


ONTARIO PLANNING

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ONTARIO PLANNERS: VISION · LEADERSHIP · GREAT COMMUNITIES



Waterloo Region pins its hopes on its Regional Growth Management Strategy

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Managing Growth in Waterloo Region: Planning for a Growing Community

By Peter Walberg, Kevin Curtis, and Jessica Hawes

Since its formation in 1973, Waterloo Region has consistently ranked as one of the fastest-growing communities in Canada. With a population of approximately 470,000, the Region is now the 10th largest urban area in Canada and the 4th largest in Ontario. Yet in spite of this rapid growth, Waterloo Region continues to maintain its quality of life, economic prosperity and environmental integrity. But how can this vitality be sustained in the years ahead? The Region is pinning its hopes on its Regional Growth Management Strategy (RGMS), a collaborative strategy that seeks to accommodate growth, yet which carefully protects those one-of-a-kind features that make the area so special. To quote George Dark, a partner with Urban Strategies, "You have this wonderful pattern of urban, rural, and settlement, city, town, village, hamlet, crossroad and farmstead. Your challenge in the future is to keep this pattern alive and active."

Regional Council launched the RGMS process in April 2001 to define where, when and how future residential and employment growth will occur. Titled "Planning Our Future," this initiative, unanimously approved by Council this June, is similar to growth strategies prepared in other jurisdictions in that it seeks to focus growth; build on past accomplishments; attain financial stability; and achieve more compact transit- and pedestrian-oriented development.

But there are some unique characteristics. In particular, the strategy was developed around a 40-year planning horizon, a longer timeframe than most official plans, and is designed to be the overarching framework to help guide Regional decision-making. In this capacity, it will lead to an update of existing master plans, the preparation of a new Regional Official Policy Plan (ROPP), and several strategic initiatives. Perhaps most significant is the fact the RGMS integrates a vast cross-section of area municipal, regional and other stakeholder actions, including many which typically fall outside the scope of conventional land-use planning. This holistic approach, in which partnership and cooperation will play key roles during implementation, is thought to be the most successful way to achieve the balanced growth for which the community has

expressed a clear preference. According to Bob Lehman, founding partner of Metropolitan Knowledge International (MKI), "With early cooperation with all the municipalities involved, the existing planning mechanisms should be successful."

Building on a Solid Foundation

Growth management is something that the people of Waterloo Region have taken seriously since the first regional plan—the first of its kind in Ontario—was originally passed in 1976. Since then, the Region has championed many innovative projects which have later been embraced and implemented as policy in other jurisdictions. These include:

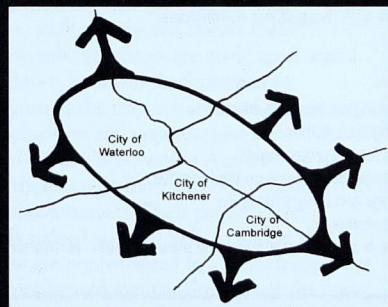
- strict, two-tiered farmland preservation policies that are regarded as being among the toughest in Ontario;
- implementation of hard-line boundaries which have successfully limited major growth to the urban areas;
- designation of higher-order environmental features as Environmentally Sensitive Policy Areas (ESPAs) before this concept was defined under Provincial policy;
- preparation of a Water Resource Protection Strategy, long



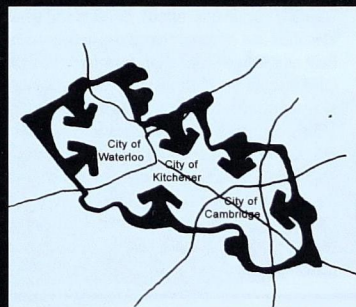
Transit

Development of the Region's Central Transit Corridor, including the implementation of higher-order transit service, is proceeding on schedule. According to Graham Vincent, Director of Transportation Planning for the Region of Waterloo, "the project delivery framework has been finalized and the feasibility analysis completed." The next step will be to start the Environmental Assessment.

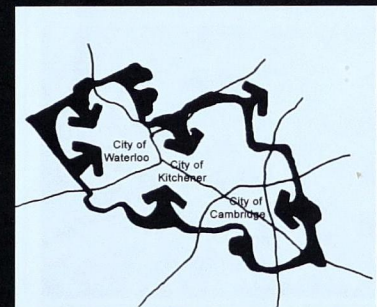
RGMS: Alternative Growth Options



Dispersed



Concentrated



RGMS Option - Balanced

before the Walkerton tragedy, to preserve and maintain the quality of the region's valuable water supplies;

- development of an Affordable Housing Strategy, implemented through partnerships with the private sector to generate additional affordable rental housing.

Given this track record, Council and staff at the Region of Waterloo are confident that the RGMS will achieve its intended objectives. However, to do so will require much energy, a great deal of imagination and a firm commitment to implementation.

The Strategy Development Process

Beginning in April 2001, following Regional Council's endorsement of Chairman Ken Seiling's report, "Smart Growth and the

Agriculture

Research on severance activity in Ontario's agricultural lands has revealed that Waterloo Region had the lowest number of lots created per 1,000 acres of agricultural land in the province between 1990 and 2000. According to Dr. Wayne Caldwell and Clair Weir of the University of Guelph, Waterloo Region had only 0.35 lots created per 1,000 acres of agricultural land outside the major urban areas compared to 1.30 for the province as a whole.

Building on the Region's already strong agricultural policies, the establishment and implementation of a firm countryside line will resolve much of the uncertainty regarding the sustainability of existing farms and agricultural operations. With greater certainty that land will be used long-term for agricultural and food-related production, farmers will have more incentive to invest in their operations. This is vital, given that Waterloo Region has one of the most economically productive land bases in the Province, second only to the Niagara fruit belt.



Region of Waterloo: Planning for Our Future," staff engaged in an extensive public consultation and research, and a two-phase development process. Phase one involved a big-picture assessment of the growth issues, constraints and priorities affecting the community and a study of alternative growth options broadly defined as concentrated, dispersed and balanced. The knowledge and expertise of Urban Strategies Inc. proved to be invaluable during this background analysis phase in which stakeholder participation played a key role.

Phase two involved a refinement of the preferred balanced growth option and a continuation of the communication and consultation exercise that began at the start of the initiative. Through these efforts, supplemented by a series of technical studies completed by MKI, a continuum of balanced options was developed through which future growth could be managed. However, it was acknowledged that for any of the options to come to fruition, a firm commitment to and implementation of the following actions would be required:

- targeted greenfield development;
- greater intensification along the Region's Central Transit Corridor (CTC);
- implementation of higher-order transit in the CTC;
- establishment of a firm countryside line to limit suburban sprawl.

The Final Strategy

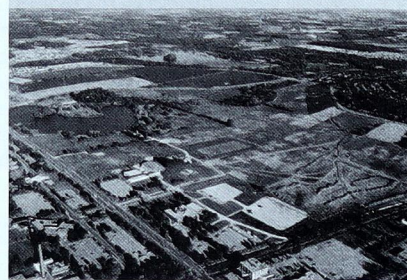
This past summer, Regional Council approved the final version of the RGMS. Structured around six goals, the RGMS contains 34 actions to be implemented by various stakeholders. While several actions involve the continuation and enhancement of programs already under way, others entail the pursuit of entirely new strategies. These actions reflect a greater understanding of the dynamics of population growth and a realization that if physical planning decisions are to be sustainable, they need to be closely aligned with related decisions in other pro-

Reinvestment

The Region's efforts to implement a higher-order transit system, such as LRT, are supported by a number of area municipal intensification and brownfield redevelopment initiatives, including:

- the City of Waterloo's Height and Density Study;
- the City of Kitchener's EDGE Program;
- the City of Cambridge's Areas in Transition Policies.

John Tennant, CEO for Canada's Technology Triangle Inc., the economic development partnership striving to attract investment to the Region, believes that "LRT is key to support the focus on corridors, urban intensification and brownfield development which is an important aspect of the overall Growth Management Strategy for Waterloo Region."



gram and planning areas, particularly the provision of human services. Through the pursuit and staged implementation of these and other activities, the Region will be well-positioned to accommodate future growth and channel it to its best overall advantage.

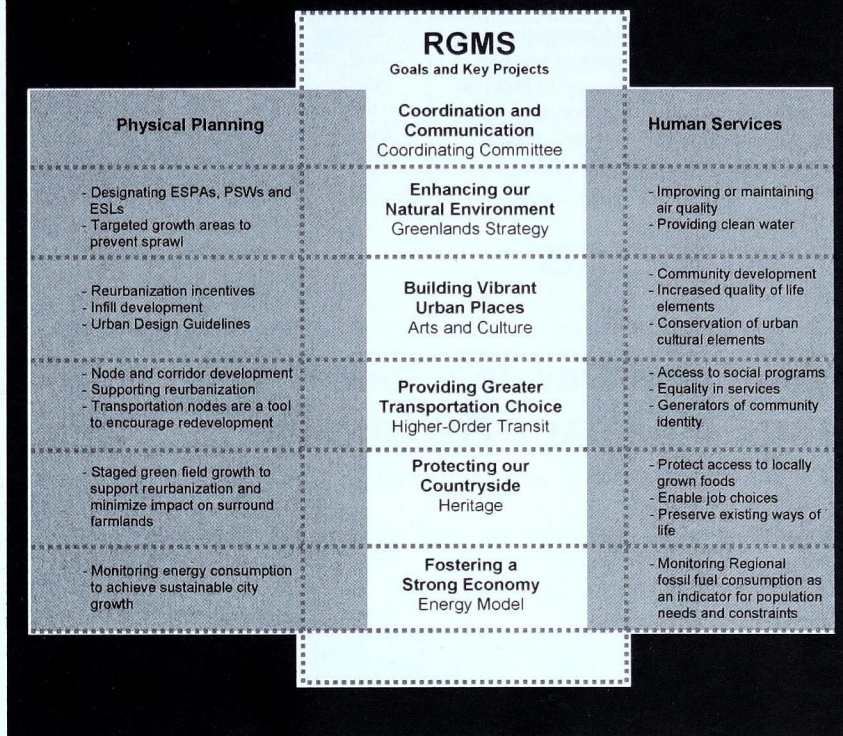
Next Steps

Since the RGMS was approved, the regional staff and its partners have been busy formu-

Key Success Factors in the RGMS Development Process

- Carefully coordinated efforts, projects and deliverables with those of key stakeholders
- Identified and nurtured champions in the community
- Built on existing knowledge and information bases
- Used images and illustrations to convey points
- Maintained consistency in the design, lay-out and messaging used in publications
- Maintained flexibility in work plans to pursue emerging opportunities
- Ensured that appropriate staff back-ups were in place for key project leads
- Kept Council informed of the status and progress that was being made on the initiative
- Recognized that time was required to implement change and ensure flexibility
- Considered growth as an opportunity and not simply a challenge
- Closely aligned physical planning decisions with those in other programming and planning areas, particularly human services

The Integration of Physical Planning and Human Services is Key to the Success of the RGMS



lating work plans and fine-tuning various project timelines. To ensure effective coordination, a steering committee was established to oversee the initiative and serve as a reporting body to Council. A key function of this committee is the linking of the RGMS with the Region's parallel efforts to intensify the CTC and implement higher-order transit. Reporting to the Steering Committee are two subcommittees, each responsible for specific actions. The RGMS Coordination Subcommittee will implement the main policy framework and other related actions. The CTC Project Team has responsibility for the transit aspects of the RGMS, including the environmental assessment study and a funding options analysis for a higher-order transit system, such as light rail transit (LRT).

Both subcommittees are made up of senior staff drawn from various departments. Recognizing the important role of the area municipalities and organizations such as the Grand River Conservation Authority, staff from these groups have also been appointed to the subcommittees. Their participation is greatly valued and will help to ensure that actions are implemented in a well-thought-out and coordinated manner throughout the com-

Housing

In 2001, Regional Council adopted a separate optional property class for new multi-residential development built over the next five years, giving the eligible properties in this class preferential tax rates for a period of eight years. The property tax rate for these units will be equal to the residential tax rate. On April 24, 2002, Council passed a By-law extending the preferential tax rate to a 35-year period. Lower property taxes as a result of the preferential tax rate could reduce the monthly operating costs for rental housing by \$50 to \$100/unit.



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munity. To further assist in these efforts, a Public Advisory Committee will soon be established. Once formed, this committee will function as a sounding board for idea development and provide advice to the Steering Committee and the associated subcommittees.

Given Council's endorsement of the initiative, the Region's consistent track record of successfully planning for growth, and the strong support the community has shown for the initiative, the future of Waterloo Region is certain to be one of continued vitality and

long-term prosperity. In the weeks ahead, efforts will focus on the completion of a detailed Implementation Plan and a Stakeholder Communication Strategy. According to Larry Kotseff, Commissioner of Planning, Housing, and Community Services, "This is a significant moment for our community. Now is the time to build on our past success, positively shape our future form, and ensure that new growth makes our region an even better place to live and work."

Peter Walberg, Kevin Curtis, MCIP, RPP, and Jessica Hawes work for the Region of Waterloo: Planning, Housing, and Community Services Department. Peter is a Principal Planner who specializes in strategic planning, communication planning, and project marketing. Kevin is the Administrator of Policy Planning and was the Project Coordinator for the RGMS development process. Jessica is an architectural designer and planner who is involved in the implementation of the RGMS.

6 / FEATURES

Rankings tell a story

Rural Non-Farm Development and The Future of Ontario Agriculture

By Wayne Caldwell, Claire Dodds-Weir and Sarah Thomson

In the previous issue we introduced our study on rural non-farm development in Ontario, reviewing the reasons why it is important to preserve farmland and identifying the cumulative impact of non-farm development. In this issue we will show rates of severance approvals and the corresponding restrictions on farm use for 34 counties and regions across Ontario.

Severance data collected from across the province (Figure 1) reveals that there were major fluctuations in the number of residential lots that were created on lands designated for agricultural use. To be able to compare the severance data we relied on an average measure of residential severances per 1,000 acres of agricultural land (1,000 acres is the size of an average concession block).

There were over 70,000 severance applications made in the 34 counties and regions studied between 1990 and 2000. Over 15,500 new lots were created on lands designated for agricultural use during this period and 80 percent of these or 12,364 new non-farm residential lots were approved.

On a county or regional basis, numbers

ranged from a low of 0.07 residential lots per 1,000 acres to a high of 3.65 residential lots per 1,000 acres during the 1990s (Figure 1). On average, Western Ontario had the lowest number of residential lots, whereas Eastern Ontario had the highest number. It is important to remember that these are cumulatively added to non-farm lots created during previous decades.

But what do these numbers mean to the farming community? One of the most mea-

surable impacts is the Minimum Distance Separation (MDS) that establishes separation distances between residences and new or expanding livestock operations.

Our calculations show residential lots per 1,000 acres restricts a much larger area of land relative to the minimal impact of 0.07 residential lots. The resulting restrictions can sterilize significant areas of the province from livestock production. Where severances have been restricted there are few limitations on the growth and evolution of the agricultural industry, whereas where non-farm development has persisted, the potential for livestock

production has been severely curtailed. Even the use of new technologies—such as GMOs—have a higher probability of coming into conflict with a more densely populated countryside.

It is encouraging to see that areas with the largest livestock concentration have the lowest numbers of non-farm lots:

- Waterloo Region, which faces pressures from the expansion of Kitchener,

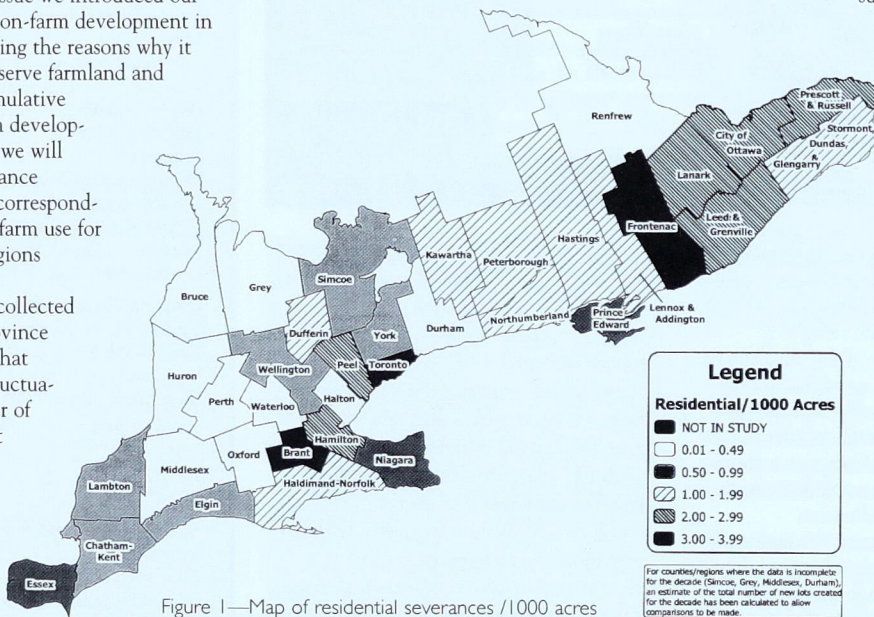


Figure 1—Map of residential severances /1000 acres

Waterloo and Cambridge, has one of the highest growth rates in the province. Through their planning policies, however, they have been able to restrict urban development to areas designated urban and have a correspondingly low number of residential non-farm lots (0.23 per 1,000 acres). Between 1990 and 2000 Waterloo Region received 2,950 applications, but only three per cent of the total applications approved were to sever agricultural lands. This percentage is the lowest in Ontario for the period.

- Grey County experienced a very high numbers of severances at the beginning of the 1990s. Through some tough decision-making, however, including a new county official plan passed in 1997, Grey County went from some of the highest numbers of

non-farm lots created to some of the lowest numbers—0.25 per 1,000 acres at the end of the decade.

- Perth County has led the province over the last decade with only 0.07 lots per 1000 acres (and their policies were tougher at the end of the decade than they were at the beginning). It would be difficult to find a jurisdiction in North America that has been more successful at controlling non-farm development in prime agricultural lands.

Our third article will look towards the future and what can be done to preserve farmland. The fourth article will review new initiatives and policy directives for the protection of farmland based on current practices in the United States.

The entire report *Ontario's Countryside: A*

Resource to Preserve or an Urban Area in Waiting? A Review of Severance Activity in Ontario's Agricultural Land during the 1990s, co-authored by Dr. Wayne Caldwell and Claire Weir, School of Environmental Design and Rural Development, University of Guelph can be downloaded at www.waynecaldwell.ca

Wayne Caldwell, MCIP, RPP holds a joint appointment between the University of Guelph and the County of Huron. He was the Director of this research project.

Claire Dodds-Weir is a graduate of the School of Environmental Design and Rural Development at the University of Guelph and is currently a Planner with the County of Huron. Sarah Thomson is a journalist who specializes in issues that affect Rural Ontario.

Cost effective and better results

Building A Strong Foundation for a Healthy, Vibrant, Hamilton

By Joanne Hickey-Evans, Linda Harvey and Laurie Payne

Most planners support and promote the concept of effective, efficient and engaging public consultation, but too often the processes fail to live up to the rhetoric. Through this article, we want to share our experience with a consultation process that met, and exceeded, our expectations. This process demonstrates how problems such as short time frames, small budgets and limited staff resources can be overcome with a bit of ingenuity and a good understanding of the community dynamics. This is the first of two articles.

The City of Hamilton has a long tradition of using community-based approaches to planning and development decisions. When the time came to renew the City's vision and develop supporting strategic documents, we knew that although a community-based approach made sense, the community appeared to be growing tired, and in many cases frustrated, with the usual consultation approaches. This pro-



Public participation starts before you can walk

ject was unusually complex. Timelines were short, budgets were at their limit and staff workloads were overwhelming. As a project team, we had to adopt a new approach in order to deliver an effective, efficient and engaging public consultation process, and complete the mandate given to us by City Council.

Earlier this year, City of Hamilton staff

were given the monumental task of renewing VISION 2020—

Hamilton's commitment to a sustainable community, while concurrently developing a growth management strategy (referred to as Growth Related Integrated Development Strategy—GRIDS) that supports the Vision. We were also asked to integrate the development of a new official plan for the recently amalgamated City into the work plan. Each of the three projects is complicated in its own right, and integration increased the level of complexity. In addition, we only had two years to get the job

done. At first glance, the task seemed too difficult, too costly and too time-consuming.

What Did Hamilton Do?

Building a Strong Foundation (BASF) was, and continues to be, Hamilton's approach to integrating community vision with the City's long-range planning and growth management strategies. The City hired Lura

Consulting, specialists in public facilitation and consultation, to help design and implement a community-based program that would renew the VISION 2020 statement and establish "directions" for guiding growth management and the new official plan. The "directions" incorporated principles of sustainability as the building blocks for the growth strategy.

The inter-departmental project team carried out Phase 1 between April and August 2003. This consisted of a strategy workshop, two all-day symposia, nine community workshops and nine focused discussions.

The hallmark of Building a Strong Foundation was its cross-disciplinary, integrated and community-based approach to implementing Hamilton's vision. From a staff perspective, this approach had many benefits:

- wise use of staff resources by combining three programs into one;
- cost-effective allocation of financial resources for "public consultation";
- effective use of time by allowing the public and stakeholder groups to volunteer their time for a single large project instead of three separate ones;
- confirmation of the City's commitment to an integrated planning approach.

Public Consultation Approach

We also enlisted the assistance of two existing stakeholder groups—the Mayor's Task Force for GRIDS and VISION 2020 Roundtable group. Staff and Lura Consulting presented the public consultation program to them for their input and reaction. Their advice was to:

- get into the community—involve the grass roots;
- ensure all interests are engaged;

- provide multiple opportunities for education and communication;
- build excitement.

This advice was key, but could this be accomplished in less than three months?

By investing a substantial time in developing an approach that was tailored to the community and to the specific project needs, we were able to achieve our objectives on time, on budget and with tremendous success. We identified challenges, developed responses, documented successes and learned from our mistakes.

Key Public Consultation Techniques: Challenges, Techniques, Successes and Lessons Learned

Before the consultation could begin, we needed to get the word out that "Building a Strong Foundation" was happening. The challenge was to garner citywide attention, engage a constituency that reflects the new City dynamics, and encourage participation by those who might otherwise not be inclined to attend public meetings.

Getting Media Exposure

Challenges: Traditionally, the City issues press releases or invites the media to public events so they can report on the issue. For projects such as Building a Strong Foundation, these techniques generally have limited success, since long-range planning and policy-related issues tend not to be "juicy" enough to gain media attention. The challenge for us was to build interest without creating controversy.

Techniques: In addition to the regular meeting notices, the Building a Strong Foundation team invited the local radio stations and newspapers to participate as "stakeholders" at the two full-day symposia. By being actively involved in the event, media representatives were able to experi-

ence the process from the perspective of a participant, have first-hand knowledge of the breadth of the discussion, and better understand the strength of the community-based approach. City representatives also had the rare opportunity to meet with the editorial board for the local newspaper. They used the opportunity to discuss and explain the key messages so that they would be accurately reported in media coverage.

Successes: Following the first Stakeholder Symposium, local radio, television and print media covered the story, which produced much greater interest than City-sponsored advertisements. In addition, as a result of their participation in the first symposium, CHML900 invited City staff, one local councillor and community people to be the topic for four, prime-time, one-hour talk show call-in segments to discuss the Building a Strong Foundation process. The radio station expressed interest in continuing this partnership as the City moves through the various phases.

Lessons Learned: Engaging the media at key junctures is critical to getting exposure for a planning process.

The second article will describe the challenges and lessons learned from the symposia and comment on the advantages of involving an objective third party to manage the consultation process.

Joanne Hickey-Evans, MCIP, RPP, is the Manager responsible for the preparation of the new City of Hamilton Official Plan and a member of the "Building a Strong Foundation" team. Linda Harvey is the Vision 2020 Coordinator for the City of Hamilton. She is also a member of the Building a Strong Foundation team. Laurie Payne of Lura Consulting was the public consultation project manager for "Building a Strong Foundation."



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Forget the hard stuff—Celebrate with culture

By Marni Cappe

Heading into my second year in this city and London continues to charm. The city is a wonderful, if messy, urban laboratory rich in opportunities. Impossibly crowded streets and sidewalks are filled with people from all over the world. Every cliché about big cities springs to mind:

- there's a buzz;
- London pulses with energy;
- if you're tired of London, you're tired of life.

One of the truly great things about being in London is getting out of it. Aside from the pure joy of exploring scenic and historic places, I enjoy seeing London through the eyes of its countrymen and women. Not surprisingly, Britons seem to have a love-hate relationship with their large and dominant capital city. (Does this

ring a bell in Toronto?) London is envied for its wealth and ridiculed for its greed. London is loved for its culture and entertainment and feared for its street crime and terrorist threats. Above all, London is envied for its vitality, which stems from a constant inflow of young, creative people.

This has fostered a culture of competitive cities, spurring Manchester, for example, to mount a campaign to attract businesses away from London. Other cities are competing for cultural opportunities to imitate London's success in leveraging arts and entertainment for overall economic benefit. At the same time, smaller cities such as Bristol, Belfast and Liverpool seek EU and government support for urban regeneration anchored by cultural projects. Interest in cultural infrastructure peaked in June when the City of Liverpool won the bid as the UK's selected European Capital of Culture for 2008.

Liverpudlians were ecstatic, while supporters in the losing cities were clearly bereft. Frankly, I was fascinated by the excitement generated by this announcement, prompting me to look a little closer at what it means to be named a European Capital of Culture.

The idea of European Capital of Culture was conceived as a means of bringing European citizens closer together. Former film-star-turned-politician Melina Mercouri was one of those responsible for promoting the idea in 1985.

Since then, the initiative has become more and more successful with numerous cities vying for the title every year. In 1999, the title was renamed European Capital of Culture. The reigning Capital of Culture is Graz, Austria.

The European parliament designated the UK as the host country for the 2008 Capital of Culture. Six cities put forward

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bids, recognizing the power of culture and creativity as an engine for regeneration and a force for civic pride. As the Culture Minister puts it, "This is a journey to put culture at the heart of the city." Each city's bid shows that cultural transformation goes hand in hand with an urban renaissance, city renewal and physical transformation.

Ten years ago, the City of Glasgow was Britain's first City of Culture. Glasgow was promoted as a city in transition, moving (some would say pushed) from the industrial age to the knowledge economy. Events launched to promote Glasgow in 1990 are said to have generated up to 5,580 new jobs and injected £14.3m into the economy (\$32m Cdn). The cultural "crown" led to the creation of Glasgow's Royal Concert Hall, a new Museum of Education, and the restoration of the McLellan Galleries. Today Glasgow can boast it is the third most popular tourist destination in the UK for overseas visitors, after London and Edinburgh.

Similarly, Liverpool hopes for a cultural and economic boost, with an estimated 13,200 new jobs and investments totalling £1 billion (\$2.25b Cdn). Growth is attributable to increased activity in tourism, sports, heritage and the creative industries. More than 1.7 million additional visitors are expected. While skeptics challenge these figures as over-inflated, most agree that the title of European Capital of Culture has a catalytic effect in nurturing cultural investment. One such skeptic and a member of Liverpool's regeneration team



Photo: Urban Strategies

Pier head, Liverpool

has said: "The main point is that winning will help secure investor confidence in the city." Other critics worry that Liverpool may grow to resemble Disneyland, as squeaky-clean, up-scale franchises replace grittier, home-grown businesses.

Liverpool will build on its architectural, musical and literary heritage to create an outstanding Capital of Culture by 2008. The city has the largest collection of Grade 1 listed heritage buildings in the UK, outside London. Work is under way to carry out a multi-million pound program of

public squares, open spaces, sculpture and public art. Plans to transform the city's retail centre will cost £700 million. Liverpool's citizens are confident and committed, and by all accounts, still celebrating.

... Might this be even bigger than the Beatles?

Marni Cappe, MCIP, RPP, is currently a resident of London. She will be contributing articles from time to time throughout her stay.

GIS Moves into Mainstream Management

GIS-Based Software Cornerstone of Vaughan's "Smart City" Concept

By Paul Pivato

The City of Vaughan, Ontario, is on track to become one of the first municipalities in North America to offer all of its services online, using GIS-based data management software as the cornerstone of its e-government strategy. Vaughan's long-term "Smart City" vision is for every home, business and institution in the municipality to be linked electronically, with Web-enabled applications. GIS will function as the technological nerve centre for a suite of government services and information.

Once the GIS system is fully deployed, municipal stakeholders—everyone from

developers and school boards to property owners and businesses—will be able to access data online, anytime. Citizens will also be able to use the city's website portal to do everything from paying property taxes and dog tag licenses to registering their children for swimming lessons and searching for library books.

Frank Miele, Vaughan's Commissioner of Economic/Technology Development and Communications, says the ultimate objective of the "Smart City" initiative is to provide citizens with a better, faster and more cost-efficient way to access information: "This is service delivery at its best. Residents

will spend less time coming to city hall. And municipal staff will have more time to focus on adding value to the services we provide."

Leading the "Smart City" initiative at Vaughan is the City's Economic Development and Planning Departments, which became the first to use the new GIS-based data management system last fall. The company behind the design and implementation of the software is Munirom Technologies Inc. of Richmond Hill, which began a three-year project implementation strategy in April 2001.

Vaughan turned to Munirom two years ago to help it manage growth and to ease



Screen capture of Application Tracking software

the strain on the City's resources resulting from a high volume of development applications. Vaughan handled more than 8,000 new building requests in the last year alone, worth \$1 billion annually. The firm was selected because it could offer both a high level of expertise and familiarity with municipal business processes. In addition, its IT solutions work on top of the city's existing IT infrastructure and software, resulting in lower up-front IT costs and less disruption.

Prior to founding Munirom in 2001, Bruno Romano—a full member of OPPI—was a senior project consultant for GIS implementation at the York Region District School Board and was a planner responsible for development application tracking and GIS research at the Regional Municipality of York. Co-founder Laszlo Sugar's GIS experience stretches from China and Brazil to the regions of Durham and Peel.

In today's information-intensive economy, municipal stakeholders are demanding better-quality data delivered as quickly as possible. For many municipal governments, the ability to effectively manage and supply development and property-related data has become as essential a public service as water and roads. Munirom's Romano suggests, "GIS-based systems allow municipalities to develop a big-picture view of operations and improve their ability to conduct reliable, long-term land-use planning and growth management, as well as create better forecasting for areas such as capital budgeting and planning."

The Medium is the Map

Vaughan's project manager for deployment of

Munirom's GIS system in the planning department was Marco Ramunno. With a department that includes 14 planners and a total staff of more than 30 people, Ramunno says the transition was painful at first. "But today we wonder how we ever did without it. We are realizing the benefits of the system now. The day-to-day management of files is much easier. The information is at our fingertips, in a format we understand and are familiar with, which is the map. That's our world. That's the medium we like to work in." Munirom's Sugar adds that "GIS technology creates a smart map, which is packed with detailed information that municipalities need to capture, store and retrieve on a continuous basis."

Frank Miele believes that planners interested in city building need to embrace technology. He also notes that convincing a municipality to adopt a GIS-based data management system can be difficult. "Technology is a hard sell. This is because the benefits are not immediate. And you need a lot of energy, passion and determination to get people to buy into the vision. But in the end, it's well worth the investment of time and money."

Other potential benefits from GIS include revenue generation. "The greatest commodity government has is information. GIS-based information systems allow us to take raw data and add value by turning information into knowledge." Stakeholders such as developers and builders will be willing to pay for that data, he believes.

Miele also anticipates the day when the various levels of government will bundle services ranging from all forms of licensing, to

passports and library cards. "There's only one taxpayer, and when it comes to government services, there's only one citizen."

Another potential benefit of a common data base is the opportunity to knock down the information silos that typically exist between departments such as planning, engineering and parks, allowing for the free flow of information across departments. Says Romano. "It's technology designed by planners. We know the end game."

And Miele firmly believes the GIS-based system will also facilitate economic development. Says Miele: "Businesses go where they're invited. And they stay and expand where they're well treated. This system is extremely business-friendly."

Paul Pivato is a former journalist and freelance writer living in Mount Albert, Ontario. He specializes in corporate communications and executive speech writing.

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President's Message

Over the past 30 years, I have been proud to be a professional planner in Ontario. As a student member of the Town Planning Institute of Canada, a member of the Canadian Institute of Planners and a member of the Ontario Professional Planning Institute, I have witnessed the evolution of the profession. I am especially pleased about two major achievements: the recognition of Registered Professional Planners in Ontario and the availability of professional liability insurance.

It is a humbling experience to lead an Institute that has so many talented and dedicated professionals who collectively influence the quality of life within our communities and beyond. As your president for the next two years, I will lead OPPI in achieving our goal to be a visionary, influential and effective organization. Council specifically set out a program to review the effectiveness of our existing programs and to provide improved services to members. The members strongly supported the mandate and it is now our responsibility to deliver. In particular:

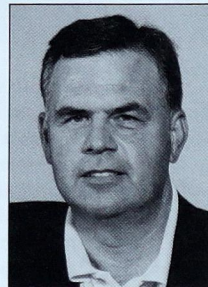
- We are reviewing our Policy program after three years of experience to improve our efforts to gain greater recognition for the profession.
- We are continuing to streamline the membership process and instituting several web-based services to assist both the members and the administration. More resources will be focused on Professional Development opportunities for members.
- We will design new courses that can be delivered through the website and other media in addition to the traditional courses delivered by the Institute.
- We are developing Standards of Practice for better understanding of our professional obligations to our Code of Conduct.
- Our Recognition and Outreach committees are working to improve the public awareness of the importance of planning and attract qualified planners to membership in the Institute. We need to make a commitment to planning students and potential future planners in our school system throughout Ontario.

Gary Davidson, our President Elect, will be working on our behalf at CIP to ensure that we do not duplicate services and that we stay focused on our unique responsibilities. We welcome the initiative by CIP to develop a strategic plan that defines the

goals and objectives of our national institute. Please take the time to review and comment on the draft document (posted on the CIP website at www.cip-icu.ca), since this plan will have implications for all members. You need to be convinced that all provincial and national commitments undertaken on your behalf are valued and necessary to achieve our goal to be a visionary, influential and effective organization.

Our success in obtaining exclusive responsibility for specific planning functions such as issuing Development Permits or justifying Official Plan amendments depends upon our ability to represent the majority of qualified planners in Ontario and to ensure a high level of competence.

To achieve our goals we need to commit to continuing professional learning throughout our careers and practising the values enshrined in our Code of Conduct. It is our Code of Conduct that distinguishes our members and gives value to our employers, clients and the public. We are committed to the protection of the public interest and to



Don May

the quality of life for all persons and the environment.

We need to provide a variety of opportunities for our members to engage in activities that advance the Institute and provide personal satisfaction. We are a volunteer-based organization and our success is based on the commitment and involvement of our membership.

Please feel free to e-mail my office if you have any questions regarding our effectiveness,
donmay@almostthere.ca.

Don May, MCIP, RPP, is President of OPPI and principal of his own consulting practice.

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Atkinson, Tracey.....	CD
Bacon, Michael J. (from PIBC).....	ED
Baksh, Rory.....	CD
Barnsley, John.....	CD
Burgess, Charles.....	CD
Bryan, Mark S.....	CD
Buonpensiero, Tara.....	CD
Chisholm, D. Stewart.....	CD
Cole, Michael.....	CD
Dilvaria, Manoj.....	CD
Ezer, Jason.....	CD
Foster, Janet.....	CD
Fyfe, Alice.....	ED
Gallagher, John.....	CD
Glover, Terrence.....	CD
Hannay, Michael.....	CD
Hunt, Thom.....	SD
Jensen, Mark B.....	CD
McCann-MacMillan, Patricia.....	CD
McElroy, Mary (reinstated).....	CD
McKnight, Geoffrey.....	CD
Mittmann, Sharon.....	CD
Mounsey, Ryan.....	SD
Nawaz, Rasheda.....	SD
Pearson, Matthew.....	CD
Putman, Brian.....	CD

Sciberras, Angela.....	CD
Scott, James.....	CD
Seldon, John.....	SD
Smith, Geoff.....	CD
Stinson, David.....	CD
Taylor, John G.....	CD
Tenuta, Paula.....	CD
Wallace, Tamara (from AACIP).....	CD
Williston, W. Beth.....	CD
Winegard, William (reinstated).....	CD
Yu, Rong.....	CD

Gratton, Dennis (reinstated).....	ED
Guyton, Alison (reinstated).....	CD
Haufschild, Daniel (from ACIP).....	ED
Jastrzebski, Mariusz.....	CD
Karczmarzykm Beatrice.....	CD
Kennedy, Patrick.....	CD
Le Blanc, Peter.....	CD
Leung, Joanne.....	CD
Marchio, Frank.....	CD
McDonnell, Marie (reinstated).....	SD
McKay, Charlene (reinstated).....	ED
McLaren, Shaylagh.....	CD
Mills, Terry W. S.....	CD
Montgomery, Steven.....	CD
Pallotta, Erica.....	CD
Pei, Xue.....	CD
Pinchin, George.....	CD
Ramelli, Vince.....	CD
Pongracz, Karen (formerly Haynes, K) (reinstated) SW	
Sit, David.....	CD
Skeith, Kelly.....	CD
Tellier, Jamie.....	CD
Thoma, Peter.....	CD
Trombino, Perlino (Lino) (reinstated).....	CD
Vagnini, Perry (reinstated).....	CD
Venance, Wendy.....	CD
Wang, Randolph.....	ED
Yi, Carine Joung Yeon.....	CD
Zare, Mina (from CIP Int'l).....	CD

Welcome to these New Provisional Members

Barton, Michael.....	CD
Blackadar, Laura.....	CD
Bolton, Sonya.....	CD
Bottero, Stephanie.....	CD
Boulard, Kristen.....	CD
Burnett, Ross.....	CD
Canzonieri, Carmela.....	CD
Carruthers, David (reinstated).....	CD
Chakravarty, Devi.....	CD
Chanthavong, Vannitha (reinstated).....	CD
Cizmar, Michelle.....	CD
Filshie, Susan (reinstated).....	CD
Flight, Barbara (from MPP).....	ED
Furness, Steve.....	SD
Gariscsak, Ann.....	CD

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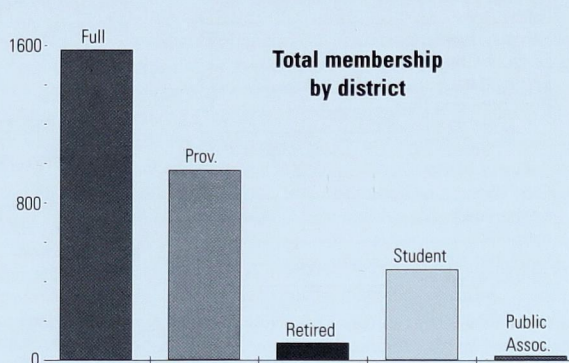
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Facts and figures on OPPI

OPPI MEMBERSHIP BY DISTRICT, AS OF OCTOBER 31, 2003

TABLE 1

District	Full	Prov.	Retired	Student	Public Assoc.	TOTAL
Northern District	51	20	2	6	0	79
Southwest District	253	142	9	98	1	503
Central District	1077	692	60	313	21	2163
Eastern District	185	112	16	47	2	362
Out of Province	13	0	2	0	0	15
TOTAL	1579	966	89	464	24	3122
Total (2002)	1526	993	81	390	22	3018

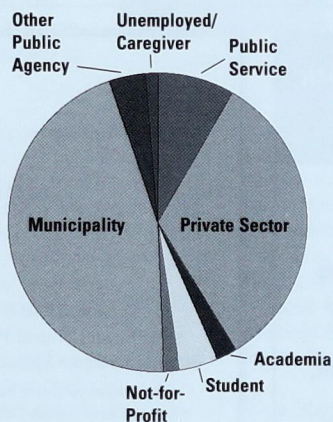


MEMBERSHIP BY CLASS AND SEX

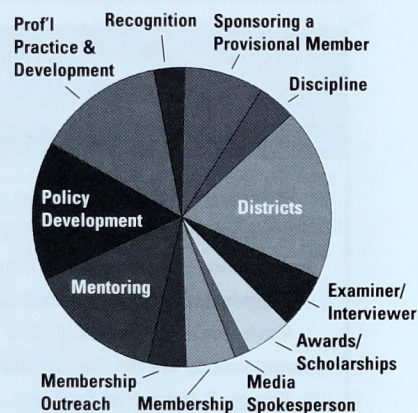
TABLE 2

	Male		Female		TOTAL
	No.	%	No.	%	
Full	1146	72.5	433	27.5	1579
Provisional	571	59.1	395	40.9	966
Retired	72	80.8	17	19.2	89
Student	202	43.5	262	56.5	464
Public Assoc.	13	54.1	11	45.9	24
TOTAL	2004	65.5	1118	34.5	3122
Total (2002)	1976	65.5	1042	34.5	3018

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GD Leaves OMB to Join WND

Greg Daly joined Walker, Nott, Dragicevic Associates Limited as an associate partner in August after five years as a member of the Ontario Municipal Board. With several hundred cases involving land use planning, environmental planning, development charges and a range of other planning and municipally related approvals under his belt, Greg brings extensive experience to expand the reach of WND. Greg is a member of OPPI's Professional Practice Committee, and a regular speaker to planning schools including Ryerson and Waterloo. Before his assignment to the OMB, Greg practised with WeirFoulds LLP, having advised their municipal, environmental and planning law practice group. His municipal experience includes positions with the former Borough of East York and City of Scarborough.

Another key addition to WND is **Stephen Naylor**, who joined WND as a Senior Planner in March this year. Stephen has more than 15 years of municipal planning experience, most recently with the Town of New Tecumseth, where he was Manager of Planning. During his tenure in New Tecumseth, he coordinated the preparation of the Town's first Strategic and Official Plans, and led the Town's Planning

Department in the completion of the Town's first Zoning By-law. He has provided expert testimony before the Ontario Municipal Board and has participated on numerous occasions in mediation meetings and pre-hearing conferences.

A recent departure from WND is **Neil Patterson**, who has moved to the development sector as a manager with **Murray Goldman**. Neil gained his early experience in the UK, working on a variety of large-scale commercial projects. Neil is one of many young planners who found their way to Canada as a result of student exchanges with Ryerson.

With more than 21 years of experience behind him, **Daniel Paquette** has established his own practice under the name Paquette Planning Associates Ltd. offering a full range of planning and land development consulting services to the Ottawa marketplace. His objective as president of this new firm is to bring "fresh ideas that can be implemented in a practical way." For 11 years prior to this venture, Daniel was Director of Planning with Minto Developments Inc., Ottawa's largest home builder, where he gained a full range of experience in areas ranging from land acquisition to the interpretation of policy and financial analysis. He is currently on the Board of Directors of the Ottawa Carleton Homebuilders Association.

Gerry Thompson, CAO of the Region of Waterloo, was presented with the Lieutenant Governor's Medal of Distinction in Public Administration at Queens Park on October 24 in recognition of his "leadership and inspiration" at the Region over a 30-year period. Tributes in the nominating letters included phrases such as "inspires trust and respect," "is fair and caring," "continues to look for ways and means to keep Waterloo out in front of the rest," "a natural leader," "enthusiasm and energy," "integrity," "vision and dedication." Gerry is also well known for his work with the Rotary and has taught at both the University of Western Ontario and the Banff Centre.

David Gordon, a professor at Queen's School of Urban and Regional Planning, has filled a sabbatical year with—among other things—a major book project, titled "Planning Twentieth Century Capital Cities," to be published next year by Routledge.

Maria Piccioni has accepted a full-time

position as a planner with the Ministry of Transportation, having moved there from the Canadian Urban Institute. She is the co-author of an upcoming article in *Canadian Geographer* entitled "Visual artists: counterurbanites in the Canadian countryside?" Maria is also teaching environmental courses at Ryerson University.

Sophia McKenna, a graduate of Ryerson, who also began his career with the Canadian Urban Institute, has also made the transition to full-time employment at the Ministry of Transportation. She is working on business strategies, to be made public shortly.

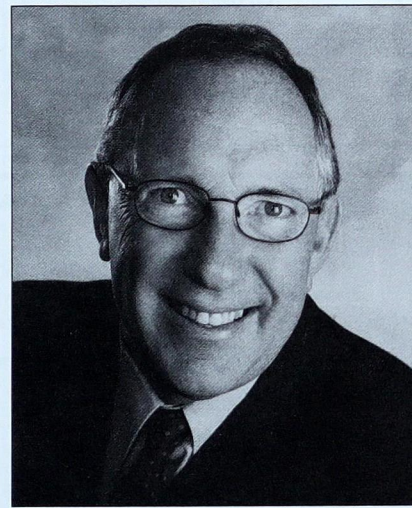
John Farrow, President of Lea International and long-time contributing editor on Management for the Ontario Planning Journal, has been named as a fellow of the Canadian Institute of Certified Management Consultants in recognition for his contribution to management practice of a more than 25 year period.

Urban design specialist **Robert Glover** has moved from IBI to Bousfield, Dale-Harris, Cutler & Smith. Before joining IBI, Bob had headed the urban design section at the City of Toronto prior to amalgamation.

Wayne Caldwell has been awarded the 2002/2003 University of Guelph Faculty Association's Distinguished Teaching Award for the Ontario Agricultural College. This distinguished award recognizes a professor from each College as an individual who has been truly "excellent"



Gerry Thompson and Lt. Gov.



John Farrow

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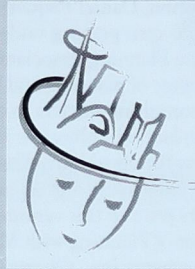
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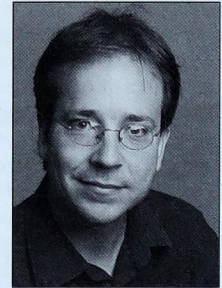
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in teaching and who has had a dramatic effect on student learning and development. Award winners are selected based on their academic performance, through testimonials from peers, faculty, students and alumni as well as student evaluation. The School of Environmental Design and Rural Development's (SEDRD) student Planning and International Development Society was behind the nomination, which was also strongly encouraged by faculty.

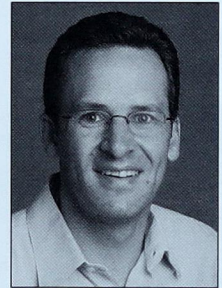
Students in SEDRD stated that they supported the nomination of Dr. Caldwell for the Distinguished Teaching Award as he is seen as an "exceptional" and "enthusiastic" teacher. His "creative" approach to teaching has encouraged personal development and innovation while providing a strong foundation for their professional careers. Overall, the students felt that Dr. Caldwell's strong dedication to the students in SEDRD was and continues to be outstanding.



Eric Turcotte

Tim Smith and Eric Turcotte have been named as Associates at Urban Strategies Inc. Both work on a variety of planning and design assignments throughout North America.

Ryan Mounsey has joined the City of Kitchener Planning Division as Senior Planner—Urban Design, after having worked with Green Scheels Pidgeon Planning Consultants for over four years. Ryan replaces Jennifer Voss who has relocated to Fredericton, New Brunswick, as a result of a recent family move.



Tim Smith

Lorelei Jones, MCIP, RPP, and Thomas Hardacre, MCIP, RPP, are the Ontario Planning Journal's contributing editors for People. They can be reached at ljones@rogers.com and thardacre@peil.net respectively.

Editorial

Optimism, tough priorities, shape urban agenda

By Glenn Miller

Optimists are basking in an unprecedented political glow that promises to reflect well on cities and other planning-related entities in the months ahead. With a new provincial government elected on a "city-friendly" platform, a slew of reform-minded and overtly "green" councils elected across the province and an incoming Prime Minister who is on record as supporting a "new deal" for cities, expectations for decisive action to support the "urban agenda" have reached dangerously high levels. So what are the prospects?

The new tenants at Queen's Park will probably take some time to settle. There have been some promising reorganizations within key ministries, but too few real decisions so far to tell where we are headed. Newly minted mayors like David Miller have won early victories but must still face difficult choices as next year's budgets take shape. And the "new deal" will seem more real when defined by actions rather than rhetoric.

Even though the spectre of mounting provincial deficits will undoubtedly affect funding for transit and other issues, the tone of political discourse among the three levels of government remains pleasantly collegial and downright civilized. That's a great place to begin.

Glenn R. Miller, MCIP, RPP, is editor of the *Ontario Planning Journal* and Vice President, Education & Research, with the *Canadian Urban Institute* in Toronto. He can be reached at editor@ontarioplanning.com.

Letters

Planner as Agent, Advocate Provokes Response

I am the "consulting land use planner" referred to in the article by Paul Chronis and Vicki Simon entitled "Planner As Agent/Advocate And The OMB."

I have appeared before the OMB for more than 12 years, and many times in the dual capacity as both professional planner and agent. While my primary role has always been to provide professional planning testimony to the Board, a secondary role as agent has evolved over time at the request of parties who were faced with the considerable costs of retaining legal counsel.

It was not until 2001 that my dual role was challenged by the decision rendered by S. Fish and G. Bishop. Since that time a number of lawyers have jumped on the bandwagon and raised the issue when the opportunity presents itself. This occurred in the second hearing referred to in the article by Chronis and Simon. Unfortunately, the article incorrectly quotes from the second decision (by J. Emo) and comes to a number of conclusions and suggestions, which are not particularly well formulated.

It is my understanding that there is no Board rule or policy dealing with the dual role, but it

is rather left to the members of the hearing panel to decide what weight to apply to planning testimony in such cases. Serving in the dual role should not, as the article suggests, necessarily compromise the planner's objectivity in providing professional testimony or standard of excellence. In fact, it could be argued that credibility is enhanced when advocacy in support of a position is consistent with testimony in support of a planning opinion.

I do, however, agree with Chronis and Simon that given the present situation, it would be preferable for the role of planner and advocate to be separated at OMB hearings. The matter is also of sufficient importance that it should be considered by OPPI.

Melvin S. Winch, MCIP, RPP, Toronto.

A Footnote on Land Trusts

Further to the letter from Peter Hannah in the previous issue, he notes that the previous provincial government suspended important parts of the Conservation Land Tax Incentive Program about five years ago. The new Liberal government made "encouraging statements" in its election platform, but no announcements have been made yet. Environment Canada, on the other hand, has been very supportive of the land trust community over the past eight years with innovations such as *Income Tax Act* reforms and the Ecogift program. Peter encourages readers to visit the Ontario Land

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Trust Alliance web site (www.ontariolandtrustalliance.org) or consider volunteering as a way to help implement municipal land conservation goals.

*Peter is Assistant Chief Planner with J.L. Richards & Associates Limited and President of the Rideau Waterway Land Trust.
He can be reached at
PHannah@JLRICHARDS.CA.*

... And on Ethnic Mosaic Article

The article on Toronto's ethnic diversity by Mohammad Qadeer and Sandeep Kumar in the previous issue is to be posted on the web-sites of CERIS and the Laidlaw Foundation.
—Ed.

Rural Non Farm Development—Look to Quebec for Inspiration

I applaud the study of Rural Non-Farm Development. However, the five "key reasons to support the protection of farmland" seem reason enough for immediate action—particu-

larly the last, "To protect farmland as a resource for future generations." The current study is valuable. However, this is not a matter for local jurisdiction, since its implications and impact are much broader—and time is now of the essence. Provincial legislation is needed which unequivocally conserves prime farmland throughout the province, such as the Quebec Act to Preserve Agricultural Land, 1978.

*Blanche Lemco van Ginkel, C.M., FRAIC,
MCIP, RPP, RCA, HonFAIA. Toronto.*

Divisional Court Acts on Heritage

The Divisional Court of Ontario has made a ruling on designations under the *Heritage Act*. The municipality took the position that only the owner of a building could request its designation. The Court has said a third party can initiate designation proceedings. The context was that parishioners wanted to designate their church to prevent its demolition.

The diocese, which owns the building, was opposed because it wanted to merge three parishes, demolish the old churches and build a new one. This was in a Francophone parish in Southwestern Ontario, which had the additional motivation of preserving the church as an element of their culture, so they brought in barrister Ronald Caza ("Monsieur Montfort") to make minority group arguments. I have not read the decision in detail, but the ruling appears to apply generally and not just the language aspect.

This bulletin, based on Cour divisionnaire de l'Ontario, Décision no. 189/03, was received from the Association canadienne-française de l'ontario. Contact Brigitte Essiambre, responsible des communications, 416-595-5585, 1-866-866-2236, liaison@acfo.ca.

David Sherwood

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The OMB's Record on Natural Heritage

By Chris Wilkinson and Paul Eagles

Third in a three-part series.

Other provincial statutes were sometimes at issue in relation to the Natural Heritage Section. In 1245724 Ontario Ltd. King (Township) Fill Application, the appellants argued "that Provincial Policy Statement that speaks of fill or alteration of a PSW [Provincially Significant Wetland] was passed pursuant to the *Planning Act*. This is a matter arising under the *Municipal Act* and the section 3 policies of the *Planning Act*, as they are known, do not apply." In response to this argument and the proposal to in-fill a Provincially Significant Wetland, Member B. W. Krushelnicki ruled that

... the *Planning Act* and the Provincial Policy Statement, when read together, clearly establish a regime that is applicable generally to all municipal planning matters whether they arise specifically under the *Planning Act* or under some other authority such as the *Municipal Act*. It follows from this and it is the simple conclusion of the Board that, despite the statutory origin of the matter, the present application and appeal is a "matter relating to municipal planning" and that the Board is "exercising an authority that affects a planning matter."

This decision is of particular significance to the Natural Heritage Section of the Provincial Policy Statement as the member ruled that it must be considered in all planning decisions despite their statutory origin. Therefore, the Natural Heritage Section may also be applied in planning issues under the auspices of other legislation, such as the *Municipal Act*.

Consideration was also given to the *Niagara Planning and Development Act*. In *Niagara Escarpment Commission v. Halton (Regional Municipality) Land Division Committee*, Board Members N. C. Jackson and J. R. Aker ruled that "the Niagara Escarpment Plan takes a priority position under Section 13 of the *Niagara Escarpment Act* in the event of conflict, this is not a case where the *Niagara Escarpment Act* conflicts with a Plan from another planning jurisdiction. . . . All parties and the Board have had regard for the Provincial Policy Statement."

Other provincial policies and interests affect the application of the Natural Heritage Section. In 863935 Ontario Inc. v. Durham (Regional Municipality), M. F. V. Eger ruled that consideration of the document "Implementation Guidelines: Provincial Interest on the Oak Ridges Moraine Area of the Greater Toronto Area" is necessary as it

is . . . intended as an interim expression of provincial interest pending completion of an overall study of the Oak Ridges Moraine. While it was expected that a formal policy statement under the *Planning Act* would subsequently issue, no specific policy statement has issued to date and the Guidelines therefore do not have status as provincial policy. However, by specific reference to the Guidelines in the Regional Municipality of Durham Official Plan, certain elements of the Guidelines now form part of the regional planning context."

The application of the Natural Heritage Section was also affected by the other sections of the Provincial Policy Statement, such as the Aggregate Extraction Section. In a conflict between natural heritage protection and aggregate extraction, N. C. Jackson in Prince Edward (County) Official Plan Amendment Ridge Road Aggregates (Re)

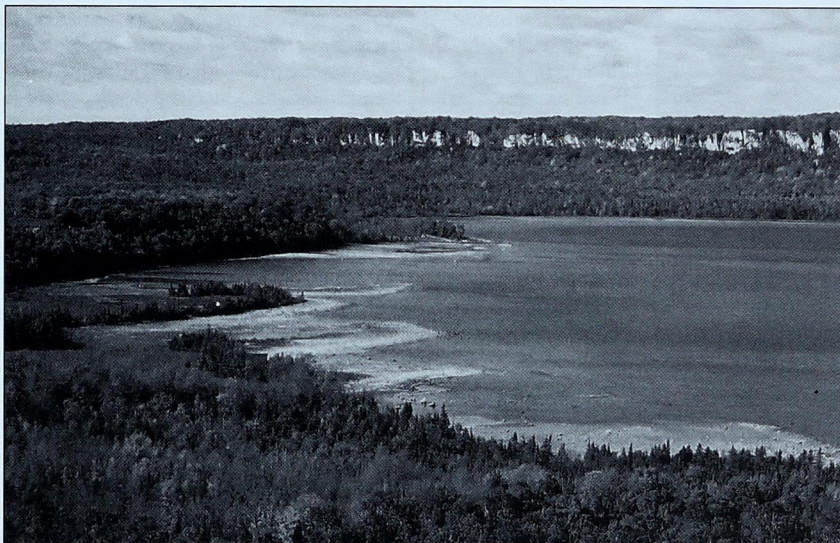


Photo: S. Roue

The OMB's support for natural heritage more effective when provincial ministry defends position

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states that "the dividing line should be between the proposed designations of Extraction and Environmental Protection. Both designations are equally significant in terms of local and Provincial policies." (OMB decision 572).

Despite the difficulty of balancing planning priorities, B. W. Krushelnicki in Peel (Regional Municipality) v. Peel (Regional Municipality) ruled that area municipalities must have regard to provincial policy, including the Natural Heritage Section, in establishing "comprehensive mineral aggregate resource policies."

The Ontario Municipal Board typically attempted to achieve such a balance, if possible, in its rulings. However, Simcoe (County) Official Plan Clearview (Township) Amendment (Re) demonstrates that this balance must not be at the expense of adequate natural heritage protection. G. A. Harron ruled against a re-zoning to Agriculture as the

... undisputed evidence is that the Moraine is a fragile important resource as a recharge area where the protection of areas of permeable soils that promote infiltration should be top priority. The County is attempting to protect the identified natural features and carefully monitor any proposed develop-

ment. The Board finds the Greenland designation is appropriate for the ... property. Even if the Board had determined the ... property was not part of the Oak Ridges Moraine, it would have dismissed the appeal and the property would remain designated Greenland on the overlay. The Board is mindful of the Provincial Policy Statement (P.P.S.) that we must have regard to that directs municipalities and this Board to protect natural heritage features from incompatible development.

Conclusion

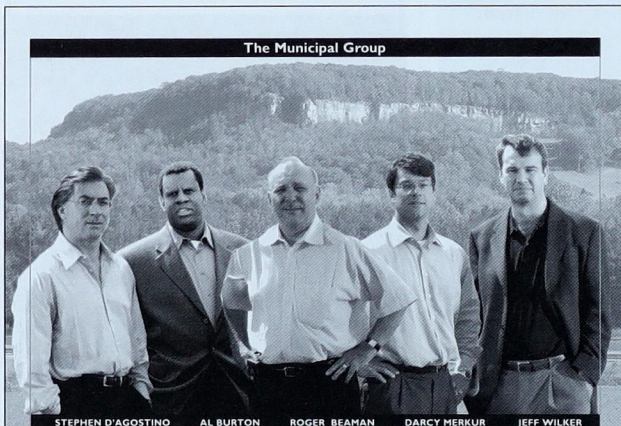
This review of Ontario Municipal Board decisions determined how the Ontario Municipal Board applied the Natural Heritage Section of the Provincial Policy Statement. Based on this analysis, the authors conclude that the Natural Heritage Section was generally applied in a thoughtful and effective manner by most OMB members. In many cases, the burden of conformity with the policy rested entirely with the developer, nevertheless the Board ruled for natural heritage protection indicating a precautionary and enlightened approach by most members. In the majority of cases, members interpret that "have regard to" obligates the application of and adherence to the Natural Heritage Section of the Provincial Policy Statement.

The role of government agencies is important to protecting natural heritage, given their institutional responsibilities and expertise. Unfortunately, the involvement of government ministries was minimal in the Ontario Municipal Board cases reviewed. Their lack of direct participation in this planning process sometimes contributed to the OMB ruling against natural heritage protection. To undertake a precautionary approach to natural heritage conservation, the authors suggest that appropriate ministry staff should participate in this dimension of the planning process. In the demonstration of

value of such participation, the natural heritage information created by some ministries, such as the Ministry of Natural Resources' wetlands mapping, was critical for the establishment of evidence in support of the Natural Heritage Section. Conversely, the weakness of some government programs, such as Ontario's species at risk program, created undue burden on members of the public in acquiring evidence to support the Natural Heritage Section. Strengthening such policies and programs of government ministries would directly aid the application of the Natural Heritage Section.

This series of articles serves to inform those individuals concerned with environmental protection in the land-use planning process in the Province of Ontario and across jurisdictions in North America. The sampled cases revealed the dynamics between the scientific, organizational and policy fields in the pursuit of environmental protection. Each field or form of knowledge plays a significant role in environmental protection. An understanding of ecological issues, the involvement of the responsible government agencies, and the support of sound policies and legislation are necessary. The absence or weakness of one of the aforementioned elements can be detrimental to the final outcome as it relates to natural heritage or environmental protection. It is clear that natural heritage protection involves sound science, sound municipal planning legislation, appropriate provincial environmental policy, the involvement of professional experts in science and in planning, the application of science and planning in front of the courts and tribunals and a competent and independent tribunal. All of these elements are necessary for natural heritage protection to be given due regard in the complex (rich with conflicting pressures) world of land use and development planning within municipalities.

Dr. Christopher Wilkinson can be reached at chris_Wilkinson@sympatico.ca. Dr Paul Eagles, MCIP, RPP, teaches in the Department of Recreation and Leisure at the University of Waterloo. He can be reached at eagles@healthy.uwaterloo.ca.



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Two Interpretations of "House Behind a House"

By Paul Chronis

The owner of an unique ("Z") shaped lot containing an existing residence appealed the Committee of Adjustment's refusal to grant a severance, together with the refusal of a related minor variance to recognize a reduced lot frontage for the retained parcel, to the Ontario Municipal Board.

While all the parties, including the Board, recognized that "residential intensification" and/or "infilling" are worthy planning goals, reflecting a myriad of statements contained in the Provincial Policy Statements, the Regional, local and secondary plans applicable to the site, the prin-

The principal planning difference between the parties was whether the intensification represented by the applications recognized and enhanced the character of the area

cipal planning difference between the parties was whether the intensification represented by the applications recognized and enhanced the character of the area concerning elements such as natural features, lot frontages and area, building height, mass, setbacks, streetscape privacy and overview. In analyzing the impacts of the proposal, the Board had particular regard to the following key planning policy which recognized the City's concern for precedent by the creation of "hidden neighbourhoods":

"(c) To preserve the character of the area, the minimum frontage and area of new lots proposed along the periphery of a draft plan of subdivision, or which are subject to a consent application will generally represent the greater of:

- The average lot frontage and lot area of lots on both sides of the same street, within 120 metres of the subject property.

Or

- The requirements of the Zoning By-law."

As part of the Board's planning analysis, it considered whether the development of the new lot, in conjunction with a substan-

tial mathematical reduction in the requested minimum lot frontage reduction for the retained lot, appropriately reflected the character and "rhythm" of the surrounding community (represented by a cluster of 64 lots on both sides of a cul-de-sac road).

The Board found that the existing lot was much larger than any of its neighbours within 120 metres. This represented a unique anomaly, which was inconsistent with numerically based planning policies. In applying the "average" test contained in the above-quoted official plan policy, the Board had regard for the import of the key word "generally" and particularly the direction for interpretation of official plans given by the courts ("... not statutes and should not be construed as such... the Board should give to the official plan a broad liberal interpretation with a view of furthering its policy objectives").

The Board found that the approval of the applications, while creating a "house behind a house," did not represent such an intensification that it would damage the character of the existing neighbourhood.

Source: Ontario Municipal Board Decision
OMB Case No.: PL020957
OMB File No.: C020301, V020474
OMB Member: Ronald J. Emo

Londen v. Toronto (City)

The matter before the Board involved an appeal from a decision of the Committee of Adjustment's refusal to approve certain minor variances to authorize the conversion of an existing coach house for residential use purposes.

The City's zoning by-law contained a specific prohibition on a "house behind a house." The principal issue considered by the Board was whether the requested variance from this provision of the zoning by-law would continue to maintain the intent and purpose of the zoning by-law, if the application was to be approved.

The applicant was proposing to renovate the interior of the coach house to provide two bedrooms on the second floor and a

"games room" on the first floor, without culinary facilities. The building was to be occupied by an immediate family member.

The Board was advised that the intent of the provision prohibiting a "house behind a house" was to address the problem with municipal servicing together with the concern of adequate access for emergency services where the conversion would permit a residential use. This provision was especially relevant when occupants would sleep on the premises, irrespective of the elimination of culinary facilities.

The Board found the zoning prohibition to be clear and unambiguous. The variance

The principal issue considered by the Board was whether the requested variance from this provision of the zoning by-law would continue to maintain the intent and purpose of the zoning by-law

failed to meet one of the tests under section 45(1) of the Planning Act, namely, the variance sought did not maintain the intent and purpose of the zoning by-law.

The Board concluded that if the conversion of two-storey garages (or coach-houses) was to be considered, it should be by way of a zoning by-law amendment so that a thorough review of all the implications of the intensification can be considered with particular regard for the effect on the stability, general residential amenity and physical character of the residence area.

Source: Decision of the Ontario Municipal Board
OMB Case No.: PL021130
OMB File No.: V020591
Member: R.D.M. Owen

Paul Chronis, MCIP, RPP, is a senior planner with WeirFoulds in Toronto.

He is also a member of Council and the Ontario Planning Journal's contributing editor for the OMB.

He can be reached at pchronis@weirfoulds.com.

Imperial Oil Decision Supports Polluter-Pay Principle

By Barry Spiegel

On October 30, 2003, the Supreme Court of Canada unanimously upheld an order requiring Imperial Oil to deal with property contaminated by its historic operations. The decision is notable because Imperial sold the property in 1979, and the Quebec government approved a clean-up around 1987. Imperial was not involved in the clean-up, and the government ultimately issued a "certificate of authorization" that led to the eventual redevelopment of the property as a residential subdivision. The decision supports the application of the polluter-pay principle as implemented by provincial law in Canada.

In 1994, homeowners discovered residual contamination exceeding residential development standards, and sued the City and the Quebec Ministry of the Environment. The Minister of the Environment made an administrative "characterization" order requiring Imperial to investigate and identify the pollution, and recommend corrective actions. Ultimately, Imperial will likely be ordered to carry out the recommendations

and clean up the contamination.

Imperial appealed the Minister's order on several grounds, arguing that its pre-1979 operations had met the standards of the day. Moreover, Imperial pointed out, the 1987 clean-up had complicated the situation and likely increased the costs of the characterization study and any resulting restoration work that would subsequently be required. The Quebec Court of Appeal dismissed these objections, finding that the order was within the jurisdiction of the Minister under Quebec environmental law statutes. The Supreme Court of Canada did not entertain an appeal of the Court of Appeal's decision on these grounds. Commentators suggest this means that provincial ministers can impose clean-up orders against polluters long after the property has changed hands. This also supports an environment minister's discretion to order the original polluting owner without including subsequent owners, and without considering the complications or cost implications of intervening clean-up activities.

The Supreme Court decision deals only with narrow grounds of appeal. Was it fair for the Minister to make the order given that:

- a) The Ministry had approved the 1987 clean-up;
- b) Residents were suing the Ministry for negligence in supervising and approving the 1987 clean-up.

Imperial argued that the Minister had a conflict of interest, and could not act with impartiality. By making an order against Imperial, the Minister appeared to be trying to insulate the Ministry from its potential legal liability for the failed 1987 clean-up. Imperial argued that this was an abuse of power by the Minister.

Barry Spiegel is Director of Research and Professional Development, Wilms & Shier Environmental Lawyers. (Visit www.willmsshier.com.)

Legislative News

Planners Await Promised Legislative Initiatives

By Jason Ferrigan

It is an exciting time for planners and legislative enthusiasts in Ontario. A new government has been elected on a platform of "change." The election and launch of this column, the first in a regular series reporting on government initiatives and legislative activities affecting planning, could not be better timed. This column is an initiative of the Government and Legislation Working Group, a subgroup of the OPPI's Policy Development Committee. Further information on this Working Group can be found in the Members Area of the OPPI's website under the Policy Development hotlink.

Before looking ahead at what might be in store for the next



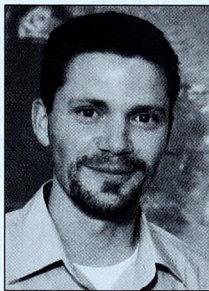
Photo: S. Roue

Long and winding road to legislative innovation

four years, let's recap by looking at some of the 120 bills that were being considered by the House when it was dissolved last September. The vast majority of these bills were in the infancy of their development. Among this group were the much-discussed "Smart Transportation Act" (Bill 25) and the long-awaited "Ontario Heritage Amendment Act" (Bill 124), both government bills. While the future of these two bills, and the Provincial Policy Statement update, is unclear, it is possible that we will see the "Tenant Protection Amendment Act," a Private Member's bill introduced by the current government while

in opposition, brought forward again. The purpose of this bill is to protect tenants from higher than guideline rent increases, if the work on which the rent increase is based is not completed or the cost of the work does not correspond to the increase in the rent.

What might we see in the next four years? The current government's election platform contains numerous promises that have the potential to transform planning in Ontario. The current government has promised to protect and preserve water supplies, divert additional waste from landfills, provide affordable housing, bring in "effective" tenant legislation, invest in public transit, ease gridlock, encourage good development and discourage sprawl, provide permanent protection of green spaces that surround our cities, manage growth in Southern Ontario's Golden Horseshoe area and reform the OMB. A tall order you say. Sure. Which will be implemented? It depends. The government will have to balance these priorities with others, particularly in the areas of health and education. This process will be complicated by recent news regarding the size of our deficit. What is absent from the platform is any discussion of how to manage growth on a regional scale outside the Golden Horseshoe Area.



Jason Ferrigan

Planners have the ability to play an important role as these ideas evolve, are debated and shaped into public policy. The Government and Legislation Working Group will continue to monitor the government's policy initiatives and legislative activities for the implications on the planning profession. Updates will be reported in future columns.

Jason Ferrigan is a planner with Urban Strategies in Toronto. He can be reached at jferrigan@urbanstrategies.com.

Editors Note: The Government and Legislation Working Group includes Melanie Hare, John Ghent and Jason Ferrigan. This group is looking for additional members. Interested members should contact Melanie Hare at mhare@urbanstrategies.com.

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What is Sustainability? Let Me Count the Ways

By Karen Gregory

What is sustainability? Simply put, sustainability demands a holistic view that considers the interconnectedness of social, economic and environmental issues and the impact of present actions on future generations. If you had asked a planner 40 years ago about sustainability, you might well have received a blank look. Ironically, sustainability now permeates every aspect of professional practice. Planners are expected to balance the interests of growth and development with broader, community-wide social, economic and environmental interests. In practice this translates into analyzing and forecasting future trends and developing plans and policies to ensure sustainable growth and development.

Planners often grapple with the concept of sustainability due in part to the depth of issues that it encompasses. The difficulty also lies in translating broad conceptual ideas and research into planning policy and regulations. While such policies and regulations may be good in theory, they must be accepted by stakeholders including municipal councillors and local residents who may be unfamiliar or uncomfortable with these new directions. Herein lies the challenge for the planning profession.

A sustainability symposium, "Building Communities, Connections and Curricula," was recently held to explore these complex issues. It was hosted by Canada Mortgage and Housing Corporation and the University of Waterloo and supported by the Centre for Core Area Research and Design and the Mid-size City Research Centre. The objective was to share leading-edge research on sustainability, stimulate dialogue and debate and foster connections among those practicing in sustainability (primarily in the academic community).

Topics discussed during the symposium reflected the diverse nature of sustainability, including social, economic and environmental issues. For example, Allison Williams, Associate Professor, University of Saskatchewan presented her work on "Quality of Life Tracking for Healthy, Sustainable Communities" that was con-

ducted in partnership with the City of Saskatchewan Planning Department. This population health perspective was complemented by a discussion on urban ecology by Stephen Murphy, Associate Professor, University of Waterloo. Dr. Murphy discussed urban ecology in the context of development pressures, noting that restoring to some level of ecological function requires compromise. Further to looking at sustainability through a social/environmental lens, the symposium examined sustainable design. Susan Fisher, Senior Researcher with CMHC, presented design projects and programs that encour-

aged more sustainable development patterns through residential intensification. These are just a sampling of the many topics of relevance to planners that were covered throughout the course of the symposium. For a more complete listing, and to

view the presentations on-line, please visit the following web site: <http://www.fes.uwaterloo.ca/research/mcrc/>.

In my new role, I intend to underscore the link between planning and sustainability with a view to encouraging readers to think more broadly about the issue of sustainability and how it impacts professional practice. Similar to information that I have shared on the sustainability summit, I will be contributing information on opportunities, challenges and replicable lessons. I encourage you to contact me if you have events, issues, or articles that you would like to bring forward and share with your professional colleagues to encourage sustainable practice.

Karen Gregory, MCIP, RPP, is a senior research consultant with CMHC in Toronto. She is the Ontario Planning Journal's contributing editor for Sustainability and can be contacted at kagregor@cmhc.ca.



Karen Gregory



Photo: T. Keränen

Conditions for sustainability not rocket science

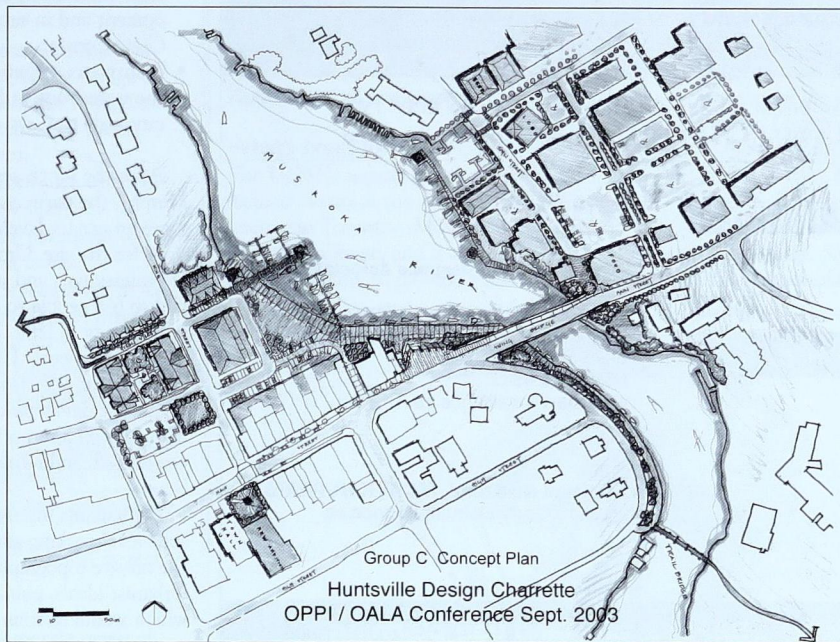
Huntsville: Waterfront Revitalization Takes a Fresh Approach

Summary of the Urban Design Workshop at the OPPI / OALA Conference, September 2003

By Gabe Charles and Shiona Sommerville

The Power of Place OPPI/OALA Conference held in Huntsville last September, included an all-day workshop organized by the OPPI Urban Design Working Group (UDWG). Since 1999, UDWG workshops have been very popular events of OPPI conferences. The workshop is a mini-charrette and is intended as both an educational session to demonstrate the importance of urban design and an event that provides concept plans and ideas for host communities.

Huntsville's downtown core provided a historic backdrop to the study site—an area including a former Planing Mill recently acquired by the Town of Huntsville, the waterfront of the Muskoka River, and a retail plaza on the east side of the river. The Town had initially recommended the Planing Mill site for use in the workshop



Charrette created powerful vision in record time

due to its potential to help invigorate the downtown, and UDWG organizers expanded the scope of the workshop with the intent of providing urban design solutions for a larger, connected area.

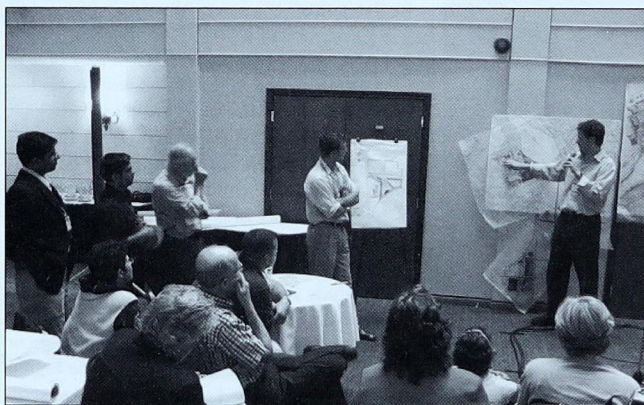
The expanded site presents a complex challenge to both the public and private sec-

tors to provide meaningful spaces and amenities for year-round and seasonal residents—a population that can triple during the summer months—who are attracted by the natural beauty of the area, vibrant main street retail, and theatre events.

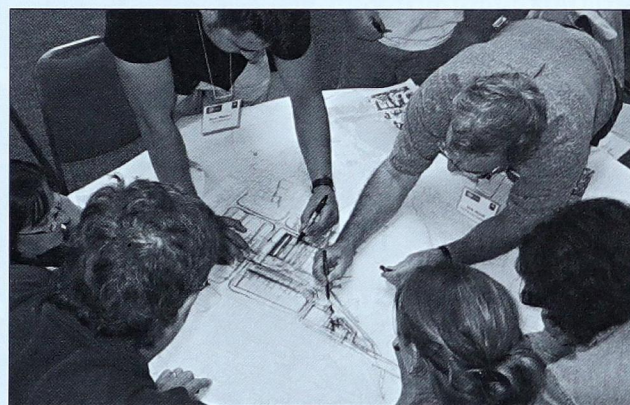
The workshop began with presentations from Colleen Hannigan, Director of Community Services, Town of Huntsville, and John Crockett, Chair of Huntsville's Waterfront Trust. They provided a historical and planning context for the site and introduced

plans for a new Civic Centre as an extension of City Hall on Main Street. Claude Dowdy, a local developer, also provided information to the group.

A site tour of the study area and the downtown followed the presentations. The site presents challenges to:



Participants debate during presentation



Quick draw artists worked well with planners dependent on words

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- redevelop the Planing Mill site in a manner complementary to the downtown;
- propose enhancement of the rears of Main Street businesses backing on the Planing Mill site and the waterfront;
- propose redevelopment of the existing retail plaza;
- allot additional parking for new development and in support of the future Civic Centre;
- enshrine continuous public access along the waterfront with connections to a city-wide trail system.

After the lunch session with Rex Murphy, the participants divided into three groups to develop innovative solutions for the site. Groups comprised a mix of professionals and students and were limited to 6-8 people to allow everyone the opportunity to lend their voice and ideas to the group work. Using examples of best practices for waterfront revitalization and mixed-use development as inspiration, many design alternatives were proposed, considered, and refined in the space of two hours.

Participants discussed opportunities for split-level parking garages that make use of the on-site topographical constraints, New Urbanist ideals, public uses and restaurants which would maximize public use and exposure to the river, and redevelopment scenarios for retail. Feverish sketching and colouring over the course of the afternoon resulted in three well-developed and thought-out options for the site.

What were the results?

Three different options were presented to representatives of the Town of Huntsville at the conclusion of the workshop. Each presents a different focus for consideration by the Town:

- Group A envisioned the site as part of a regional system of natural amenities and waterways—"Muskoka's Grand Canal"—and proposes pavilions at the water's edge, feature buildings and public squares, and the use of public art to tell the history of downtown.
- Group B, adopted an open space focus—"a great big green move"—for the study site with a hierarchy of parks and plazas and the opportunity to close Queen Street to vehicular traffic to create a linear pedestrian space.
- Group C presented a civic, main street focus for the east side of the river, and a retail/service focus for the plaza on the

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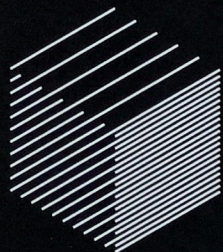
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west riverfront. The scheme considered how boaters would access amenities and services.

Despite their variations, the three options shared common themes and highlighted opportunities to:

- maintain views and public access to the water;
- redevelop the waterfront park adjacent to Main Street and the Swing Bridge to create definitive views of the water and a grand entrance to a connected waterfront trail and amenities;
- develop a new, waterfront park on a portion of the Planing Mill site;
- create a regular building pattern at the back of the Main Street stores;
- introduce residential development at the intersection of King and Queen Streets and on the Planing Mill site;
- introduce a 4 -5 storey building model with residential over commercial uses on the ground level;
- introduce open parking structures on the first level of new development;
- create opportunities for infill retail in the plaza;
- implement a pedestrian walkway system in the plaza.

The three options incorporate many of Huntsville's unique and historic qualities, and reflect the many challenges the Town faces as a tourist destination in the summer. The three groups were able to understand the importance of catering design solutions to a larger context while juggling the mix of concepts, on-site physical constraints, and the need for a supportive policy framework. The Huntsville study area provided a more focused site than the very large sites in Ottawa and London, the subjects of previous conferences, and gave an opportunity to spend a little more time on the details.

The Town of Huntsville staff were encouraged by the scope and clarity of the design concepts, and expressed their excitement to capture the potential of the site and to see many of the concepts evolve over time, as meaningful additions to Huntsville's attractive downtown. They have asked the UDWG to present options to Town Staff later this fall.

The workshop was an effective means of working with the opportunities and challenges of the site, and equally a chance to engage professionals and students in an alternative design process.

In contrast to past workshops where

there has been some reluctance by participants to offer their ideas, this year's workshop resulted in the creation of distinct concepts in only a few hours and in a process in which all participants were actively engaged putting pen to paper.

The organizers of the event included the following UWDG members: Alex Taranu, Dan Leeming, Rick Merrill, Steven Wimmer, Gabe Charles, Ryan Mounsey, Karen Hammond and Shiona Sommerville. They were supported by Town of Huntsville staff and citizen volunteers.

What's Next for the UDWG?

The UDWG is proposing urban design focused events at the next OPPI / CIP conference in Toronto—Moving Minds: Our Urban Challenge, and is also looking into the opportunity to provide a full Urban

Design stream for conference participants to enjoy.

The UDWG is also in the preliminary stages of investigating the requirements of forming a Canadian New Urbanists Interest Group, and would focus on similar issues and share the broad research and resource base with the CNU.

Gabe Charles, BES, MUDS, is a Planner and Urban Designer with the Town of Halton Hills. He is also a member of the OPPI Urban Design Working Group and can be reached at gabec@haltonhills.ca. Shiona Sommerville, BArts/Sc, MLA, is Associate Representative on the OALA Council and works with The Planning Partnership. She can be reached at shiona@planpart.ca.

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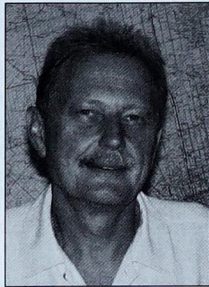
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Getting to Know GIS—the Potential

By George Lynsenko

For decades, there has been extraordinary hype concerning the potential of GIS as a planning tool. This view is not unique to planning insofar as GIS has been embraced worldwide by nearly every profession. But what is GIS?

Setting aside the common textbook definitions, GIS can be readily described as the digital version of something that's been around since the dawn of civilization, or even earlier—the map. However, it is a map with an important twist—it's intelligent. Unlike its hardcopy predecessor, GIS, a.k.a. Intelligent Mapping, can be very profound. Within the context of location, it can answer provocative questions concerning “who, what, when and where?,” as well as “what if and how?”



George Lynsenko

Appreciating the tremendous potential of its prophesizing qualities, many a planner has rushed out to invest several thousands of dollars in acquiring desktop GIS software. A few decades ago, that would have been hundreds of thousands of dollars for a mini/mainframe GIS software solution. Imagine the anticipation and excitement: the GIS software is loaded on the desktop; a number of different world projections and sample maps are displayed with awe; several tutorials are sometimes executed; and presto, a typical GIS user is born. What satisfaction!

The Risk


Unfortunately, the initial elation of GIS is commonly short-lived. There's much too much work to attend to, and the GIS

doesn't have the foundational “mapping” that's relevant—so there it sits. Eventually, the version of the GIS software becomes obsolete, possibly discarded or given away to some other prospective convert, and life goes on. Of course, when discussions about GIS circulate, the typical convert will brag about being a GIS user while, at the same time, qualifying the relevance of the technology to day-to-day business activities. Typically, excuses such as the lack of a Planning Technician, the backward state of the Cartography/Drafting Branch, and/or no cooperation from the Information Technology (IT) Department, are used as the barriers to achieving the true potential of GIS technology. Sound familiar?

Ironically, the reason for this all-too-familiar scenario is a lack of proper planning. This may well be a result of apprehension towards using a technology that is perceived to be far more complex than it really is. Let's simplify it.

The Reality

It's difficult to comprehend a productive existence without office automation tools such as word processing, electronic spread-



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sheets, presentation graphics, database, project management, and diagramming, all under an umbrella of task management, electronic messaging, and the World Wide Web. Love it or hate it, in Microsoft terms this translates into Word, Excel, PowerPoint, Access, Project, Visio, Outlook, and Internet Explorer. These office automation tools exist to increase business productivity and are commonly referred to as technology platforms. In exactly the same way, GIS is an office automation tool that improves productivity through automating map creation and providing the ability to link map features to all forms of digitally stored information such as text, data, graphics, images, video, and voice. Moreover, GIS provides the means for analyzing map features and their associated information through geographic or spatial operators. These spatial operators enable the spatial, a.k.a. locational, analyses concerning "who, what, when and where?" as well as "what if and how?"

In the same way that word processing software will not produce the content of your planning report and a spreadsheet package will not produce your budget, a desktop GIS package will not address your business needs without significant planning and preparation.

The Plan

Planning to implement GIS technology begins with clearly defining what it is you do and with whom and for who you do it. Of course, doing this at a corporate scale rather than at a personal level is far more beneficial, but that's a topic for another day. Regardless of granularity, it is critical to define the subject organization in terms of its structure, mandate, stakeholders, driving forces, business activities and processes, and technology platform. The use of a diagramming tool such as Microsoft Visio is very effective in this regard.

The mapping, in the untraditional sense of the word, of business processes across stakeholders, including the identification of information flows, also provides for the identification of both hardcopy and digital products such as reports. Also, hardcopy and digital data stores should be identified, as well as any business applications intended to automate business processes.

The Target

Once properly mapped, business processes can be critically reviewed in order to identify inefficiencies. These shortfalls could

stem from a lack of resources, poor delivery mechanisms, duplication of effort, a lack of information, irrelevant or non-delegated processes, business applications that do not meet business needs, and a host of other factors. Thereafter, various scenarios of business process reengineering can be explored in order to identify opportunities for increasing productivity. These reengineered business processes should take into account the existing and potential future impacts of the identified driving forces.

With good reason, GIS has not yet come up in this strategic planning process. In this regard, as previously discussed, GIS is a technology platform in the same way as are other office automation tools, including CAD software. Alone, these technology platforms do nothing to improve business processes. There treatment as business applications has been the key reason behind the failure of most GIS implementations. These technology platforms are tools with which to develop business applications that will yield results. Accordingly, the key to success in this reengineering and strategic planning exercise is to identify:

- business applications, in terms of features and functionality, that will improve business processes;
- business data, a.k.a. tabular or attribute data, upon which the business applications rely, as well as those generated by them;
- only if applicable, geographic data necessary to support the business applications;
- the technology tools required to support the business applications.

As you can see, the business application is the focal point from which data, both business and geographic, and technology needs, which may include GIS, will be determined. As an example, an identified business application could be automating the generation of a mailing list for circulating public notices with regards to zoning by-law amendment applications. A desktop GIS software package, being a technology tool, is unable to perform this function "out of the box." However, it can enable the development of such an application. Also, "third-party" software providers may have developed such a "business application" which uses GIS as a technology tool. Regardless of its source, the business application will rely on the user to supply or provide access to business data such as owner name and address, as well as geographic data such as parcel boundary or address point, to make the application functional.



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What's Next?

Over the next several issues, we'll explore topics such as:

- Planners: GIS Users or Providers;
- GIS in Public and Private Sector Planning;
- GIS: From Strategic Planning to Implementation;
- Barriers to the Use of GIS Technology.

George Lysenko, MCIP, RPP, is Managing Director, Business Solutions, with iPlancorp in Neumarket. If you have any questions concerning this article, as well as any suggestions for future topics, please contact him at George.Lysenko@iplancorp.com. See also the feature article about Vaughan's experience with GIS.

Transportation

New Governments, New Era for Urban Transit?

By David Kriger

Do the recent changes in provincial and federal governments herald good things for urban transportation? The answer must be a cautious "yes," in light of laudable proposals by both governments, which sound very much like the two have been listening to planners.

Three proposals by the new McGuinty government are particularly interesting. First, the government proposes to dedicate two-cents-per-litre of fuel taxes to urban transit. This, the new government claims, would double the existing provincial investment in transit. Municipal politicians welcome this, not only for the funding it provides, but also because it could be the basis of a sustainable funding formula—the absence of which has made it extremely difficult for municipalities to plan ahead. There are also rumblings that a new Martin government might add a similarly structured contribution from the federal portion of the fuel taxes. (MP Art Eggleton has espoused a total 12¢ commitment.) Still, many questions must be addressed (in addition to timing—when will it happen, given the apparently larger-than-expected provincial deficit?): Is this enough? Every two years, the Canadian Urban Transit Association puts together a survey of investment needs and shortfalls among its member properties: billions of dollars are needed just for system rehabilitation and renewal, the purchase of new vehicles, and so on—and that's before we even talk about expanding transit (which is called for in virtually every official plan). Would this be the only provincial funding source for transit? And what about roads? What will it achieve in the absence of strong municipal controls to limit sprawl?

Second, the new provincial government also proposes a "Greater Toronto Transportation Authority" (GTAA), to provide a "region-wide approach" to identifying and addressing transit needs in the GTA. The GTAA is to have the "clout and resources" to address gridlock, with the first priority given to establishing, within 18 months, a seamless, integrated cross-regional ticket system. The GTAA also would add more GO trains on existing lines (wasn't this already in GO's ten-year plan?), expand parking at GO stations,

order to address "gridlock" and "bottlenecks"?

Finally, the McGuinty government proposes to work with the federal government, in order to make employer-provided transit passes a non-taxable benefit, thus levelling the playing field for employer-provided transportation (do you pay taxes on paid or free parking?). The change in treatment for transit passes has long been proposed by transit operators, municipalities and provinces throughout Canada.

Things are not quite as clearly stated (yet) with the new Martin government. But—starting with earlier statements by Paul Martin—there are strong indications that the federal government is gearing up to have a stronger role in urban affairs, including transportation. How would this work? It's not clear yet, but the federal government definitely recognizes the importance of urban areas as the engines of our collective welfare and prosperity.

All of this is encouraging news—more so, perhaps, than anything we've heard in several years (although the evidence, of course, is in the deed,

not the intent). Perhaps the most encouraging piece of news is taking place behind the scenes: namely, increased cooperation between the provincial and federal government to address urban issues.

Are we planners prepared?

*David Kriger, P.Eng., MCIP, RPP, is contributing editor for *Transportation for the Ontario Planning Journal*. He is also Vice President of iTRANS Consulting Inc. Contributions to the *Transportation Column* as welcome. Reach David at dkriger@itransconsulting.com.*

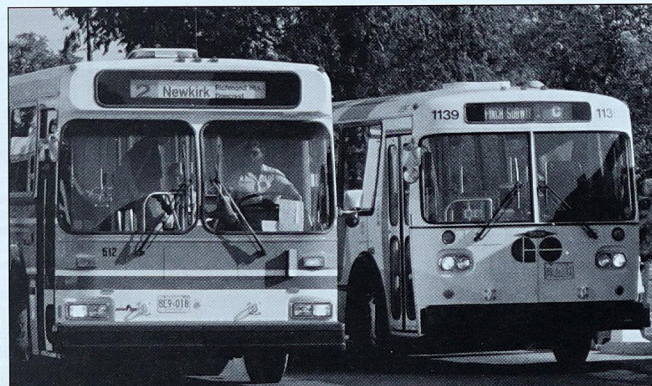


Photo: M. Manett

Is transit funding closer now?

buy new TTC vehicles and "[remove] highway bottlenecks." Most would agree that this is a positive development: might the new GTAA have the authority to generate its own revenues for transit, as TransLink in Vancouver and the Metropolitan Transportation Agency in Montreal can do through tolls and lots levies—and, if so, would similar authority be provided to large cities elsewhere in the province? How would it relate to existing municipal and regional governments and transit authorities and mandates? Would (should?) the GTAA have any direct influence on road and highway investments and priorities, in

Perspectives on the Oak Ridges Moraine Conservation Plan

By Sandra Patano and L. Anders Sandberg

As of November 22, 2003, the Oak Ridges Moraine Conservation Plan (ORMCP) was one and a half years old. Widely claimed to be an unprecedented measure in dealing with nature preservation and urban sprawl, the provisions of the Plan remain unclear and their implementation slow. Some local municipalities, particularly in Durham Region, did not comply with the requirements of the Plan by the October 22, 2003, deadline. Others have asked that the zoning bylaw amendments and in some cases different parts of the official plan conformity exercise, such as maps and policies for well-head protection areas, be extended. Recognizing the difficulties, the Ministry of Municipal Affairs and Housing (MMAH) has recently advised, though it has not been confirmed by the new Liberal Minister, that the deadline for adoption of the required zoning bylaw amendments is to be extended.

On May 1, 2003, the Conservation Authorities Moraine Coalition in partnership with Seneca College, the International Association of Hydrologists and the Canadian Water Resources hosted a one-day symposium entitled "One Year Later—Perspectives on the Oak Ridges Moraine Conservation Plan." This is a report on the speakers' perspectives and experiences with the Oak Ridges Moraine legislation with additional reflection on major events that have occurred since the symposium took place.

A couple of private-sector representatives at the symposium were the most skeptical of the ORMCP. David Charlton of ESG

International contended that its greatest weakness is that the implementation process is inherently difficult to understand for practitioners as well as landowners. There are several unintended consequences

Since provincial guidelines have not been released, and the ORMCP does not provide a specific definition of a "Watershed Plan," fulfilling the prescribed deadlines has been extremely difficult

and shortfalls of the Plan. He indicated that the Plan limits transportation/infrastructure options for the GTA; increases public costs for services; affects small prop-

erty owners disproportionately; incurs losses of existing development approvals and established values; and provides significant public obligation for land management

with no funding. Also, the implementation is poorly timed; the implementation tools ambiguous; and there are no mechanisms for dispute resolution and effective stakeholder engagement. Applications can still be appealed to the OMB but must comply with the ORMCP.

Deborah Martin-Downs of Gartner Lee Limited, when commenting on the application of the ORMCP and Draft Technical Papers for Key Natural Heritage Features, contended that there is a lack of flexibility to deal with inconsistencies and good science when anomalies surface in the Plan. One area of concern is that the terms used in the Natural Heritage Reference Manual are not explicitly defined and many of the features are not mapped. (The mapping is separate from the Plan.)

Martin-Downs also provided examples of applications that were denied under the Plan, yet resulted in no environmental ben-

efits. Several of these cases pertained to structures that were already built and did not involve any physical work. However, because a planning approval was required, the ORMCP was applied. One example was an application for a severance in a Natural Core area of one lot into two properties where a single owner had built two homes for rental purposes and now wanted to sell as two properties. Since a severance constitutes

development in a Natural Core area, the application was denied. Another example was an application for rezoning on a property in Countryside designation in an existing



Clear cutting not a pretty sight

development in a Natural Core area, the application was denied. Another example was an application for rezoning on a property in Countryside designation in an existing

residential development estate. Since the existing structure was within 30 metres of a Key Natural Heritage Feature, the rezoning was not supported because it was in a Minimum Vegetation Protection Zone. She explained that these types of applications were not anticipated, and because flexibility is not built into the ORMCP, resolution is difficult.

Sharing her experiences on the Town of East Gwillimbury's Official Plan and Zoning By-law conformity amendment pilot project, Elizabeth Howson of Macaulay, Shiomi, Howson Ltd. provided a more optimistic outlook on the Plan. She suggested that municipalities can be more restrictive than the conformity exercises while providing sufficient opportunity for public input. Where they are more restrictive, policies may be subject to OMB appeals, whereas policies that implement the Plan are protected if the amendments are submitted by the required deadline. Since the Town's official plan and zoning by-law amendments were well advanced in their conformity exercises, Howson felt they could serve as a conformity model to other municipalities on the Moraine. Amendments to the Town's Official Plan, the Mount Albert Community Plan OPA 72, and the zoning bylaw amendments were subsequently adopted by Council.

Since the symposium, the Township of King, with 70 percent of its land within the ORM, has made significant progress with its



Kettle lakes define the landscape

conformity amendments. Council adopted the required official plan amendments on October 20, two days before the October 22 deadline. However the zoning amendment is not yet complete. According to Steven Rowe, who coordinated King's conformity exercise consulting team for Hardy Stevenson and Associates, there were five approved and unapproved official plan documents that required amendment, whereas most municipalities typically required only

two or three. These include amendments to a 1970 Official Plan, the Rural Area Official Plan, Community Plans, and the Hamlet Secondary Plan. There are provisions in the amendments that go beyond the ORMCP. Most of these are already required to conform to the Regional Official Plan or were already included in the documents to be amended. While some municipalities simply refer readers to the relevant policies in the ORMCP or include the policies in an appendix, the Township has integrated all relevant text from the ORMCP into the Official Plan Amendment Documents.

At the symposium, Dan Stone, a senior planner with the Township, contended that while the transitional process to deal with applications halted by the moratorium had added value to the ORMCP, King's planning documents already afforded a high degree of environmental protection. There is, however a new role for staff, the consulting industry and conservation authorities to make sense of the Plan's complex wording, and to assist in reasonable implementation to ensure that minor applications are treated appropriately.

MMAH reported at the symposium that there have not been many development applications within the ORM outside of Settlement Areas; however, there have been some interpretation issues and appeals. While the ORMCP provides some flexibility in designing policies for existing built-up areas by relaxing the higher ORMCP standards found in the Core and Linkage designations, it does not provide

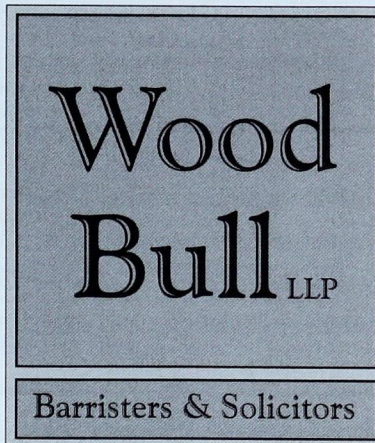


Linkage to preserve natural pathways

Photo: M. Manett

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flexibility for approval of accessory uses and minor expansions. A recent OMB decision, Board Order No. 1222, issued in September, suggests that new accessory uses and expansions of existing buildings, such as sunrooms, decks, garages and swimming pools, are permitted by the Plan. It must be shown, however, that these uses would not affect the ecological integrity of the Plan Area.

According to the MMAH, accessory buildings and structures to a residential use are considered a constituent of the permitted single dwelling use. In other words, buildings and structures such as detached garages and swimming pools that are directly associated to a single dwelling are also permitted. With respect to other permitted uses in the ORMCP, the MMAH has also provided clarification that since barns and other associated farm buildings are directly related to agricultural use, they are also permitted. See the recent advice from the Ministry on the interpretation of the Plan at http://mah.gov.on.ca/userfiles/HTML/nts_1_15967_1.html.

The regulation and interpretation of permitted uses under the ORMCP is likely to remain an important topic. At the symposium, however, the larger natural integrity

issues were also debated. It was emphasized that the ORMCP is written such that "major development" within the ORM portion of watersheds will be restricted unless the relevant municipality has complied with the required water budget and conservation plan and the major development conforms with the watershed plan. If the relevant

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as a natural heritage and hydrological
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on property values**

municipality has not complied with this clause, then the applicant is required to identify any hydrologically sensitive features and functions on the site and demonstrate how they will be protected. The applicant must also demonstrate that there is an ample amount of water for the development without compromising the ecological integrity of the Plan Area. The individual conservation

authorities within the Conservation Authority Moraine Coalition are working with municipalities to make certain that appropriate studies are being undertaken to meet the requirements of both the ORMCP and the specific needs of each watershed. Since the symposium, the Toronto and Region Conservation Authority (TRCA), Lake Simcoe Region Conservation Authority (LSRCA) and York Region staffs are attempting to ensure the ORMCP watershed planning requirements will be budgeted for and fulfilled within the given timelines. However, since the provincial technical guidelines on watershed plans, water budgets and water conservation plans have not yet been released and the ORMCP does not provide a specific definition of a "Watershed Plan," fulfilling the prescribed deadlines has been extremely difficult. York Region, for instance, has requested the Minister of Municipal Affairs and Housing to extend the April 22, 2004, deadline for delivery of the water budget and water conservation plan for the area served by the Yonge Street Aquifer for at least one year from the time that all relevant guidance documents have been finalized by the Province.

Since the symposium, David Burnett of



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the TRCA has confirmed that the provincial ministries, regional municipalities and conservation authorities are close to releasing detailed groundwater flow models of the Moraine's aquifers. These models draw upon extensive geological and hydrological studies conducted by the Geological Survey of Canada over a number of years and tie in very closely with requirements under new Provincial Initiatives.

Only one environmental NGO was represented at the symposium. The Oak Ridges Moraine Land Trust, whose purpose is to protect the ORM through a system of nature reserves, felt the Plan lacked a framework for Public Parks and Open Space Systems, except for the Oak Ridges Trail. The Trust felt that incentives for stewardship and private land

conservation are required to counteract the potential for complacency and lack of vigilance in the implementation of the Plan.

The ORMCP may be a significant step towards moving forward in environmental land-use planning in Ontario as a whole. However, there are glitches in interpretation and implementation. So what is in store for the future? The support for the Plan as a natural heritage and hydrological nature protection measure may very well depend on community support, which may be influenced by effects on property values. The success of the Plan will also depend on the planning and legal interpretations of the ORMCP by municipalities, the OMB and potentially the courts, and the position of the newly elected Liberal government when

faced with land-use disputes involving the ORMCP.

Sandra Patano is a graduate student in the Faculty of Environmental Studies at York University and member of OPPI.

L. Anders Sandberg teaches in the Faculty of Environmental Studies at York University. Steven Rowe, MCIP, RPP, is contributing editor for Environment. He is the principal of Steven Rowe Environmental Planner and can be reached at deyrowe@sympatico.ca. He worked closely with the authors to get additional commentary on the article from participants in the conformity process for this complex subject.

35 / IN PRINT

Peter Hall re-sets the bar

Cities of Tomorrow, Updated

Cities of Tomorrow: An Intellectual History of Urban Planning and Design in the Twentieth Century

Updated Edition
Peter Hall
Blackwell Publishers 1996
502 Pages

Given his transatlantic teaching career, Peter Hall brings a global perspective to the history of urban planning and design in the 20th century. Peter Hall is currently the Professor of Planning at the Bartlett School of Architecture, Building, Environmental Design and Planning at University College, London. He previously held the positions of Professor of Urban and Regional Planning at the University of California, Berkley and Professor of Geography at the University of Reading. Hall has authored over 20 books on planning and related subjects. He has developed a worldwide reputation resulting from his many contributions to both the theory and practice of city and regional planning. *Cities of Tomorrow* is a compilation of previously published papers as well as research conducted for this book on both sides of the Atlantic.

According to Hall, the history of city building has to be viewed in the context of the socio-economic, political and cultural life of the times. In order to help the reader navigate through this history of the 20th century, the author outlines three boundaries of discussion and his major thesis in Chapter One. The first is the definition of city planning which includes the city and region around it (including any natural boundaries such as a watershed), the interrelationship between the city and the region as well as the national urban and regional policies. The second boundary is the time frame of the book, which in the original edition was from the 1880s to the 1980s. In this updated edition, a final chapter has been added to deal with city planning until 2010. The third boundary is geographic as the discussion in *Cities of Tomorrow* is Anglo-Americentric, given that many major ideas in western city planning evolved in London and New York. Other examples from around the world are included in the text where appropriate. The book highlights the differences in the approach to city planning taken opposite sides of the Atlantic. The British system is very socialistic and concerned for the welfare of the public, whereas the American approach to planning

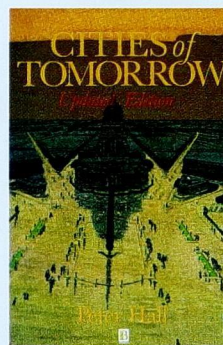
is more concerned with providing a framework for private development.

Cities of Tomorrow begins with the premise that urban planning began in the 20th century as a reaction against the slums of the Victorian era. Hall examines how the problems of cities had come full circle by the 1980s with re-emergence of city slums, and what the author refers to as the urban underclass.

Within his discussion of the evolution of the modern city, Hall examines the development of the profession of urban planning. During the first half of the century, planning was primarily focused on improving the city form by creating alternative housing such as the Garden City movement. Exceptions to the rule include the City Beautiful movement, which was more interested in aesthetics than social issues and sought to create grand public spaces. These visionaries included sociologists, geographers, and architects.

Technological advances such as the mass production of automobiles also changed the nature of the profession, as planners became involved in the development of motorways and automobile suburbs. Urban planning was legitimized by the 1950s with the institutionalization of comprehensive land use planning. Politicians began implementing planning ideas.

The second half of the century saw specializations develop within the field. Public outcry over urban renewal projects of the 1960s and 1970s led to planners representing citi-



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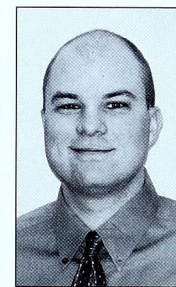
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(Cont. from page 35)

zens, concerns in the public forum—resulting in the evolution of community planning. As the recession of the 1970s and 1980s affected the real estate industry, planners began to represent development interests and encourage growth. The 1990s saw the development of sustainable community planning and the resurgence of urban design as the architecture profession focused on the regeneration of cities. Challenges that face urban planning at the beginning of this new century include the global competition of the information economy, the proliferation of smaller households and environmentally sensitive Nimbyism. Peter Hall points out that the complexity of many of the challenges facing cities today cannot be addressed by urban planning alone. A multi-disciplinary approach with political support is required.

Cities of Tomorrow is well-organized history. Quotes from Adam Smith to George Bernard Shaw at the outset of each chapter set the tone. The research is backed up with notes and references. A listing of the publications since 1986 is included in this updated edition. The text is also supported by an extensive index.

Jane Darragh is a landscape architect in the Planning and Building Department with the City of Mississauga. She is a member of OALA and CSLA, and can be reached at jane.darragh@mississauga.ca.



T.J. Cieciora, MCIP, RPP, is contributing editor for *In Print*. He is also a planner with Design Plan Services Inc. in Toronto. Readers interested in doing book reviews should contact TJ at tjc@designplan.ca.

Housing

New Report Catalogues Rising Impact of Poverty on Children

By Linda Lapointe

A recently released report prepared for the Federation of Canadian Municipalities has reinforced the concerns of activists regarding the growing plight of Canada's children. For more information, visit www.fcm.org.

Linda Lapointe, MCIP, RPP, President of Lapointe Consulting in Toronto and for many years the Ontario Planning Journal's contributing editor for housing has decided to "call it a day," citing increasing pressures of her consulting practice. On behalf of all her many friends, colleagues and readers of her column, I would like to thank Linda for her outstanding contribution to the profession. She has promised to write articles from time to time as her schedule permits—Glenn Miller, MCIP, RPP, Editor



A child's optimistic view of the world, contributed by Paul Chronis' daughter

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