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ONTARIO PLANNERS: VISION · LEADERSHIP · GREAT COMMUNITIES

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and strengthening that goes
beyond housing and real estate

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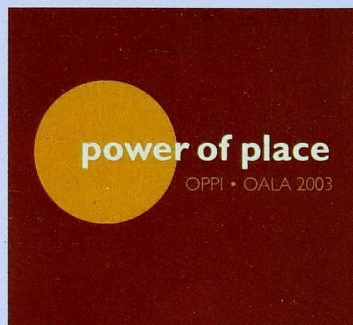
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Regent Park Revitalization: Transforming a Public Housing Neighbourhood

By John Gladki

This is the second of two articles describing the author's involvement as part of an ambitious scheme to transform Regent Park, a 69-acre public housing project in downtown Toronto.

Over the past two decades, a number of attempts have been made to revitalize Regent Park. The most recent initiative was in the mid 1990s by the Ontario Housing Corporation (the previous owner of the site) and the Ministry of Housing. This culminated in 1997 with a proposal call for a pilot project for the north-east quadrant of Regent Park. A proponent was chosen, but for a variety of reasons negotiations with the proponent were unsuccessful and the development did not proceed. The main difficulties, according to a Toronto Community Housing Corporation (TCHC) staff report, resulted from limiting the scope of the redevelopment to a small quadrant of the total site, imposing rigid financing requirements and requiring "expenditure neutrality."

The plan our team put together addresses concerns by providing an overall framework for the redevelopment of the whole site on a phase-by-phase basis. We are also proposing a financial model that takes advantage of the equity held by TCHC and factors in savings from improved management and energy efficiency. The timing is also an advantage:

TCHC is a new entity with a total portfolio of 59,000 units and a desire to take action. In addition, the recently signed federal-provincial housing agreement provides an opportunity to lever some new funds.

For some time, the Regent Park neighbourhood has functioned as an immigrant reception area in the City of Toronto. The people we met and worked with were committed, enthusiastic, thoughtful and, like most other people, working hard towards a brighter future for themselves and their children. The process we went through was one of the most inspiring experiences of my professional career. I think this is also true for the other members of our team, which includes Ken Greenberg Consultants; Markson Borooh Hodgson Architects; David Millar Associates; Hamilton, Rabinovitz & Alschuler; Jim Ward Associates; and TSH Associates, in addition to my firm, GHK International.

The planning process included a series of four community workshops, each building on the results of the previous workshop. There was also an open house at the conclusion of the process. In

addition to the meetings, there was a parallel community engagement process to get input into the plan that reached over 1,000 people through additional informal meetings and one-on-one discussions.

Issues Raised by Residents

The discussions at the workshops were animated and often passionate, yet people were very respectful of each other's opinions. At each meeting there were "whispered" simultaneous translations in seven languages. The meetings were well attended with occasional breakout sessions into smaller discussion groups to allow everyone to be heard.

Many of the problems we heard about stemmed from the design of the project, which reflected an approach to public housing development from the immediate post-war period: a largely self-contained neighbourhood with no through traffic, units that

look out onto open spaces that are neither public nor private, and little reference to the surrounding neighbourhoods.

People had problems with the wholly residential character of the area. Retail, institutional and employment uses were not included as part of the original design. Although community and health centres were added years later, there are still no postal boxes, public telephones or bank machines anywhere.

People also raised concerns about their units and maintenance. They pointed out problems with community safety, since it is impossible to easily navigate the maze of streets either in a vehicle or on foot. They talked about the importance of services and spaces that respond to and reflect the cultural diversity of the area, which includes families from Somalia, Bangladesh, the Congo, Vietnam, China, the West Indies and Latin America. They emphasized the need for economic development opportunities, jobs and education. They talked a lot about the stigma attached to living in Regent Park because of the media's portrayal of this as an area of poverty, drugs, guns and violence.

Despite the problems, many people said that they had developed community and neighbourly attachments in Regent Park and that they would like to stay if the area were improved. For many, this is their first real community since moving to Canada. They felt that it is absurd that if they became financially successful and were able to afford to buy a house, they could not stay in



No through traffic, no postal boxes, no connections

Regent Park. They felt they should have the choice.

The revitalization plan that emerged from the community discussions reflects an attempt to address the problems and build on opportunities like cultural diversity, proximity to downtown and community enterprise.

How a vision became real

The revitalization plan for Regent Park is rooted in a vision of community building and strengthening that moves beyond "just housing and real estate" to create a socially and economically diverse urban neighbourhood. The following summarizes the components of this vision.

Connected Streets: The plan for Regent Park reintroduces to a large extent the original street network, connecting the "new" neighbourhood with the surrounding neighbourhoods. The street network will re-open all of the original streets in the area and add new streets to create a finer-grained pattern of blocks. The new pattern provides greater permeability, while creating development flexibility for a variety of building types and heights to create a diverse neighbourhood.

Park Space: The central feature of the neighbourhood is a large 2.43-hectare (6-acre) park fronting on Dundas Street, an important transit route connecting the area to the downtown. The street and block pattern is interwoven with a finer network of linear parks and parkettes to create six smaller neighbourhoods around the central park. An additional large park space is proposed

though the extension of the area surrounding the Nelson Mandela Park school grounds. The ground floors of buildings along the periphery of the central park offer the possibility for an array of educational, arts, community service and retail activities, providing an active and vibrant interface between the buildings and the park.

Diversity in Built Form: The built form of the neighbourhood acts as a container of public open space, enclosing streets, highlighting corners, defining parks and providing "eyes on the street" to increase surveillance and safety. The intention of the proposed plan is to encourage the greatest diversity of building types as is found in a typical



Meetings marked by respect for the opinions of others

downtown urban neighbourhood, while maintaining a high level of architectural and environmental design and quality of material.

Buildings will be generally mid-rise and mixed-use along the main streets and low-rise and residential within the neighbourhood on internal streets. Inner neighbourhood streets would have townhouses or stacked townhouses with minimal setbacks to create lively streets that encourage neighbourhood interaction. Along arterial roads and around the park, higher density buildings will be designed to create a "streetwall" condition with a comfortable scale of a five-to six-storey base—above that height buildings will be set back. This base-building condition will be especially important around the central park, where the built form will define the open space.

A Mix of Incomes and Uses: The plan proposes a total of 4,500 mixed-income units for the area, compared to 2,087 currently on site. Of the new units, 3,700 are proposed in apartment buildings and 800 are

proposed as townhouses. We assume that the rent-geared-to-income (RGI) apartment units will be mixed with market units in as many buildings as possible. About 23,000 m² of space is allocated to retail/commercial, community and educational uses.

Community Economic Development: The plan envisages the provision of space for economic development initiatives that can give birth to and sustain the economic health of

the neighbourhood. Activities could include skills upgrading, vocational training, employment counselling, and coaching for small business enterprises and start-up efforts, as well as direct jobs through employment and capacity-building in new local management initiatives and in the redevelopment and building process itself.

Educational Opportunities: The proposed plan provides opportunities to build on the existing educational programs in the neighbourhood as well as develop new linkages to promote new opportunities. Education programs for children in Regent Park are particularly important. The plan proposes building on the success of programs such as the York University teacher-training program currently in the community centre, and encourages the University of Toronto to locate facilities in the area as part of its interest in developing community-based programs.

Financial Plan: From a financial point of view, the redevelopment of Regent Park represents a large and complex undertaking, lasting over a 10- to 12-year period from the first demolition until the occupancy of the last new units. The revitalization plan proposes a financial formula that deals with the demolition and replacement of the 2,087 TCHC units currently on the site. Other units would be owned or leased by the private sector.

Most of the TCHC funding for the redevelopment would come from savings generated on site through better maintenance and energy efficiency. There would still be enough money for necessary work on existing units while redevelopment evolves over a 10- to 12-year period. The other main source of income will come from the lease or sale of land not required by the TCHC or for park or other community uses.

Phasing Strategy: The plan incorporates a phasing plan based on an approximate 10-12 year build-out. In order to allow tenant relo-



Whispered translations kept dialogue flowing

cation and new development to be a manageable process, the plan follows an incremental model, trying in general not to demolish more than 200 RGI units per phase or build more than 400 units per phase. The phasing pattern also attempts to provide sufficient new units in an earlier phase to absorb the RGI units from a later phase and to provide parks at the same time as buildings.

Tenant Relocation Strategy: The revitalization strategy aims to develop an approach to relocation that is both fair and effective. It is fair in that those affected are treated in a manner that is just, respectful and that takes into account the special circumstances of each particular household, without favouritism towards individual households or groups. It is effective, in that the process is carried out in a way that leads to the overall goals of the proposed redevelopment in the most efficient fashion, that is, within certain budgetary parameters, and which, at the same time, fulfils the project goals. The relocation principles were developed together with the Regent Park Revitalization Committee (a residents' organization).

An Entrepreneurial Organization for Redevelopment: Since the redevelopment plan goes well beyond the simple replacement of TCHC units and will involve a wide range of participants, the revitalization strategy explores how TCHC might choose to structure its organizational approach to

implementation. It proposes an approach that is entrepreneurial and capable of forging effective working relationships with private- and public-sector partners.

Next Steps

The revitalization plan was presented to the TCHC Board in December. They adopted the plan in principle and asked staff to

ment process moving. These steps were endorsed by the Board at the end of April. The idea is to start moving on planning approvals and set up a development vehicle this year.

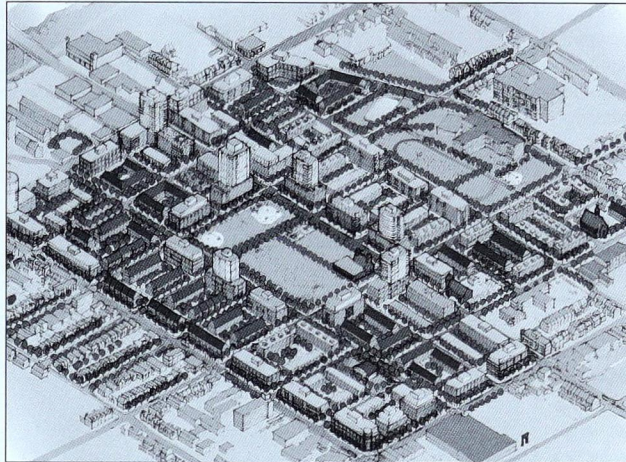
My hope is that in a few years, when I once again walk through Regent Park, it will feel like walking through any other city neighbourhood with continuous

streets, familiar buildings and a mix of activities. Rent-geared-to-income units will be integrated with market housing so you won't be able to tell one from the other. There will be vendors and markets reflecting the area's cultural diversity and the stigma of living in Regent Park will be gone. This time we need to get it right. The residents expect no less.

John Gladki, MCIP, RPP, is a director and principal consultant with GHK International (Canada).

Before becoming a consultant he was a director in the pre-amalgamation City of Toronto Planning

Department. He spends a lot of time walking through city neighbourhoods, whistling out of tune and enjoying street theatre—the best show on earth. This two part article was the brainchild of Linda Lapointe, MCIP, RPP, president of Lapointe Consulting and the Ontario Planning Journal's contributing editor for housing.



This project will receive CIP's award of excellence in Halifax in July

report back on an action plan. The proposals for redevelopment were greeted with universal enthusiasm, but also understandable scepticism—people don't quite believe it will happen. Yet the TCHC is determined to make it work. The Regent Park Collaborative Team continues to work with the TCHC to help identify exactly what steps need to be taken to start the redevelop-

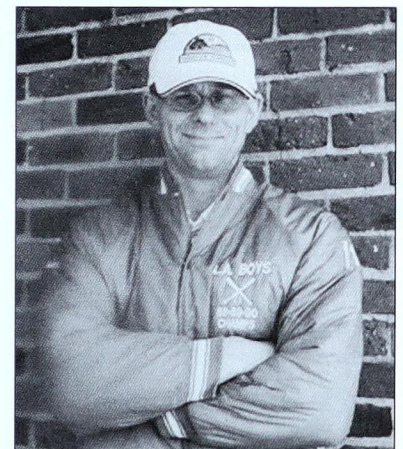
CROWN SIGNS WITH MERIDIAN AS FREE AGENT

Meridian Planning Consultants announced at a press conference today the signing of unrestricted free agent Wes Crown. It is expected that Meridian will use him in a variety of positions to bolster their already strong line-up. Crown, a fifteen-year veteran of the Tay Township Tigers, told the press that he was looking forward to the challenge.

Wes is a career .786 hitter at the OMB, batting .874 with approvals in scoring position. Drafted first overall by Tay in the 1988 OPPI entry draft, Crown is known for his strength and agility, having once kept three council reports, two by-law appeals, an official plan review, and a deep fly ball to left all in the air at the same time.

Known for his long ball hitting, Crown is

also very strong at any policy base, having won a 'Gold Pen' ten times in his career. Crown began his career with the Waterloo Planners in Triple A, later hitting the show with Tay. The entire Crown family attended the press conference, his wife Michelle noting that while baseball and the Tay Tigers had been very, very good to Wes, that she and their three children were looking forward to being part of the Meridian Club. Representing the Meridian owners, Bob Lehman said, "We know that Wes will be a big hit with our fans and we look forward to a long and rewarding relationship." Crown, after putting on the Meridian uniform, stated, "I just want to go out and help the team, play my best and, God willing, win a few games."



Do you live in a creative city?

The Creative City—Finding Meaning Behind the Motif

By Grace Saunders

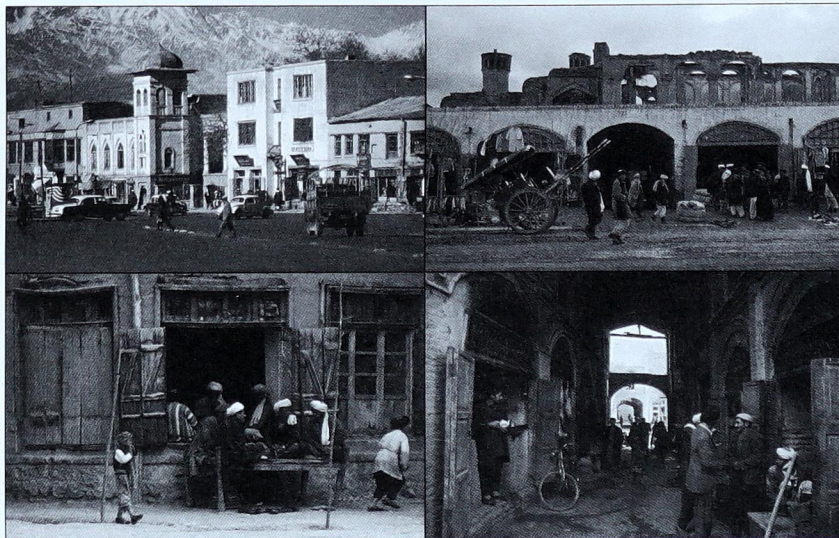
The term “Creative City” has been linked with many different places that, on the face of it, have little in common. Austin. Brisbane. San Francisco. Ottawa. Kabul. But what is a Creative City? An urban economic trend? An agenda for municipal arts programming? Here’s what I discovered.

Creative City—The Phoenix

Perhaps Kabul isn’t the first place that comes to mind as an example of a Creative City. But Adam Piore, a journalist for *Newsweek*, listed Kabul among the top eight creative cities in the world. Why Kabul? Piore explains that post-war Kabul is alive with painters, filmmakers, and musicians—former exiles who are returning home, bringing with them new ideas to help regenerate their city and their country. Membership in the Artist’s Association of Afghanistan is burgeoning—theatre groups and art galleries are being resurrected.

Other cities on his list include Austin, Texas; Cape Town, South Africa; Zhongguancun, China. All share similar characteristics: affordable rent for studio space, a measure of chaos (“disorder feeds the creative mind”) and a “flagship” arts institution (be it cafe culture or an arts school). These conditions echo the zeitgeist of 19th-century Paris or New York City around the turn of the 20th century.

In this context, the genesis of a Creative



Post-war Kabul as a creative city

City is a place where emerging artists and immigrants converge because of cheap rent and available studio space. These citizens eventually help generate a micro-economy around the arts and culture of their enclave, regenerating a community at the grassroots. (The next step may be gentrification, but that’s another story.)

Creative City—Urban Illumination

Enter the modern economy . . . followed by American professor Richard Florida, author of the bestselling *The Rise of the Creative*

Class. Florida suggests that there is an economic imperative for city-regions to invest in an infrastructure of arts, culture and diversity.

The Creative Class includes those who create new ideas, technology, content. They co-exist with professionals in health care, business, finance and law. These essential generators of economic growth are attracted to places blessed with a creative infrastructure. The top creative cities on Florida’s list are San Francisco, Austin and Boston.

In a recent study for the Ministry of

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Enterprise, Opportunity and Innovation, we learn that this observation holds true for Canadian city-regions as well. Florida, with University of Toronto Professor Meric Gertler, concluded "there is a strong set of linkages between creativity, diversity, talent and technology-intensive activities that are driving the economies of Ontario's and Canada's city-regions."

So what can local officials do to attract the Creative Classes to their area? Florida suggests urban policies that promote dynamic downtowns and entertainment districts, higher density growth, diverse mixed-use urban development, and preservation of "authentic" neighbourhoods.

In this instance, Creative City is an economic development strategy, where art and culture are features in branding a place to encourage local citizens to patronize facilities, to attract external patrons and to persuade high-tech industries to relocate.

Creative City— The Tapestry

For nearly 30 years, Robert McNulty, president and founder of the US-based Partners for Livable Communities, has been engaged in researching the relationships between quality of life, social equity and economic growth. Since the early 1990s, Partners has recruited cities to participate in various initiatives, experimenting with how amenities can help build communities locally and in the global marketplace.

Their Creative City initiative has 18 participating cities, whose members network, raise issues, share information and benefit from technical assistance and leadership available through Partners. This three-year initiative will conclude in 2004 with a conference series and a policy report on how to reinvent a city into a Creative City.

Partners' hands-on approach extends the traditional concept of cultural planning beyond departmental confines. Instead, they help cities identify their urban and human assets and create strategies to weave a culture of creativity throughout the community, its institutions, businesses and the rest of the urban landscape.

What are cities doing to promote the Creative City concept?

The Creative City theme in Brisbane Australia's 2010 Plan is indicative of this

broad-scale approach to nurture and attract creativity. One of the primary objectives "is to place Brisbane as an incubator for local and international creative industries." And they've symbolically entrenched their cultural confidence by locating the Museum of Brisbane and an art gallery, featuring work from local artists, within their city hall.

The range of activities around the globe focused on the Creative City suggests that the arts and cultural sector plays a flexible yet pervasive role in urban, social and economic development.

In Canada, the Creative City agenda is still in its infancy. Is this because we still see the arts as a public interest vying for tight public funds? Or maybe because we're shy about trying to render a Creative City landscape on a Canadian urban canvas?

Despite such hesitations, a few significant strides have been made:

Ottawa's amalgamation of 12 municipalities precipitated a comprehensive growth management strategy to establish its identity as a city, and as the nation's capital.

Ottawa 20/20 consists of five plans: the Official Plan, Human Services Plan, Economic Strategy, the Corporate Plan and an Arts and Heritage Plan. The Creative City agenda, which is articulated in their Arts Plan, brought together plan-

ners, business representatives and artists, among others, into a creative process where they envisioned their city as an artwork.

The Arts Plan proposes to support local artists at various stages of their career, from emerging to professional. It also establishes strategic links with the other four plans, collaborating on specific strategies in marketing, urban design and work force development.

What lies ahead for the Creative City in Canada?

One possibility for action is the newly established "Creative City network," a non-profit organization supporting municipal workers in the cultural sector across Canada. It provides an online forum for members to ask questions and share information on cultural programming in their community. Their office is based in Vancouver. In Toronto this fall, Toronto Artscape is presenting a conference designed to highlight the key role played

by arts and culture in the urban economy.

Capital Culture in Canada is a federal program initiated in May 2002 under the Department of Canadian Heritage. It is designed to provide funding for the arts at the municipal level, "where artists live and where they can interact with their community." The award matches funds up to \$500,000. Thirty-four municipalities from nine provinces applied for funding during its first phase. Projects ranged from commissioned art for public spaces to activities that promote tourism through festivals and events. The program is expected to be renewed for the upcoming fiscal year.

Grace Saunders is a writer who graduated from Ryerson's School of Urban and Regional Planning in 1996. She can be contacted at: seegraciejump@hotmail.com.

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Sex and the City

David Butler and Susan Keir

Planners have been asked to plan for and regulate all forms of land use—and that includes the sex industry. The adult entertainment industry includes strip clubs, body-rub parlours, adult theatres, and shops selling adult videos, books and sex toys. When we mention that we have conducted studies of this industry, it always evokes a smile, and the question, “How are the site visits?” For the record, Susan views the outside of the building, while David is the one who goes inside.

In our experience, the nearly unanimous public perception of adult entertainment use is that it is undesirable. No one wants this use as a neighbour nor do municipalities want it within their boundaries.

However, adult entertainment establishments are, for the most part, legitimate businesses and under the *Municipal Act*, municipalities may regulate but not prohibit them. This seems at odds with what we as planners understand to be a provision of the *Planning Act* permitting restrictions on the use of lands or buildings through zoning. Planners are often left to sort out the land use and licensing regimes for sexually oriented businesses (SOBs) with little formal training, understanding or experience in the industry.

Sex has always been part of the city, particularly prostitution. Niagara Falls, for instance, has long had a prostitution committee to deal with this issue in its tourist zones and declining downtown areas. Planners are not in the business of regulating prostitution, an activity covered under the *Criminal Code*. However, as the police officers we have interviewed will attest, many “live” adult entertainment businesses are associated with criminal activities such as drugs, prostitution and weapons offences.

The secondary effects associated with adult entertainment have to do with attitudes towards safety. Even the perception of reduced personal safety can alter people's behaviour, causing both social and land use impacts when areas become undesirable and suffer disinvestment. This is well documented in the U.S literature on SOBs; studies have demonstrated effects that include property value depreciation (particularly residential), increased criminal activity, high vacancy rates and general urban decline. The U.S. studies suggest that these “high-impact commercial uses” tend to be regional destinations



Many Ontario communities have a seamier side

that require separation from residential areas and other sensitive land uses. Some encourage or attract sexual acts in quasi-public places, leaving a litter of used condoms, syringes and other hazardous wastes on nearby properties.

Although planning cannot regulate the morality of a land use, it can deal with issues related to quality of life, public health, safety and social well-being. Adult entertainment is generally regulated under the *Planning Act* through official plans, zoning by-laws and site plan agreements.

Some municipalities define adult-oriented businesses in their zoning by-laws.

Others treat adult entertainment (or any type of entertainment) as an accessory use to a primary use such as a restaurant or tavern. The latter approach may lead to problems of enforcement and compliance with zoning. In Orangeville, the OMB recently determined that a proposed adult entertainment parlour was not an accessory use for a restaurant, but was the primary use of the premises. Restaurants do not normally require adult entertainment as a means to operate.

In other words, adult entertainment did not support the business—it *was* the business.

From a public acceptance point of view, body-rub parlours appear to be more controversial than strip clubs. People assume that illegal activities are occurring in body-rub parlours and the police tend to substantiate this view, even though secondary effects related to noise, light, traffic, litter, and public nuisances may be less for body-rub parlours than strip clubs, given their usually smaller size, fewer occupants, and the absence of liquor license and loud music.

Body-rub parlours were created to offer more participatory

experiences than the stage performance of a strip club, but the distinction among “live” adult oriented establishments is becoming increasingly blurred through the introduction of the “encounter” or “touching” businesses, including “lap” and “towel” dancing, which verges on, if it does not openly constitute, prostitution. Recent changes in the *Municipal Act* may give municipalities more powers to control and regulate such activities.



Municipalities may regulate but not prohibit

There can also be a relationship between strip clubs and body-rub parlours, and they tend to cluster in certain areas. Some services offered at strip clubs are often prohibitively expensive, so a nearby massage parlour can fill this market niche. Clustering can be avoided by requiring a distance separation among adult-oriented facilities; this approach may prevent the escalation of adverse land use effects.

Although many municipalities prohibit "touching" businesses through licensing by-laws, it takes vigilant enforcement to actually implement such provisions.

If municipalities do not specifically define adult uses and prescribe appropriate planning standards, these businesses may end up in neighbourhood shopping centres, near schools, libraries, or arenas or in locations frequented by minors. Distance separation from sensitive uses seems to be the most common regulatory approach, using the provisions of the *Planning Act* or the *Municipal Act* or both.

If distance separation criteria are used, adult businesses may locate in industrial areas. Yet industrial areas may contain big box stores, large churches, commercial schools, funeral homes, and recreational facilities where youth and children congregate, some of which would be considered sensitive uses. Even the industrial businesses may oppose a neighbouring adult entertain-

ment use, because of the potential for increased crime or declining property values. Meanwhile, adult entertainment owners complain that they cannot operate a sustainable business in these lower-visibility, less accessible locations. The municipality is not responsible for finding the best location for adult entertainment; it merely has to afford a reasonable opportunity for it to find its own location.



The right words better than pictures to attract customers

Some Ontario municipalities have successfully prohibited adult entertainment through zoning, but these restrictions have not been challenged at the Ontario Municipal Board. The City of Brantford is currently defending its zoning provisions under the *Planning Act* that prohibit body-rub parlours before the Ontario Court of Appeal. Some confusion has been encountered in the lower courts between licensing provisions and restricted area zoning. The *Municipal Act* regulates adult entertainment through both zoning and licensing.

Areas may be defined for such use and the regulations may be established, including numbers of facilities, fees, hours of operation, operational standards, penalties, and so forth. The new *Municipal Act* appears to make it possible to prohibit a sub-category of "adult entertainment establishment," which includes both entertainment (stripping) and body-rub services. This may allow municipalities to regulate sex in the city through the



Municipality not responsible for finding the best location for adult entertainment

licensing of adult businesses that prohibit touching.

Given that the sex industry is one of the most profitable businesses around, planners will no doubt be called upon in the future to provide additional guidance and advice on sex in the city.

David Butler, MCIP, RPP, is President of The Butler Group Consultants Inc. and Susan Keir, MCIP, RPP, is President of Keir Corp. They have conducted adult entertainment studies for the City of Brantford, the Town of Caledon, the Town of Orangeville, the City of Niagara Falls, the City of St. Thomas, the Municipality of Central Elgin and the Township of Southwold.

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Long Range View of Agriculture From Up Close

By Tracey Atkinson

I was raised in Sunnidale Township, in the heart of Simcoe County, and participated in agricultural activities from an early age. After completing my planning degree, I returned to the farm, where my husband and I operate a broiler chicken and purebred sheep operation on about 65 acres. Professionally, I have been involved with agricultural activities since graduation, preparing official plans and zoning by-laws for rural municipalities, researching agricultural issues, undertaking agricultural studies, and preparing agricultural plans.

My combined experience has led me to the conclusion that agricultural operations are affected more by what has been developed or is occurring on surrounding lands than by soil capability. It has become obvious to me that soil classifications are no longer an accurate way of defining agricultural capability—there are other more important factors affecting agricultural operations. It is also apparent by the quantity of land converted to non-agricultural land uses each year that the current provincial policy statement is not protecting agricultural lands, and that a new approach is necessary. The alternative is complete reliance on other countries for agricultural products in the future.

Our agricultural operation, like many others, is located close to a small village that began as a rural service centre, surrounded by a productive agricultural area. Our operation is dense, and just barely meets the nutrient management requirements. We are dealing with adjacent homes on severed lots that existed prior to our purchasing the farm, and as a result we do not meet current Minimum Distance Separation (MDS) requirements. This means that our farm cannot expand under the current regulatory framework.

A large number of farms similar to ours that surround expanded settlement areas are now affected by land use compatibility issues, setback requirements and a whole realm of



Today's farmer needs to be flexible to grow

regulations restricting the activities and expansion of agricultural operations. In contrast, operations on lower quality land may, because of the lack of restrictions, be better able to adapt to changing markets and commodity prices, and end up becoming more viable farm operations in the long term because they are not confined to the same degree by regulations.

Classifications can be counter-productive

The viability of farming today hinges on much more than the actual capability classification of the soils. As a result, planners need to reassess their approach to agricultural lands. Policies should ensure that the agricultural designation reflects lands that may be viable agricultural operations in the long term, taking into account many more factors than just the land capability. Historically, agricultural lands have been identified based on the Canada Land Inventory for Agricultural Land (CLI). This classification

knowledge of soil fertility and structure allows us to make significant improvements to soils.

Our farm is a good example of some the limitations of using the CLI as the only measure of capability. It is located in an area that is predominantly Class 1 to 3 soils. Our soils are Class 1 (having no limitations) and Class 2w, where "w" indicates excess wetness. The CLI system assumes that drainage issues can be overcome through the installation of tile and surface drainage. However, some of our lands cannot be properly drained due to the topography of surrounding lands and depth of drainage ditches. Without proper drainage, the range of crops and yields of any crop on these lands is significantly reduced. Our lands are also affected by stoniness and recently reclaimed lands are low in fertility. The combined effect of drainage limitations, stoniness and low fertility, is that portions of our land are only marginally productive.



Winning at agricultural fairs is endorsement for committed farmers

New regulations require increased setbacks; limit the timing, location and quantity of nutrient application; put caps on number of animals and densities; and require farmers to invest in capital expenditures, such as concrete manure pads (very expensive) and plastic booties (not so expensive), for which they will never receive financial compensation. The *Nutrient Management Act* (Bill 81), and the draft regulations would require existing

tors affecting productivity and the continued operation of farms. The PPS states that prime agricultural areas may also be identified through an alternative agricultural land evaluation system approved by the province. One of the alternative approaches endorsed by the Ministry of Agriculture and Food is the Land Evaluation and Area Review (LEAR) System. LEAR examines the capability of the soil resources as well as other

impacts such as parcel size, land uses, tile drainage and surrounding land uses.

Technological advances and computer software allow us to overlay field survey data, digital air photos, official plan designations and zoning, as well as parcel fabric mapping. This information can be manipulated to provide a numerical "score" representing the long-term availability and productivity of any given parcel of land.

Depending on the weighting of the criteria and variety of lands in the municipality, a wide spread of scores can result. Site inspections then make it clear at which point the score represents agricultural lands with high potential for agriculture versus rural lands with limited potential. These scores are then used to establish the boundaries between predominantly agricultural areas and rural lands.

The LEAR system is a tool that allows us to identify the best agricultural areas for their future realization while addressing increasing pressures for non-agricultural growth. Such boundaries can also be established using a qualitative approach or hard topographical features. Many municipalities have opted for the LEAR approach because it is defensible at the Ontario Municipal Board. However, agricultural studies, qualitative reviews and site inspection are also acceptable and may be more economical where there is minimal conflict, or where the soil classification accurately reflects long-term potential.

We need to be realistic in applying the LEAR approach and undertaking agricultural studies, recognizing that even with provincial support of agriculture, urban expansions will still occur. With this understanding and our knowledge of the land base as planners, we need to focus our attention on large agricultural land areas that can realistically be preserved. Groups of farms on the edge of an urban area, with developed road networks and piped servicing available are not part of a long-term agricultural resource or community. The agricultural lands that should be protected in the long-term are large blocks of agricultural lands far removed from urban areas, with feed mills and farm implement establishments in close proximity. These areas that have established themselves as agricultural communities, are self-sufficient regions, large enough to buffer themselves from expanding urban areas, and as a consequence have the most potential to be able to adapt to markets and survive the instabilities currently experienced in the agriculture sector.



Implementing regulations can be prohibitively expensive

livestock operations as well as spreaders of manure and biosolids to prepare Nutrient Management Plans or Strategies, which, depending on the scale of the operation, can be a costly undertaking. When extra expenses are legislated without a consequent increased profit, this affects the economic viability of farms.

We are aware of a number of agricultural operations that are currently over-applying nutrients or applying nutrients within areas in close proximity to watercourses, residential development and wells, that once regulated will not be available for application. I am not suggesting that nutrient management plans and regulations are a bad thing, as they have the opportunity to protect water quality, increase food safety and deal with conflicting land uses. However, as a result of such regulations, some operations will be eliminated or forced to relocate, purchase additional lands or reduce their flocks or herds to meet the regulations. Put simply, a number of farm operations will not be able to expand or adapt to changing markets in the future. The outcome of this equation is that as farming become less feasible, preservation of the lands become more difficult.

The Provincial Policy Statement (PPS) generally requires that prime agricultural areas be protected. However, the current definition of prime agricultural areas provides some flexibility that allows planners to identify agricultural areas based on their long-term ability to adapt to changing markets and to take into consideration some of the larger fac-



Tracy Atkinson's breadth of experience is significant

Tracy Atkinson, BES has been a planner with Meridian Planning Consultants since 1998 and is the firm's resident expert on agricultural issues. Tracy has prepared official plans and zoning by-laws and has undertaken agricultural studies, LEAR Studies and Nutrient Management Plans for municipalities in Dufferin, Simcoe, Grey, and Bruce County as well as Halton Hills. Tracy and her husband operate a farm with 300 sheep and 20,000 chickens in the Township of Clearview, where she is a member of the Agricultural Advisory Committee. She and her husband travel to approximately 30 agricultural fairs each year and have exhibited champion sheep at the Toronto Royal Winter Fair, Calgary Stampede, Maryland Wool Exhibition and the North American International Livestock Exhibition (Kentucky). Tracy can be reached at tracy@meridianplan.ca or (705)737-4512 ext. 22

UK experiments with comprehensive performance assessment (CPA)

By Marni Cappe

Late last year, the Government threatened to send in "hit squads" to take over the country's worst councils in a dramatic effort to raise standards of local services. Exacerbating a continuing debate about whether Westminster should be running local councils, ministers have defined legal powers which they say allow them to intervene directly and override democratically elected councillors. The replacements might even come from the private sector.

Deputy prime minister John Prescott published the first league tables for 150 county authorities in December, identifying the best and worst performers in England. But the tables came under immediate attack from some of those at the bottom, with at least two seeking judicial review of the assessment.

The tables, drawn up by the Audit Commission over the past 12 months, ranked 13 councils as poor, 22 as weak, 39 fair, 54 good and 22 as excellent. Most of

the best were Conservative-controlled, including Westminster and Kensington and Chelsea, while many of those at the bottom were Labour-held, such as Hackney, Lambeth and Hull. For the past few years, British councils have been required to undertake detailed self-assessments of their performance compared against carefully calibrated nationwide benchmarks. The Audit Commission is rather like an Ontario's auditor general with executive power.

Those in the top group will be given more independence from Whitehall control, while those in the "poor" category could be taken over by government appointees or the private sector.

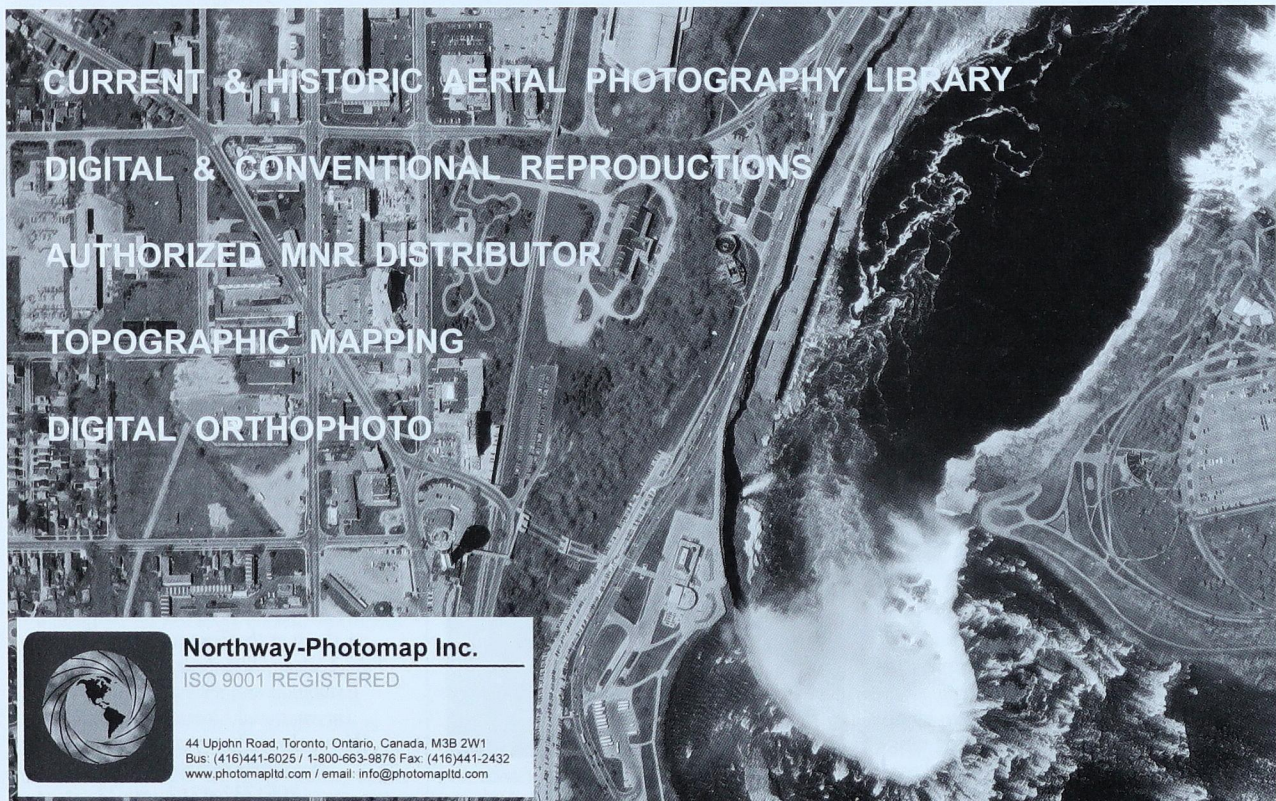
There will be a two-month period of grace to allow councils that rated poorly to prepare "recovery plans."

The manager, who would be a Whitehall official with local government expertise, would offer advice while also informing ministers of what was happening at every stage.


Once the plan was submitted to ministers, the council would be given two or three months to see if it would work. But if it failed, the government would use existing powers to intervene.

According to the *Times*, James Strachan, Audit Commission chairman, described the report as "an exciting opportunity for all councils." Intervention was an "absolute last resort," he said. "But there are going to be some cases where it is necessary and, for the people living in that area, desirable because they should not have to put up with the frankly low level of services they are getting."

This article was assembled from multiple sources, primarily the Times of London. Marni Cappe, MCIP, RPP, is currently living in London and will be sending dispatches to the Ontario Planning Journal on a regular basis. She can be reached at marni.cappe@dfait-maeci.gc.ca.



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Planning in a National Context

Don May

As President-Elect of OPPI, I represent Ontario planners at CIP. Over the last year I have gained a greater appreciation of the role and achievements of our national organization.

Through the efforts of our incoming CIP President, Ron Shishido, CIP has distinguished itself internationally by initiatives such as offering courses to senior officials in five Caribbean countries. David Palubski, the current president, has also forged a partnership with China to help form a professional planning organization in China and offer some practical planning demonstrations. OPPI members have shown great interest in volunteering for this initiative.

CIP has also signed a memorandum of understanding with L'Ordre des urbanistes du Québec (OUQ) to work together towards full membership and affiliate status. This will create a truly national organization, recognized by the federal government, and will allow CIP to provide a comprehensive national profile in Canada.

Already, CIP has become a more important player at the national level. CIP participated in the Judy Sgro Taskforce, and the First Nations Land Resource Centre asked CIP to provide professional and academic contacts for various first nations planning requirements across Canada.

As a result of this increased profile, CIP will be the lead professional organization to work with the government of Canada in hosting Habitat 2006 in Vancouver. This is a milestone in the recognition of the Canadian planning profession, both nationally and internationally.

One key initiative that will enhance the recognition of planners is CIP's Continuing Professional

Learning (CPL) plan. CIP is working with its provincial affiliates to set national standards that will be recognized across the country and around the world. CPL programs will be delivered by the affiliates in cooperation with each other. New learning opportunities will also be coordinated with accredited universities, including new methods of delivery to members. The CPL plans will be presented at the Halifax Conference in July and will be posted on CIP and affiliate websites for comment.

Beginning this fall, Ron Shishido, with the assistance of Linda Newman, will be working on a new Strategic Plan for CIP to create a vision and organization focused on national, interaffiliate and international initiatives. Ron is committed to a process of consultation in preparing the plan. The international program will be based on government funding and partnerships with organizations such as FCM.

Ontario members are encouraged to participate. OPPI will be taking an active role in ensuring that the national and affiliate activities are complementary and that any new initiatives respect members' ability to pay for the combined services of the two organizations.

In particular, OPPI will work to provide members with more support and tools to excel. The value of being a Registered Professional Planner in Ontario must be based on a "Culture of Excellence" in which each member benefits from the combined achievements of all members.

Don May, MCIP, RPP, is President-Elect and the principal of his own consulting company. He can be reached at donmay@almostthere.ca.

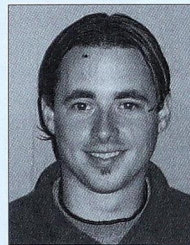


Don May

Meet Greg Atkinson— New Student Delegate

Greg is in his first year of the Master's Environmental Studies program at York University, where he is researching GIS and its applications to the planning field. He obtained his undergraduate degree in Planning at the University of Windsor.

Originally from Windsor, he worked at the City of Windsor for the past three summers as a research assistant in the Planning Department and as an assistant to



Greg Atkinson

the City Centre Revitalization Manager. He has been a Student Member of OPPI for two years.

As Student Delegate, he hopes to expand the services available to students and facilitate a closer relationship between the planning schools in Ontario.

Greg Atkinson, Student Delegate, can be reached at atkinson@yorku.ca

Progress on Professional Development

By Paul Chronis

The Professional Practice and Development Committee has been hard at work advancing initiatives consistent with the Institute's Millennium Strategic Plan. There is still a lot to be done to achieve and foster a culture of excellence. Our aim is to meet your needs for improved programs, services and benefits of a standard consistent with a professional body.

Highlights

The first Standards of Practice Direction ("Independent Professional Judgment Standards of Practice") was approved at last year's AGM. This Practice Direction is avail-

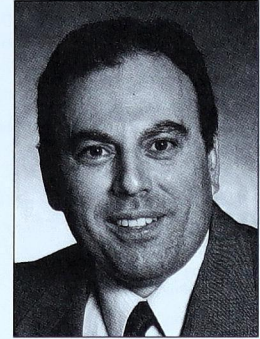
able for viewing or downloading on the web-site. Our sub-committee is currently working on two more Standards of Practice Direction dealing with the topics of "Trespassing" and "Disclosure of Public Interest." These will be available for general membership review and comment in due course.

Opportunities for expanded learning and professional development continue to be provided by the Institute and the Districts. Popular programs, such as "Planner at the OMB" and "Mediation/Facilitation," continue to be provided.

Earlier this year, the Institute's professional

liability insurance was transferred to the Canadian Institute of Planners (CIP) for administration.

We are looking for ways to transfer other programs wherever this can streamline services in a fiscally responsible manner. CIP and Affiliates are reviewing a national



Paul Chronis

approach to deliver professional development and continued learning opportunities to support recognition goals.

I would like to recognize the efforts and contribution of my colleagues on this sub-committee for their ongoing efforts:

Marcel Ernst (Eastern District);
Vicky Simon (Central District);
Judi Brouse (Central District);
Maureen Jones (Southwest District);
Brian Smith (Southwest District); and
Gerald Smith (Deputy Registrar)

The Professional Practice and Development Committee welcomes any thoughts or input for the membership-at-large on the above goals or any other related matters.

Paul Chronis, MCIP, RPP, is Director, Professional Practice and Development. He can be reached at pchronis@weirfoulds.com, or by telephone at (416) 947-5069.

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Membership Services Always Being Improved

By Ron Keeble

This is another busy year for those involved in delivering membership services for the Institute. My colleagues on the Provincial Membership Committee and District Sub-committees have overseen the rapid implementation of the changes to the OPPI By-law affecting membership approved at last fall's AGM. This includes the preparation of a revised Membership Practices and Procedures manual, the development of new services for Provisional Members, and ways to administer and assess membership materials more efficiently.

We now use the website to send quarterly e-bulletins to Provisional Members to help them advance through the membership process. We are also about to implement a new database management system that will allow members to track their own membership file through the OPPI website. More information on this innovation will be provided soon.

There are also two new workshops for Provisional Members. An Interview "C" Workshop for those applying for Provisional

Membership has been delivered three times. This has dramatically shortened the waiting period for candidates. A new web-based application process for all potential members will also be put in place soon.

In April we also delivered our first Examination "A" preparation workshop. The first group to complete the workshop were long-standing Provisional Members. This resource will be available on the OPPI website by the spring of 2004.

Several other initiatives are also under way. A renewal of the Membership Course is currently in progress with an eye to making it also available through the OPPI website. We are targeting the spring of 2005 for implementation of the web-based option for this highly successful course.

The Institute will also be introducing the

Planning Ethics course this fall. Our longer-term goal is to make this course available over the web as part of a new package of Continuing Professional Development resources being developed for all members. Preliminary work on several potential CPD initiatives is now underway.

My colleagues Paul Chronis (Professional Practice and Development) and John Meligrana (Membership Outreach) will be reporting on several other strategic initiatives from the Membership Services Committee.



Ron Keeble

Ron Keeble, MCIP, RPP, is Director, Membership Services. Ron is a professor with Ryerson's School of Urban and Regional Planning. He can be reached at rkeeble@ryerson.ca.



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Congratulations to the New Full Members

Agostino, Remo.....	CD.....	Weston Consulting Group Inc.
Cambray, Corwin L.....	CD.....	City of Toronto
Clarke, Mary P.....	CD.....	Ontario Municipal Board
Geater, Kristin.....	CD.....	Toronto and Region Conservation Authority
Gillis, David.....	CD.....	Niagara Parks Commission
Kumar, Sandeep.....	CD.....	Ryerson University
Lalonde, Sylvie.....	ED.....	City of Ottawa
Maddocks, Robert.....	ED (reinstated).....	Twp. of Rideau Lakes
Musat, Maria.....	ED.....	University of Ottawa
Naylor, Stephen.....	CD.....	Walker, Nott, Dragicevic Associates Limited
Prevost, Louis.....	ED.....	United Counties of Prescott and Russell
Robert, Manon.....	ED.....	Town of Hawkesbury
Robertson, Robert W.....	(from PIBC).....	City of Hamilton
Turcotte, Eric.....	CD.....	Urban Strategies Inc.
Wallace, Leah D.....	CD.....	Town of Niagara-on-the Lake

New Provisional Members

Al-Hussaini, Bashar.....	CD	Leary, Ryan.....	ED
Andreevski, John.....	CD	Loiacono, Sidonia.....	CD
Ball, Jodi.....	CD	Mighton, Deanne.....	CD
Bancroft, Marc.....	SD	Palmiere, Andrew.....	ED
Beaudin, Alexandre.....	CD	Patterson, Scott J.....	SD (reinstated)
Bullough, Brent.....	CD	Patterson, Vincent.....	ED
Chawla, Kant.....	CD	Plosz, Catherine.....	CD
De Souza, Mark.....	CD	Ruddy, Carol.....	ED
Douchant, Christian.....	ED (from AACIP)	Smith, Michael R. E.....	CD
Famme, Jonathan.....	SD	Worobec, Marie.....	CD
Flewelling, Brandon.....	SD	Whittingham, Carlene.....	CD
Forster, Katherine.....	ED	Wianecki, Karen.....	CD
Julian, Maggie.....	CD	Yee, Christine.....	CD (reinstated)
Kerr, Todd.....	CD		

Correction regarding Full Members listing in previous issue

Currie, Christopher.....	CD.....	Civitas Consulting Inc.
De Santi, Nadia.....	ED.....	FoTenn Consultants Inc.

Outreach Stretches the Envelope

The Membership Outreach Committee Members include Kevin Curtis, Lise Guevremont and Arvin Prasad. I would like to thank them for their valuable advice and thoughtful input regarding the Committee's action plans. I would also like to thank OPPI staff, mostly for their patience as I learn the duties as Outreach Director. Overall, the Outreach Committee is working toward the following goals:

- develop an outreach strategy to attract non-member practising planners by specifically targeting planning directors, planning commissioners, principals in consulting firms and university faculty;
- define a new approach to OPPI Student Member Programs & Services;
- develop and implement a plan that promotes the RPP designation by acknowledging the success of those who have attained RPP status;
- review and streamline the scholarship review process;
- review the status of public associate members;
- look into the idea of Re-Certification of Memberships—currently OPPI does not have such policies or requirements.

John Meligrana, MCIP, RPP, is Director, Membership Outreach. The Outreach Committee welcomes any thoughts or input from the membership on the above goals or any other related matters. Please direct your input or inquiries to John at jmeligra@post.queensu.ca or 613.533.6000 ext. 77145.

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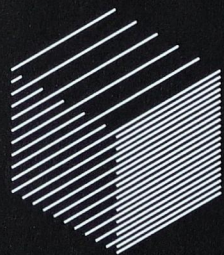
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New waterfront for Toronto is child's play

Central

Making Refined Waves

By Martin Rendl

The GTA Chapter received an update in March on the latest refinements to the Central Waterfront Plan from Toronto's Chief Planner, Paul Bedford. Originally released in October 2001, the refined Central Waterfront Plan was adopted unanimously by Council in April.

The refinements to the plan stem from meetings with the architects who participated in the charrettes of the Toronto Waterfront Design Initiative. Bedford stated that the current plan now represents a working consensus on future development from the many waterfront stakeholders. This alone is a remarkable achievement, considering that there are 11 overlapping authorities on the waterfront. The next step in Toronto's waterfront odyssey will be completion of the detailed precinct implementation strategies that will provide the details of the waterfront framework necessary for development to occur.

There was a follow-on to this presentation in early May at a meeting of the Canadian Urban Institute. OPPI members Cal Brook and John van Nostrand joined with officials from the Waterfront Revitalization Corporation and other consultants (MMM, Du Toit Allsop Hillier and BA Consulting). "Do we have to take down the Gardiner to revitalize the waterfront?" was the question. The corporation is looking "at all the

options," including one proposed by Brook and van Nostrand, which calls for Lake Shore to be placed in a new alignment, thus leaving the Gardiner as a simple structure that can be treated in a variety of innovative ways. Precedents discussed included European examples of development tucked into the arches of railway viaducts. Could this be the answer to Toronto's angst? With the daunting prospect of balancing multi-year environmental assessment and other approvals in a three-year municipal mandate, removing the structure altogether seems like "mission impossible," even if money were no object.

With files from Martin Rendl and Harry James

Eastern

Ottawa Takes a Stand With New Plan

By Ann Tremblay

The quest by the City of Ottawa for an all-encompassing plan for growth reached an important milestone today as the Development Services Department presented its report titled *A Window on Ottawa 20/20—Ottawa's Growth Management Strategy* to Ottawa Council for approval. And what is Ottawa 20/20 you might ask? Well in short, the most integrated approach ever attempted in the GOA (Greater Ottawa Area—to modify an acronym from our friends along

the shores of Lake Ontario) to planning for long-term growth.

The Ottawa 20/20 vision is the result of a process that canvassed the ideals and values of the public and interest groups and which then transformed them into seven guiding principles. Fundamental to the overall strategy is the notion of sustainable development, a goal defined as the "integration of economic growth, social equity and environmental management."

Adopting a smart growth plan was the intent of the new corporation from the outset. Although the former municipal governments had tried this before, the needed consensus for a harmonized vision and unified implementation was predictably frustrated by an inherently divisive municipal government structure. Amalgamation seems to have improved things. (The amalgamated single-tier municipal corporation was created in January 2001, bringing 11 municipalities and the former Regional Municipality of Ottawa-Carleton together.)

Demographic projections outlined in the new plan suggest that by 2021 the GOA population will grow by as much as 50 percent. Meanwhile, household sizes are expected to continue their decline as the population ages, meaning that, before the end of the planning period, some 190,000 new homes of varying size and style will be needed.

That's a lot of people and a lot of development in the coming years, the reverberations of which are sure to be felt throughout the Eastern District.

Ottawa's 20/20 Growth Management Strategy, true to its bid for economic growth, social equity and sound environmental management, consists of an ensemble of strategic plans laying out new directions for Ottawa on a full range of policy areas: an Official Plan, an Economic Strategy, a Human Services Plan, an Arts and Heritage Plan and an Environmental Strategy. Briefly, the official plan sets out the new rules for the City's physical development. It promotes viable alternatives to automobiles, supports development within existing urban and village boundaries and aims to increase residential and employment densities, particularly along rapid transit corridors, arterial roads and main



Ann Tremblay

streets. The economic strategy sets out the City's plan to position Ottawa for innovation, competitiveness and prosperity over the coming two decades. The human services plan lays out strategies, sets priorities and directs investment in areas such as community funding, recreation, arts, heritage, libraries, employment and financial assistance, public health, long-term care, child care, affordable housing, police and fire services. The arts and heritage plan interestingly defines and addresses culture "through two lenses: heritage and creativity." With respect to heritage, the plan outlines objectives relating to the identification and preservation of local heritage through museums, archives, historic sites and buildings, and cultural landscapes. To promote the arts, the plan recognizes the primary need for the City to invest in the local arts sector by taking measures that will result in improved support for community arts programs, artistic venues and access to information about the local arts scene. The environmental strategy addresses the need to reduce the City's environmental impact and to protect and strengthen local ecological features and processes such as air quality, natural habitats, bio-diversity, water quality and soil decline and erosion. City council, staff and

most stakeholders agree that together the plans create an integrated and responsible approach to planning for long-term growth.

But wait! Not all is positive in reaction to Ottawa's 20/20 Growth Management Strategy. A rather sceptical (and ill-advised) article appeared in the *Ottawa Citizen* following City Council's approval stating that the growth strategy is unlikely to have much course-charting capability: "The fundamental concept of an all-encompassing master plan is wrong, and an astounding act of hubris. It's not up to city councillors to plan every aspect of our future life. That's best left to totalitarian states. What actually happens will be determined by the efforts and interests of the people who live here . . . not planners at City Hall."

So what exactly are planners meant to take away from this? That people don't really need to be consulted when municipalities take steps to conform to provincial legislation and that coherent policies are in fact useless? I'd shudder to think what subsequent articles might say were we to take heed. All I know at this point is that I look forward to my media-spokesperson training later this month. Maybe then someone will be able to explain to me what that article was trying to

accomplish. One thing is for sure, as a profession we still have a lot of work to do with respect to the public's perception of planners and their value in our communities.

Ann Tremblay, MCIP, RPP, is the Eastern District representative on Council. She can be reached at a.tremblay@delcan.com.

Niagara Sub-District

What's Up with the Mid Peninsula Transportation Corridor

By Judy Pilhach

It was a full house for "What's Up with the Mid Peninsula Transportation Corridor?" hosted by Golden Horseshoe—South (Central District) in March. Bill Rhamey from MTO, Corwin Cambay from Regional Niagara, Paul Mason from the City of Hamilton, and Ho Wong from the Region of Halton attracted close to 50 participants to the Town of Grimsby council chambers for an update on the Mid Pen Transportation Corridor (MPTC).

Bill Rhamey presented the facts and figures demonstrating the need for the transportation corridor. Corwin Cambay's historical perspective of Niagara Region's proactive position on the MPTC included documents dating back to the early 1960s suggesting that a mid peninsula transportation corridor be considered to preserve tender fruit lands below the Escarpment. Paul Mason's view of the Hamilton situation is that of opportunity. Hamilton has unique circumstances from a land use perspective and is in a timely position to deal with the MPTC as part of the overall review of the official plan and zoning by-law for the restructured municipality. Halton's Ho Wong faces increasing challenges from the NIMBY (Not-In-My-Backyard) and STDBY (Shut-The-Door-Behind-You) phenomenon, as do all communities facing change.

A great cross-section of participants from the consulting field, municipal planners and government agencies generated some thought-provoking questions. Those involved in the Environmental Assessment to be undertaken over the next few years have a lot of work ahead of them! Look for more to come in the future on the MPTC.

The proceeds from this event contributed close to \$700 to the Central District student scholarship fund.

For upcoming events in Golden



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Horseshoe-South, check www.ontarioplanners.on.ca under Members Area/Networking and Education/District Events/Central District/Golden Horseshoe/South/What's New/Newsletter

Judy Pithach, MCIP, RPP, is a Planner with the City of St. Catharines, who shares the position of Chair, Golden Horseshoe-South (Central District) with John Ariens of Planning and Engineering Initiatives.

Southwest

Design over Dinner

By Amanda Kutler

Over 40 members attend Southwest Ontario District's latest dinner meeting held at Smith & Latham Café & Catering in quaint downtown St. Mary's, also known as "The Stone Town" due to the numerous limestone buildings.

Guest speaker Michael Hannay of MC Hannay Urban Design is a planner and member of the Royal Architectural Institute of Canada. Michael shared his extensive involvement and expertise working with urban design guidelines and got the room thinking about how to work more effectively with this kind of tool. We learned how even the best design intentions may not always turn out to be pretty.

Southwest District also enjoyed great turnouts to their joint APA meeting with the Michigan Society of Planners in May and expect a similar response to a retreat weekend in Port Dover scheduled for June 6-7, 2003. For more information check OPPI's website at www.ontarioplanners.on.ca.

Amanda Kutler, MCIP, RPP is active in Southwest District.

People

Rod Robbie Awarded Medal by OAA

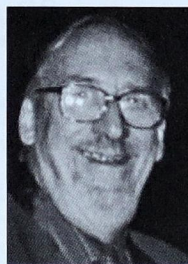
Rod Robbie, well-known for having designed SkyDome, was honoured by the Ontario Association of Architects at their recent convention, with the presentation of the Order of da Vinci. The Order of da Vinci recognizes architects who have demonstrated exceptional leadership in the profession, education, and/or service to the profession and their community.

Rod is also a long-time member of the Institute. He began his career as an archi-

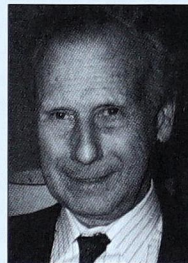
tect with British Rail and after coming to Canada played a key role in the design of schools and other institutions. He is as comfortable with the challenges of urban design and site planning as the intricacies of a complex building program. His role in SkyDome was the subject of a cover story in the Ontario Planning Journal in 1989.

Macklin Hancock, FCIP, president of Project Planning, whose illustrious planning career extends over more than five decades, has been awarded an honorary degree by the University of Guelph. His accomplishments include the design of Don Mills, the Expo 67 site, Ontario Place and many multi-use projects in the Middle East.

The champagne was flowing (figuratively) at the newly opened Carlu facility in College Park in May when Hemson celebrated the 20th anniversary of the firm. Attendees included **Ray Simpson, Russell Mathew, Michael Skelly and Antony Lorius**. Ray Simpson,



Rod Robbie



Macklin Hancock

one of the founding partners (with **John Hughes**), will continue working with Waterloo's School of Planning as Planner in Residence for the coming academic year.

Bruce Hoppe has left the TDL Group to become a planning consultant with Forhan Rogers, based in Newmarket. He can be reached at bhoppe@forhanrogers.com.

After a number of years as the director of planning with Tay Township, **Wes Crown** has joined Meridian Planning Consultants (see pg. 5). His work on the Port McNichol project was the subject of a Journal cover story in 1998.

Stephen Naylor, formerly Manager of Planning for the Town of New Tecumseth, has joined Walker Nott Dragicevic as a Senior Planner. He can be reached at snaylor@wndplan.com.

The contributing editors for People are Lorelei Jones and Thomas Hardacre. They can be reached at ljones@rogers.com and thardacre@peil.net respectively.



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Editorial

Some Steps Forward, Some Steps Back On Smart Growth

By Glenn Miller

Three of the Smart Growth panels have now reported. The two reports from Northern Ontario focus on the lesser known side of Smart Growth—how to deal with no growth. Not surprisingly, it is the work of the Central Panel that has garnered most attention.

The Central Panel report has been well received, with some relief showing that issues are finally crystallizing. With so much to cover in a short period of time, the report is understandably light on implementation, so the devil remains in the details. To see how the Smart Growth recommendations might be put into practice, few issues demand more of decision makers than the proposed Mid Peninsula Highway.

Its opponents see it as an attack on the precious resource of the Niagara Escarpment and a threat to productive farmland. Its fans cite the need to offload pressure on the QEW as a way to mitigate damage to adjacent fruitlands and ensure that trade corridors remain open for business. The climate change lobby is keen to offload truck growth onto promising intermodal options available from CN and CP, two revitalized rail systems that have made certain that “scheduled freight” is no longer an oxymoron. Ironically, a much-needed yard to expand this service would take 1000 acres of prime agricultural land that can only be accessed if the Mid Peninsula proceeds.

So why is the newly minted Smart Transportation Act (Bill 25) giving people heartburn? One reason might be that it follows on the heels of a promise to require municipalities to hold referendums to justify tax increases. Another might be the all-encompassing powers given to the MTO to administer the act which squish a number of established protocols such as the Environmental Assessment Act, rights of appeal to the OMB on expropriations and sideline the Smart Growth Secretariat by shifting power to MTO. Within MAH, the Secretariat is a group of bureaucrats who work hard to steer a straight course through the corridors of Queens Park.

The report of the Advisory Committee on the protection of water resources received a much warmer reception. The recommendations closely mirror the findings of Justice O'Connor's findings related to Walkerton, building on the central premise of watershed-based planning. This is consistent with decisions related to the Oak Ridges Moraine. Look for more debate on all these issues as we move closer to election time.

Glenn Miller, MCIP, RPP, is Vice President, Education and Research, with the Canadian Urban Institute based in Toronto. He can be reached at editor@ontarioplanning.com.

Opinion

Do Planners Have What It Takes To Meet the Challenges of the 21st Century?

By Vladimir Matus

The following piece stems from the author's frustration with the lack of debate in the pages of the Ontario Planning Journal.

During my 25 years in municipal planning, I read, commented or prepared hundreds of plans, from official plans to waterfront plans, from revitalization plans to transportation strategies. Some won prestigious awards. What happened to these plans? Was there follow up? How many were realized? Probably very few. Some were damaged beyond repair during the process. Others were quietly shelved. Some plans were so disfigured by the process that they became embarrassing caricatures of the original intent. Many more gather dust. Meanwhile, new teams, new people were bravely drafting new plans . . . the cycle continues.

From the perspective of 25 years of practice in the municipal sector, it seems to me that we have made little progress in solving these problems. Sustainability is about the ability to cope with and adapt to change. Municipal planners also have to change and

adapt in order to justify their role. Here are some suggested solutions:

Human Centred Community Planning

History tells us that human behaviour patterns are amazingly predictable and that, despite many weaknesses, we are capable of cooperation. As social animals, we need face-to-face contact to exchange goods, information and ideas. There are also precise environmental limits to the human comfort zone. This is what has determined urban form over the years.

But it seems that since the invention of the steam engine, our cities have been rebuilt to accommodate a machinist's dream rather than provide a livable environment that facilitates human interactions at the street level. The factory model has compartmentalized our lives. This seriously compromises the livability of our cities.

Our challenge is to bring back that livability. Judging from the content of our professional magazines, planners are graduating to a post-industrial age. The change from a “system centred” style of planning to

“human-centred” planning is slowly taking place. The integration of public participation and urban design into community planning is helping.

Public Participation

Public participation is now considered to be the central pillar of any responsible planning process. Although there have been successes, a major tune-up is needed. “Win-win” solutions are rare indeed. Often the loudest and best-organized voices win. Even worse, a professional planner must often choose between short- and long-term interests.

Public meetings all too often are a source of understanding of what the public doesn't want. The best indicator is still the market, they say, which is why we continue to build low-density housing on good farmland and drive SUVs. Planners usually end up being blamed for this. Is it too cynical to suggest that our current approach to public participation is vulnerable to making and then repeating mistakes?

We need a practical alternative. We need a process that is better structured, better

organized and better communicated. The difference between needs, wants and desires must be properly explained. The public needs to understand the available alternatives, as well as their monetary and social costs. The goal should be to use public participation to guide us towards informed decisions that are in the long-term interests of the community as a whole rather than allow the process to be hijacked to serve the selfish interests of a vocal minority.

Urban Design

Since its emergence a few decades ago, urban design has successfully bridged the gulf between planners and architects. Our communities look better with the help of urban design. But from the outset, urban design has been in danger of being corrupted by romantic images from the past. Urban designers are too often cast as cake decorators rather than being involved early on when the ingredients are still being debated.

I personally believe that urban design should be seamlessly integrated into the planning process. I would favour abandoning the planners' role in regulating indoor activity and focusing instead on the spaces outside the buildings. By focusing on human needs, planners could help make public spaces more attractive.

Architects should design the urban mass and the planners should design the urban void. The planning of a livable city must start with the planning of the voids—the place where buildings meet the ground.

Human Meter zoning to shape the city

As I have made clear in earlier articles, I believe that the revolutionary zoning approach taken in the new Toronto plan has the potential to shake up municipal planning as we know it. There is room for an additional step, however. Zones could be measured by the "human meter," and a hierarchy could be established, based on quality of life. This is not just a poetic term: I used a similar approach to develop guidelines to accommodate the disabled in public places, resulting in the concept of "Urban Braille," and to modify places to make them safer for women.

At the top of the pyramid there would be a zone where all human activities and interactions could take place within a 20-minute walking distance. This is where one would find opportunities for shopping, working, education, parks and entertainment etc. True mixed use zoning, shaped by lessons from the past.

In other zones, there would be a progressive absence of certain facilities and permitted uses. Distances would be longer, requiring

the use of public transit. At the extreme would be a zone where the only choice would be private transportation. The key would be to direct public expenditures to support the top of the pyramid, allowing people who desire exclusivity to make their locational decisions accordingly.

Planning Everything Departments

I believe that planning departments should be in charge of planning in every area, leaving land use planning to the farmers, foresters and gardeners. Municipal planners should be concerned with true community planning, derived from a wide spectrum of human needs. A true official plan should specify what is to be built, over what period of time and at what cost. As a future-oriented activity, planning should have access to the kind of resources enjoyed by the largest corporations. But this never happens.

If planning has lost status over the years, perhaps it is because we have taken on the role of referees and brokers rather than dedicating ourselves to visioning the future. How many of us are involved in environmental scanning, detecting trends and forecasting change? Do we know the difference between cyclical change and evolutionary spirals? How good are we at developing early warning systems?

A planning department should be a place to acquire and make use of knowledge. We should be capable of offering advice to those seeking practical solutions to complex problems. Failure to keep up with change will result in absorption into other parts of the bureaucracy.

What to do?

The first priority is to acknowledge that a university degree is only the first step along the way. Continuous education is mandatory. To function effectively, every planner must seek to act as the conduit to a larger pool of knowledge.

Second, planning departments are notoriously under-resourced. We should take it upon ourselves to establish a continuous, structured dialogue with all groups and associations with a stake in establishing planning objectives. The key would be to extend the

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reach of planning departments into the community by encouraging volunteer involvement.

Responsibilities for fact-finding and trend-spotting could be assigned to specific community groups, experienced retirees, student planners and others. Perhaps volunteering to support local planning departments should be a source of points towards gaining membership in the Institute?

This is the kind of thinking needed to allow municipal planners to meet the challenges of this new century.

Vladimir Matus, MCIP, RPP, recently retired from 25 years plus in municipal planning. He lives in Toronto. Vladimir contributes to the Ontario Planning Journal on a regular basis.



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Transportation

GTA Goes with BRT: Will LRT Proposal Be Left at the Altar?

By Neil Innes



Croydon embraces LRT

GO, and streetcar networks, and provide the basis for expansion of the bus network.

BRT vs LRT

With over a billion dollars in taxpayers' money at stake, the decision to support BRT will not be taken lightly. A factor in favour of the BRT proposal is its \$1 billion price tag (although critics claim that this figure does not represent the full cost). At less than half the price of the LRT submission, it is seen as a more practical solution to the GTA's growing congestion problems.

BRT has met with varying degrees of success around the world, with Latin America setting the standard. Around a dozen cities provide reliable and efficient services to their downtown areas while effectively covering their costs. One highly touted system is the Expresso Biarticulado in Curitiba, Brazil. This 'model' BRT system is one of the most heavily used, yet low-cost, transit networks in the world. Cities like Bogota, Colombia, and Quito, Ecuador, have also experienced similar results. However, because these cities have lower vehicle ownership rates and per capita income, it is debatable if these successful examples of BRT could be duplicated in Toronto.

Several cities in North America have adopted Bus Rapid Transit to help alleviate congestion and unlock gridlock. Systems in Pittsburgh and Ottawa are often cited by proponents of BRT. Ottawa made the bus the

Having recently moved to Canada from Scotland and having completed a thesis on Light Rail Transit while at the University of Strathclyde, I was extremely interested in the recent publicity surrounding two proposals vying for funds under the Golden Horseshoe Transit Investment Partnerships (GTIP) initiative.

The Proposals

Of the 106 proposals put before the Ontario government under the GTIP initiative, two made headlines in the GTA earlier this year. The BRT and LRT proposals were competing for \$1.25 billion in transport funding over the next 10 years. Funding announcements so far support the BRT, although the major dollar commitments have yet to be made.

Bus Rapid Transit (BRT) is a \$1 billion plan being promoted by GO Transit in conjunction with the TTC and the transit authorities of York, Durham and Peel regions. The proposal consists of running express buses in their own rights of way along existing highways. A 100km "spine" will run from Oakville's GO station with stops at Mississauga City Centre, Pearson airport, York University and Markham Town Centre. The proposed system would connect with the subway at several stations.

The alternative is a Light Rail Transit (LRT) proposal. This \$2.5 billion plan to

build a 106km light rail network is backed by a consortium led by Aecom, ALSTOM and Borealis. The planning and engineering feasibility was carried out by Lea Consulting. The SmartRide LRT would connect key areas in the GTA, including downtown Toronto and the waterfront, Pearson airport, Mississauga City Centre, York University and the Vaughan Corporate Centre, North York Centre, Markham Centre, the 404/Steeles area and Seneca College. The system would be fully integrated with the existing subway,



San Francisco captures the imagination with PCC technology

backbone of the city's transit system, and started operating its "Transitway" in 1983, featuring comfortable buses and high-frequency service. Despite these attributes, the system has seen its operating costs rise in recent years and its ridership decline over the last decade. Original projections for the system were estimated to be 95 million per year by 1991, but reached only 75 million by 1995. 2001 saw an encouraging increase of 5.9 percent, although it still falls short of original expectations.

A European perspective

In Europe, however, BRT has always taken a back seat to light rail development. France has been one of the most active light rail developers, with 92km of line constructed between 1996 and 2001. Paris, Lyon, Montpellier, Rouen and Nantes have all opted for LRT, with many planning to extend their existing networks.

Another country experiencing a "tramway renaissance" is Great Britain. Several cities have introduced highly successful light rail transit systems. Two notable examples are the Manchester Metrolink and the Croydon Tramlink. Both of these networks have seen their ridership soar to 17.2 million and 18.3 million passengers per annum respectively since implementation (well above predicted patronage levels). Experience in Britain has shown that light rail transit can have a number of additional benefits. These include:

Manchester

- 2 million car journeys have been taken off the road each year
- Metrolink consumes only 60 percent of the primary energy requirements per passenger

- kilometre of a car journey
- It produces no atmospheric pollution within the urban area

Croydon

- Tramlink has contributed to a 19 percent modal shift from the private car
- Increase of 20 percent in the value of real estate along the Tramlink corridor
- Usage of city centre car parks has decreased by 6 percent, yet commercial trade has increased by 11 percent.

Systems in Newcastle and Birmingham have had similar experiences and with new proposals being put forward in Glasgow, Edinburgh and Leeds, LRT is a booming industry in Britain.

North America has also had its fair share of light rail success stories. LRT is thriving in cities like Portland, Dallas, St. Louis, Salt Lake City, Calgary and Vancouver. Just like in Europe, LRT in North America has also resulted in spinoff benefits:

Dallas DART

- More than \$800 million (U.S.) in private funds has been invested in development along DART's 20-mile "starter system"
- A University of North Texas study found that properties adjoining light rail stations grew 25 percent more than comparable properties away from LRT

Portland MAX

- MAX has been a catalyst for development with \$2.9 billion (U.S.) worth of investment within walking distance of its 54 stations
- A Portland State University study revealed a 10 percent increase in the value of resi-

dential properties that are in close proximity to LRT stations

San Francisco

- A "classic" streetcar ride is one of the highlights of a revitalized waterfront, featuring restored PCC cars from the 1950s.
- The routing cleverly interconnects with other transit modes (cable car, trolley bus, bus, BART and ferry) and carries a considerable amount of commuter traffic in addition to tourists.

Just about a decade ago, GTA municipalities and the province agreed on a grand vision to create a new structure for the region, based on linking high-density, mixed-use centres with transit-friendly corridors. The premise was that we needed to invest in the future by attempting to shape land use patterns. Does the BRT meet this test? If the BRT option receives enough funding to be fully implemented, let's hope the results are effective as well as affordable.

Neil Innes is a researcher and planner who recently settled in Canada from his native Scotland. A version of this article previously appeared in the Toronto Star newspaper. Neil also wrote a recent cover story about plans for downtown Markham for the Ontario Planning Journal.

David Kriger, MCIP, RPP will return. David is a partner with i-Trans Consulting. He is the contributing editor for transportation for the Ontario Planning Journal.

Urban Design

Urban Design Working Group Tackles Placemaking

Like good urban spaces, productive professional conferences do not just happen. Starting with the desire to address some of the most pressing issues facing planners, politicians, investors, and other placemaking decision-makers today, the Canadian Urban Institute and OPPI's Urban Design Working Group brought together some of the leading thinkers and practitioners in modern placemaking and community building February at a one-day session held at the Lucent Learning Centre in downtown Markham.

A proceeding (written by Philippa Campsie) is now available (downloadable as a pdf from www.canurb.com). In his introduction to the piece, workshop leader Gordon Harris concludes that, "We heard

complex ideas simply expressed and simple ideas richly presented. Several common themes emerged. Ideas that only a few years ago were on the fringe of mainstream planning and development are now at the heart of the thinking that is shaping our communities."

Workshop presenters from across Canada and the U.S. (including a number of OPPI members) provided many clear illustrations of real-world approaches to urbanizing suburbs. They ably demonstrated that planning is about much more than just the plan itself.

Speakers put contemporary planning in the context of an on-going process of community involvement and engagement. "We were reminded that planning does not end with a plan's adoption and neither does

public consultation," Harris notes. "We also heard how important it is to pay attention to the details that allow us, through good planning and good urban design, to create within our communities spaces and places where we can experience those moments that make our lives more enjoyable."

To be successful in making suburbs more urban, presenters added, more creative approaches to financing urban projects and infrastructure will be needed. Many different forms of partnership will need to be tested.

Keynote presenter George Dark also cautioned that creating urban places takes time—often a long time. The best ones grow and change over time as our needs change as our ideas of urban life evolve.

To complement the workshop, the UDWG conducted a tour of newly urbanizing 905 spaces in cooperation with the GTA Forum in May.

Contributions to the Profession— An Occasional Series Bill Dempsey

William A. Dempsey, MCIP, RPP, worked for many years at the Board of Education for North York, serving as Executive Assistant to the Director and Superintendent of Board Services. He retired in 1984.

Bill graduated from the University of Manitoba in 1942 with a B.A. in History, followed by a year of graduate study. Bill also served in the military for three years until the conclusion of hostilities. This was followed by a Masters in Social Work from the University of Toronto in 1949 and a diploma in Town and Regional Planning from the same university in 1957. He joined the Town Planning Institute of Canada as an Associate Member in the same year. Hugh Lemon, Secretary of the TPIC,

signed the official notification.

Bill's application was endorsed by no less a luminary than Macklin Hancock, then Managing Director of Project Planning

Associates Limited, who praised Bill's contribution to the development of Don Mills in the early 1950s, commenting on behalf of the Community Planning Association of Canada. Hancock also noted Bill's willingness to work with the public to explain the arcane field of planning, a "highly technical and oft-times remote field of endeavour."

Bill Dempsey also received strong endorsement from A. L. Nash, Director of the Community Planning Branch in the Ontario Department of Planning and Development



Bill Dempsey

(later to become Municipal Affairs and Housing). Bill's responsibilities with the department included dealing with leasehold, rental and zoning issues stemming from wartime regulations. He also acted as assistant to the Director of Housing in the Housing Branch of the department. By the time TPIC changed its name to CIP in 1974, Bill Dempsey was a full member.

Almost 50 years after submitting his application, his reasons for joining a professional association still ring true. "The professional association provides a meeting place where one can exchange opinions with those who may have specialized training . . . or who have had opportunity of observing alternative planning objectives and methods of procedure in other places," he wrote. "I believe I might be able to make a slight contribution on the question of interpreting planning," he added. By all accounts, this proved to be quite an understatement, since he is still actively involved in the community association that he helped found more than 50 years ago. Bill was also recognized a few years ago for his work in saving the Centennial Creek, which runs close to his house.

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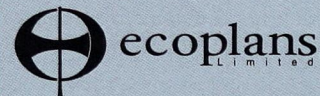
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Up! Cash-in-Lieu Payments on the Rise

By Stanley B. Stein

Shania Twain is not the only one singing UP! these days. Municipalities keeping up with the case law on cash in lieu of parkland know that if you're a developer, they're "gonna get ya good."

The law has evolved through a recent decision of the OMB in the *Mavis Valley Developments v. Mississauga* case. Released in January, 2003 and, as of April, on its way to the Divisional Court, the *Mavis Valley* case confirms how to value lands for cash-in-lieu calculations. Generally, the standard for new residential developments using section 42 of the *Planning Act*, is the value of the residential lots themselves. This is an important finding for those interested in planning for parks and municipal revenues.

Setting the stage

Understanding the case law on cash-in-lieu payments requires

a quick review of the *Tradmor Investments v. Mississauga* decision. Back in 1993, *Tradmor* challenged the City's two-step methodology for calculating cash in lieu, and its process of adjusting the payments upwards over time as the value of land increased. The City used a double-barrelled process under both (then) section 50 (now 51.1) related to subdivision approvals and section 41 (now 42) respecting development approvals, to determine park cash-in-lieu payments. Basically, the City took the value at the date of registration of the plan under section 50, plus another bite under section 41 for the project as a "development" using values on the day before the issuance of the building permit (with a credit for amounts previously paid). As an extra boost, amounts not paid within one year of the valuation were subject to recalculation at new rising market values.

The issue before the Board in *Tradmor* was whether the City had the right to collect anything at all under section 41. The key to the choice of section is that the subdivision section requires a calculation of the 5 percent on the day before draft plan approval. The more general "development"

section 41 calculates cash in lieu on the day before the issuance of the building permit. The latter calculation yields a much higher cash in lieu because the lots are created, services are in or committed, and the passage of time on its own inevitably floats land values upwards.

The OMB heard and accepted evidence that section 41 was intended to cover "development" (such as redevelopment of industrial land that created a residential use) not otherwise covered by the specific subdivision section of the *Planning Act*. The Board concluded that for residential subdivisions there should be one calculation only—the value under section 5 percent of the market value of the land on the date prior to draft plan approval. Sounds simple.

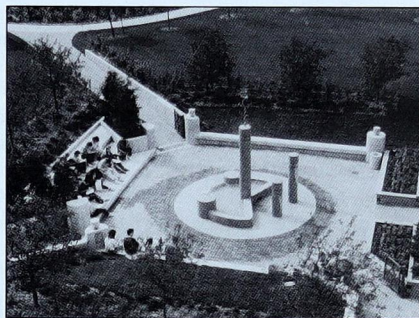
Not so fast! On appeal, the

Divisional Court disagreed and said that the City's double hit process was permitted under the Act. The Court saw the concept of "development" under section 41 as being broad enough to include residential subdivisions. This Court decision opened the door for municipalities to charge a cash-in-lieu payment at both the subdivision registration and building permit stage. The specific amounts could be in issue as a matter of valuation, but the principles were set. The Court also approved the City's boost enabling a reappraisal after one year if the original assessment was not paid.

Divisional Court disagreed and said that the City's double hit process was permitted under the Act. The Court saw the concept of "development" under section 41 as being broad enough to include residential subdivisions. This Court decision opened the door for municipalities to charge a cash-in-lieu payment at both the subdivision registration and building permit stage. The specific amounts could be in issue as a matter of valuation, but the principles were set. The Court also approved the City's boost enabling a reappraisal after one year if the original assessment was not paid.

New Music from the Province

The development community was not happy about the *Tradmor* decision; but municipalities were. Some clarification of the new rules was needed so the province stepped in with an amendment to the *Planning Act*. The effect of the amendment was to take away the staged collection process. If a municipality elected to obtain parkland or collect a cash in lieu of parks payment under the subdivision section, it could not then proceed to also collect more cash in lieu



Parkland was never cheap



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later on, under section 41. This led some municipalities to create cash-in-lieu policies whereby they would only collect cash-in-lieu at the higher building permit stage.

Calculating Market Value

In the *Mavis Valley* case, the City's specific methodology for determining the market value for the cash-in-lieu payments made under (now) section 42 was the central issue. The City calculated the cash-in-lieu value based on fully serviced residential lots, ready for building permits. The 5 percent payment was based on the total value of all the lots on the plan. The City used actual market value based on sales of lots by developers to builders, without further analysis. The developers felt that this approach was inequitable and that the proper valuation should be based on what the City paid for parkland. This was based in part on the value actually paid by the City for a large serviced block of parkland, and consideration of the use to which the land would be put.

The Board considered the intent of section 42 and determined that it was to provide a different value for cash in lieu after the land was divided. But the narrow question was how much higher a value was intended? The Board adopted the City's approach. It stated that once the land was

subdivided, the only way the City could obtain parkland was to buy the individual lots or blocks into which the land had been divided. The Board allowed adjustments to remove the components of value attributable to development charges payable on issuance of a building permit, and for any increment in lot values of comparables that reflect recovery of cash-in-lieu payments.

Storm clouds ahead

There is more litigation on the horizon. The Board in *Mavis Valley* left open the ability of an owner to refer draft plan conditions to the Board to consider on specific facts whether there should be parkland or cash in lieu thereof under section 51.1. The Board noted that this would depend on municipal policies and principles of good planning. The Board would thereby decide if the needs of the project for parks would prevail on planning grounds against the municipality's quest for higher cash in lieu.

If upheld on appeal, the *Mavis Valley* case shows that cash in lieu, under section 42, has nowhere to go, but UP!

Stan Stein is head of the Municipal Law group at Osler, Hoskin and Harcourt LLP, and is a frequent contributor to the Law and Order department of the Ontario Planning Journal.

New Economy

The Golden Horseshoe—Population 15,000,000

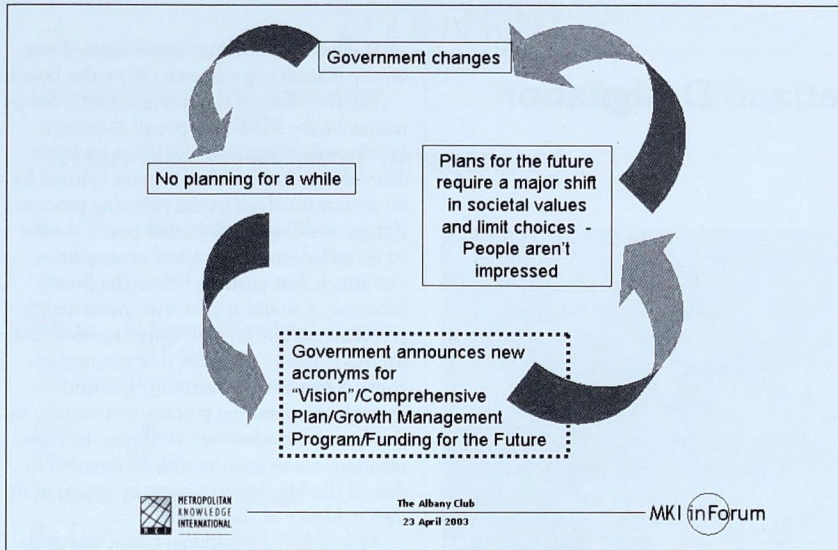
By Jeff Lehman

The consulting equivalent of a supergroup held its first concert in late April at Toronto's Albany Club. With about 40 invited guests in attendance, Metropolitan Knowledge International (MKI) hosted its first "InForum," a one-day event examining the long view of demographics, economic, transportation, governance, and project finance in the Golden Horseshoe. Normally this combination of disciplines would result in on-stage cacophony, but the quartet of presenters created a reasonable harmony under the guidance of Glenn Pothier of GLPi Consultants, who moderated the event.

Opening the presentations was Tom McCormack, Director of the Centre for Spatial Economics and a frequent colleague of MKI, who provided a vision of the future of the Golden Horseshoe that could see the region growing to a population of 15 million. The underlying conditions required for

the growth, said McCormack, suggest a need for a planning horizon that is "longer temporally, and wider spatially." Bob Lehman, founding partner of MKI, agreed and argued that governance structures need to change to bring our urban structure into harmony with our societal goals. His conclusion: we have one too many levels of government, and are approaching an unmanageably litigious planning environment in Ontario, with local appeal processes paralysing the broader public good.

John Sutherns, founding partner of MKI, followed with an assessment of how we will we get around in a Golden Horseshoe of 15 million people. Suggesting some goals for regular investment in transportation infrastructure (among them, one new kilometer of subway and 400 new buses every year), John suggested that without quick action to protect available transportation corridors, we will not be able to build the infrastructure required to accommodate the economic growth projected for Central Ontario.



meet their discrete objectives.

Formed by Bob Lehman, managing partner of Meridian Planning Consulting Ltd., and John Sutherns, CEO of McCormick Rankin Inc., MKI recently welcomed Jeff Seider, formerly of KPMG. The company is a new, highly specialized consulting practice focused on strategic policy work and delivery strategies for built infrastructure. MKI has been operating "below the radar screen" for some time, but has been providing infrastructure investment advice and related knowledge-based consulting to all three levels of government for 18 months, and continues to lead strategic projects in a number of markets and disciplines.

Jeff Lehman, MCIP, RPP, is a senior consultant with MKI in Ottawa. His recent work includes growth management forecasts and strategies for three Golden Horseshoe municipalities, and has recently authored several reports identifying vehicles for realizing planning benefit from investment in major infrastructure such as light rail transit. He is the Ontario Planning Journal's contributing editor on the New Economy.

Obviously the provincial government agreed to act almost immediately, with legislation being introduced a mere 16 days after the conference that will provide for early protection of corridors! Jeff Seider, principal with MKI, provided the final presentation, focusing on

the financing structures that will be required to provide this infrastructure. He predicted that toll/user fee revenue structures and concession contracts will become much more commonplace as the public and private sectors come to terms with the best structures to

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OMB Relegates MNR Wetland Designation To "Opinion" Status

By Bruce Engell



Wetlands under attack

Based on the evidence, the OMB is free to make a finding that a parcel of land is not a Provincially Significant Wetland, even if the MNR says it is. Presumably, the reverse is also true.

The Divisional Court recently (in 2002) confirmed that the designation is simply a

non-binding opinion by the MNR. The OMB must hear evidence and determine for itself, on the evidence, whether it agrees. Moreover, the Divisional Court confirmed that where the OMB makes a finding that a parcel of land is a Provincially Significant Wetland, the Board is also required to assess

what effect that finding should have, if any, on the planning documents before the Board.

The net effect of the ruling is that a designation by the MNR of a parcel as being a Provincially Significant Wetland, or some other designation, amounts to an opinion by an agency involved in the planning process: if there is a dispute, then that position must be defended in evidence and other parties can attack that position before the Board. Likewise, it would appear that municipality preparing an official plan is free to reject the MNR's position, provided that the municipality is prepared to defend its position through the planning process. Conversely, in the face of a landowner's challenge to a designation, municipalities may be required to defend the Ministry's opinion by means of its own evidence at the Board.

Although the Divisional Court was dealing with an issue of a parcel identified by the Ministry as a wetland, other designations (such as ANSIs) should presumably be treated in the same manner—just because the Ministry says it is so, does not make it so. This could apply to woodlots, hazard lands, aggregate resources, floodplains, fish habitat and prime agricultural lands.

Bruce Engell is a member of the WeirFoulds Municipal Law Group. This summary was provided by Paul Chronis, MCIP, RPP, a senior planner with WeirFoulds and Ontario Planning Journal's contributing editor for the OMB. He is also a member of Council.

Environment

Prepare to be Surprised

In the next issue of the Ontario Planning Journal, we will be beginning an important series of articles examining how the OMB resolves municipal land use conflicts as they affect the environment.

The articles analyze OMB decisions that involve the Natural Heritage Section of the Provincial Policy Statement. This policy is of particular significance for environmental protection as its intent is to protect a variety of types of ecological features and functions during the land-use planning process.

The authors conclude that the PPS was effectively applied by the OMB. In most cases, the burden of planning conformity rested entirely with the developer. In other

cases, expert witnesses from government ministries, non-governmental organizations or the consulting industry provided evidence on natural heritage matters and on planning conformity. In the majority of cases the OMB interpreted the *Planning Act* phrase "have regard to" as obligating the application of and adherence to the Natural Heritage Section of the Provincial Policy Statement.

The articles conclude that using an administrative tribunal to adjudicate land-use disputes enables natural heritage policy to be considered and applied successfully in most cases within Ontario's municipal planning structure. The admission of expert evidence on natural heritage matters and on planning conformity matters assisted the Board. The presence and active involvement of staff from relevant government ministries, such as the Ministry of Environment and Energy, the Ministry of Natural Resources and the local conserva-

tion authority, was also of assistance to the Board and helped increase the level of natural heritage protection in municipal planning matters. Unfortunately, the involvement of government ministries was infrequent.

Dr. Christopher Wilkinson is a provisional member of OPPI. He can be reached at chris_wilkinson@sympatico.ca

Dr. Paul Eagles, MCIP, RPP, is a professor at the University of Waterloo.

Hold on to your hats!

Steve Rowe, MCIP, RPP, is the principal of Steven Rowe Environmental Planner. He is also President of the Ontario Society for Environmental Management and is contributing editor for the environment for the Ontario Planning Journal. He can be reached at deyrowe@sympatico.ca.

Uneven writing but still worthwhile

Urban Planning and Management

Part 1 in a Series entitled "Managing the Environment for Sustainable Development"

Editors: R. Kerry Turner, Ian J. Bateman and Kenneth G. Willis

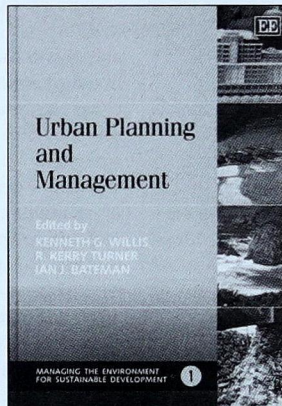
Publisher: Edward Elgar Publishing Limited, UK,

Date: 2001

Pages: 500 pp

Reviewed by Michael Sullivan

Much has been written and discussed on the topic of sustainable development in Canada and North America, but very little has changed. Environmental experts keep on telling us to reduce our rate of land consumption, carpool, live closer to work, or we will suffer the consequences. These consequences, while defined, are difficult for many of us to quantify and therefore we tend to put them aside and hope they go away quietly. While the concept of sustainability, loosely defined as the ability of population growth to occur with a minimum of impact on the natural environment, is difficult to understand and may require us to change our daily patterns, we choose to ignore it.



This collection of 29 professional and academic papers was brought together by the editors to address the common theme of "urban planning and management" from a sustainability perspective. Sources include the *International Journal of Urban Sciences*, the *Journal of the American Planning Association* and the *Third World Planning Review*. Most of these papers were written over the last 5 to 10 years and provide us with an updated view on sustainability in urban planning. The text is separated into 12 parts, beginning with a General Overview and including both macro and micro concepts such as Town Planning, Waste and Recycling, Legal Issues and Design. Each section contains between 2 and 4 papers that cover a variety of topics.

Kenneth Willis, the primary editor opens

with an overview that provides us with a definition of city and a history of urbanism. Ironically, Willis notes that "the anti-urbanism movement was largely responsible for the inception of the town planning movement, and planning concepts such as those proposed by Ebenezer Howard of urban containment and garden cities." (p. xi) Indeed the 1990s showed a renewed interest in cities and sustainability due to the need to conserve rapidly disappearing resources.

The fate of cities is appropriately the first discussion. "Are Cities Dying?" weighs the strengths and weaknesses of the urban form and suggests that the forces initially used to create cities will likely continue, but to varying degrees in each location. Cities will continue to gain economic strength and the forces that result. This is set against the next article entitled "The Co-evolutionary City" which suggests that sustainability is possible within the urban form, but the nature and type of design will be different in each case, based on the local context. The author argues for a practical approach involving policies that address technology, location and lifestyle to ensure sustainability.

Each of the other sections deals with a specific aspect of sustainable development, including: cities, design, energy, town planning, transport, waste and recycling, water, other services, and legal, property rights and management issues. An epilogue by HRH The Prince of Wales entitled "Why I'm Modern, But Not Modernist" provides an interesting perspective on many of these issues. Prince Charles notes that traditional habitat and urban centres must continue to thrive, but not at the expense of taste or ignorance to the past. Instead of introducing new designs and building forms, development should incorporate designs that incorporate past architectural success, while providing for modern conveniences and habits.

The editors have made some effort in

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this book to include multiple perspectives on sustainable development, allowing the reader to have more informed opinions on this subject.

While there are unresolved issues with the concept, definition and political acceptability, the editors have taken the high road in this matter, once again allowing the reader to make the final decision. They do question, however the ability of the planning profession as a regulatory mechanism to produce an economically efficient outcome. Based on the opinions presented, this is a valid point, at least at the present. If the province and, in turn, municipalities have the political will and staffing resources to slowly adapt our system towards implementing sustainable and environmentally friendly designs and techniques, we may see some positive changes.

I enjoyed reading most of this book. It was informative and provided me with a better perspective on certain issues. Unfortunately, writing styles vary among authors, and some are more comprehensible than others. The overall concept of sustainability and the appropriateness and ability of our planning tools to incorporate these principles into many facets of our daily lives was shown in a positive and constructive manner.

Public interest in Ontario focuses on compatibility, privacy and economic issues, rather than those connected to sustainability. Once members of the public can look past their proverbial back yards, and consider other interests rather than their own, there may be an opportunity to implement more sustainable forms of planning policy and practice through official plans and zoning by-laws. The concept is readily available, local examples of developers and the public sector working together for a better end product are becoming more commonplace. To achieve true sustainability, planners and their public/private employers must find a way to put aesthetics and a long-term vision in front of profitability and volume.

Michael Sullivan, MCIP, RPP is Senior Planner with the Nottawasaga Valley Conservation Authority, west of Barrie, where he is involved with development review and environmental policy formulation. He has a B.A.A. in Planning from Ryerson and is an active volunteer with OPPI as Chair of Central District's Lakeland Planners and as a member of the District's Membership Sub-Committee. He can be contacted at msullivan@nvca.on.ca



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Smart Growth for Dummies Smarter Land Use

By Karl Kehde
Published by LUFNET (Land Use Forum
Network, Inc.)
159 pages plus appendix

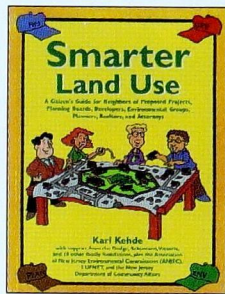
By Review by T.J. Cieciora

Smart growth has become a widely used term in contemporary society. Everyone wants it and it is largely assumed to be a desirable component of planning any new development. The focus of Kehde's book is to introduce, and teach interested parties, a procedure to ensure the principles of smart growth are included in new developments.

I would consider this book along the lines of "Smart Growth for Dummies" in that it is readable by non-technically oriented people as well as industry professionals. The processes and procedures espoused in the book can be used by any number of persons including land owners (large and small), developers, environmentalists, planning commission members, planners, real estate agents, solicitors, or generally any business person.

The main premise of the book is to end confrontation between the different interested parties to develop smartly with all involved having active parts in the determination of the final built form of the development. While this process seems to work, as evidenced by the numerous examples cited in depth, it takes a willingness of all parties to compromise on their own agendas for the greater good, thus environmentalists and developers must subscribe to this process wholeheartedly and leave behind some of their staunch principles.

Within the book the author included a



CD-ROM giving detailed instruction on how to use the "Project Integration Procedure" which supplements the text of the book nicely. The author advises that "when all parties [involved in any development discourse] attend a presentation together, they understand it, they hear their perceived adversaries say they would be willing to try it, and they realize that this procedure is the best way for everyone to achieve their goals."

After reading the book and reflecting on my notes I came to the realization that for the most part, the development industry in Ontario has generally been practising the

Program Integration Procedure in everyday development.

Through public consultation, public meetings, pre-consultation, and working with interested parties to resolve issues prior to going in front of a decision making body, responsible developers and their consultants have been observing the basic principles of the "Project Integration Procedure." The one thing that the author has to offer the

Ontario development industry (and the Ontario public) is that the process is more formalized and transparent to all involved. Basically, it happens now but nobody has taken the time to put together a text outlining the steps, procedures and principles. This book may help to streamline the process if involved parties follow the procedure more closely.

This publication would be a benefit to all those involved in the land development process from anti-development groups to those that make their living from development.

T.J. Cieciora, MCIP, RPP, is a planner with the Town Planning firm, Design Plan Services Inc. He can be reached at tjc@designplan.ca. He is the contributing editor for In Print.

A Road Not Taken

Cape Town's "Spadina expressway"

Reiner Jaakson spent a month working as a planning consultant in South Africa. He sends us this picture of an expressway project in Cape Town which was stopped in "mid-air" by strong public protest—much as Toronto's Spadina expressway was some thirty years ago.



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**Picture Worth More
Than 1000 Words**

The "geoscape" pictured below represents the three-dimensional relationship between geology and the landscape. The poster (soon to be available in digital form as well as paper from www.toronto.geoscape.org or 1-800-252-4301) is the handiwork (with others) of Victor Doyle, a manager with Municipal Affairs and Housing in Toronto. "Imagine standing in downtown Toronto over a period of millions of years," the authors suggest. "You would have been in a tropical sea, standing on dry land, overrun by a glacier four times higher than the CN Tower and swimming in an ice-cold lake." The poster is a cooperative effort involving the Geological Survey, MAH and several other organizations. In addition to being a great teaching tool, the poster is a remarkable source of information for professionals.

Enlargement of Niagara Escarpment panel below

Did you know?
The Toronto area is moving westward at about 2.7 centimetres per year as the North American and European plates move away from each other.

SAPPING PROCESS
Since the tropical seas disappeared millions of years ago, exposure to the elements has caused weathering and removal of the softer underlying shale, leaving a steep, distinctive cap. This weathering process, called sapping, continues today.

KEY
Geological period
Description
Structure
Urban
Water
Vegetation
Elevation
Topography
City

ANTARCTICA TORONTO
On the 100th anniversary of the first expedition to Antarctica, imagine what it would be like to visit the continent today. The continent is now a frozen desert, but it was once a lush, green island surrounded by warm waters. The last Ice Age was about 12,000 years ago.

Oak Ridges Moraine
RIDGE OF RESOURCES
GLACIAL MULTITERRACE FAN OF THE OAK RIDGES MORAINES
AN OASIS OF GARDENS
The Oak Ridges Moraine is a long, low ridge of sand and gravel that runs from the north of Toronto to the south of Mississauga. It is a natural barrier that has protected the city from the elements for thousands of years.

Lakeshores
GLACIAL LAKE TORONTO
NEW LAND FOR TORONTO WATERFRONT
The city of Toronto is built on a series of glacial terraces. The city's waterfront is a result of the city's location on the edge of a glacial lake. The city's waterfront is a result of the city's location on the edge of a glacial lake.

Rivers & Valley lands
TO THE FORCE OF FLOWING WATER
PAVEMENT LEADS TO FLOODS
The city's rivers and valleys are a result of the city's location on the edge of a glacial lake. The city's rivers and valleys are a result of the city's location on the edge of a glacial lake.

THE PLAINS
A RECIPE FOR SUCCESS
SAPPING TOWNS
SOILS
WHY GARDEN MUCK
YOU THINK IT'S IMPORTANT
GTA FARM TYPES
MEASURING UP
WHY YOU SEE IT, WHY YOU DON'T
URBAN EXPANSION IN THE GTA

Great Changes in the Greater Toronto Area

ANTARCTICA TORONTO

Oak Ridges Moraine

Lakeshores

Rivers & Valley lands

THE PLAINS

ANTARCTICA TORONTO

Oak Ridges Moraine

Lakeshores

Rivers & Valley lands

THE PLAINS

