONTRIBUTION TO THE STREET

The impact of Urban Entertainment Centres in terms of urban design and the vitality of streetlife depends to a great extent on the location and the developer's objectives. The Festival Hall project is a case in point. Langer's background as a former city planner and the experiences of his partners in developing intensely urban projects such as Battery Park City and Canary Wharf are

revealed in the design philosophy of Festival Hall, in which every component has its own street presence and access. "There is no inside space. Everyone has a front door," Langer points out. "We see this project as an extension of the street with action inside and out. In the long run, I expect that the Festival Hall name could disappear."

Festival Hall is deliberately positioned as a supplementary anchor to trendy Queen Street West and the attractions of the surrounding entertainment district. The project is also intended to display a different character at different times of the day. For example, the movie theatres and large-format restaurants will be designed to double as meeting space, taking advantage of the availability of hotel rooms in the downtown core and the nearby Convention Centre. The staggering of movie times - as many as 14 screens will be capable of showing the same film - will change movie-going habits, Langer believes, allowing city residents, financial district workers and tourists to dine out, take in a movie and do some shopping in the same outing.

It is the potential to extend the length of the visits, with a corresponding increase in spending that attracts major retailers and entertainment corporations. According to David Langer, each tenant will treat Festival Hall as a flagship location. "There are very few opportunities in Canada to create a truly outstanding project, so we intend to do it right."

Glenn Miller is Editor of the Ontario Planning Journal and Director of Applied Research with the Canadian Urban Institute in Toronto. See the Mediacom Billboard for information on an upcoming conference on Urban Entertainment Centres.

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Temagami Cries Out for Consensus Planning

Second in a two-part series
Larry Sherman and Andrea Simpson



The Elk Lake Timber Management Plan for 480,000 ha in northern Ontario was developed last year by MNR

staff through a mediated process of negotiation and consensus building involving environmental advocates, local logging companies and community resident and business groups. Why then, next door in Temagami,



Protests sure sign that central planning does not work.

after years of costly effort, did similar interests fail to agree, forcing the Minister of MNR to decide for them? Could planners have been more helpful? What could government have differently to reduce confrontation and reward honest attempts by the parties to reach consensus? What are the key ingredients of a collaborative community-based resolution of conflict? How can government be sure it can support a consensus once reached by the parties?

TEMAGAMI CRIES OUT FOR CONSENSUS PLANNING

The 10 year legacy of conflict in Temagami must be reversed if the area is to prosper. No central government plan can substitute for local consensus. Consensus planning is about principled negotiations that recognizes legitimate interests and is about building relationships. How can Temagami and other similar communities seeking increased self-determination reverse dependency on centralized decision-making?

CENTRAL GOVERNMENT MUST DEMONSTRATE THAT IT TAKES CONSENSUS PLANNING SERIOUSLY

The public respects government's apparent toughness and decisiveness, but it also understands the advantages of consensus and the disadvantages of conflict. That is why those in opposition, frustrated by an authoritative decision-making process, use built-in mechanisms of confrontation to stall a process that seems not to include them. Government can deal with scepticism by openly acknowledging the advantages (not only to government, but also to the other major interest groups) of seeking consensus solutions. Simply put:

- consensus is likely to achieve more stable and workable outcomes (because more interests are served);
- the process is likely to be more efficient (because less time is spent on stalling and confrontation); and
- consensus solutions increase certainty and reduce political risk (because more parties agree to support them)

Ultimately, government must protect the public interest, make policy decisions and see them carried out. Consensus in no way jeopardizes government's authority to do this. The issue is not that government (or its political leaders) may lose power in this process, but how that power is used to ensure an acceptable outcome. Government can guide the consensus-planning process in three key ways:

- 1 The government sets the framework for multi-party consensus planning by defining what is negotiable and, more importantly, what is not. For example, respect for relevant laws, regulations and/or public policies, financial limitations and time limits. The government can also specify who must be party to any agreed-upon solution, what support is required from specific

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- government agencies, and the number and type of options to be recommended.
- Throughout the process, government should be accessible and active as a legitimate party to the dialogue. Staff should exchange information, raise issues, postulate and assess options and formulate conditional solutions.
 - Once conditional conclusions have been reached, government must be prepared to support them and resist "end-run" pressures that undercut the resolution and the relationships between the parties. This is not to say that government must accept the conclusions, but it should honour the process by subjecting the conclusions to a legitimate review and decision-making procedure.

COMMUNITIES NEED IMPROVED CAPACITIES FOR COLLABORATIVE PROBLEM SOLVING AND VISIONING

Communities are increasingly expected to solve their own problems, including those

inherited from senior levels of government. The public expects local boards and councils to behave more collaboratively in resolving issues affecting community futures. Coalitions between local interest groups are essential to inventing and implementing practical solutions. As charged as the Temagami issues appear to be, the parties can still agree to participate in negotiations and consensus building if:

- all the key stakeholder groups are legitimately represented and committed to an agreed-upon solution;
- all legitimate interests can be addressed;
- a structured, disciplined process for constructive communications is provided;
- government, both local and central, supports the process and the outcomes;
- a shared vision can be adopted, that is, a set of common principles upon which consensus solutions can be invented in collaboration.

In Temagami, those common values might include the value of the wilderness environment, the principle of community self-determination, the health of the community economy, public enjoyment and appreciation of the wilderness resource, sharing in the public benefits of resource extraction, and respect for the rights of all who have an interest in Temagami. If these principles are acceptable and relevant to the interests of the parties, they can serve as the basis for inventing and exploring a range of options and then agreeing to support preferred resolutions.



Ontario has too much to lose by another Temagami-type failure.

GOVERNMENT WILL SUPPORT COMMUNITY CONSENSUS IF IT HAS PARTICIPATED AS AN ACTIVE PARTY IN THE NEGOTIATIONS

A community-based consensus still requires central government support. Once reached, the consensus will either challenge or reward government. To avoid the risk of having to object to a resolution that has broad community commitment, government should make sure that it is involved from the start. Throughout the negotiations, government can stay informed, by having a representative at the table, not as observer but as an active participant. It is in no one's interest to work through a negotiated solution and reach consensus only to discover that the consensus requires renegotiation with senior government.

ANSWERING THE SCEPTICS

Ontario has too much to lose by another Temagami-type failure and too much to gain by another Elk Lake-type success to be swayed by the sceptics. What are the most common concerns and what is the response?

Consensus planning is too theoretical. This view is countered by the significant achievements at consensus building over resource management issues throughout Canada, notably in British Columbia, Alberta and Saskatchewan.

Community-based conflicts are historically too complicated and charged with emotions for the parties to sit down and negotiate resolutions; they must be imposed and enforced by higher authorities. Temagami is complex, but so is Bosnia and the Middle East, where negotiated solutions are being found;

This is a classic unresolvable conflict

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between a number of reasonable interest groups committed to their community (often "pro-development" town councils, business groups and residents), and one radical group that doesn't understand nor represent the community (often the southern "anti-development enviros"). It is never that simple. Pro-development locals are often avid environmentalists, struggling with the complex issues of sustainability. Environmental leadership understands the need to seek compromise solutions that serve community economic and social well-being (as was clearly the case in Elk Lake). But there is another oversimplification in this sceptical view: this is not a simple "we-they" conflict, and it cannot be resolved by "we" overcoming "them." In Temagami, for example, even without environmentalist objections, the community is still in disagreement and uncertainty over its future. The people in Temagami still need to share a vision and collaborate in solving their problems and devising a community-based consensus for

sustainable development.

We don't have the time and money to try the process. At Elk Lake, on the strength of three short preparatory conferences between the parties and the facilitator, the parties met for two days in the local high school gym to reach the basic agreement, from which planning proceeded.

This relative efficiency can be compared favourably with the millions of public dollars spent annually on consultation and in provincial courts and tribunals that lead to regulated and adjudicated outcomes that have not been sustained.

We have too much invested in our current position to agree to negotiate another one. Even after government has declared a policy position, as in Temagami, it can agree to negotiate collaborative improvements that may address more interests, and thereby achieve the consensus needed to ensure long-term community stability and certainly.

Other parties, including government, cannot be trusted to negotiate in good faith

and support the results.

Any attempt at consensus building in Temagami must be sincere and thoughtful. Senior representatives of the key parties, public and private, must be willing to be there, and once there, must apply the skills and principles of best practice in achieving wise, peaceful and stable conflict resolutions and consensus plans.

Consensus planning is consistent with the Canadian tradition of community self-determination and an increasingly viable alternative for government to employ, as we learn from our past experience and build on new techniques of conflict resolution and collaborative problem-solving.

Larry Sherman is a planner and director of the IBI Group, mediating community development planning and public policy setting, recently including Elk Lake and Temagami.

Andrea Simpson is a student of rural planning, conducting applied research in public sector conflict resolution, currently addressing the fisheries dispute in P.E.I.



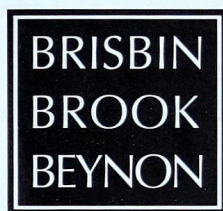
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Feminist planners: Do they want to join the OPPI? Does the OPPI want them?

By Sue Hendler



Women and/in planning has been the subject of three recent articles in the Journal. Valerie Cranmer, Melanie Hare and Barbara Loevinger Rahder all addressed different aspects. Rahder presented the results of a survey of female graduates of the planning program at York University's Faculty of Environmental Studies, reporting that "[only] 44 percent of our respondents are currently members of a professional planning association ... [and this] ... appears to reflect a certain alienation from what is often perceived as a 'boys' club.'" A research project I recently completed allows me to comment on, particularly, this observation from the point of view of feminist planners.

My study was on feminist planners' views of the OPPI and CIP codes of ethics. The project involved a focus group of self-identified feminist planners responding to these professional codes and making suggestions for improvements. Finding 'self-identified feminist planners' required some effort in deciding how to locate and identify such people. I chose a 'snowball' (or referral) approach which entailed calling up planners I knew and asking about particular individuals or asking for suggestions for other contacts. After gathering about 70 names and making almost as many telephone calls, I found several women who were interested in participating in my research.

One of my criteria for participants was that they needed to be members of OPPI. I reasoned that, because I wanted to discuss codes of ethics and the OPPI code was undergoing revision (and the CIP code had recently been revised), it would make sense that I would only select members of the Institute — it would be this group that would have an interest and potential commitment to the code and would be in a position to know about relevant issues and concerns and want to apply this knowledge in the form of a new code of ethics.

Finding feminist planners was not overly difficult but finding feminist planners who were members of the Institute was another matter. I did not want to limit myself to land use planners and solicited the involvement of planners from a wide variety of backgrounds. I found that many of the

women I spoke with, apart from those who were currently members, had:

- (i) never heard of the Institute and did not know what it did;
- (ii) heard of the Institute but did not want to seek membership;
- (iii) pursued membership in the Institute but found that the procedures were not attractive to them; or
- (iv) been a member of the Institute but had not continue membership.

I took a lot from my conversations with these women and it seemed that there were a number of possible explanations for their choices about membership in the Institute:

- (i) like any other group of planners, one would expect a certain proportion to be uninterested in membership;
- (ii) given the large number of non-land use planners, some might believe that OPPI membership would be irrelevant to their work (this explanation rests on the perception that the Institute remains predominately of interest to land use planners and has not been particularly successful in attracting health, social, housing and other sorts of planners);
- (iii) women might be especially reticent to pursue membership in the Institute given their perceptions of its mandate and role; and
- (iv) feminists might have particular misgivings about joining a professional organization, especially if it is perceived as being hierarchical, elitist and/or patriarchal.

I did not, for the most part, question potential participants as to why they did or did not become members of the OPPI. What might be of special interest to the Institute, however, are explanations pertaining to perceptions of the professional organization. How does the OPPI want to be seen? As a land use planning organization? As a body representing predominately 'male' values of traditional professionalism? As an inclusive, progressive group of diverse planners? Clearly, the choice is ours as members. But I wonder if, especially given this time of crisis management and pressing fiscal concerns, we have been spending enough time asking these kinds of questions.

While my intent in this piece is not to answer these questions, I do believe that there are better and worse ways of responding to them. For example, Valerie Cranmer

states that, "OPPI has always tried to be a conscious model of gender neutrality in all its activities." What might neutrality mean here? In an environment in which oppression exists (see Rahder's discussion of differential treatment of planners on the basis of gender), neutrality will only serve to exacerbate existing inequities. Thus, I do not see this approach as addressing concerns pertaining to the receptiveness of OPPI to feminist planning issues.

Approaches which fare better, I think, are those that explicitly address such issues (e.g. power relations, alternative planning processes, etc.) and make clear resulting positions. In other words, OPPI might question the ways in which it encourages, or not, and then communicates, its position(s) on such things as non-land use planning, planners' roles and planning processes. Clear responses to such issues will indicate to planners of various sorts whether their own approach to planning is one that will be seen to be legitimate in an Institute such as the OPPI.

In sum, OPPI can define its turf in whatever way it chooses. However, the Institute must realize who it includes and who it excludes in the choices it makes. If we know that feminist planners tend to emphasize such things as non-land use, non-hierarchical relationships, equity, citizen participation, substantive concerns about process, and inter-dependence (in terms of social, natural and built environments), decisions and activities on the part of the OPPI can be scrutinized in the context of these factors. In turn, non-members will decide if the Institute might be useful to them and current members will decide whether to stay. Sue Hendler is an Associate Professor in the School of Urban and Regional Planning at Queen's University. Her most recent research has been in the areas of feminist planning ethics and the role(s) of women in planning history in Canada. A review of book on Ethics will appear in an upcoming issue.

The author wishes to acknowledge comments by Barbara Loevinger Rahder on two different versions of this article. If you have views on this complex issue, e-mail to ontplan@inforamp.net or contact OPPI.



he diversity in OPPI's membership is usually a positive attribute. After all, there is scarcely a sector of Ontario's economy that does

not benefit from the services provided by our broadly constituted membership. As a result, any OPPI positions on provincial policy and process tend to be taken seriously, reflecting as they do a rich blend of opinion from communities, institutions and companies from all over Ontario. A key aspect of OPPI's credibility is the measured way in which that official positions are arrived at. This needs to be preserved. Which is why decisions such as the one taken by the province late last year to replace seven municipal governments in Metro Toronto with a single entity are difficult for OPPI to respond to in a useful way that is also fair to our broadly-based membership. So although a very large proportion of our membership stands to be affected by amalgamation in Toronto, such decisions leave a professional institute with little room to manoeuvre. A single consensual viewpoint is clearly difficult, if not impossible, to achieve quickly.

Editorials in the Ontario Planning Journal also typically attempt to raise issues rather than take positions. Within the inherent limitations of a bi-monthly publication, the letters page and Opinion column are always held open and given as much as space as possible. On the other hand, OPPI's Web Site is a perfect medium for posting up to the minute news and comment. (Starting with the next issue, we will be encouraging our authors to cite relevant web site addresses. Eventually we hope to collect this information for easy reference in the OPJ's page on OPPI's Web Site.) So commentary here on the decision to

Warning. This editorial may lead to depression

create a single city in Toronto will have to wait.

With all that is happening in Queens Park, however, there is a deep concern among OPPI members who call the Journal for information on the latest moves from the province (we usually refer them to the Toronto Star) that no

one in the government is taking stock of the cumulative impact of the current provincial agenda on the economic health and quality of life of Ontario's communities. Consider this: in a very short period of time as many as 25,000 provincial civil servants will lose their jobs. A similar number will be affected by severe cut backs in the health sector. Rollbacks, reorganization and consolidations are also taking place among Ontario's schoolboards, which will inevitably result in significantly reduced employment. Amalgamation is moving ahead in different ways in half a dozen larger Ontario communities, which will also lead to fewer jobs. The number of jobs to be cut as a result of the Metro-area amalgamation exercise alone is estimated to be more than 4,000.

Although few would disagree that change is necessary, and in many cases overdue, there is a very real limit to the number of new jobs that can be created quickly to compensate for cutting existing employment in the public sector. Is Ontario ready to ring in the new year in the next millenium with upwards of 60,000 fewer jobs? Bear in mind that the provincial unemployment rate is already 10%, and that a disproportionate number of jobs lost will be within 100 km of Toronto. Comments on this and any other issues can be addressed to the Editor's e-mail:

ontplan@inforamp.net

LETTERS

MORE FEEDBACK ON 10TH ANNIVERSARY ISSUE

I congratulate (everyone at the Journal) for the superb content, layout and attractive graphics of the 10th anniversary issue. The well-written articles seem to reflect the state our profession: a determined effort to function in an environment of uncertainty, confusion and chaos.

However, we are, to a large extent, vic-

tims of our own shortsightedness. Ken Greenberg reminded us how the broad disciplines of urban planning were reduced to horse-trading with land use categories and how the emergence of narrowly focused planning sub-disciplines led to inexcusably naive and harmful methods of dealing with complex realities. Since the planning profession has already paid dearly for its past mistakes, we must pull ourselves out of

our present state of purgatory and reclaim our historical role. An enormous bank of fragmented knowledge has been accumulated. The time has come to synthesize and to re-learn the art

of city-making.

Vladimir Matus, MCIP, RPP

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Consulting Practice Returns Next Issue

Jim Helik, who has been the contributing editor for this popular column for a number of years, is entering 1997 with a full plate of challenges, having managed to become a father and receive an enticing job offer on the same day. Jim was recently appointed as editor of Canadian Investment Review, a quarterly Maclean Hunter publication. Congratulations on both fronts, Jim. I am pleased to say that Jim will be continuing his role as contributing editor for the Journal, and readers can expect more information on his new job as well as the Consulting Practice Column shortly.

Glenn Miller, Editor.



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Tenant Protection Act: Fact or Fiction?

By Linda Lapointe

Last November, Al Leach, Minister of Municipal Affairs and Housing, introduced the new Tenant Protection Act in the Ontario Legislature. Will this new legislation protect tenants or undermine the housing situation of Ontario's 1.5 million tenants? Greg Lampert and Tim Welch examine the pros and cons of the proposed legislation and its potential effects on tenants and the rental market.

The Tenant Protection Act combines six pieces of legislation into one. It proposes major changes to laws governing rent control, landlord and tenant relations, and conversions and demolitions of existing rental buildings. The legislation is expected to receive second reading in the first half of 1997. A Standing Committee of the Legislature will hold public hearings after second reading and the bill is expected to be proclaimed later in 1997.

HIGHLIGHTS OF CHANGES

- 1 Rents are currently regulated in private apartment buildings through the Rent Control Act, 1992. Maximum allowable increases are established annually to take into account increased costs to the landlord. Under the Tenant Protection Act, "sitting" tenants will continue to be protected - the rent control guideline in 1997 will remain at 2.8%. However, once a unit is vacated, landlords will be free to set a new rent for the incoming tenant. Once the initial new rent is set, the tenant is then covered by rent control.
- 2 Tenants can receive only one rent increase each year. They can apply for a rent refund for poor maintenance or a lower rent for reduced services. They can challenge illegal rent increases and illegal extra charges and are protected from arbitrary eviction. Under the new legislation, local municipalities have no role in preserving the existing stock. In the case of condominium conversions, tenants are supposed to be offered first right of refusal and life-

time security of tenure. For conversions to other uses and for demolitions, building owners are required to compensate tenants with three months rent. Under the current Rental Housing Protection Act, municipalities have a significant role in determining whether or not conversions and demolitions of rental housing should take place.

- 3 Landlord and tenant disputes will be moved out of the courts into a less formal system of adjudication under an appointed Ontario Rental Housing Tribunal.

Linda Lapointe is the editor of the Journal's housing column and welcomes comments and feedback as well as articles on housing and residential planning. She can be reached by phone at (416) 323-0807, fax (416) 323-0992, or e-mail 74364.2357@compuserve.com. She is a private consultant who deals with housing and planning issues.

The idea for this article came from the Housing Committee, a new sub-committee of OPPI's Public Policy Committee, designed to inform members about housing issues and to help OPPI become more proactive in housing matters. Contact Linda Lapointe for further information.

Ontario's New Tenant Protection Act - A Necessary First Step

Greg Lampert

The Tenant Protection Act is, in my view, well balanced between the rights of landlords and tenants. The fact that the rents for sitting tenants will remain controlled, plus the other protection offered by the Act, ensures that tenants will be treated fairly. Achieving market rents on vacant units will encourage landlords to maintain



Will new legislation put the squeeze on tenants?

their units so as to be as attractive as possible for tenants - something the old regulatory system did not do.

The most important impact of the planned changes in the regulatory environment relates to the need for new rental housing. If we are to encourage new private rental investment, it is necessary to loosen the grip of rent controls so that the market can operate. Are the changes in regulations enough to stimulate significant amounts of new private supply? No - not on their own. But they are an essential first step.

In my report to the Ministry of Municipal Affairs and Housing last fall (The Challenge of Encouraging Investment in New Rental Housing in Ontario), I recommended the type of regulatory system which the province has adopted. However, I also recommended other measures which, in my view, are necessary to improve the attractiveness of rental investment. The most important of these was a review of the property taxes paid by rental housing.

In many municipalities, rental housing

pays 3 to 4 times as much (relative to value) in property taxes as comparable ownership housing. This is totally unjustifiable since tenants typically have much lower incomes than owner-occupants. It is an historic wrong which will take some time (and political courage) to reverse, given the tight budgetary constraints facing most municipalities.

Reform of property taxes on the existing rental stock is necessary (to provide funds for needed repairs, for example), but this should be phased in over time so as to reduce the impact on municipal finances. For new rental housing, however, property taxes should immediately be reduced to the levels paid by comparable ownership dwellings - this is critical to reducing the costs faced by new rental production.

The province should direct municipalities to reduce taxes on rental housing - at least for new buildings. If they do, I believe we will see significant new rental investment - the key to ensuring that there is sufficient supply to reduce upward pressure on rents. If not, the private sector supply response will be less than we all are hoping for.

Greg Lampert is an independent economic consultant specializing in housing, construction, and urban issues.

A Plan to Eliminate Affordable Rental Housing

Tim Welch



One of the key ingredients in livable cities is the availability of decent, affordable housing. Yet the proposed new rent law means that Ontario will lose some of its affordable rental housing. Last summer, landlords and builders told public hearings on the proposed changes that they will not, and cannot build affordable rental housing, even if the government eliminates the current Rent Control Act.

The government's "Tenant Protection Act" will decrease affordable rental housing by:



What will be the effect on the construction of new rental accommodation?

1 RAISING THE LIMIT ON RENT INCREASES.

Rents will be allowed to increase by perhaps 8 to 10 percent per year (the current law allows increases of up to 5.8 percent) and the province is proposing to take away the current "rent freezes" for landlords who do not meet local property standards bylaws. Yet according to a Russell Canadian Property Index, Ontario's apartment sector is quite profitable - delivering a 10 per cent annual return on investment over the past 10 years - higher than the retail, industrial or office sectors of the real estate industry.

2 ALLOWING LANDLORDS TO INCREASE RENTS WHEN UNITS ARE VACATED.

A provincial study estimates that about one in four tenants move each year, therefore "vacancy decontrol" will mean that in just a few short years, the majority of rental apartments could well have been subject to decontrol. And as Greg Lampert acknowledged just after the legislation was presented, apartments with modest rents

will see substantial increases in the rents charged.

3 REMOVING LOCAL GOVERNMENT INVOLVEMENT IN REGULATING CONVERSIONS, DEMOLITIONS AND RENOVATIONS.

In the past, when loopholes were available in Ontario, landlords took advantage of them. When conversions to equity coops were allowed under the RHPA in the late 1980s, the City of Toronto alone lost over 2,000 rental apartments in just three years. The legislation offers no protection to tenants when their building is converted to an equity coop or if it undergoes luxury renovations requiring vacant possession.

The experience in British Columbia supports the point of view that deregulating rents does not add to the supply of new private sector rental housing. When rent controls were lifted in British Columbia in 1983, the construction of new private rental housing in Vancouver actually decreased.

After its election in 1995, the government stated clearly that the province was no longer in the housing business. Nor, it appears, are they in the business of caring if the tenants of Ontario can afford their housing.

Tim Welch is a private consultant specializing in public policy, housing policy and rent control.



How will new Tenant Protection Act serve the public?

MILT FARROW ASSIGNED KEY ROLE IN PROVINCE'S NEW PLAN FOR REGIONAL GOVERNMENT IN THE GTA.

Details are sketchy, but it appears that Milt Farrow has been appointed by the provincial government to head up the process of establishing the first GTA-wide services board. Although most of the attention of the media and commentators has focused on the decision to scrap existing local and metropolitan governments in Metro in order to create a single entity, to be known as the City of Toronto, the services board is a key element in the puzzle.



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The need for a GTA entity was identified by the Golden Task Force and David Crombie's Who Does What panel. Milt retired from the Ministry of Municipal Affairs a number of years ago. Since then, he has been in private practice, acting for the new Harbourfront Corporation and other clients.

GARY COUSINS CHAIR OF COUNTY SECTION FOR AMO

Gary Cousins will chair the Association of Municipalities of Ontario County Section in 1996-7. Gary has previously served on the board of directors, and committees dealing with environmental, waste and planning. He is Director of Planning and Development for the County of Wellington, a position held since 1982.

Michael Hiscott Helping Metropolitan Planning & Engineering Grow

After a career spanning MMA&H and a regional school board, Michael Hiscott is

enjoying private practice with the steadily growing firm of Metropolitan Planning & Engineering Inc., based in Burlington. The firm recently celebrated its fifth year of operation with the opening of new offices at 3370 South Service Road in Burlington, attended by Walter Mulkewich, Mayor of Burlington.

MIKE FOLEY HAS APPETITE FOR DEVELOPMENT

Mike Foley has joined TDL Group, which handles development on behalf of Tim Horton's, as the new Development Coordinator. Before joining TDL, Mike worked with the Township of West Lincoln.

EVAN WOOD-BRUNET JOINS NORTH PICKERING DEVELOPMENT CORPORATION

With the sale of Cornell to the private sector (The Law Group), Evan Wood-Brunet has joined the North Pickering Development Group as a senior consultant. As Journal readers may recall, Evan was Manager of Planning with the Cornell Development Group (cover story in Volume 10 No 3) and took the project from conception through to sale. This group has now been disbanded. Evan will be working out of the offices of Malone Given Parsons, the firm chosen to lead the preparation of the Seaton Structure Plan as a prelude to the sale of the lands by the Province. He is also actively involved with organizing the 5th (and first international) Congress of the New Urbanism, to be held in Toronto from May 30 to June 1.

CHUCK HOSTOVSKY MAKES A KEY CAREER CHANGE

Chuck Hostovsky has hung up his consulting shingle and started a PhD in Regional Planning and Resource Management at Waterloo's School of Urban and Regional Planning. This will enable him to pursue a tenure track position. He continues to be available for peer-review and short-term contract research, and will also teach part-time at Ryerson and the U of T. As his former students know, Chuck is a popular teacher who has previously received formal recognition for that talent.

Please send information on people to the OPPI office, attention the Editor.

Urban Affairs Library Saved - For Now

Thanks to the efforts of many fans of its services, Metro's Urban Affairs Library has been saved from the chopping block for the next budget period.

Since Metro itself is to be disbanded, according to the legislation introduced by the province before Christmas, the long term future is uncertain.

But the need for a region-wide (even province wide) resource like the Urban Affairs Library has been clearly demonstrated. Academics, urban practitioners and business people trooped before the Library Board, several committees of Metro and Council to plead for time to find new solutions for saving the Library.

Several members of OPPI were involved in the process. Among the solutions suggested were corporate sponsorships and a system of user-pay for searches.

The Urban Affairs Library has a unique collection of historical and current materials spanning dozens of urban disciplines.

Its collection includes bound volumes of the Ontario Planning Journal and numerous other planning publications from around the world. The staff are knowledgeable and unflinchingly helpful.

Many deputants added their own personal notes of appreciation as well as the official positions of their employers. Ryerson took the bold step of pledging some of its own scarce funds to protect the Library, noting that Ryerson students need access to a collection as extensive as that found at the Urban Affairs Library.

One York U professor commented that she sends students (that often hail from suburbs or small towns) to Metro Hall as an introduction to the city, something that is hard to find on York's windswept campus.

For more information on the Library, call Glenn Miller at the Canadian Urban Institute or Linda Lapointe, President of Lapointe Consulting.

OPPI Notebook

A BI-MONTHLY ROUNDUP OF OPPI COUNCIL NEWS AND ACTION

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FACING UP TO ETHICS ISSUES

By Valerie Cranmer, President

Two years ago we were happily celebrating the passage of the OPPI Act by the Ontario Legislature. Years of hard work and perseverance were rewarded with the attainment of this significant milestone in the recognition of our profession. The impacts of this legislation are beginning to manifest themselves in a number of subtle ways. Some of the more positive aspects are exhibited in the interest generated by the long-term planning practitioners in becoming more involved in the Institute, and even, for some, in becoming full members, requests from other professional organizations to form partnerships in the delivery of member services, and in the degree of participation in the formulation of Provincial policy.

Along with the benefits of increased recognition, the Act brought with it some responsibilities. Among these is the requirement to discipline those members who do not adhere to its by-laws. In this issue of the Journal, Council is, for the first time, issuing the results of a disciplinary hearing, including the name of the member involved and the disci-



Valerie Cranmer

plinary action taken. Council took this action seriously and spent a considerable amount of time at its last meeting, discussing the issue of discipline. It is expected that complaints on infractions of the Code of Conduct will become more numerous as the implications of the RPP legislation become more apparent.

I have had a lot of discussion with our student and provisional members about the various

charges that could be brought before our Discipline Committee. In particular, there is interest in understanding exactly what kind of unethical behaviour would result in expulsion from the Institute. This question is difficult to answer since, fortunately, we have not been faced with a situation for which the only solution is expulsion...yet. Knowing exactly what constitutes ethical behaviour is of great interest to those planners entering the profession. It is our intention to provide professional practice directives in future issues of the Journal to address some of the concerns of members.

Valerie Cranmer is the principal of Valerie Cranmer Associates based in Durham.

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NEW COUNCIL PREPARES FOR BUSY YEAR

by Susan Smith



Outreach target met

The following are highlights of the decisions and actions of Council, which met in Toronto on November 29. For more information please contact Susan Smith at the OPPI office.

WELCOME NEW COUNCIL MEMBERS

President Valerie Cranmer welcomed new Council members Sue Heffernan, Northern

District Representative; Bernie Hermsen, Director Professional Development; George Vadeboncoeur, Director, Membership Services and Outreach; and Ruth Coursey and Bohdan Wynnycky, Central District Representatives.

APPOINTMENTS

The following appointments were approved by Council:

Secretary.....Ruth Coursey
 Treasurer.....Bohdan Wynnycky
 Student Liaison
 Coordinator.....Dennis Jacobs
 CORG Liaison.....Ron Shishido
 Chair, Discipline Committee.....Peter Walker
 Chair, Bylaw Review
 Committee.....Sue Heffernan
 Chair, Private Sector
 Advisory Committee..... Bob Lehman

OPPI REACHES OUT

OPPI is reaching out to related organizations to work on common issues and oppor-

tunities. One group we are liaising with is the Ontario Association of School Board Officials - Planning Committee. Council member Hugh Handy, Southwest District Representative, will be meeting with OASBO representative Dennis Cuomo to discuss opportunities early in 1997.

AWARDING EXCELLENCE

A new program - Excellence in Planning Awards - has been approved to replace the Communications Awards Program. The purpose of the program is to recognize and encourage excellence in all aspects of the profession; and to promote a strong awareness of planning as a profession among related professions, government, potential clients and the general public. Details on the new program will be mailed to members early in 1997.

EXAMINERS APPOINTED

Five members were appointed by Council to act as examiners. They are Don Granger, Mohawk College; Kris Menzies, Evergreen Development Consultants; Bernie Hermsen, MacNaughton, Hermsen, Britton, Clarkson Planning Ltd.; Sue Heffernan, Ministry of Municipal Affairs and Housing (Sudbury); and Bohdan Wynnycky, Ministry of Environment and Energy (Toronto).

More membership candidates means that we are always in need of more examiners. Are you interested? Contact Kevin Harper at the OPPI office. You must be a Full member in order to qualify.

CONFERENCES, CONFERENCES, CONFERENCES...

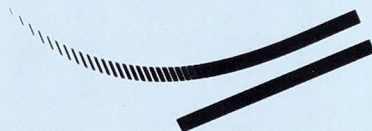
Locations for upcoming OPPI conferences include - Windsor 1997, Kingston 1998; Central District 1999 and 2000. OPPI will submit a proposal to CIP to host the 2001 national conference in Ottawa.

Susan Smith is Executive Director of OPPI.

COUNCIL ACTION ON A DISCIPLINARY MATTER

Provisional Member, Paul V. Hinde, London, Ontario, has been found in contravention of Section 2.1.11 of the Professional Code of Conduct of the Ontario Professional Planners Institute in that he knowingly had unauthorized access to material belonging to another Member, and without authorization of that member or acknowledgement of the source, used the material in preparing his Exam 'B' submission. Council in response suspended Mr. Hinde's privilege to write Exam 'B' for one year, until April 3, 1997, and directed that he be named in the Annual Report and the Ontario Planning Journal.

Dated November 29, 1996



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PROFESSIONAL CODE OF CONDUCT

1. PREAMBLE

As the basic objective of planning is the promotion of the general welfare, the member will respect this paramount consideration in the member's work, even in cases where it may be in conflict with the apparent interest of smaller groups or of individuals. The member will recognize that resources are the property of the nation as well the property of some individual or group; therefore the member will seek to protect and promote both public and private interests, as may be appropriate to the situation, always acknowledging the primacy of the public interest.

2. RULES OF DISCIPLINE

- 2.1 The member shall assist in maintaining the integrity and competence of the planning professions and specifically:
 - 2.1.1 shall provide independent professional judgement to a client or employer;
 - 2.1.2 shall not accept employment to perform planning services which the member is not competent by education or experience to perform;
 - 2.1.3 shall not neglect planning services which the member has agreed to perform, nor render service without research and preparation adequate in the circumstances;
 - 2.1.4 shall not advertise in self-laudatory language or in any other manner derogatory to the dignity of the profession;
 - 2.1.5 shall not maliciously or falsely injure the professional reputation, prospects or practice of another member;
 - 2.1.6 shall respect the member's colleagues in their professional capacity, and when evaluating the work of another member for the same client shall show evidence of objectivity and justice, and be willing publicly to defend the evaluation;
 - 2.1.7 shall not undertake to do work for a client if he/she knows, or has a reason to believe that another member has been retained for the same purpose by the same client at the same time;
 - 2.1.8 shall not give compensation in any form to a person or organization to recommend or secure a member's employment, or as a reward for having made a recommendation resulting in the member's employment;
 - 2.1.9 shall not accept anything of value, or the promise of anything of value, including prospective employment, from any person when it could appear that the offer is made for the purpose of influencing the member's actions as an advisor to a public planning agency;
 - 2.1.10 shall not, in order to obtain professional work, hold himself/herself out or permit himself/herself to be held out as prepared to provide planning services at fees that are less than reasonable and appropriate in the circumstances;
 - 2.1.11 shall not engage in conduct involving dishonesty, fraud, deceit or misrepresentation.
 - 2.1.12 shall not provide planning services at little or no cost as an inducement, direct or indirect, to obtain a contract or payment for other professional services unrelated to planning;
 - 2.1.13 shall openly declare to his/her employer and/or agency to which he/she is making representation a direct or indirect pecuniary interest (other than professional fees) in any application.
- 2.2 The member shall maintain a professional and ethical relationship with the client or employer and specifically:
 - 2.2.1 shall, in matters where the public interest may be adversely affected, inform all parties and give public disclosure of the consequences, together with the member's professional recommendation;
 - 2.2.2 except with the consent of the client or employer after full disclosure, or except as required by law, court or administrative order or subpoena, a member shall not reveal, use to the member's personal advantage or to the advantage of a third person, information gained in the professional relationship or employment that the client or employer has requested be held inviolate or the disclosure of which would be likely to be detrimental to the client or employer;
 - 2.2.3 shall not knowingly engage in anything which may conflict with the member's professional duties to the client or employer, notwithstanding full disclosure by the member to the client or employer of a possible conflict of interest and duty;
 - 2.2.4 shall have no financial interest in the result of the member's work which has not been disclosed to and received the approval of the client or employer;
 - 2.2.5 shall not, as an employee of a public planning agency, give professional planning advice to a private client or employer within the area of jurisdiction of the public agency without the written authorization of the agency;
 - 2.2.6 shall not, as a consultant to a public planning agency during the period of the contract with the agency, give professional planning advice to others within the area of jurisdiction of the agency without the prior written authorization of the agency;
 - 2.2.7 shall not, as a salaried employee of or consultant to any public planning agency, directly or indirectly advise the agency on the granting or refusal of an application which the member has submitted to the agency; however, the member may appear to present the application.
- 2.3 The member shall endeavour to practice good employee relations and specifically:
 - 2.3.1 shall not directly or indirectly discriminate against any person because of said person's race, colour, creed, sex, or national origin in any aspect of job recruitment, hiring, conditions of employment, training, advancement or termination of employment;
 - 2.3.2 shall, so far as is compatible with the member's responsibilities, give employees every opportunity of access to such work as will allow the employees to develop their full potential.



CONGRATULATIONS TO THE FOLLOWING NEW MEMBERS.

ELECTED TO FULL MEMBERSHIP

Robin J.G. BennettED
 Leon R. BensasonSD City of Kitchener
 Shauna G. BrailCD University of Toronto
 Calvin P. BrookCD Brisbin Brook Beynon
 Rebekah Cluett-ChanSD
 David V. CorksSD City of Kitchener
 Wesley R. CrownCD Township of Tay
 J. Kenneth B. DakinCD May, Pirie, Dakin & Assoc. Ltd.
 Meg DavisCD
 Jerry V. DeMarcoCD Sierra Legal Defence Fund
 Betsy J. DonaldCD
 Robert G. DowlerCD Min. of Municipal Affairs
 & Housing
 Gary W. DykeED Quinte East Northumberland
 Planning Agency
 Sandra M.M. HendersonSD Reg. Mun. of Waterloo
 Susan A. HendlerED Queen's University
 Bruce K. HoppeCD Town of Aurora
 Timothy P. HoulihanOD Houlihan: Research + Planning
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 Barbara JeffreyCD Reg. Mun. of York
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EASTERN DISTRICT

EASTERN AWARDS AND AGM

By Greg Winters

The Eastern District is pleased to announce that Dan Paquette was awarded the Colonel Boss Award, in recognition of his outstanding contribution to the Ottawa-Carleton Home Builders' Association (OCHBA) at the 13th annual Design Gala held in October. Dan Paquette, a Senior Planner with Minto Developments, led the OCHBA/ Developer Council in negotiations with municipalities in the Ottawa-Carleton Region to reduce development charges. The OCHBA estimated savings for the residential industry and home buyers will amount to \$50 million over the next 10 years.

The Annual General Meeting held on the 9th of October was a great success. This year's AGM also included a social event with guest speaker. The Speaker was Doreen Conrad from the Department of Foreign Affairs and International Trade (DFAIT). Her presentation titled "Planners and the Global Marketplace - Exporting Our Expertise" dealt with how to develop contacts in other countries, some of the many tools and resources available to planners looking for international work, and how DFAIT can help facilitate the process.

The Eastern Ontario District Executive for 1996-1997 has been chosen. The members include: Dennis Jacobs, Chair; Daphne Wretham, Vice-Chair; Nigel Brereton, Chair, Membership Sub-Committee; Derek Waltho, Treasurer; Grace Strachan, Secretary; Mary Jarvis, Program Events; Don Maciver, Awards; Greg Winters, Publications Representative; and Karen Elliot and Jeff Parkes as Student Representatives.

Greg Winters is the Eastern editorial coordinator.

CENTRAL

SIMCOE-MUSKOKA SUBDISTRICT

By Todd Stocks

In late October, about 45 planners gathered in Orillia to share their perspectives in

using the Provincial Policy Statement and to examine implementation issues through a case study and one-window approach. This one day education and training session was a joint venture between OPPI and the Ministry of Municipal Affairs and Housing.

The morning session consisted of a panel presentation entitled "In the Spirit of

Cooperation: How to make the system work for you." The panel consisted of Paul Featherstone (MMAH), Ross Raymond (consultant), Andrew Fyfe (City of Orillia), Wes Crown (Township of Tay), and Jim Green (District of Muskoka). Each provided a different perspective of how to work within the new planning system. This session was fol-



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lowed with brief presentations by MMAH's Bryan Hill and Gary Hall on what the province is doing in the area of "one-window," exemption and access to information.

After lunch, the session continued with a case study that incorporated locally relevant issues. Resource people from the provincial land use ministries and OPPI were on hand to coach each case study group and answer questions. Thanks are due to representatives of OPPI and MMAH, Andrew Fyfe, Richard Vandezande and Eric Hodgins for making this pilot session a success.

In December, the Simcoe Muskoka Subdistrict celebrated its 9th Annual

Christmas Party at the Kewadin Inn in Orillia.

PETERBOROUGH SUBDISTRICT

By Kevin Duguay

In cooperation with the Ministry of Municipal Affairs and Housing, OPPI hosted a "Bill 20 Information Workshop" in November, a month later than originally planned. Thanks to all panel members and presenters for their contributions towards this informative workshop.

The fourth annual Peterborough and Area Planners Christmas Social was held in December, at the KAOS Revenue Cinema and Cafe in downtown Peterborough. The event was an excellent start to the festive season. As well, a dinner meeting is to be held in late January.

Finally, the Steering Committee members thank the Central District of OPPI for their on-going support towards our many workshops, sessions and initiatives.

1996 COMMITTEE MEMBERS INCLUDE:

Kevin Duguay, Co-Chair,

Representative, Central District Board of

Management; Peter Josephs, Co-Chair;

Nancy Rutherford; Caroline Kimble;

Dan Kennaley; and Laurie Mennamin.

GTA SUBDISTRICT

POSITIVE RESPONSE TO WORKSHOP ON NEEDS OF WOMEN IN CITIES

By Reggie Modlich

Last fall, a group of public and private sector planners with a variety of specialties and interests gathered to hear Barbara Rahder, York University Environmental Studies, Reggie Modlich, consultant, Abby Bushby, a lawyer and PhD candidate and Melanie Hare, a consultant with BLGDG Ltd..

Following an introductory review of history and issues, the workshop participants took over and developed beneficial planning policies that address ways to make the urban environment a better place. Affordable housing, transportation, the character of street frontages, safety and job issues were addressed. The participants clearly wanted more discussion, and plans are afoot to continue the dialogue.

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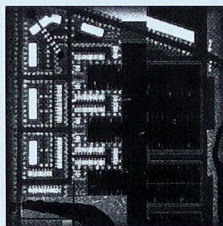
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Lessons in Technology

By David Kriger

Technology is one of the three cornerstones of sustainable transportation, the other two being behavioural change (to reduce resource consumption and pollution) and institutional/fiscal policies to make all this happen.

Rightly or wrongly, many proponents of sustainable transportation are putting a lot of faith in technology, mostly because it is more palatable to drivers to pay for parts such as a catalytic converter, than to use their cars less or pay a similar amount in tolls.

Technology, of course, is not the only answer. But as all three levels of government in Canada adopt sustainable transportation policies and practices, it is instructive to remember that, historically, technological innovation was used mainly as a substitute for labour — to reduce costs and/or increase output.

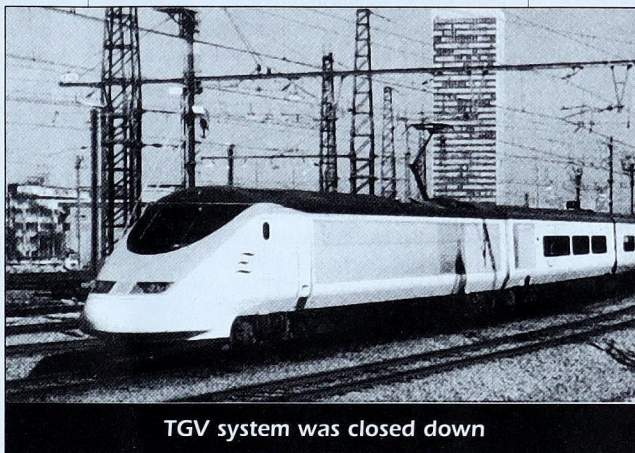
This was hammered home to me last winter, when I happened to land in Lyon, France — in the middle of a crippling public sector strike. France's hi-tech high speed rail network, the TGV, was shut down, so we had to fly to Lyon from Paris, which was at a total standstill. (They say Paris is experienced best on foot — that we did.) Paris was the main pressure point for strikes, so office workers were driving into the city at 4:00 a.m. and leaving at noon, in order to avoid the three-hour traffic jams. Only the motorscooters on the sidewalks were moving.

Our airport bus was approaching downtown Lyon when we were stopped by a 15,000-strong parade of strikers, students and the occasional fire-eater. So we waited. Not quite the sights we had expected to see, but memorable nonetheless.

France has poured billions of francs into the development of its TGV and other public transport infrastructure: high speed airport linkages via TGV, a well-integrated multi-modal public transport system in Paris, a partner in the Eurotunnel. But all this hi-tech razzle dazzle was useless in the face of labour unrest sparked by the railway unions, who were facing significant

reforms to pension and labour rules that were designed for the age of steam. So much for technology.

Consider another extreme, this time closer to home: The Lindenwold rapid



TGV system was closed down

transit line links suburban New Jersey with downtown Philadelphia across the Delaware River. The line is automated — no drivers or ticket sellers. It was considered a technological wonder when it first opened in the late 1960s. The Lindenwold line was developed by the owners of the toll bridges across the Delaware River, for which they had an exclusive franchise, and funded entirely from toll revenues. Almost all other rapid transit investments relied on federal grants

and, accordingly, were required to adhere to federal labour laws. So Lindenwold broke no laws when its owners shut down a parallel bus service, and most of the jobs that went with it, just before the rapid transit line opened. So much for labour.

The optimum blend of labour and technology, of course, lies somewhere between the two extremes. The point is that we have not really sorted out how people will behave in the face of new technology — that seems to be true of both the users and the people who operate transportation services. Do not construe this as a labour/management issue. What is important is that, as planners, we need to recognize that the technology, behaviour and institutional

cornerstones fit together differently in each situation. We should be prepared to be flexible in developing sustainable transport goals, and to use our consensus-building skills to help make it work.

David Kriger, MCIP, RPP is the Journal's contributing editor on transportation. He is a consultant with Delcan Corporation in Ottawa.

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New Urbanism in Virtual Reality

By Douglas Snow and David Goodfellow

Last fall, the University of Waterloo's 4th year Urban Design class undertook a 3-D computer visualization study of a proposed New Urbanism subdivision on the west side of Waterloo. We used cutting edge technology to study and present some new concepts in subdivision development. The final product was a dynamic interactive virtual reality computer simulation.

The first phase involved extrapolating a terrain model from a computer generated survey map (AutoCAD) of contour lines. The final terrain model was constructed, graded and rendered using a high end 3-D modelling application called FormZ.

In the next phase we decided how to arrange the built form within the bound-

aries of the site through a class design charrette where decisions regarding road placement, subdivision design, community focal points and building styles were made.

In phase three, the houses and commercial buildings were designed and rendered using the 3-D application Strata StudioPro. The neighbourhoods were designed block by block and then rendered together with the graded terrain.

The final phase used an exciting new technology from Apple known as Quick Time VR (QTVR) which enabled us to create navigable 360 degree views of our model in a real world context. Careful registration of virtual space to real space then allowed for the 3-D computer data to be composited onto the QTVR photographs in Adobe PhotoShop, allowing

the proposed built form to be viewed from within the site, in any direction.

Although the complexity of this process is too extensive to describe in detail in this article, it was our intent to share one of the exciting, innovative design projects that we are undertaking at the University of Waterloo's School of Urban and Regional Planning. Watch for this project on our web site at <http://www.fes.uwaterloo.ca/Departments/Plan/HL/plan0.html>.

Douglas Snow and David Goodfellow are students at Waterloo's School of Urban and Regional Planning. Doug can be reached at dsnou@fes.uwaterloo.ca or 519-885-0000. David can be reached at <http://www.golden.net/~dgoodfellow> or 519-884-1168.

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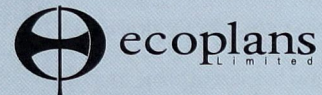
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The Pendulum Swings Back

THE RESTRUCTURING OF ONTARIO'S CONSERVATION AUTHORITIES

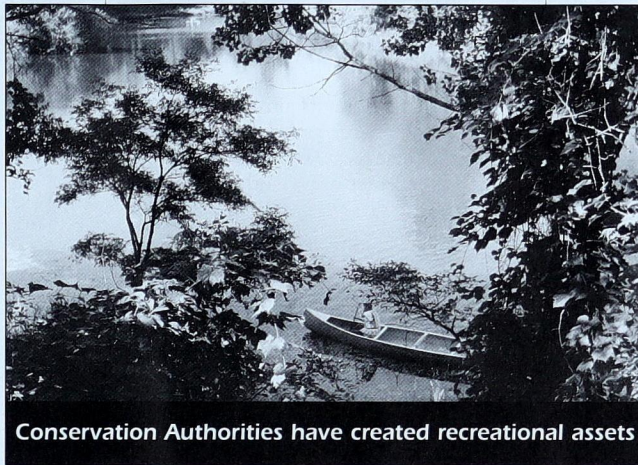
By Al Ruggero and James E. Stiver



Over the past 50 years, Ontario has shown a commitment to the protection and preservation of Ontario's natural resources, in part by creating and supporting 38 Conservation Authorities across the province. Coupled with a variety of initiatives such as the creation of the Niagara Escarpment Commission, Ontario Clean Water Agency, and programs such as Blue Box recycling, this represents a consistent and continuous swing of the pendulum towards environmental protection and conservation. Conservation authorities, mandated to manage the conservation of watersheds and natural resources, have provided the citizens of Ontario with cleaner watersheds, preserved significant wildlife lands, restricted development in flood plains and provided low-cost outdoor recreation opportunities. Until the recent budget cuts, the cost of provincial funding for all 38 authorities amounted to only \$3.00 per capita per annum.

Funding has been steadily reduced in recent years, however, from \$34 million in 1991 to \$10 million in 1997. Of this reduced sum, \$2 million will be used to pay municipal taxes on "Provincially Significant" lands. The balance is slated strictly for operation and maintenance of flood control features. The cut in funding,

combined with the restrictions on funds can be spent, places a tremendous burden on the ability of conservation authorities to function. As the province tries to redress the balance its economic and environmental priorities, it appears that the pendulum has begun to swing away in dramatic fashion from the conservation and preservation of



Conservation Authorities have created recreational assets

the natural environment.

Although some within the development industry may see these cutbacks as long overdue, and look forward to the perceived relaxation of environmental restrictions on what can be considered 'developable' lands, many others have learned to work well with the conservation authorities and do not relish the radical changes that may result.

Much of the land managed by conservation authorities holdings has come from donated lands or table lands identified as floodplain or hazard lands. In addition to protecting the public (by avoiding construction in areas subject to flooding), much of this property has been put to good use with the establishment of education and interpretative programs, or regenerated through plantings and other initiatives. These lands have been preserved for the public's benefit under the mantle of 'conservation,' but under closer scrutiny (and subject to less exacting criteria) may be considered suitable for development.

CHANGING PARTNERS

After facing their share of provincial cutbacks, the ministries of Natural Resources, Environment and Energy, and Agriculture and Food have delegated much of their plan review and commenting responsibilities to the regional, county and municipal levels. Now that these lower tier agencies are responsible for protecting the environment, they must either hire additional staff or seek advice elsewhere. In response to this, the Metro Toronto and Region Conservation Authority (MTRCA) and other authorities across the province have proposed to provide advice to the municipalities in matters formerly dealt with

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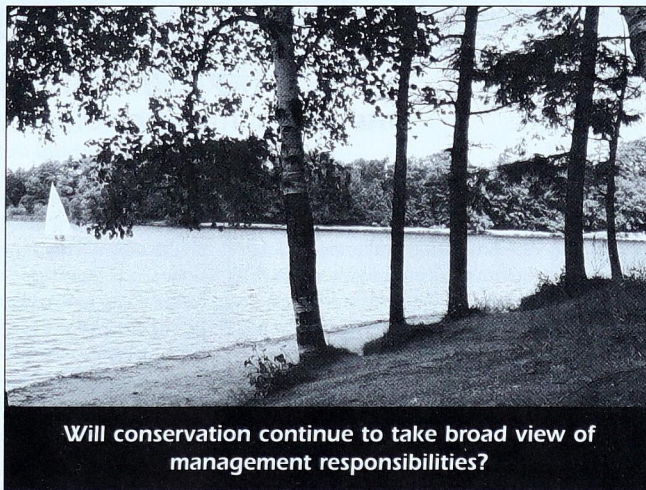
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by provincial staff. Conservation authorities are well equipped to handle this type of review because they have the technical skills and access to relevant information; they are politically accountable; their jurisdictions are watershed based (not based on political boundaries); and, they have a watershed management mandate.

The MTRCA, the largest authority in the province, is working to find new partners in conservation for funding. The Conservation Foundation, the authority's fund raising arm, works to supplement some of the shortfall of provincial funding through private donations. The MTRCA is also working with municipalities within its jurisdiction to develop appropriate user fees for a range of programs. Some are already in place. The five Conservation Authorities within



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Durham Region are looking for opportunities to share resources and expertise in order to provide a consistent level of service, particularly in their plan input and review roles. This will not only improve service but may benefit the developers and their consultants by speeding up review times and by reducing inconsistencies in the interpretation of policies and delivery standards.

Some of the smaller authorities, without the assessment base within their boundaries to support their programs, must look at amalgamation with adjacent authorities, or face elimination. Several have already negotiated agreements. However, this poses the dilemma of who will sit on the amalgamated boards. One proposed solution would

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see the consolidation of staff within a single office, while the original boards continue to meet on behalf of their particular watershed district, bringing local issues to the amalgamated Board. This already occurs in parts of eastern Ontario.

Many authorities are selling off excess lands to reduce land holdings and to reduce their municipal tax burden. These tend to be table lands and other lands suitable for development that have been held for many years. Although this will provide productive uses for essentially vacant and underutilized lands, much within urbanized areas across Ontario, it is not necessarily the answer to the funding problems of the authorities, which are restricted by provincial legislation in terms of how the funds from the sale of these lands can be used, such as maintaining and operating flood control structures. This reflects the province's shift towards a more narrow interpretation of the role of conservation authorities. Floodplain and public conservation area lands will remain

under semi-governmental control and restricted to development for obvious reasons.

CONCLUSIONS: THE NEW REALITY

Ontario's conservation authorities are faced with providing a suitable review service to the development industry. In fact, both the public and private sectors have come to rely on their expertise. Local, county and regional governments do not typically have the expertise to deal with watershed issues. Furthermore, their own budgets have been dramatically cut, thereby reducing their ability to expand and/or spend reduced funding on new staff. The level of experience, impartiality and the watershed focus of the authorities will continue to be sought by both developers and all levels of government.

With continuous cuts in funding, the conservation authorities will be compelled to forge new partnerships with different lev-

els of government as well as with the private sector. The range of user fees, for example, will likely increase as authorities seek funding alternatives. The approvals process may also benefit from a more streamlined approach. It should also be noted that concerns regarding the relaxation of conservation standards are unfounded, and that conservation authorities will continue to work to regulate and control the watershed systems.

This is a time of drastic change, not only for government but for professionals who must deal with these agencies on different playing fields. As the pendulum of provincial focus continues its swing away from conservation and preservation in terms of financial assistance, and as changes continue to happen, those who are reluctant to adapt will find themselves displaced.

Al Ruggero, MCIP, RPP, PLE and James E. Stiver, BES are consultants in private practice.

Ecological Gifts: new opportunities for protecting the environment as a result of changes to Income Tax Act

Planners usually confine their interest in the Income Tax Act to the annual rituals that need to be performed in the early spring, but an understanding how the federal government's tax policies work can provide a useful edge. Recent changes to the Act have removed disincentives for the donation of land for environmental easements, covenants and servitudes to registered charities and municipal trusts.

Until 1995, if land was donated to the federal or provincial government, a 100 per cent write down was available against the donor's income.


For charities and municipal trusts, however, this was limited to 20 per cent. To make matters worse, the donor was also obliged to pay capital gains.

To rectify this, a number of groups, including the North American Wetlands Conservation Council, have been working with the government.

The result is a new category of philanthropy: ecological gifts. The credit is now available for 100% of the donor's income tax in the year of the gift.

There are also carry forward provisions for five years. A fuller explanation of some of the more arcane provisions of the changes is available from Kenneth W. Cox, Executive Secretary of the NAWCC (Canada), at (613) 228-2601.

Suffice to say that donors of land will no longer have to pay taxes for the privilege of giving land away for the benefit of the environment.



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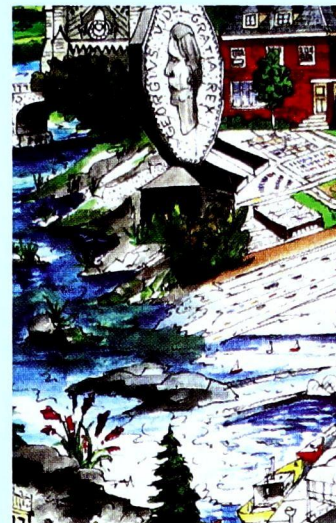
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