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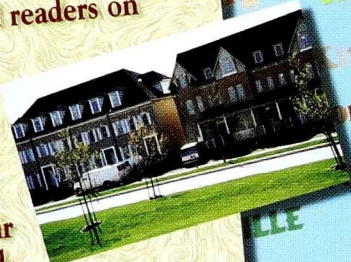
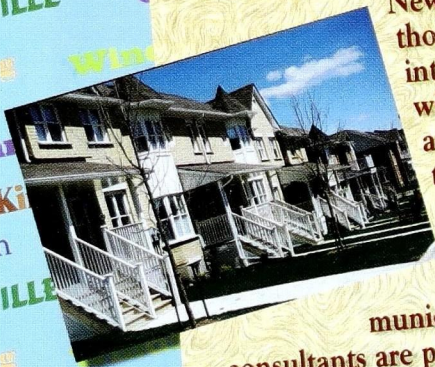
ONTARIO PROFESSIONAL PLANNERS INSTITUTE

A POWERFUL SEQUEL TO MAKING CHOICES...

BREAKING GROUND

"Breaking Ground: An Illustration of Alternative Development Standards in Ontario's New Communities," profiles how those concepts have been put into practice. Breaking Ground will take interested readers on a cross-province tour of ADS projects. You will see how developers, municipalities and their consultants are planning and building compact, pedestrian-friendly neighbourhoods with many of the planning and engineering criteria that include narrower streets or lanes, linked greenspaces, mixed housing types, complementary land uses and pedestrian-scale streetscapes.

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Market Research Consultants Out of Luck

Mississauga takes a bold new tack with retail planning.....p.4

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Part one of Robert Shipley's history of the OMB.....p.8

Understanding the Numbers Game

A review of new legislation by the numbers. Editorial.....p.11

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A Tale of Three Towns Restructuring on Their Own Initiative.....p.19

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Taking Stock of Bill 20

Two different views of the new Planning Act one year after adoption....p.26

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Volume 12, Number 4, 1997

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BREAKING GROUND

A POWERFUL SEQUEL TO MAKING CHOICES

By Bryan Kozman

Entertainment critics are quick to point out the pitfalls of movie or album sequels. More often than not, these later creative endeavours don't capture the uniqueness of the first work, and as such, aren't nearly as marketable. But Ontario's Ministry of Municipal Affairs and Housing hopes to buck that trend. Building on the success of its 1995 publication, "Making Choices: An Alternative Development Standards Guideline," the Ministry is pulling together a portfolio of real-life residential projects from across Ontario which integrate many of the innovative planning and engineering design features highlighted in Making Choices.

Readers of the Journal may be familiar with the Province's policy interest in alternative development standards or ADS, as they are frequently called. Previous editions have contained articles commenting on the release of Making Choices. The intention of that guideline was to outline the range of options available to municipalities for encouraging innovation and diversity in subdivision design, while promoting a range of housing types. The guideline focused on many planning and servicing issues including: the relationship between houses and their streets, street rights-of-way and road design, lot frontages and set-back requirements, sidewalk and utility location, parking, stormwater management and rear lanes.

Making Choices conveyed the philosophy and implementation options behind alternative development standards. The Ministry's new publication, "Breaking Ground: An Illustration of Alternative Development Standards in Ontario's New Communities," profiles how those concepts have been put into practice. Breaking Ground will take interested readers on a cross-province tour of ADS projects. You will see how developers, municipalities and their consultants are planning and building compact, pedestrian-friendly neighbourhoods with many of the planning and engineering criteria that include narrower streets or

lanes, linked greenspaces, mixed housing types, complementary land uses and pedestrian-scale streetscapes.

OTHER ADS PROJECTS UNDERWAY INCLUDE

Somerset Cove in Ajax by Runnymede Developments.

Treetop Lane in Oakville by Glen Orchard Homes.

Orchard Community in Burlington and Westpark in Kanata by Minto Developments Inc.

Please contact the author if you know of other examples.

The goal of the new document is simple - to provide information on the successful application of alternative development standards and outline the challenges and strategies used to achieve those successes. As Dan Leeming of The Planning Partnership, puts it,

"Many consultants face the same challenge confronting builders when marketing a new subdivision to the buying public. It's a lot easier to sell a municipal planner or engineer on the idea of a new design standard if they can see or touch the finished product, albeit in another city. Tools that help us articulate the vision and implementation of ADS make our job easier, so that maybe the next local planning exercise which proposes to integrate these standards moves along more quickly."

Illustrated with photographs and diagrams, Breaking Ground describes the ADS features of the individual projects. These range from the simple integration of narrower road widths, smaller lot sizes and reduced set-back requirements in the Contempes of Chapman Mills subdivision in Nepean, Ontario to the reliance upon a much more comprehensive package of standards associated with the community-scale Villages of Angus Glen project in Markham, Ontario.

The document will also highlight the technical issues which were addressed and processes used to gain approval for the alternative development standards - from the requirements for engineering background studies to the evolution of a municipality's views on ADS to a developer's marketing strategy which relies on innovation in community design. Finally, for each project in the portfolio there will be an outline of the community benefits achieved through ADS, with an emphasis on public safety features, liveability improvements and environmental protection.

The portfolio also takes an in-depth look at particularly innovative engineering or planning design approaches. For example, Breaking Ground discusses the detailed engineering analysis which was required to determine daylighting triangle criteria for the Village of Sherwood in Vaughan, Ontario as well as the comprehensive consultation achieved through several charrettes and open houses during the preparation of the secondary plan for the East Riverside Community in Windsor, Ontario.

The idea behind the new



Ministry publication is long overdue according to planning and development industry members. Says Neal Ritchie, longstanding member of the Ontario Home Builders' Association's Land Development Committee and vice president of the Kingston area's Dacon Corporation, "There's a significant need for information on how ADS projects are turning out and about whether they are meeting community expectations and design objectives. People need to learn how the new planning and servicing standards we see drawn on the pages of urban design guidelines fit with the expectations of municipal staff, politicians and homebuyers." Mr. Ritchie has been involved in developing one of Dacon's projects, Catarauqui North in Kingston Township. Breaking Ground will give readers a



close-up view of the challenges and solutions to making ADS work in new developments and, by so doing, identify potential opportunities for applying alternative development standards in other communities. As a bonus, a number of copies of this new publication will include a CD-ROM containing Making Choices and more detailed technical information and planning/engineering design drawings for the projects included in the portfolio. Copies of Breaking Ground will be available through the Ontario Government Bookstore.

Bryan Kozman is a Senior Policy Advisor in the Housing Development and Buildings Branch with the Ontario Ministry of Municipal Affairs and Housing, as well as project co-ordinator for the Breaking Ground portfolio.

RETAILING

Retail Market Studies: An Alternative Approach

By Anna Ritacca



What is the role of retail market feasibility and impact studies? Can they help determine impact on planned function? Or do they merely add cost and time to the development review process?

Market studies are supposed to provide a clear picture of potential impacts (often detrimental) on existing retail facilities and ensure that the scale of retail proposals does not exceed what the municipality can support. The Ontario Municipal Board has clearly stated that its review of commercial proposals will focus on issues of "good planning," not market competition. However, good planning and competition may overlap if the impact on a municipality's planned function would lead to urban blight or compromise the public interest.

THE REACTIVE APPROACH

Until recently, the City of Mississauga required market feasibility and impact studies as part of proposals for new retail developments or expansions. The review of such applications required an in-house market residual and impact analysis, and a review of the proposal within the context of applicable retail strategies.

Mississauga took its lead from the Ontario Municipal Board, by stating that the focus of these studies was on issues of impact on planned function. However, such impact can be difficult to measure, for many of the following reasons:

- 1) Determining impact requires data such as sales revenue, lease terms, operating costs, and rents of competing facilities—infor-

mation that is confidential and often unavailable for review. Furthermore, actual sales indicate a retailer's ability to meet consumer demands better than its competition, implying that profits and revenues are often a reflection of differences in management and marketing styles. Therefore, impact on planned function is difficult to quantify from a sales-per-square-foot perspective.

- 2) Anchor tenants are essential to the viability and function of centres. If an anchor tenant is at risk, so too is the planned function of the centre. Anchor tenants therefore become the major focus when assessing impact. However, if an anchor tenant closes as a result of market impact, it is often not known if another use providing similar service levels will

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occupy the space. (Editor's Note: In a well publicized case in Montreal, a shopping centre sued Eaton's, which was proposing to close its store, on the grounds that closure would trigger clauses in the leases of ancillary tenants that allowed them to quit the centre in the event that the anchor store left.)

- 3) It is difficult to identify the collective impact of category stores such as Future Shop, Pet Smart, or Winners, which can easily substitute for an anchor tenant. Market studies often analyse these uses individually and not collectively. Also, market studies for development proposals are often reviewed before a complete tenant profile has been established.

In order to refuse or support an application based on the review of a market study, it is necessary to justify the risk to the planned function of competing retail and mixed-use centres.

However, it is difficult to support or refuse a retail development application (or, conversely, easy to support or refuse) based on an impact analysis. The result could be numerous unplanned retail developments throughout the City.

THE PROACTIVE APPROACH

In Mississauga's case, a review of the official plan's Retail and Service Commercial Policies identified the need for better policies on market feasibility and impact studies. The revised policy focuses on strategic retail planning and not simply impact on planned function. Under the new system, retail strategies prepared by the City will help in establishing retail policies and reviewing development applications.

These strategies include a review of the potential for additional retail and service commercial uses and include a three-year planning strategy for convenience and neighbourhood level facilities, and a five-year strategy for district and regional facilities. Each strategy will be subject to review every three years.

The retail strategies are not intended to interfere with healthy market competition, but rather to establish strategic retail planning guidelines. They include both quantitative and qualitative market evaluations. The quantitative assessment will evaluate market opportunity based on a supply-and-demand analysis. The qualitative assessment will address issues such as demographic and

socioeconomic profiles along with any changes in retailing trends (thus new retail forms or types will be considered).

The strategies will also address "problem" retail commercial areas and recommend specific uses or other catalysts to encourage revitalization. In addition, the three-year review period will allow the strategies to remain current in an industry which is constantly changing. This represents a proactive



Big box to be integrated into retail strategy?

approach in determining amount, type, and location of retail uses, while providing a planning context for the review of district policies and retail development proposals.

Mississauga's new process for the review of commercial development proposals includes the following steps:

- 1) Proposals will first be reviewed from a land use standpoint. If the proposal does not have merit, further review regarding market issues will not be undertaken.
- 2) If the proposal has merit from a land use standpoint, then the application will be reviewed within the context of the retail strategy for that study area. This will determine if the proposal is suitable from a macro market level and from a strategic planning standpoint.

- 3) An inhouse site-specific market analysis will be conducted which focuses on general market opportunity and service levels, but not market impact. However, a market study prepared by the applicant may be required in areas without a current retail strategy, or in special cases (for example, where a large-scale facility such as a regional mall is involved).

This approach will, in most cases, make it unnecessary for applicants to submit market feasibility and impact studies in support of an application.

In Mississauga's experience, market feasibility and impact studies submitted by the proponent of a retail development have added time and cost to developments, and have generally proven to be ineffective. Municipalities should be concerned with issues of long-range strategic planning, including location, market opportunity, and service levels. The evaluation of development proposals in

the context of retail strategies is a proactive way to maintain retail planned function and healthy market competition.

Anna Ritacca is currently freelancing in commercial planning, research and analysis. She was formerly a Policy Planner with the City of Mississauga where she specialized in strategic retail planning and market analysis. She can be reached at (416) 631-6816.

Readers with ideas for articles relating to commercial matters are invited to contact Brenton Toderian at (519) 576-3650. Brenton is the Journal's contributing editor on retail and commercial issues. He is a senior planner with MHBC in Kitchener, Ontario.



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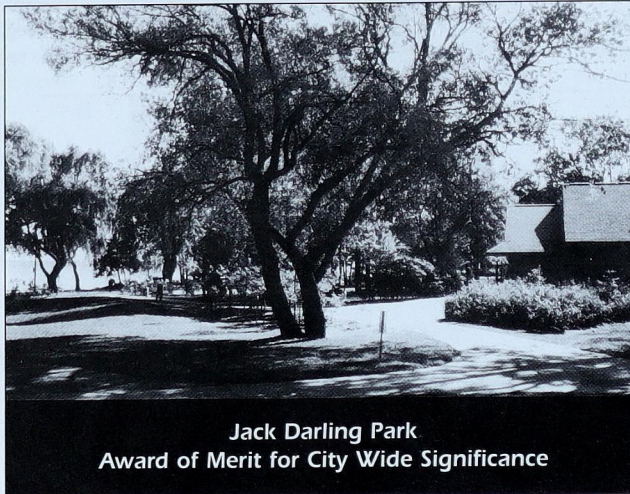
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Mississauga Chalks Up 15th Year of Urban Design Awards

By David Harrold

By their nature, design award competitions generate debate about what represents good design and the role played in the community at large. From one perspective, the competition should simply award quality in architecture as noteworthy departures from the norm. Another view is that the awards should serve as a learning process to illustrate core principles of good city building. Having sat through hours of invigorating jury debate, there is no doubt that the Mississauga event meets both these tests.

This year the City received 27



Jack Darling Park
Award of Merit for City Wide Significance

nominations. As usual, the criteria covered city wide and community scale, innovation, context and execution. Jury members included the president of the OALA, David Anselmi; Bridgette Shim, a professor at the U of T School of Architecture; Thomas Mokrzycki, commissioner of planning and building; and Councillor Pat Saito from Ward 9. Six projects received awards.

AWARD OF MERIT FOR ARCHITECTURAL COMPOSITION AND EXECUTION

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by Shore Tilbe Irwin & Partners. Located in Sheridan Research Park, the Inco addition provides a seamless connection to an existing building, and in the larger context, enhances the style and character of the park. The addition succeeds in providing a stronger profile and entry forecourt for the facility while creating a distinctive image for Inco.

AWARD OF MERIT FOR CITY WIDE SIGNIFICANCE

Jack Darling Park on the Lakeshore was designed by JSW Associates. Its understated design respects both its waterfront context and managed to establish new features. The park provides new community amenities with a sense of connection to the regional waterfront trail and the abutting neighbourhoods. The building materials are visually appealing and functional.

AWARD OF MERIT FOR CONTEXT

The Snug Harbour Restaurant designed by William R. Hicks was recognized as a model for waterfront commercial development. Located in Port Credit, the building provides welcome animation to the public space's of the water's edge but is active on all sides. The distinctive roof form provides a landmark and festive character to the active locale. The restaurant works well with the abutting public spaces and makes enriches the experience of walking along the water's edge.



**Snug Harbour Restaurant
Award of Merit for Context**

AWARD OF MERIT FOR INNOVATION AND EXECUTION

Fox Den Estates was designed by Anderson + Associates with David Tomlinson & Associates. It was recognized as a welcome departure from the common practice of projecting garages and reversed lot fencing. The project is well detailed and provides an active architectural facade on the street, and makes a contribution to the public realm.

AWARD OF MERIT FOR CONTEXT AND EXECUTION

City Centre Plaza on Hurontario Street in the Mississauga City Centre was designed by Webb Zerafa Menkes Housden Partnership with Milus Bollenbergho Topps Watchorn. This is a large corporate office building that provides an excellent sense of entry to the City Centre, and defines the

intersection well. Its most importance entrances are along the street and the building base acknowledges the role of the pedestrian. These features reinforce the growing urban character of the City Centre, with visual reference points, framed intersections and pedestrian amenities.

AWARD OF MERIT FOR INNOVATION

Also located in the City Centre, the Playdium is the first of several entertainment projects planned for the core. Designed by KPMB with Forrec Ltd./Moorhead Associates, the Playdium uses colour creatively,

and projecting architectural features and angular roof elements express "the big box" in a light-hearted fashion. The project incorporates large scale highway art to acknowledge the abutting Highway 403 but still manages to provide clear connections to the urban intersections to the south. Signage reinforces this image with strong form and cartoon-like image. The conventions of corporate architecture are broken to the benefit of the City Centre.

David Harrold is a senior urban designer with the Planning and Building Department at the City of Mississauga. He can be reached at <david.harold@city.mississauga.on.ca>

Ron Sandrin-Litt is a consultant based in Toronto who coordinates articles on urban design for the Journal. His most recent article was in the 10th anniversary issue last year on the importance of recognizing the contribution of cultural issues in planning.



**Fox Den Estates
Award of Merit for Innovation and Execution**



**City Centre Plaza
Award of Merit for Context and Execution**

A Manner Less Rigid: One Hundred Years of the Ontario Municipal Board

By Robert Shipley



he following is the first of three articles on the history and development of the

Ontario Municipal Board, from a history commissioned by the OMB as part of their celebration of 100 years of service.

On April 13, 1897, as war loomed in the Balkans and Ontario debated the question of prohibiting alcohol, the position of Municipal Auditor was established by statute. The auditor was to be paid \$1,500 annually and allowed \$600 expenses to travel the province inspecting municipal and school board ledgers and setting up standards of good accounting. The position of Municipal Auditor led to the foundation of one of Ontario's most influential institutions, the Ontario Municipal Board.

At the time, the Province was mired in debates over a multitude of municipal dilemmas, since the only way to deal with local matters legally was through private bills in the Provincial Legislature. There was a bill to regulate the width of sleigh runners in one town and a bill to require the plugging of unused wells in another—as well as a bill to regulate the shape of the plugs. Many review and adjudicative functions had to be moved out of the legislature and into the hands of independent administrative bodies.

The Provincial Municipal Auditor had



OMB chairs hung in effigy in 1909

been designated to carry out some detailed functions of the type that would later fall to the OMB. The auditor could hold hearings and call sworn witnesses. However, in May 1906 an actual tribunal—the Ontario Railway and Municipal Board—was created. The Board was to adjudicate disputes by interpreting regulations, applying provincial and local policy and, in some cases, making policy expedient to the situation.

From 1906 until today there has been an extraordinary continuity in the nature, form and operation of the Board. Consider, for example, the schedule of James Leitch, the first chairman of the Railway and Municipal Board. Two weeks after the passage of the Bill establishing the Board had been given Royal Assent, Leitch's journal notes: "Arrived in Toronto." The following day: "Engaged in drafting rules." One month

later, he held his first hearing in Belleville. He worked until Christmas Eve, with a few days off at Thanksgiving, visiting Stratford, Hamilton and Fort William among other places, and was back in the office the day after Christmas. Such a work load would sound very familiar to many Board Members who serve today.

The first chairs of the Board were lawyers. They established the court-like tenor of Board hearings. Standard rules of evidence were followed and many of these still prevail. The Board heard and ruled on questions of both law and fact. It was given the power to compel witnesses to testify. This power was challenged unsuccessfully in 1961 when the courts ruled

CHAIRS OF THE RAILWAY AND MUNICIPAL BOARD AND THE ONTARIO MUNICIPAL BOARD

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D.M. McIntyre, KC, 1912-27
C.R. McKeown, 1927-35
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against a city council that was unwilling to allow its chief planner to be examined.

The judicial tone of its hearings, however, can be moderated. While the Board operated within the "adversarial system" characteristic of the British legal tradition, the parties before it are often unrepresented, and members hearing cases intervene on behalf of citizens when they feel that the cut-and-thrust of lawyers is too intimidating. This less formal demeanour of the Board is enshrined in legal precedent. In 1959, the Supreme Court of Ontario ruled that in the bill establishing the OMB the Legislature had, "made clear its intention that proceedings before Board should be conducted in a manner less rigid and less formal than proceedings are conducted before the established Courts of Law." In recent years the Board has also added mediation and consensus styles of dispute resolution to its procedures.

GROWTH OF MUNICIPAL POWERS IN ONTARIO AND EVOLUTION OF THE OMB

- 1792: Province of Upper Canada formed. Local powers were exercised through the appointed magistrates of the Court of Quarter Sessions of Peace.
- 1841: District Councils formed. Beginning of upper tier governments.
- 1849: Baldwin Municipal Act. Counties formed with boundaries much as we know them today (or as we knew them until the past few months!).
- 1859: Municipal Institutions Act. Beginning of local self-government.
- 1867: Canadian Confederation.
- 1897: Provincial Municipal Auditor appointed.
- 1906: Ontario Railways and Municipal Board created.
- 1912: First City and Subdivision Planning Act.
- 1917: Municipal Affairs Act. Bureau (later Department) of Municipal Affairs formed.
- 1932: Ontario Municipal Board Act, The Railway Board renamed and given additional responsibilities.
- 1946: Planning Act updated.
- 1953: Metro Toronto formed.
- c1973: Formation of several regional municipal governments.
- 1982: McRuer and McBeth Reports. Some changes in the functioning of the OMB.
- 1983: Consolidated Hearings Act. OMB able to conduct joint hearing with other tribunals such as the Environmental Assessment Boards.
- 1976, 1983, 1993, 1996: Planning Act revised.



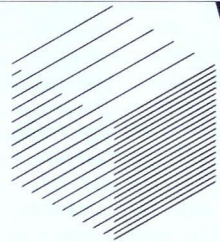
NOT SO FAST DAMMIT NOT SO FAST!

OMB's role in Spadina Expressway inspired cartoonists

There is one thing, perhaps more than any other, that underlines the consistency of the workings of the OMB. Today, Board Members hearing cases keep notes and record decisions in "bench books" that are about an inch thick and a foot high. This style of book has been used ever since James Leitch opened his in Belleville in the spring of 1906 and began to write with his fountain pen.

At the same time, this attachment to tradition has meant that the OMB has been slow to introduce needed change. The first woman, Marie (later Justice) Corbett was appointed to the Board in 1975 and the first woman chair, Helen Cooper, in 1993. Former Board Member and Chair, Henry Stewart, has also observed that typewriters enjoyed a long stay in the OMB offices after most other places had embraced word processors.

Robert Shipley, MA, MCIP, RPP recently completed his PhD. at the University of Waterloo. In addition to teaching, he is a consultant and author.



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Making a Presentation? Watch Out for Scribblers!

By Philippa Campsie



h, summer. Season of sun and warmth and...conferences. Like many people, I find myself spending part of my summers in windowless, over-air-conditioned rooms in hotels, listening to people talk from lecterns. I sit in the dark while people fumble around with slide projectors. I endure the feedback from microphones. I try to appear interested when three out of four speakers start their presentations with the immortal line: "We live in a time of unprecedented change."

When my interest flags completely, I watch the audience. At a recent conference, I learned something useful by doing just that.

The speaker was an economist. He read his paper in a monotone: "Market equilibrium...blah blah blah...Pareto optimality...blah blah blah...allocation of resources..." It had obviously never occurred to the fellow that written text on a fairly academic subject is simply too dense for most people to digest in the form of a spoken presentation.

Five minutes into the presentation the man on one side of me stood up abruptly, knocking over a coffee cup, and headed for the door. The man on the other side of me was drawing elaborate imaginary landscapes all over his notepad. The other members of

the audience drooped in their chairs. Since the speaker never lifted his eyes from his paper, there was no need to try to appear interested for politeness' sake. I yawned.

Suddenly, the speaker interrupted himself. He looked up and said, "In fact, on this point, I would disagree with Andrew Coyne in the Globe and Mail, who said..." Not, in itself, an astonishing phrase, but the effect was electrifying. The audience straightened up. Suddenly he was talking to us. He was

being topical. He was using ordinary language. He was speaking more slowly and gesturing with his hands to make a point. We listened with rapt attention to a banal observation for about three minutes. Then the

speaker apologized for straying from his text, lowered his eyes, and returned to reading his paper. The audience slumped.

I was so fascinated by this little interlude that I started to watch the audience more closely. Although most of them were listening passively, clearly with only part of their minds, certain comments evoked a reaction, because from time to time, one of the listeners would sit up and scribble furiously for a few minutes before subsiding into passivity again.

When the speaker stopped and asked for

questions, I noticed that the scribblers all put up their hands. They did not ask questions, but treated the economist to a micro-lecture in rebuttal of some minor point in his presentation.

It became clear that the scribblers had let the speech wash over them until the speaker strayed into a topic on which they held some strong opinion. At that point, the scribblers stopped listening and started work on the case for the prosecution.

I have seen the same phenomenon in planning presentations. Unless the speaker is particularly compelling, committee or Council members may give only a small part of their attention to the presentation until suddenly they hear a key phrase that triggers a reaction, usually negative. At that point they may stop listening entirely and start planning their opposition strategy.

Sometimes hear planners talk about "burying the bad news." Some of them may think that by keeping their presentations very low-key (i.e., dull), a controversial issue can be mentioned without it creating a knee-jerk reaction. It seems to me that this is the worst possible approach to take. In the context of a dull presentation, chances are that the only thing people will hear will be the one issue that will generate opposition to what may otherwise be a worthwhile proposal.

All the good planning arguments in the world may be wasted if you lose the listeners' attention. Presentation skills matter.

There are probably as many ways to make an effective presentation as there are good presenters. If an economist can make an audience sit up simply by looking at them and mentioning the Globe and Mail, then almost anyone can hold an audience long enough to make an impression. The number of ways to turn an audience off is, however, limited. Reading a speech is one. Using technical language to non-experts is another. Not looking at the audience is a third.

If you look at the audience, at least you'll be able to see who is scribbling furiously. This may prepare you for what you will face when question time comes.

Philippa Campsie is deputy editor of the Journal. She teaches "Plain Language for Planners" through the OPPI.

In the context of a dull presentation, chances are that the only thing people will hear will be the one issue that will generate opposition to what may otherwise be a worthwhile proposal.



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f the onslaught of new Provincial legislation affecting planning, municipalities and the environment has left your head spinning, you're not alone. Here is a brief review of current legislative initiatives and recent announcements made by the Ontario Government.

BELT-TIGHTENING

The over riding theme is that there will be less money for municipalities and more responsibilities. There will be no more operating grants from the province to municipalities (except in special circumstances). This will force municipalities to rethink the way that they govern themselves.

We are already seeing a wide variety of changes in the way municipalities do business, including amalgamations and annexations, inter-municipal agreements, the reorganization of departments into functional areas, contracting out, cross-training of staff, and the greater use of performance indicators and benchmarking as municipalities struggle to cope with new responsibilities.

BILL 26 OMNIBUS BILL

The main impact on municipalities was to permit local restructuring initiatives in jurisdictions that do not have regional governments. Municipalities in counties and single-tier municipalities may adopt plans for amalgamations, annexations, or the dissolution of counties and the setting up of boards to handle county responsibilities. If the proposal has the necessary local support and it meets the terms of the regulations and the Act, the Minister must implement the new municipal arrangements. It is projected that the number of municipalities in Ontario will have fallen from 835 to 635 by the November municipal elections.

This Bill also allows the Minister to appoint a commissioner when requested by a municipality to decisions on appropriate municipal restructuring in an area where local efforts have fallen through. The decisions of a commissioner must be implemented by the Minister. Chatham and the municipalities in Kent County have been amalgamated into one municipality through the commission process.

Al Leach, Minister of Municipal Affairs and Housing, announced last December that similar restructuring legislation would be coming this year for municipalities in regions. This legislation might permit regions to dissolve themselves, as well as amalgamations and changes in responsibilities between the region and the local municipalities.

BILL 103 THE NEW CITY OF TORONTO ACT

This is probably the best known bill, passed in April to create the

**Understanding the Numbers Game:
A Brief Review of Bills and other Provincial Initiatives**

so-called Megacity, that amalgamates the six area municipalities in Metro Toronto and Metro into the new City of Toronto.

BILL 104 FEWER SCHOOL BOARDS ACT

Recent government announcements are that schools will be funded half out of income taxes and half from property taxes with municipalities taxing at a uniform rate prescribed by the province. The property taxes will be collected by the Province and

school boards will be funded using a system of grants per pupil. It is widely expected that the government will try to save \$1 billion a year out of the school system. Will municipalities have any incentive to plan for joint school and community use of school facilities? How will new school buildings be funded? An Educational Development Charges Act is in process.

If all spending is to be in classroom what does this mean in terms of other service providers to children. Will social work, psychological services, and speech therapy services be expanded to pick up the slack? What will the role of municipalities be, if any?

BILL 20 AND RELATED MATTERS

A distant relation to Bill 20 is the issue of Development Permits. This is an alternative to zoning that allows municipal planners considerable discretion in interpretation of what is permitted in an area and what is not. This has not received much attention but potentially opens the door to a new way to deal with land use.

The Province has been handing over responsibility for review of technical aspects of planning applications through a process called Municipal Plan Review to municipalities that have planning approval powers. This means that municipalities now must perform the review that used to be carried out by the Ministry of Environment and Energy or the Ministry of Natural Resources. At the same time staff in these ministries has been dramatically cut so that in many areas there is very little advice available to municipalities embarking on this new review process.

Municipalities are responding to the need for review in different ways: in some cases staff can do the review, with or without additional training, some conservation authorities are now contracting with municipalities to provide review services, some are using consultants to carry out peer review of consultant studies, others accept certain types of study with the appropriate professional stamp without further review.

In cases where the Ministry of Municipal Affairs and Housing is the approval authority this ministry is now the only one that receives the application for review, provides comments and later in the process decides whether to launch an appeal to the OMB. This 'one-window' approach assumes that provincial decisions will be made by MMAH, and that MMAH will only get assistance from other ministries when it is specifically required.

The province has put out a discussion paper that proposes exempting most or all municipalities from upper-tier or provincial approval of applications or official plans. If this proposal is adopted the only route that will then be left for the province to enforce the Provincial Policy Statement will be through an appeal to the

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OMB. Regional governments will have to appeal to the OMB to enforce compliance to either the PPS or the regional official plan.

BILL 98 DEVELOPMENT CHARGES ACT

The upshot of this new legislation is that DCs may only be used to fund growth-related projects. Facilities used by the entire municipality may not be included. The Province backed down on a requirement that would have seen municipalities contributing 10% of the cost of hard services. Costs for soft services such as transit and arenas must be discounted by 10%. As noted above educational facilities will be dealt with separately under additional legislation.

BILL 106 FAIR MUNICIPAL FINANCES ACT

In any other year, this Bill would have been the focus of considerable interest. This will introduce Actual Value Assessment. The changes are fundamental and are too complex to be summarized in a few words. Residential areas with high values will be hit hard and redistribution

among classes of assessment will occur, shifting the balance between Class A office space, other commercial properties and industrial properties in prime locations. Among the lesser talked about impacts is that Business Taxes will disappear. Analysts feel this will hit small business most because realty taxes will have to be adjusted upwards to compensate for the lost revenue.

Space does not permit inclusion of other initiatives such as introduction of the Greater Toronto Services Board (more next issue), Bill 96 The Tenant Protection Act, and initiatives dealing with downloading of social housing and welfare, hospital closings, policing, contaminated soils, the Building Code or the impact of changes from the Federal government through agencies such as CMHC, and issues such as ports, airports, financial institutions and telecommunications. The best short term advice in terms of getting up to date information on changes in the world around us is to get on the Internet and comb the sites operated by Ministries whose jurisdiction affects your field of interest.

(This summary was prepared with considerable help from Mary Neumann, MCIP RPP)

LETTERS

JOURNAL PROVIDES IMPETUS FOR PROFESSIONAL INTERACTION

I wanted to let you know how useful the OPPI Journal can often be. I was travelling from Waterloo to Windsor recently to speak to the local branch of the Architectural Conservancy of Ontario. The two articles in the last issue on Windsor allowed me to get up to speed on some of their current issues. During the same week a controversy arose in my own municipality over large retail outlets. Again the article on OMB requirements for economic studies was very useful and I've shown it to a number of interested parties.

Robert Shipley, MCIP, RPP

(Robert Shipley recently earned a PhD in Planning from the University of Waterloo)

ADR COURSE TOP NOTCH

I really appreciated the recent ADR course put on by OPPI with OPF and

SCRO. It is not often that a stand alone course like this one meets expectations. In this case, the opposite was true. I do not recall the last time I found a course simultaneously so rich in information and practical.

First, Janine Higgins was an excellent instructor - not only did she know her stuff cold (from both a theoretical and practical point of view) but for four full days she was able to deliver the substantial course material coherently, peppering her dialogue with meaningful examples, thankfully in an entertaining manner.

Second, although personally I dislike role-playing intensely, I have to admit that I would never have learned so much as I did except through the controlled practice sessions that were an integral part of the course. Both Janine and the coaches were skilled at guiding us in using the role-play exercises to the maximum advantage. Methodically, they worked us through the steps of negotiation and mediation. There were times when each one of us threw our hands in the air in confusion as we struggled to put into practice the principles and techniques we had just been taught. Each time we were patiently and effectively coached through the assignment until we understood how to execute the steps appropriately. It was very rewarding.

The true test of the course came after a four day break between the two parts of Module 1 when each of us were asked whether had an opportunity to put what we had learned to the test in the real world. The anecdotes of course participants demonstrated that many of us had already put our newly found skills to very good use.

This was a worthwhile undertaking, an

excellent investment of time and money and one extremely valuable in these times of scarce resources when the need for effective negotiation and mediation is so high. Congratulations to OPPI for its insight in putting on this program.

Gillian Mason, MCIP, RPP

(Gillian Mason is Director of Programming and Marketing for the Commonwealth Association for Public Administration and Management)

CORRECTION: HERITAGE ARTICLE

Nancy Morand, MCIP, RPP should have been identified as the author of the article, "Strategies for Preserving Walkerville: Ontario's Only Turn of the Century British New Town."

Nancy is a planner with the City of Windsor Planning Department who has been part of the team preparing for the August conference,

"High Stakes Planning." She has been with the City of Windsor since 1975. She recently completed her Masters in Geography/ Planning from the University of Windsor. We apologise for this mistake.



**Nancy Morand
MCIP, RPP**

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A BI-MONTHLY ROUNDUP OF OPPI COUNCIL NEWS AND ACTION

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ARE THERE LIMITS TO A PLANNER'S INDEPENDENCE?

By Valerie Cranmer

A recent ruling of the Commercial Registration Appeal Tribunal, in a case dealing with closure of a cemetery, has raised a question as to whether "in-house" Registered Professional Planners can provide independent professional evidence without there being a perception of bias when lawyers employed by the firm are working on the same case.

The tribunal determined that, although the planner had acquired "proper qualifications and experience in the field of planning generally to enable her to draw inferences and state her opinion in that field" before the tribunal, there was a perception that the "appearance of independence was compromised," since the planner was an employee of the law firm representing a party to the hearing. The planner, who had previously been qualified as an expert witness for OMB hearings, was disqualified as an independent expert witness at the CRA tribunal.

In the case of the municipality involved in the hearing, where evidence presented by the municipal ("in-house") planner had already been accepted, the tribunal indicated that the municipal planner might have been subject to the same ruling if objections regarding the qualifications of other expert witnesses had been made earlier in the proceedings.

This decision could well affect any planners that fall into the category of "in-house planners" who seek to appear before tribunals as independent expert witnesses, particularly if working under the guidance or direction of non-planners. The disqualification in this case appears to have been "tech-

nical" in nature, and has to do with the fundamental differences between lawyers (who have a professional responsibility to act as advocates) versus planners (who have a responsibility to offer independent, objective advice).

The possibility of bias is inherent for all in-house planners, whether they work for a law firm, a municipality, or a consulting firm. The key to overcoming this perception of bias is a wider recognition of, and greater emphasis on, the fundamental role of a planner as an independent advisor.

The first rule of Discipline of the Professional Code of Conduct is:

The member shall assist in maintaining the integrity and competence of the planning profession and specifically: shall provide independent professional judgement to a client or employer.

Since the planner affected by the ruling had clearly not acted in anything but a professional

manner, OPPI is examining this controversial issue and the implications that it has with respect to the appearance of our members before any board or tribunal and the value placed on that evidence.

Valerie Cranmer, MCIP, RPP is the principal of Valerie Cranmer and Associates Ltd.



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ANNUAL REPORT A WINNER

OPPI's 1995-96 Annual Report, created by Thomson Design, recently won an award from the "Conestoga Club of Printing House Craftsmen Showcase" for Best of Category - Annual Report & Business Communications in one or two colours of ink. The 12 page, self-covering Annual Report was designed and printed in our corporate colours, navy blue and cream. Congratulations OPPI and Thomson Design!

PRIVATE SECTOR PROMOTIONS

The First Edition of the Ontario Planning Consultants Directory is underway. The Directory will provide a low cost promotional vehicles for our private sector members. Only firms with OPPI members on staff can advertise in this directory. A brochure describing the directory was mailed in June, but the OPPI office has extras if you need one. For one very low



OPPI's winning annual report

cost, your firm is also be listed on the OPPI website.

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By Gerry Melenka

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If you can't get enough of amalgamation mania, check out this site. Everything you wanted to know about Metro Toronto but were afraid to ask. This site has links to the Canadian Urban Institute, where you can find a summary of the CUI's report on com-

munity councils and neighbourhood committees, the result of worldwide research. Other sites looking at the new city of Toronto include the old (current) City of Toronto. This site is linked to the Metro and CUI sites.

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FACILITATION SKILLS FOR PLANNERS WHO LEAD GROUPS

By Brian Benn

Facilitation has become part of the everyday language of planners. The Latin root of facilitate means "to enable, to make easy." Sounds simple enough; to enable, to make easy - but how does one do this? In the November/December, 1996 edition of the Ontario Planning Journal, I introduced seven of 14 skills that the International Association of Facilitators suggests effective facilitators must have; this article reviews the remaining seven skills.

8. THE ORCHESTRATOR OF THE DRAMA

Groups take time to develop commitment and trust. The facilitator must develop a rapport with the group to begin this process using techniques called "icebreakers" and "openers." These loosen a group up and get them involved in the event. Effective facilitators use humour and personal illustrations, and manage the pace of learning and discussions to enhance the group's level of trust and comfort. It is necessary to be sensitive to the group's needs for a change in the pace or process when the discussions are at a critical point or when the group is struggling.

9. RELEASES THE BLOCKS TO THE PROCESS

The facilitator has creative ways to break through blocks in the process and manage people who are "being difficult." The facilitator recognizes conflict within the group early on and helps people deal with resolving the conflict.

In trying situations, the facilitator is able to bring the difficult decisions back to the group so that it can take responsibility for its own process.

10. ADAPTING TO THE CHANGING SITUATION

Facilitation is like a balancing act on a highwire. Facilitators must be flexible enough to be able to balance the desire to follow a process on the one hand with the results of the process on the other; to meet the needs of individuals within the group and the group as a whole. Facilitators are taught that the process used to arrive at the results is just as important as the results themselves.

11. ASSUMING RESPONSIBILITY FOR THE GROUP JOURNEY

Facilitating a process requires more than using a bag full of icebreakers, openers, and other interesting exercises to entertain and occupy an audience for a day or two. Facilitators must assume their share of responsibility for the process, as well as the overall logistics, the well-being of participants and the workshop outcomes. This assumes a willingness to take on a big load, to take responsibility for every aspect of the program, to deal successfully with ambiguity, to make critical and hard decisions and then to take the consequences of those decisions.

12. PRODUCER OF THE DOCUMENT

Documenting the group's insights, decisions and future direction is important. An effective technique is to involve a workshop recorder who inputs the group's data and decisions while the discussion is in progress. This provides a hard-copy product of the event before the participants leave. The facilitator must have the ability to help a group sort through a diverse set of opinions and decisions, and draw out the common themes and decisions.

13. DEMONSTRATES PROFESSIONALISM, SELF-CONFIDENCE, AND AUTHENTICITY

Like it or not, facilitators are role-models. You must present a professional self-image, be self-confident, and dress appropriately to reflect your desired image. The facilitator must also play a role of a model of authenticity for the group.

Facilitators must know when to step back and let groups appreciate their accomplishments; push forward to challenge groups to make decisions, and maintain a neutral stance when groups look for advice, rather than step in to solve problems the group may be having.

14. MAINTAINS PERSONAL INTEGRITY

Finally, facilitators must know the importance of maintaining personal integrity; and have learned how to internally and authentically process and relate to rejection, hostility and suspicion. Facilitation is a fascinating, unpredictable, and risk-taking business, and realistically, does not always end up "successful" or "according to plan." Facilitators must know how to let go of any personal pain arising from a program, how to learn from each experience, and how to take care of themselves for the sake of the next client.

Facilitation skills are essential for anyone wishing to work collaboratively in groups and organizations. These skills can enhance and focus the knowledge and experience of groups and enable fair and lasting agreements to be achieved.

For information on OPPI's "Planner as Facilitator" course, contact Susan Smith at the OPPI office.

LAND RECORDS NEED YOUR HELP

OPPI member Mark Dorfman recently contacted the OPPI office to advise us that an organization formed to preserve Ontario's land records needs help. APOLROD (Association for the Preservation of Ontario Land Registry Office Documents) was formed in

response to the provincial government's 1996 plan to dispose or disperse all 1868-1955 land records. Their mandate is to work with the heritage community and various Ontario government agencies to safeguard and inventory the documents currently held by Ontario's Land Registry Offices. APOLROD is looking for volunteers

to help them with this inventory. If you are interested in helping with this important work, please contact APOLROD at 905-640-7391, or visit their website at <http://www.globalgenealogy.com/apolrod.htm>.

Don't panic if you are not an expert in this type of work! They have procedures and support in place to assist their volunteers.



EASTERN DISTRICT

HIGH ACTIVITY LEVEL IN EASTERN DISTRICT

By Greg Winters

The Eastern District continues to hold a very successful series of lectures on urban issues, entitled "Urban Forum: Voices for Changing Times". The most recent lecture, "Greening Our Urban Spaces" took place in April and was sponsored by the National Capital Commission. This lecture featured Dr. Andy Kenny of the University of Toronto's Faculty of Forestry, Jody Rosenblatt of Metro Toronto Transportation, and Craig Huff, a regional forester with the Regional Municipality of Ottawa-Carleton. Topics included: how development affects the urban forest; how to maintain our green spaces; recent innovations in aesthetic, eco-

nomi, ecological and safety aspects of roadside vegetation; and a review of major issues impacting the Regional Municipality of Ottawa-Carleton. The next lectures planned for the Fall include, "The Impacts of High Technology on Urban Form: and "Developing Contaminated Sites" to be held on October 29th.

The Eastern District and the University of Waterloo Alumni also recently held a lunch time event with Gardner Church. The topic of the event was the "Evolving structure of local government-Implications for Planners." Mr Church is a former deputy minister with the provincial government currently responsible for disposing of the Seaton lands. He has recently been involved in restructuring initiatives in Kingston and the Ottawa area on behalf of the government.

Gregory Winters is editorial coordinator for Eastern District.

CENTRAL

REPORT ON OPPI CENTRAL DISTRICT EVENT: MORE TIME NEEDED

Also known as the megacity, Toronto's upcoming amalgamation is coming to be called in some quarters the "New City" (or NewCity). On June 24 at the Canadian Bar Association in Toronto, a multidisciplinary panel discussed some of the issues involved. Participants included landscape architect Walter Kehm, lawyer Ian Lord, planner Frank Lewinberg, architect-planner Jack Diamond and politician Alan Tonks, the sixth and last Metro Toronto Chairman and now head of the New City Transition Team. Mr. Diamond was also a member of the GTA Task Force (the Golden Commission) and clearly made the point that amalgamation fails to deal with the most pressing planning (and other) issues, which are region-wide. Mr. Lewinberg expressed perhaps the most intriguing idea of the session, that a non-governmental region-wide planning body, not unlike the

Regional Plan Association of New York in the 1920s and which still thrives, should be created.

Moderator Wendy Nott moved the discussion smartly along, but it became clear to this attendee that the session could well have served as the opener for a day-long (or longer) conference on the issue. However, with the amalgamation bearing down upon us with great speed, it is clear that there just isn't time for such leisurely perusal, as desirable as that might be.

Michael Johnson, MCIP, RPP is a Toronto based planner who is a regular contributor to the Journal.

Obituary

We regret to announce that Abrar Syed, MCIP, RPP (Ret.) has died. Mr Syed was educated in his native India, graduating from Nizam College, Osmania University, Huderbad, with a BSc. in Math. He worked with E.G. Faludi and Associates between 1966 and 1967 before joining the provincial government in 1968. He became a full member of the Institute in 1980, but was forced to leave his position in 1982 following a severe heart attack. He became a retired member



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Student Delegate's Year In Review

By Gerry Melenka, Student Delegate on Council



At the end of my term on Council, I have taken some time to reflect on a number of OPPI events that have taken place over the past year.

JOINING THE INTERNET COMMUNITY

The Institute took a giant leap forward in March, 1996, showcasing its new website. Not only does the site help promote the Institute, it also provides a form of communication to which most university students have free access. Recognizing e-mail as a powerful communications tool, the Student Liaison Committee (SLC) began to send out monthly e-mail newsletters to student members informing them of upcoming events in and around their schools.



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PLANNING ON THE ROCKS

The 1996 OPPI Conference took place in Sudbury with the theme entitled "Planning on the Rocks". How fitting a theme, considering all the downsizing and downloading taking place across this province. This conference was a great opportunity to hear what was happening throughout Ontario. In the end Canadian Astronaut, Roberta Bondar, put everything in perspective by asking us to look at the "big picture."

CAPS... WHAT IS CAPS??

CAPS is an acronym for Canadian Association of Planning Students. Every year a CAPS conference is organised by planning students for planning students. This year's location was Halifax, where I learned that OPPI offers more to its student members than any other affiliate across the country. We are now sharing our ideas and accomplishments with the Atlantic and Western Provinces.

A PARTING WORD

The efforts made by the SLC and myself over the past year focused on communication and involvement with the profession. Whether it is dinner meetings, posters, brochures or even e-mail, we tried to reach out to every student member. As for your involvement in the Institute, the best we can do is inform you of what is happening within the Institute - it is up to you to get involved in activities that can further your professional planning career. And with that I leave you my list of recommendations for getting more involved in the planning com-

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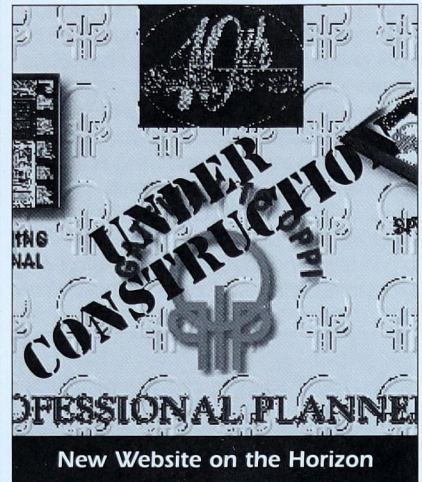
Landscape Architecture

Communications

munity and the Institute:

Attend one or more OPPI-sponsored functions per term. Whether it is a dinner meeting, open house or speaker series.

Get involved within OPPI, join a committee or volunteer your time to help organise an event. The experience and contacts you make can go a long way.



New Website on the Horizon

Make an effort to speak with your school representative and/or your student delegate. Let them know what you would like to see the Institute do for you, the student.

Apply for the yearly graduate and undergraduate scholarship. Why? ... because \$1000 can buy quite a few chicken wings!!

For all of you continuing your studies, keep at the books and for those heading into the workforce, best wishes.

MEET YOUR NEW STUDENT DELEGATE

Megan Wood, a student at the University of Waterloo's School of Urban and Regional Planning, recently won the election for Student Delegate to Council. Megan's one year term began on June 20th. Watch for an article by Megan in the next issue of the Journal

Gerry Melenka played a key role in the development of OPPI's internet presence. He is entering his final year at Waterloo and is currently working with Compusearch in Toronto.

Local Restructuring Leading to New Towns

By Ian MacNaughton and Brenton Toderian

In the shadow of the province's "Megacity" amalgamation, smaller municipalities across Ontario are quietly discussing opportunities for local restructuring.

In Bruce County, the Township of Arran and the Village of Tara are discussing amalgamation. So are the Township of Bruce and the Village of Tiverton. In Wellington County, the Village and Township of Erin have received County approval for amalgamation, and several other Wellington municipalities have restructuring talks under way. In Frontenac the amalgamation of the City of Kingston with its rural neighbours, the Townships of Pittsburgh and Kingston, is nearly complete and the new City of Kingston is expected to come into existence on January 1, 1998.

Wherever you live, chances are your local Council is talking to its neighbours about shared services and boundaries. Before you know it, your current Ontario maps may be obsolete.

The County of Perth has not only been considering the amalgamation of local municipalities within its borders, but also rethinking the division of responsibilities between the County and local levels since 1996. Even before the County started such talks, the northern Perth municipalities of Listowel, Elma and Wallace had been considering restructuring.

The province's actions turned casual discussions into rapid negotiations: how could the municipalities weather the storm of "Mega Week" announcements and come away a strong and sustainable political unit? Amalgamation talks began.

The local councils and the three clerk-administrators took the lead in these discussions and retained Ian MacNaughton of MacNaughton Hermsen Britton Clarkson Planning Limited to act as facilitator. The county hired Bill Thomson, the former Commissioner of Planning for Waterloo Region, to facilitate the discussions.

From the beginning, the intent was to establish a shared picture of the future for the three municipalities, recognizing that they represented a unified community of interest that could work together to

address provincial restructuring as well as social, economic and technological change.

The concept of "communities of interest" is a cornerstone of any restructuring discussions. In Listowel/Elma/Wallace, the three represented a community in numerous ways, including the provision of hospital facilities, retailing, community services, education, recreation and other services.

The first challenge was the tight time-frame established by provincial requirements. The facilitator was retained in February 1997. The recommendations had to be adopted by the three Councils, accepted by the County Council, and approved by the Province before June in order to have the new structure approved in time for the November municipal elections. The new municipality would be in

place for January 1, 1998. No one could afford a deadline.

An initial Tri-Council visioning session produced a list of principles for good government; the major sources of pride in the local area that needed to be maintained; the challenges facing the three municipalities; and six goals to be achieved through the process. Many of the issues discussed related to traditional planning matters, including ongoing friction on the urban-rural fringe, economic development in the urban and agricultural areas, the need to protect prime farmland, and the viability of farming operations.

Other important principles related to the removal of service duplication, and the ability to meet the needs of constituents while avoiding tax increases and user fees if possible. The term "the most bang for

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the taxpayers' buck" was popular with the three municipal Councils.

Unlike many other amalgamation discussions, the issue of cost savings was not the driving force for the process. The municipalities were more concerned with providing services efficiently and strengthening cooperation between the urban and rural areas. The municipalities also wanted to have a strong voice in a restructured County system, and to respond to the

"Mega Week" announcements.

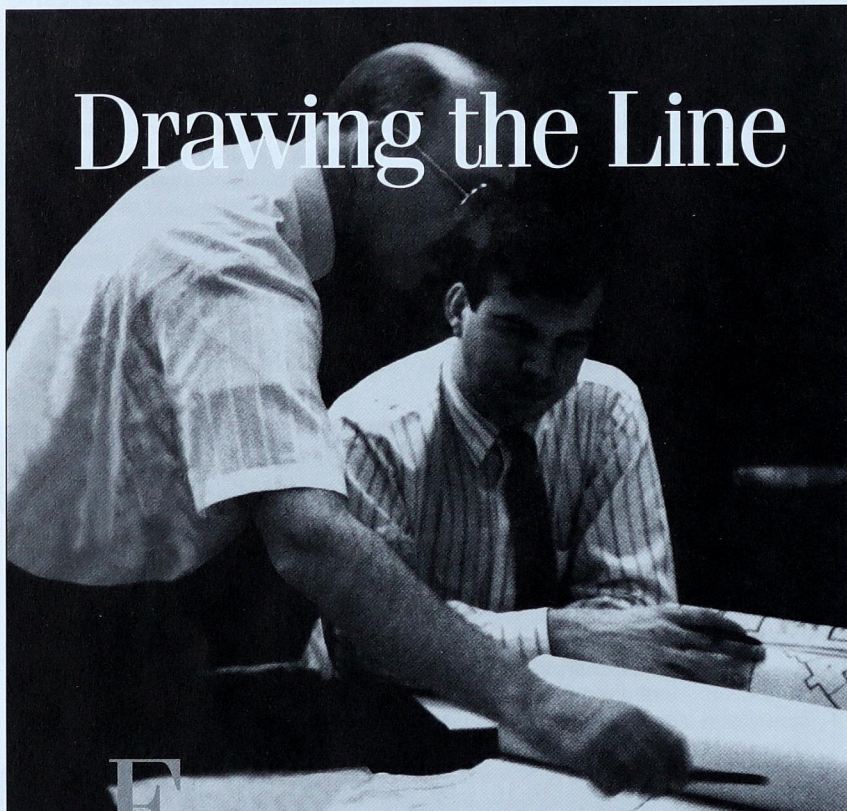
Throughout the process the facilitator worked closely with the three clerk-administrators to keep the process on track and address disputes. At times it appeared that they would not be able to meet the deadline or that one party might pull out of the discussions. Listowel and Elma showed strong support for amalgamation, and the merger hinged on a vote by the five-member Wallace Council that could have gone

either way. Two Councillors were committed to supporting the move, and two were in opposition.

In the end, local leadership combined with an open process and good public understanding of the issues led to Wallace's adoption of amalgamation. Since then, a detailed restructuring proposal has been forwarded to the province for approval. The new municipality, to be named following a local contest, should be in place by the November elections and will be official as of January 1, 1998. It may not be a new town in the traditional British planning sense, but it's as close as most of us will get.

The Listowel/Elma/Wallace experience highlights the value of planners as facilitators, mediators and problem solvers. When we combine our understanding of municipal structure and community interests with our ability to bring parties together and reach consensus, planners represent a valuable resource to restructuring discussions.

Ian MacNaughton, MCIP, RPP, is President of MacNaughton Hermsen Britton Clarkson Planning Limited, and has facilitated restructuring discussions involving counties and local municipalities on numerous occasions. Brenton Toderian, MCIP, RPP, is an Associate with MHBC and assisted with the Listowel/Elma/Wallace facilitation. He is also the Journal's contributing editor on retail and commercial issues.



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U OF T ALUMNI BACK PLANNING PROGRAM

The University of Toronto Planning Alumni Committee held an open house in March, attended by 150, who heard a presentation by Peter Walker, a consultant whose offices are in the neighbourhood and Judy Matthews, a relatively recent graduate of the program who headed the St George Street redesign project. More than \$25,000 has been donated to the first year planning scholarship fund, and half as much again in pledges for ensuing years. With matching grants, this means that more than \$75,000 will be available.



The current Masters Program in Planning has been associated with the Department of Geography since 1981, however, the history of Planning education at U of T dates back to 1933 when courses in Town and Regional Planning were offered to architecture students. There are now more than 700 alumni practising throughout the world. You can find out more about the school and its plans by phoning (416) 978-6729.

Cathy Cieply, MCIP, RPP is a graduate of the University of Toronto planning program.

CANADA'S FIRST PLANNING SCHOOL CELEBRATES 50 YEARS

Meanwhile, the first Canadian university to offer formal planning education, McGill's School of Urban Planning, is celebrating its fiftieth anniversary this fall with festivities on September 20-21. If all goes well, the school's founder, Harold Spence-Sales, who now lives on the west coast, will be there, as will David Farley, who was director of the school before Jeanne Wolfe, the current head. The school now has a newsletter edited by Brian Crooks:

<brianc@urbarc.lan.mcgill.ca>

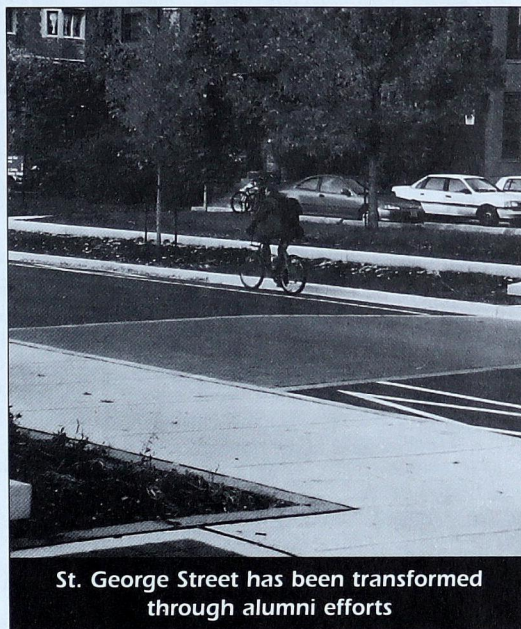


UNIVERSITY OF WATERLOO ALUMNI DINNER

Each November, the Waterloo Alumni Dinner is a must attend for anyone interested in the world of planning and development. Last year's event attracted more than 500 people to hear CUI



President John Farrow, MCIP, RPP speak on "Great Planning Disasters." OPPI will also have a presence at this year's dinner, when presentations will be made for awards of excellence.



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Calvin Brook Makes a Move

By Jim Helik

Calvin Brook has established a new practice with Trevor Cochrane to provide planning and urban design services. Brook was formerly with Brisbin Brook Beynon (different Brook). The new company will be augmenting the services of the Cochrane Group, which includes PBK Architects, Cochrane PBK Engineering, Nustadia Developments and Bosgoed Project Consultants. Cochrane Brook will be setting up a Toronto office this summer to complement offices of the Cochrane

Group across Canada. The group works on joint venture development strategies for municipalities and the development industry. Trevor Cochrane specializes in public private partnerships and innovative development financing.

Michael Hough Honoured

In March, the Landscape Ecology Association (US Branch) honoured Michael Hough, MCIP RPP as a Distinguished Landscape Practitioner for his contributions to the application of principles of landscape ecology to real-world problems.

Michael is the founding partner of Hough Woodland Naylor Dance, a consultancy based in Etobicoke. He is also a professor in the Faculty of Environmental Studies at York University. Readers of the Journal will be familiar with his books and reports of his professional practice, which includes winning honours for *Bringing Back the Don*. His books include "Cities and Natural Process," "Out of Place: Restoring Identity to the Regional Landscape" and "People and City Landscapes."

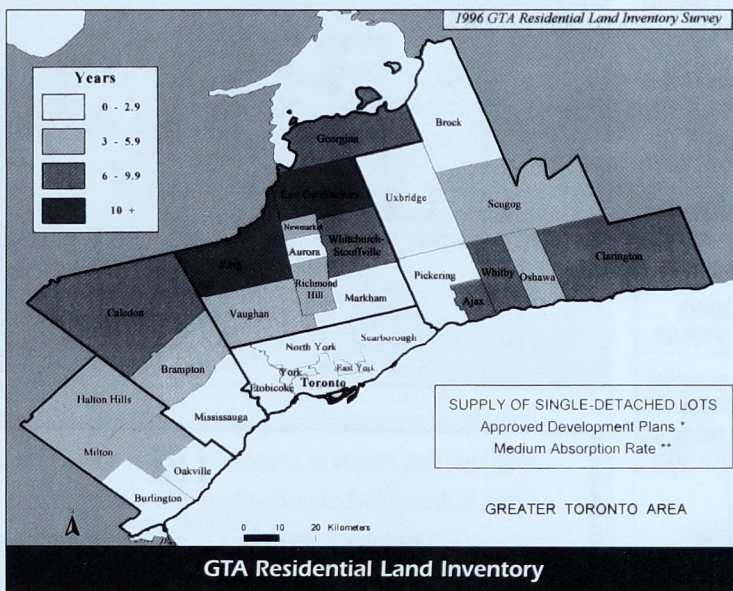
Jim Helik, MCIP, RPP is contributing editor for Consulting Practice. He is also editor of Canadian Investment Review, a MacLean Hunter publication.

Survey Keeps Close Watch on Housing Supply

By Dan Clement

The housing market in Ontario, and in particular the Greater Toronto Area, has finally begun to show signs of sustained growth after several years of declining housing starts and inconsistent signs of recovery. As the housing market improves, municipal planners and the development industry need to focus their attention once again on the supply of serviced lots with an eye to meeting increasing consumer demand.

Monitoring and planning for an adequate supply of lots is nothing new for planners. The 1989 Land Use Planning for Housing policy statement responded to rising house prices during the 1980s by requiring at least three years supply of residential lots in draft approved and registered plans of subdivision. These policies were intended to protect against supply shortages which can result in



higher land prices and reduced affordability. Land supply remains an integral part of the Bill 20 Provincial Policy Statement. The survey was developed and has been implemented as a partnership between municipalities, the Urban Development Institute (UDI), the Ministry of Municipal Affairs and Housing (MMAH) and Canada Mortgage and Housing Corporation (CMHC). The survey is coordinated by MMAH, and all partners play an important role in analyzing the survey results.

The survey was first completed in 1994 and is now in its fourth year and provides planners, market researchers and the development industry with a database for tracking changes in the residential lot supply at the GTA, municipal and neighbourhood levels. The survey data is sufficiently detailed to allow analysis of

development potential by dwelling type, by development approvals pending, and by type of development (intensification or greenfield). Also, each development application is coded using one or more geographic indicators such as traffic zone, street address and closest major intersection.

The survey data was mapped for the first

higher land prices and reduced affordability. Land supply remains an integral part of the Bill 20 Provincial Policy Statement.

The GTA Residential Land Inventory was conceived in 1993 as a response to industry concerns that the lot supply might not be adequate to meet expected housing growth coming out of the recession. The

time, during 1996, using the geographic indicators contained in the survey. Maps were produced illustrating the estimated duration of the inventory by dwelling type in each municipality, and the concentration of development by traffic zones across the GTA.

In addition to providing a regional perspective on lot supply, the survey database can be used to monitor proposed development in key growth nodes, urban expansion areas and within existing neighbourhoods. While this information has always been available from local municipalities, this survey provides the benefit of having information for every GTA municipality in one database, and in a consistent format which is updated annually.

STATE OF THE INVENTORY

The 1996 survey suggests that the inventory of lots for all dwelling types in the GTA is adequate to meet the growing demand for new housing. Assuming annual housing starts of approximately 30,000 units, the supply of lots in approved development plans is expected to last 10 years for apartment units, 3.5 years for singles and rowhouses, and 2.5 years for semi-detached houses. Approved development plans consist of draft approved and registered plans of subdivision, plans proceeding through site plan control, and fully approved plans waiting for building permits.

Across the GTA, there are more than 79,000 apartment units, 50,000 single-detached houses, 19,000 rowhouses and 6,300 semi-detached houses in approved development plans. The supply of lots increased by 10% over 1995's inventory. Most of these gains were achieved by stronger supplies of singles, semis and rowhouses.

DEVELOPING THE PARTNERSHIP

This survey could not be possible without the active participation of the four partners. The successful implementation of this survey can serve as an example for future monitoring initiatives which cross municipal bound-

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aries and affect a variety of stakeholders.

The survey faced a number of challenges:

- Data collection and data definitions had to be standardized;
- Response times had to be managed to allow municipal participation without an unreasonable response burden;
- Expert market analysis was required to understand the results and determine the adequacy of the supply; and
- The development industry needed to be able to trust the results.

These issues were resolved by bringing together representatives from each partner to define the scope and frequency of the survey, establish minimum response times for municipalities, determine data definitions, and set consultation protocols to ensure that each participant has the opportunity to review and participate in the preparation of the survey report. Municipal response burden was reduced by conducting the survey electronically. Once the survey was completed for the first time, each subsequent survey has only required municipalities to update the existing database to reflect new development applications and changes to existing files.

CMHC's participation in the survey is an important reason for its success. CMHC's market analysis and reporting expertise provides all survey participants with the comfort that the results will be reported in a professional manner, and will not be unreasonably influenced by the policies or opinions of any single participant.

The success of the survey can be measured by the 100% municipal response rate achieved during 1995 and 1996, and by UDI's decision to end its own independent survey of lots supply in favour of fully supporting the GTA Residential Land Inventory. The 1997 survey was completed during the winter and spring, and published results are expected during the fall.

Additional information on the GTA Residential Land Inventory can be obtained by calling MMAH at (416) 585-6515. Copies of the annual survey reports can be obtained from CMHC's Toronto Branch by calling (416) 789-8708.

Dan Clement is a research consultant and can be reached at (416) 466-2851 or by e-mail at DCL@Interlog.com. He was responsible for running MMAH's contribution to the survey.

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Practical Solutions For Urban Transportation Needs

OPPI's Strength is People

By Gregory J. Daly



Most of us have heard the advertising slogan of a large Ontario-based company, "Our product is steel, our strength is people." At OPPI, our strength too is people. This column is a great way to inform you of our product, as expressed by the people who deliver it: you!

To do that, I need your help to keep on top of what our membership is involved in, and where they are delivering their services. Our profession is increasingly diverse and that diversity is reflected in the new ways our membership seeks to effect change for the better throughout the province. If you have information about our people who are pioneering this change I would love to hear from you so I can include it in this space.

With restructuring taking place everywhere, we can expect moves involving the public sector to take place more often. Teresa Fancy has joined the Ontario Municipal Board, first as a caseworker and now as a planner. Teresa was formerly with the Ministry of Natural Resources. Eugene Macchione has left MOEE to become a caseworker at the OMB.

Planning Initiatives president, Paul Puopolo, has added five new partners, including three OPPI members: Don Stewart, who is a regular contributor to the Journal and involved in program for the Southwest District, Sergio Manchia and John Ariens.



Planning Initiative's new partners: Sergio Manchia, John Perks, and David Sisco (standing). Don Stewart, Paul Puopolo, MCIP, RPP, LA (President) and John Ariens.

Mark Conway recently left TEDCO to begin work with Dillon Consulting Ltd., where he will be helping develop their brownfield redevelopment practice. Steve Willis also recently moved to TEDCO from the Region of Durham. He will be continuing the work begun by Mark on the brownfield projects.

Loretta Ryan has been diligently volunteering with OPPI through the fall and winter and has moved to the Board of Trade of Metro Toronto. Paula Lombardi has moved from the OMB to work with Aird & Berlis in Toronto. Nancy Mott-Allen is moving in

the opposite direction, leaving Borden & Elliott to take up a senior planner position with the Region of Peel. Barb McMullen will begin planning consulting work in June 1997. Barb was formerly a senior planner with the National Capital Commission (NCC) in Ottawa. From time to time she will join with Larry Spencer, Spencer & Co. on planning projects. Donna Boulet, Director of Capital Planning and Real Asset Management is also leaving the NCC for consulting. She will become an associate with MaxGroup Associates, a firm that performs planning, environmental, transportation and municipal engineering, based in Ottawa.

Many planning students and recent graduates are looking for opportunities to get started in the profession and "show their stuff." Everyone should do their best to help these new members of our profession.

Gregory J. Daly, MCIP, RPP is contributing editor for the People column, and a senior planner with Weir & Foulds in Toronto.

He can be reached by E-mail at <dalyg@weirfoulds.com> or by fax at (416) 365-1876.

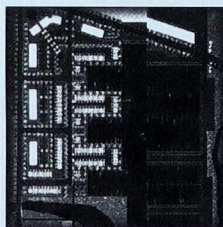


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How the Invention of the Blue Box Program Solved One Problem and Created Others

By T. R. Priddle



Some years ago the soft drink industry found itself hard pressed to respond to critics who opposed the trend away from re-fillable glass bottles to non-returnable plastic bottles and aluminum cans. The industry's process solution was to remanufacture these containers at public expense through the government-subsidized Blue Box program. By expanding the concept to include reprocessing of newspapers and later other commodities, coining the word "recycling" and selling the idea to governments and the public as a "save the environment" project, the problem was solved.

Creation of the "recycling industry" ostensibly established a growing list of items that could be diverted from landfills, reducing the rate at which landfill sites filled up. Locally, landfill intake reductions of 20%, 30%, 40% or more were touted as being both desirable and attainable goals. Recycling and composting not only greatly extended the life of the landfill but improved the environment at the same time.

So why is the Waste Authority in Essex County now actively searching for businesses to dump (who knows what but it certainly isn't household garbage which is collected by public authorities) into a very expensive publicly owned and administered facility?

Economics. First of all there is the Blue Box collection, sorting and disposal system. If the items collected can be sold at a profit for re-cycling there is no problem. But the items must be sold on the open market where demand and therefore prices can change quite dramatically. It is often difficult to avoid a loss. If the landfill can be made to operate at a profit the Blue Box system can be subsidised but here lies another dilemma. Landfill income is derived from tipping fees, a charge against every truck load of garbage dumped into the site.

The first site to open can probably charge enough to at least cover its operating costs and be competitive. But eventually it becomes full and can no longer accept anymore trucks or fees.

However, the cost of maintenance con-

tinues. Landfill No. 2 near Leamington, has a current annual maintenance cost of around \$550,000. How long will it have to be maintained? Again no-one really knows except that it will be for as long as it generates leachate which needs to be treated, perhaps a 100 years or a 150, or more. And what tests and what criteria will be used to decide that treatment is no longer required?

Now a second pit has to generate income to pay for its own costs and also maintenance of the first. If a pit remains active for 20 years this means that the last pit in a century of land filling will have to bear the additional cost of four closed pits (maintenance) plus its own operating costs. Tipping fees would be prohibitive. But truckers, public and private will have gone to more competitive facilities long before this point is reached; in fact as soon as the first pit is closed the competitive

position begins to erode.

But because income generation is an urgent priority lower rates must be charged to maintain a competitive position. However, to reach the desired cash flow this means that the rate of dumping must be accelerated which in turn causes the site to fill more quickly and therefore be closed earlier and then the search for a new site begins — precisely what the whole waste reduction process was supposed to prevent.

Next issue. The third and concluding letter describes the inevitability of the process flow chart, which reaches its conclusion without any reliance on logic.

T. R. Priddle, MCIP, RPP (Ret.) was formerly a senior planning officer in Calgary, Toronto, Peterborough and Windsor. He now claims to be a senile old farmer living near Windsor who occasionally indulges in hobby planning.



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Bill 20, One Year Later: Taking Stock On the Road to Change

By Joseph Verdirame



May 22, 1997 marked the first anniversary of the coming into force of Bill 20, the Land Use Planning and Protection Act, 1996. After only a year, there are already there are some significant achievements.

Despite the fact that approval times were cut in half from the old legislation, the Ministry of Municipal Affairs and Housing (MMAH) has fared well in meeting the new time frames. Official plans and

Despite the fact that approval times were cut in half from the old legislation, the Ministry of Municipal Affairs and Housing (MMAH) has fared well in meeting the new time frames.

official plan amendments have been approved within the 90-day time limit, for example. Significantly, only three of approximately 1,200 files received by the Ministry since Bill 20 came into effect were appealed to the OMB because of the lack of decision by MMAH.

In addition to the legislation, a principal component of the Bill 20 package was the new Provincial Policy Statement (PPS). The first revision in February was a new policy on airport noise. The policy specifies that new residential development and other sensitive land uses will not be permitted in areas near airports above the 30 NEF/NEP. However, the policy provides for redevelopment of existing residential and sensitive uses or infilling if it has been demonstrated that there are no negative impacts on the long-term function of the airport. The new policy is not retroactive in terms of decisions made prior to February 1, 1997. However, it does apply to all applications considered to have commenced (within the meaning of the Planning Act) on or after March 28, 1995, and in respect of which no decision had been made by February 1, 1997.

Various service delivery improvements have accompanied the coming into force of Bill 20. Key among them is the Ministry's dramatic shift to up front involvement in the planning process. Over the past year, MMAH's pre-consultation workload increased from 75 to 415 cases. The importance of this early involvement cannot be over-emphasized. Instead of duplicating a council's review of a planning application, after the fact, the province's contribution can and should be to provide council with timely input on the provincial interests related to the application, prior to council's decision. Rocket science? Certainly not. Value added? Undoubtedly!

It is fair to say that the Provincial Planning Services Branch (PPSB) of MMAH is currently progressing along a continuum, as it evolves from its role of approval authority to its future and principal role of plan input, review and appeal. One of the principal vehicles for this shift is the Ministry's One Window Planning Service, through which MMAH is the single point of contact for municipalities and the general public on provincial planning matters. This initiative virtually eliminates the need for clients to contact as many as seven different provincial ministries to obtain advice on provincial interests in the planning process. MMAH intends to provide this service for all official plans and major official plan amendments for which it is the approval authority - whether or not the OP/OPA is exempt from approval - and it also includes the filing of all OMB appeals on behalf of the Province, in consultation with the partner ministries (OMAFRA, MoEE, MNR, MC&CR, MTO, MNDM). MMAH has reached agreement with other ministries on procedures, staff training, data transfer, and the screening criteria with which it will provide the One Window Planning Service. The screening criteria and data continue to be fine-tuned, and the One Window planning service is expected to be fully implemented by 1998/99 (hopefully, even sooner).

Municipal Plan Review (MPR) is a parallel initiative which places the responsibility for "one window" plan review for

provincial interests at the level of the municipal approval authority. It is important to point out that, while MPR results in greater local autonomy, it also means the municipality is responsible for ensuring its land use planning decisions have regard to the PPS, and that provincial interests are adequately protected. To date, over 60 municipalities and planning boards have started down the MPR path, and most of them will sign co-sign a Memorandum of Understanding (MOU) with the Minister. The MOU sets out the roles and responsibilities of MMAH and the municipality on such matters as training, data sharing, and review procedures. MMAH has also developed a Statement of Principles which can replace the MOU in smaller municipalities and planning boards. One Window and MPR are key components in the process of change being undertaken by MMAH. The Ministry's shift to its new role could not be

Instead of duplicating a council's review of a planning application, after the fact, the province's contribution can and should be to provide council with timely input on the provincial interests related to the application, prior to council's decision.

complete, however, without two other key MMAH initiatives: (1) the transfer of the Minister's approval authority; and (2) the Minister may, by order, exempt an official plan and any amendments to it from the requirement for approval by the approval authority. In November 1996 MMAH released a proposed

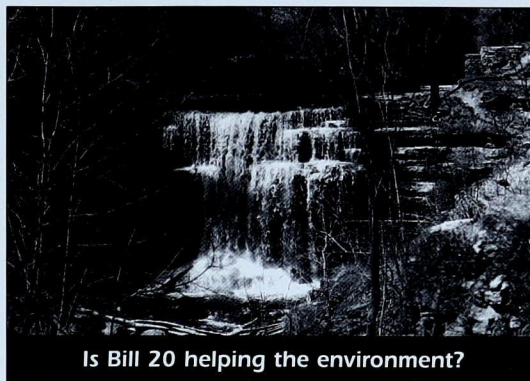
Delegation/Exemption Implementation Strategy for discussion and comment. Look out for highlights of the final strategy, when released, in a future edition of the Journal.

Joseph Verdirame is a planner with the Provincial Planning Services Branch of Municipal Affairs and Housing

Bill 20 and its Impact on Planning Practice

By Paul De Francesca

Bill 20 will create an inconsistent application of environmental protection across Ontario. The combination of the phrase "have regard to" and a policy statement that does not seriously consider the environment, will mean that environmental protection will be up to municipalities. The only hope for environmental protection is for community groups to demand better environmental protection and for developers to create communities that respect the natural environment.



Is Bill 20 helping the environment?

Photo: Michael S. Manett

MUNICIPAL DISCRETION

Bill 163 eliminated municipal discretion in applying provincial policy by creating a uniform standard for decision-making across Ontario. Bill 20 dismantles the leading role of the province in land use decision-making. The result is a trend towards local autonomy where decision-makers are forced to interpret the vague language of provincial policy. This approach allows municipalities to determine what level of environmental protection is appropriate. The level of environmental protection will therefore depend on whether a municipality considers it a priority in decision-making.

One municipality that seriously considers the environment in decision-making is the Region of Halton. About 85,000 of the region's 325,000 residents rely on groundwater resources for their domestic water supply. Because of groundwater contamination, Halton's new official plan incorporates an aquifer management plan that directs growth away from sensitive areas, into areas more appropriate for development.

Other municipalities do not consider environmental protection a high priority. For example, in Sydenham Mills, Grey County, county officials allowed development within a headwater area. Keppel Township, Grey County, allowed scattered rural severances to such an extent that a serious groundwater contamination problem was created.

Under Bill 20 these kinds of problems will likely continue. The efforts of one municipality to protect the environment may be negated by another municipality's actions. Moreover, in some cases the same environmental feature will be treated differently across municipal boundaries.

PUBLIC PRESSURE

The Association of Municipalities of Ontario approves allowing community opinion to influence municipal decision-making. AMO supported the shift from "consistent with" to "have regard to" because it allowed decision-makers to decide what is in the best interests of the municipality. If residents of a municipality demand environmental protection, then they will probably get it; if they want (unrestrained) economic development, then development controls may be relaxed.

Some observers fear the worst from this approach. Barry Spiegel, in a recent article in *The Lawyers Weekly*, states: "Despite community values and mainstream thinking, increased financial pressures and limited staff, expertise and resources, and hunger for growth can only increase the pressure on municipalities to permit development, despite

environmental concerns."

On the other hand, a recent survey conducted for the Canadian Council of Ministers of the Environment in September of 1995 found that "...most Canadians believe environmental protection does not have to be traded off for economic development." A 1995 study conducted for the Intergovernmental Committee on Urban and Regional Research also found that there was a high level of concern about improving local government capabilities in environmental planning. Even so, relying on community opposition to promote environmental protection does not address the problem of a

lack of consistency in applying environmental protection measures, since residents' priorities may differ from one municipality to another.

RESPONSIVE DEVELOPMENT

Another way to promote environmental protection is voluntary developer effort to respect the natural environment. For example, Markborough Properties Inc. has recently unveiled a 1,400 home Levi Creek development in Mississauga that is hailed as a "model eco-development." The development is designed around existing drainage patterns and wooded areas. The developer worked with Credit Valley Conservation to facilitate the regulatory approvals.

Unfortunately, because of its high cost, not all developers are willing to adapt their building practices to the natural environment.



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**A BALANCED APPROACH TO
LAND USE PLANNING**

OPPI criticized the Bill 163 reforms because not enough weight was given to economic factors, while significant weight was given to environmental factors. With Bill 20, OPPI is concerned that there is too radical a departure from environmental objectives in favour of promoting economic development.

A second criticism of the two approaches

to planning reform is that Bill 163 was focused on process, while Bill 20 is focused on desired effects. Bill 163 required 600 pages of implementation guidelines and the creation of a bureaucracy to deal with land development. Bill 20, on the other hand, focuses on achieving desired effects and has eliminated processes that impede development. Consequently, little guidance is provided to municipal decision-makers in approaching land development, especially in the area of environmental protection.

The two criticisms illustrate the need for a balanced approach to land use planning that blends environmental and economic objectives and focuses on both process and desired effects. Barry Spiegel alluded to this notion when he stated: "Perhaps by returning to the "have regard to" standard, the Comprehensive Set of Policy Statements can be applied with common sense."

A blend of the two approaches would include allowing decision-makers to "have regard to" provincial policy as set out in the comprehensive statement of Bill 163. This would allow municipal decision-makers to be guided by the stringent criteria of detailed policy statements. This approach would maintain the environmental principles underlying the comprehensive statement while allowing flexibility in applying provincial policy.

Theoretically, it seems possible to blend the reforms of Bill 163 and Bill 20, but realistically, until municipalities, the province, developers and the general public agree on one vision for Ontario, planning legislation will continue to change following each election.

Paul De Francesca is a graduate of the Ryerson School of Planning and is currently studying law at the University of Windsor.



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