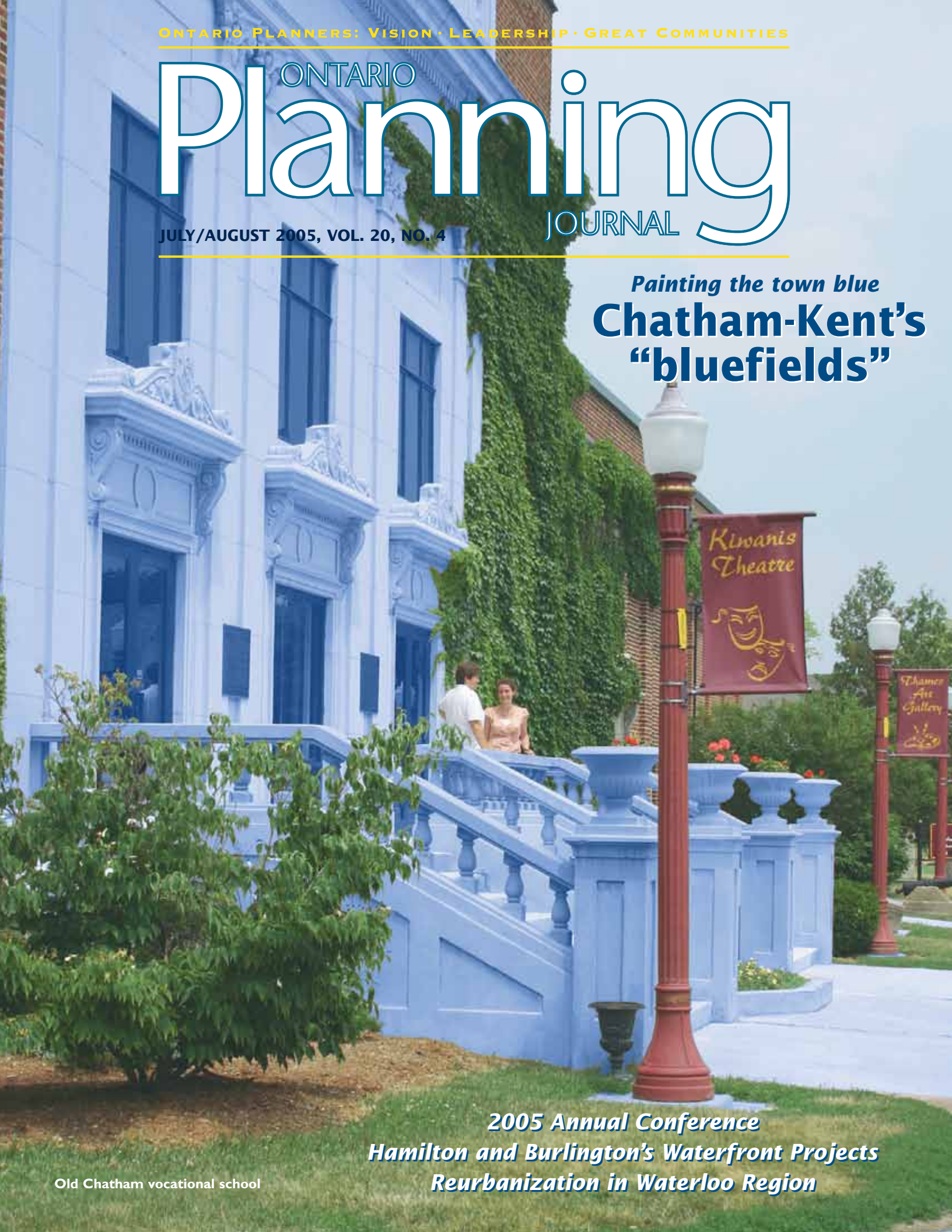


ONTARIO Planning JOURNAL

JULY/AUGUST 2005, VOL. 20, NO. 4

Painting the town blue
**Chatham-Kent's
"bluefields"**



*2005 Annual Conference
Hamilton and Burlington's Waterfront Projects
Reurbanization in Waterloo Region*

ONTARIO PLANNING JOURNAL

Volume 20, Issue No. 4, 2005

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From Brownfields to Bluefields— How Chatham-Kent Devised a Unique Redevelopment Strategy

Brown plus Blue x Green = Gold

Stephen Willis and Marsha Coyne

In its 1993 report, the National Round Table on the Environment and the Economy identified a number of market failures or barriers to brownfield investment. These include lack of access to capital and insurance protection, regulatory and civil liability, regulatory delays, stigma and lack of awareness of key public and private sector groups.

Many communities are adopting Community Improvement Plans (CIPs) to enable financial incentives for brownfield sites. Abandoned, vacant, derelict or underutilized properties with real or perceived contamination problems often have real potential for redevelopment, provided that financial and regulatory barriers to redevelopment are addressed.

Chatham-Kent borrowed an idea out of the phone book—which lists government services in the “blue pages”—to address a local problem that, although not unique to Chatham-Kent, was accentuated as a result of a large-scale amalgamation in the 1990s that condensed 23 municipal administrations into one. As a result of the amalgamation, the municipality has an unusually large number of redundant institutional and community facilities such as municipal buildings, schools, hospitals, long-term care facilities, courthouses and similar uses. Since many of these sites qualify as brownfields, it was a natural progression to dub them “bluefields.”

The municipality adopted a Brownfield and Bluefield Strategy last April, providing the corporation with a number of tools to achieve objectives set out in its economic development strategy, the Community Strategic Plan and its new Official Plan. The strategy provides incentives to “level the playing field” between greenfield and brownfield/bluefield sites, bring certainty to the planning approval process, and demonstrate leadership. The strategy also stresses the importance of building partnerships with the development community, and alleviating the fear of brownfield redevelopment through education and fostering local champions.



Former court house just one building destined to be re-used

The strategy, accompanying by-laws and Community Improvement Plan were prepared by Marshall Macklin Monaghan in association with RCI Consulting and Fraser Consulting. The strategy was based on:

- best practices used elsewhere;
- assessing the characteristics of local brownfields;
- addressing key impediments and unique local circumstances as reflected in public and confidential consultations with active local stakeholders.

The municipality undertook the project with the financial support of the federal government through the Green Municipal Enabling Fund, administered by the Federation of Canadian Municipalities. The Municipality and FCM shared the cost for the project.

The large number of bluefield sites in Chatham-Kent stemmed not only from amalgamation, but also from the impact of changing funding patterns for education and long-term care. These sites are complicated to redevelop, since they were often special-purpose buildings that are either very costly or not easily adapted to new uses. However, they often provide important community spaces both in the buildings and on the surrounding grounds for recreational or cultural purposes. As former public institutions, they also have an iconic or symbolic role in defining communities and neighbourhoods, through the built form or landscape features.

In communities where institutional sites reach the end of their useful life gradually, there is a general economic capacity to reintegrate these sites or find new uses for these buildings. In the case of Chatham-Kent, a large number of bluefield sites became available at the same time, posing a significant challenge.

The strategy stresses the importance of a logical four-step process to “reposition” bluefield sites. The first step is to identify community uses of a site that need to remain, and take steps to secure them. The second step is to develop future land use options. The next step is to develop a land ownership model (public, private or public/private) that is suitable for the neighbourhood, and which fosters reuse of the site. The final step is to develop a public investment plan that

will prepare the site for land transfer or re-use. In the Victoria Park neighbourhood in the Community of Chatham, there is a large cluster of bluefield sites. The strategy recommends that the four-step process be applied to these sites at a district level.

Much of the historic industrial development within Chatham-Kent occurred along the numerous rail lines and waterways that traverse the urban areas. This means that former industrial and commercial uses are widely spread across the municipality, with some concentration in Chatham, Wallaceburg, Tilbury, and to a lesser extent, Blenheim, Dresden, Ridgetown, Highgate, Bothwell and Wheatley. To address the wide distribution of brownfield sites, the Chatham-Kent Brownfield and Bluefield Strategy includes a municipality-wide CIP that applies a series of financial incentives across the municipality.

The CIP and the strategy include actions to strategically respond to local impediments to redevelopment and re-use. They include environmental study and rehabilitation grants, tax abatement strategies, process improvements, addressing infrastructure deficiencies, building awareness, a municipal leadership strategy and a marketing strategy.

The second unique dimension of the Chatham-Kent Brownfield and Bluefield Strategy is an emphasis on Agricultural Brownfields. The community is largely rural, and the agribusiness sector is a major contributor to the local economy. However, as with other sectors, economic trends of integration and consolidation have left a legacy of brownfield sites in the rural area. A number of facilities supporting the agricultural sector and a number of facilities associated with processing, packaging, storing and preserving of farm products are becoming redundant or underused. Specifically, there are a number of vacant former feed mills, grain drying and handling

facilities, abattoirs, marketing and sales yards, fertilizer plants and farm implement and repair dealers.

Chatham-Kent continues to explore opportunities to transform its agri-business base to include many new economic opportunities. The Brownfield and Bluefield Strategy recognizes the importance of re-integrating agricultural brownfields into the community fabric, and recognizing the importance of adapting building stock and enhancing infrastructure (for example, water and three-phase power) along with protecting options for future land uses (bearing in mind the limitations of the Provincial Policy Statement).

The strategy is also enabled by policies in Chatham-Kent's new Official Plan that attempt to balance the protection of public health and safety through environmental due diligence with policies that are supportive of brownfield and bluefield redevelopment and land use transitions.

When the Minister of Municipal Affairs and Housing approves the Community Improvement Plan, it will substantially improve the tools Chatham-Kent has to implement the economic, social and environmental objectives of its Community Strategic Plan.

Steve Willis, MCIP, RPP, is Manager of Planning and Environmental Design at Marshall Macklin Monaghan. Steve was the Project Manager for the Chatham-Kent Brownfield and Bluefield Strategy. He represents the Urban Development Institute on the CUI Brownie Awards Committee and has contributed several articles on brownfields to the Ontario Planning Journal. Marsha Coyne is a planner with Planning Services at the Municipality of Chatham Kent. Marsha was a co-Project Lead for Chatham-Kent.

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Hamilton-Burlington

Beyond the Skyway— Hamilton and Burlington to Host 2005 Annual Conference: *Connections*

Connections all round

Alissa Mahood

The 2005 OPPI Conference Committee invites you to attend this year's Annual Conference hosted by two wonderful cities: Hamilton and Burlington, from September 28 to the 30. The conference will be held at the Hamilton Convention Centre and will bring together over 500 planning professionals and municipal decision-makers from across Ontario and Canada. This is an opportunity to visit two cities with both human and geographic links. Their shared history, economy and sense of place have created strong connections between these two flourishing communities.

This year's conference theme explores the many CONNECTIONS within the planning profession: uniting planners on both sides of the counter, linking development to environment, identifying ties between creativity and economy and bringing decision makers and planners together. You won't want to miss it!

Keynote speakers include Jennifer Welsh, one of Canada's most brilliant and accomplished young minds. A professor of international relations at Oxford University and a former policy planner in the foreign affairs department, she is the author of *At Home in the World: Canada's Global Vision for the 21st Century*, a book which struck a chord with the Prime Minister's Office and resulted in an invitation from Paul Martin to write Canada's first foreign policy update in 10 years. Welsh has a vision for a renewed and confident Canada and she will bring these ideas to the conference on Thursday morning as she talks about the challenges and opportu-

nities that Canada faces—political complacency, the changing security landscape, American global power and the shake-up of international institutions. She offers a concise set of recommendations for a renewed Canada—one that can be a model for the 21st century.



David Caplan

The luncheon speaker for Thursday is Larry Beasley, co-director of planning for the City of Vancouver. Larry Beasley is recognized as an authority on urban development



Larry Beasley

and urban issues. He has played a leading role in transforming Vancouver's downtown core into a vibrant, livable urban community. In doing so, he developed a participative and socially responsible approach to zoning, planning and design, which has become known internationally as the "Vancouver Model." His advice on ways to reinvigorate the urban environment has been sought by municipalities across Canada and by cities in the United States, China and New Zealand. The United Nations honoured his work in 1996 as one of the "World's 100 best planning practices," and more recently, he was appointed as a member of the Order of Canada for his contributions to planning. Current initiatives include new land use and transportation plans that are dramatically



Jennifer Welsh



John Gerretsen

reshaping Vancouver's inner city.

The speakers scheduled for Friday morning are the Honourable David Caplan and the Honourable John Gerretsen. On Friday you won't want to miss the luncheon speaker Edward Burtynsky, an extremely talented Toronto-based photographic artist. He is internationally recognized for his large-scale colour photographs that capture views of landscapes altered by mankind. Exquisitely detailed and exactly rendered, his images strike an intricate balance between a sombre

reportage and a powerfully seductive aesthetic. His various series, including shipbreaking yards, rock quarries and industrial refineries, explore the impact of our expanding footprint on the planet. His work is in the collections of the Bibliothèque National, Paris; the Guggenheim Museum, New York; and the Museum of Modern Art, New York.

In addition to the keynote speakers, this year's program offers a wide range of topics: Explore the human connections and the way planning can shape and respond to societal issues as well as the environmental connections of planning and restoring our earth, air and water resources. Explore development connections and creative connections through sessions on attracting and controlling growth and ensuring cities have a high creativity index. You can also enhance your professional connections by attending "OPPI University" sessions and workshops offering education and development for planning professionals featuring hands-on practical advice.

Concurrent sessions range from Managing Growth in Ontario to Downtown Revitalization in Mid-sized Cities, and from Habits of Highly Effective Planners to E-Consultation. You will also find sessions like Progressive Greenspace and Natural Areas Planning; Overcoming NIMBYism in

Planning; Planners and Students: Bridging the Gap; Cultural Capitals of Canada; and You're a Planner? Hmmmm—What's That?

Eight diverse intensive workshops are also available and include Ethics for Planners; Municipal Green Space; GIS Training; Media Training for Planners; and Planning Reform in Ontario. The mobile workshops are just as exciting, for example: A Walk through the Past: Hamilton's Stone Age; Hamilton Harbour Remedial Action Plan: Boat Tour; Burlington Waterfront and Downtown; and New Urbanism Reaches Middle Age.

And what would a conference be without the social and networking opportunities? Scheduled for Wednesday is the Opening Reception and Moonlight Boat Cruise fol-

lowed by a pub crawl in Hess Village, a popular downtown Hamilton gathering place offering a string of establishments featuring live entertainment, each with its own unique flavour in a relaxed and distinctive patio atmosphere.

The Student Networking and Career Fair will provide an opportunity for students to investigate the planning vocation. Be there to provide students with an overview of the diverse opportunities available in the field of planning. The Making Connections Reception and Silent Auction and the Celebrating Excellence Dinner and Awards Ceremony including a jazz ensemble will be sure to keep you entertained. Get a head start on your Christmas shopping, make a bid at the silent auction and at the same time you'll be helping the

OPPI Student Scholarship Program.

If you'd like to do things on your own there are many opportunities within Hamilton and Burlington. Take a hike along the Bruce Trail on the Niagara Escarpment or the Waterfront Trail, or visit the Royal Botanical Gardens. Whatever you choose we guarantee you won't be disappointed!

For information on tourism in Hamilton and Burlington you can visit the following websites: For Hamilton www.hamiltonundiscovered.com and for Burlington www.tourismburlington.com

For more details on the Conference and for registration information, you can visit the web site at www.ontarioplanners.on.ca

Alissa Mahood, MCIP, RPP, is a planner with the City of Hamilton and a member of the conference organizing committee.

Connections at the Water's Edge— Hamilton and Burlington's Waterfront Projects

Two Communities Joined at the Water's Edge

Alissa Mahood

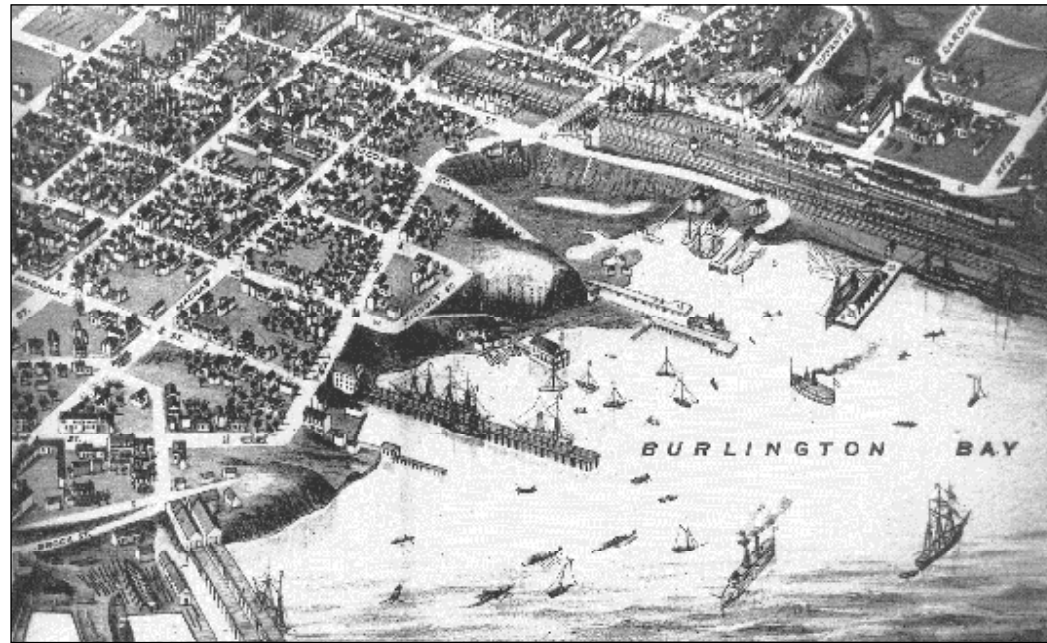
A waterfront is like the face of a city, it provides the window through which the city can be viewed. As many urban waterfronts no longer connect to the world through transportation and economic activity, cities are increasingly left exposed, challenged to reveal their personality, values and life in these underutilized spaces.

Urban waterfronts are areas with tremendous potential for economic renewal through innovative housing projects, new commercial spaces, recreational facilities and connections to natural areas and the marine environment. It is not an easy task to make the leap to the new urban waterfront. Meeting the needs of numerous regulatory agencies, civic groups and environmental organizations while balancing competing and conflicting interests is challenging and it's the task that two neighbouring communities have set out to achieve through their downtown waterfront projects.

Although Burlington and Hamilton differ greatly in the way their waterfronts have functioned in the past and in the present, both are taking positive steps in order to make the transformation into great urban waterfronts.

Setting Sail in Hamilton

Many think of Hamilton as simply a steel town, but the hidden truth is that this city



A bird's-eye view of the City of Hamilton, 1876

of approximately 500,000 is a mosaic of cultural and natural heritage. Set against the Niagara Escarpment, Hamilton's West Harbour area has a long history of human use from the First Nations who occupied the area before the European immigrants arrived, to the early industries established

close to port and rail facilities. Over the past 250 years the West Harbour has undergone many changes as much of the industry has departed, leaving large parcels of vacant, brownfield and underutilized land.

A 3.4-kilometre-long multi-use trail makes its way along the shore from Bayfront

Park through the Desjardins Canal on a floating walkway paralleling the boat channel to Princess Point. The trail connects to the Trans Canada Trail, the Lake Ontario Waterfront Trail in Burlington, and the Desjardins Canal bordering Cootes Paradise. The creation of Bayfront Park, Pier 4 Park and the Waterfront trail has opened vast stretches of this area for public enjoyment. In 2000, the Hamilton Port Authority conveyed the bulk of Piers 1, 2, and 5-8 to the city. With the gradual disappearance of heavy industry and relocation of commercial port activity came the opportunity to expand the program of public improvements and attract new types of development for the local community and city as a whole.

In August 2002, Hamilton started Setting Sail, a long-term planning project for Hamilton's West Harbour, with the recognition that the city's long-term prosperity will rely on a central core and waterfront that is attractive, diverse, vibrant and healthy. The study followed an integrated Environmental Assessment Master Plan process, which tied together land use, transportation and infrastructure issues. Setting Sail establishes a framework for public improvements and private development aimed at enhancing the area as both a community and a recreational destination. This commitment to bringing people back to the water's edge is also reflected in the integrated land use and transportation master plan for the West Harbour approved by Council March 2005.

Ask almost anyone what the face of Hamilton is and they will often point to the panorama visible from the Skyway Bridge as one travels on the Queen Elizabeth Way over Burlington Bay. There is a stark majesty to that industrial front yard, with its steel mills and industry; but this narrow view does not reflect the rich heritage, diverse communities and natural beauty of Hamilton. Through Setting Sail, the city has a vision and strategy to renew this face of the city. This vision sees existing neighbourhoods strengthened; a healthy harbour developed; safe and continuous public access provided along the water's edge; physical and visual connections enhanced; the city's heritage celebrated; a balanced transportation network put in place; and a diverse, balanced and animated waterfront created, all of which will assist Hamilton in making the leap to gaining a great urban waterfront.

Burlington's Downtown Waterfront Project—A Jewel in the City

The City of Burlington is located to the east of Hamilton on the shore of Lake Ontario. It is a growing municipality with a population of



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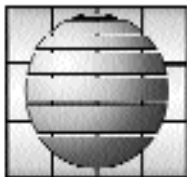
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approximately 160,000. Like Hamilton, Burlington is steeped in its own distinct history. The city was created on 3,450 acres of lakefront property awarded in 1798 to Joseph Brant, the great Mohawk Chief, as a reward for his services to the British Crown during the American Revolutionary War. Joseph Brant settled at Brant House, located on the site of the hospital and museum that bear his name. In 1973 the original Brant Home was incorporated into a summer resort which became known as the Brant House and later became a veteran's hospital after World War One. It was torn down in the 1930s and resurrected as the new "Brant Inn."

With no navigable rivers and few roads in existence, the early community relied on Lake Ontario as a transportation route. Over time the port, which consisted of a series of long wooden wharves extending into the lake from the shoreline in the absence of a natural harbour, developed into a bustling shipping centre that, by the mid-1850s, rivaled neighbouring Hamilton. Rich soil made Burlington a renowned "garden community," with high-masted schooners carrying produce departing from the foot of Brant Street. Present-day Burlington is no longer a port; sailing vessels in the area are used for recreational purposes and moor at a small marina in LaSalle Park in Burlington Bay.

Burlington is a vibrant city, connected to its westerly neighbour, Hamilton, by the 2.2 km long Skyway Bridge. But although connected to Hamilton, its waterfront is vastly different. There is a continuous waterfront trail that stretches for 3 km along the water's edge from the shipping canal to the downtown retail area of the city centre. It has one of three natural sand beaches along the north shores of Lake Ontario within its downtown—a rare feature for an urban setting. This area is rich in sand dune formation and natural habitat and careful attention to naturalizing the shoreline has been a priority.

In March 2002, Burlington launched its Waterfront Project, the first step in a 10-year initiative to create a connected and vibrant downtown and waterfront. The vision to develop a lakefront park to support tourism and economic development was established in the official plans of Burlington and Halton Region in 1994. The waterfront project moved into high gear after receiving financial support from the Canada-Ontario Infrastructure Program in 2002.

The waterfront project has four major components, the first two of which are complete: the construction of a multi-use build-

ing and parking garage on Locust Street and the revitalization of the Burlington Art Centre. The third component is a \$17.4 million renewal of the downtown waterfront at Spencer Smith Park which began last summer and is expected to be complete in 2006. The fourth component is the acquisition of 13-15 acres of land owned by the Ministry of Transportation across from Beachway Park and a feasibility assessment for a major tourist attraction on that site.

Navigation, exploration and play define the Burlington waterfront district, which will be anchored by the 14,000-square-foot waterfront centre, now under construction. The centre will be an architectural landmark, complete with a 150-seat restaurant and public and program space. The waterfront project also encompasses the following elements:

- a 10,000-square-foot "pond" which will feature winter skating and model sail boating in the summer;
- a 200-meter curved pier stretching into the lake with a look-out and light beacon and featuring fair weather docking for tour boats, and water taxis;
- a new outdoor festival and event area, along with a lively seasonal retail promenade;
- a waterside terrace with steps and seating at the waters edge and docking for recreational boats;
- a gateway entrance to the park at Maple Avenue and Lakeshore Road.

When complete, the project will offer new recreation and leisure opportunities for residents and visitors alike, including facilities for boating, pier walking and skating and enhanced programs, festivals and community events. The project has already helped boost economic development in Burlington and its downtown core.

Prospects for the Future?

So what exactly will the future hold for these two urban waterfronts? It is likely that they will continue to transform to reflect the personality, the values and the very life of the cities that they open into. In this light, the future of these waterfronts may well depend on the health of the downtown neighbourhoods that they are connected to, and as each day changes, so will the face of the waterfront.

Alissa Mahood, MCIP, RPP, is a planner with the City of Hamilton and a member of the conference organizing committee.

Reurbanization Working Group Achieves Success In Waterloo Region

New thinking. New Process. Better Results

Peter Walberg

As the first regional or upper-tier municipality in Ontario to implement an official plan in 1976, the Region of Waterloo has spearheaded many groundbreaking initiatives to promote more intensive forms of development and avoid sprawl.

So it is no surprise that the Region has chosen to lead the charge on reurbanization. Working hand-in-hand with its constituent cities—Cambridge, Kitchener and Waterloo—and the Waterloo Region Home Builders' Association to form the Reurbanization Working Group, the partners have found that collaboration is the key to encouraging higher-density development.

In the summer of 2003, the Region formally adopted the Regional Growth Management Strategy (RGMS). As described in previous articles in this magazine, the RGMS is a long-term planning framework that defines where, where, and how future growth should take place. Developed in response to the tremendous population and employment growth occurring within the community—one of the fastest in the entire country—the RGMS seeks to promote balanced growth and more vibrant urban areas. To this end, it places strong emphasis on reurbanization and more transit-friendly forms of development. Simply put, reurbanization is new development that occurs in the downtowns and existing built-up urban areas of the community. As a building practice, it includes:

- Infill: new development on previously vacant land.
- Intensification: new development that raises the density on a piece of land already containing buildings or structures.
- Adaptive reuse: new development that changes the use of a structure, typically from commercial/industrial to residential.
- Redevelopment: large-scale building activity that typically involves a large site or the assembly of several smaller sites and entails a changeover in the use of the property.



Successful examples of reurbanization help encourage others

Achieving the Vision

As those responsible for the development of the RGMS soon learned, promoting reurbanization and having it occur at the scale envisioned were two very different things. Indeed, it wasn't long after the RGMS was

adopted that members of the local development and homebuilding industry begin asking some tough questions. What sort of densities are envisioned? Where are the lots? Is there a market for reurbanization? Do we have appropriate incentives in place



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to make reurbanization viable? While it was clear that a great deal of reurbanization was already happening—in fact, studies showed that upwards of 25 percent all new development was occurring within the existing urban areas—it was evident that for this positive trend to continue, much work remained to be done.

In response to the questions that were being raised, the Region proposed the formation of a working group dedicated solely to the promotion and advancement of reurbanization. All agreed that for reurbanization to really take hold, a non-partisan working group, consisting of regional, municipal and development industry representatives, was required to meaningfully address the challenges and capitalize on the opportunities associated with this building activity. This is what led to the group's formation last March.

Successes To Date

Bringing together a group of stakeholders that often find themselves on opposite ends of the development continuum is no easy task. Indeed, establishing trust and working through “old baggage” can be a formidable undertaking. Yet it is essential to be able to agree to focus on the issues, challenges and opportunities associated with reurbanization instead of previous positions.

After some initial brainstorming and issue identification, the group created a Statement of Purpose and a set of eight action items. However, recognizing that “planning without implementation is mere hallucination,” the Working Group quickly got to work and just recently completed to major undertakings: a Reurbanization Market Analysis and Feasibility Study and the hosting of a major reurbanization conference, both of which will be further profiled in subsequent issues of the Ontario Planning Journal.

Reurbanization Market Analysis and Feasibility Study

To better understand the profiles and preferences of individuals who currently reside in reurbanization projects and those who

would consider moving into such a project in the future, the Working Group commissioned a Reurbanization Market Analysis and Feasibility Study. Under the supervision of a Steering Committee and conducted by a team of consultants lead by Metropolitan Knowledge International, the study generated a wealth of information that supports an optimistic market outlook.

Relying on a mix of telephone surveys, focus groups, developer interviews, and an analysis of Statistics Canada data, the study concludes that interest in reurbanization depends heavily on stage of life and type of household. People at opposite ends of the age continuum exhibit the greatest propensity for “urban” living.

While the study identified real opportunity for reurbanization, as evidenced by consumer demand, the challenge for the development and homebuilding industry will be to deliver the right product, at the right price, in the right neighbourhood. For this to occur, the public sector needs to ensure that conditions are correct and the appropriate tools in place to capitalize on the momentum that is now building.

2005 Reurbanization Conference

Titled “re.THINK, re.INVENT, re.URBANIZE: Seizing Opportunity in Urban Development,” the 2005 Reurbanization Conference was planned and organized by the Reurbanization Working Group as an opportunity to:

- highlight the positive market trends already occurring in the community with respect to reurbanization;
- identify the many reurbanization opportunities that remain untapped;
- showcase the wealth of professional and financial resources available to overcome the challenges that reurbanization can sometimes present.

Held at the Walper Terrace Hotel in downtown Kitchener, the conference featured 13 workshops delivered by some of the best and brightest speakers on the subject of reurbanization. The conference also featured keynote addresses by David Wassmansdorf, President of the Canadian Home Builders' Association; the Honourable David Caplan, Minister of the Ontario Ministry of Public Infrastructure Renewal; and Paul Bedford, Urban Mentor and former Chief Planner for the City of Toronto.

With a sell-out audience in attendance and nothing but positive feedback having been received, the conference is deemed to have been a tremendous success. The fact it culminated with the announcement of the sale of a large parcel to downtown property to a local developer suggests that interest in reurbanization continues to build.

Lessons Learned

The Reurbanization Working Group, despite being a relatively informal and “grassroots” entity, has been very successful in its activities to date. While this success could be attributed to a number of factors, perhaps the most significant are as listed below.

- Members have remained focused on opportunities and not become sidetracked by challenges and impediments.
- All of the stakeholders have shared in the responsibilities of the Working Group and have contributed resources to Working Group undertakings.
- The Working Group represents a broad cross-section of the players involved in the development process, including active homebuilders.
- Open debate and constructive criticism of issues and proposals is encouraged. This has facilitated a better understanding of the concerns held the various members. It has also resulted in project proposals that are better thought-out and helps to advance the interests of not just one or two of the stakeholders, but all of the parties at the table.
- Working Group members have effectively “checked their egos at the door” and have collectively bought in to the principles of collaboration and cooperation and the benefits of balanced growth.

While the members of the Working Group have decided to take a well-deserved summer break, plans are already under way for the fall with several more initiatives currently “on the drawing board.”

Peter Walberg is a Planner with the Region of Waterloo and is the Chair of the Reurbanization Working Group. In both capacities, he is responsible for increasing the number of reurbanization projects which occur within the Region of Waterloo.

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“Connections” is the Name of the Game

By Don May

This year’s conference promises to be one of the great ones. The conference committee has put together an outstanding program.

(View it at www.ontarioplanners.ca to sample the excellence in planning that has been assembled.) Take special note of the members of the conference committee who have put in countless hours on your behalf.

“Connections” is what planning is all about. The quality of the speakers, panels, mobile workshops and events will provide you with an excellent opportunity to further your individual goal to excel as well as raise the recognition and profile of professional planning in Ontario. Our Institute’s goal is to celebrate excellence and showcase the “best of the best.”

We appreciate the quality of education our recognized planning schools are providing to the future members of our Institute, and have designed special opportunities for planning students to participate and network with other members.

After eight years on Council it will be my privilege at the AGM to review our achievements and future as a profession. Your participation in the recent membership survey will provide valuable feedback on members’ aspirations and satisfaction.

This year we are introducing “OPPI University”—a new feature focused on the continuing professional learning opportunities that are so important to our ability to remain current and effective with all professional requirements.

Our reputation as a profession depends upon the quality of our collective practice.

Our conferences have continued to grow in size as well as substance and each major event attracts approximately 20 percent of our members. Given the size and logistics of these conferences our new strategy will be to alternate conferences every two years to have opportunities to hold policy symposiums throughout Ontario in conjunction with our annual meeting every second year. This will allow the Institute to sustain its ability to deliver quality conferences every two years while holding policy symposiums in communities around the province. This strategy will also allow us to have a joint conference with CIP every five years.

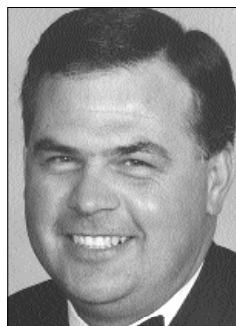
The opportunity to represent you as your President over the past two years has been a humbling yet rewarding experience. Registered Professional Planners and our Institute have gained significant recognition and respect through the efforts of our

volunteer members and the Institute’s professional staff who help us to achieve our goals as a profession. I look forward to seeing you at the Hamilton-Burlington Conference in September.

“Connections” will be one of those memorable events in the evolution of our profession that you will not want to miss.

“Connections” will be one of those memorable events in the evolution of our profession that you will not want to miss.

Don May MCIP, RPP, is President of the Ontario Professional Planners Institute and principal of his own consulting company. He can be reached at don@almostthere.ca.



Don May



The Conference Committee (well, most of them)

From left to right, back row: Leo DeLoyde, Alissa Mahood, Alana Mullaly, Marilyn Lagzdins, Robert Fraser.
Front Row: Charlotte Ohara-Griffin, Vicki Welstead, Rosalind Minaji, Mary Lou Tanner, Bill Janssen. Absent: Christine Newbold, Terri Johns, Alysone Will, Kirsten Maxwell

Editorial

Lessons We Can Learn from Vancouver

Glenn Miller

In the most recent issue of this magazine, Gordon Harris described a tussle under way in Vancouver involving Wal-Mart. Do people hate the land use, he asked, or is it the brand they hate? Vancouver council subsequently voted to reject Wal-Mart's proposal, even though the land use appeared to meet the needs of the community in terms of retail demand and by all accounts would have been compatible with surrounding uses. If press accounts are to be believed, Vancouver turned the project down because councillors did not approve of Wal-Mart's corporate practices. (The Mayor, to his credit, argued the points made by Gordon Harris in his article – to wit, it's the land use, stupid.)

If Wal-Mart had encountered the same problem in Ontario, the company would have had recourse to the OMB. In some people's opinion, the inability of municipal councils to follow their own policies is the single most important reason for retaining the OMB. Curiously, a publicly traded company could be held accountable to its shareholders

if it failed to follow prescribed policies and the management could face calls for resignations.

The shame of it is that, had Vancouver decided to approve the Wal-Mart store as proposed, the community would have ended up with the very latest in green design for this kind of facility. With the eyes of every Canadian community that has big box stores in the approval stages upon them, Vancouver politicians could have established an important precedent for commercially viable sustainable design in this sector. Goodness knows, innovation such as this is sorely needed.

Instead, the bad vibes spread quickly to other communities. We don't want big boxes in our inner cities, went the refrain. Let them locate in the "boonies" where they belong.

Brilliant. This attitude not only consigns shoppers to driving further to make their purchases—consuming more fossil fuels to do so—but sends the wrong message to corporations willing to innovate to get what they need. The better alternative is to work constructively with big box developers to find compatible solutions that add value to municipal land use policies while satisfying corporate objectives. Planners in Ontario would do well to learn from Vancouver's experience.

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

Opinion

Official Plans are like high fashion—ordinary people don't wear them, it wears them

Mark Simeoni

The statement just sort of came out: "Official Plans are like fashion—no one wears them." I was sitting in the Urban Strategies Boardroom on Spadina Avenue in Toronto, participating in a day-long Recognition Committee "visioning" session. I said it, but it took me a while to realize what the words implied. But the more I thought about it, the more I realized that the words made sense. Yes, it's true they are like fashion.

Fashion, particularly the high fashion of the international fashion shows, is a statement of what can be, but it does not necessarily reflect reality. How many people will actually wear the outfits modelled on the fashion runway? Not very many. Yet we are all influenced to some extent by those outfits. Perhaps it is a colour, or a detail, or a certain kind of edginess that gets picked up and used in everyday clothing. The things that we choose from are very much influenced by the high fashion of the day. Our choices are already influenced before we even choose.

It appears that in order for high fashion to

be successful, it must be way out there, it must push the boundaries. The further it is from our accepted norms, the more likely it will be recognized, and in some way influence our own clothes. No one wears the exact fashions that we see going down the runway in Paris or Milan. However, to varying extents we are influenced by them. We make our own choices in ways we perceive work for us, while keeping within the dominant fashions of the time.

As far as I know, high fashion is not seen as a "failure" because so few people adopt the exact styles of the runway. In fact, I suspect it is the opposite. Fashion is part of the colour of life; it makes things interesting.

What about official plans? For years we have listened to various versions of the Ministry of Municipal Affairs tell us that official plans should be general and not specific; they should not be like zoning by-laws. Although most planners would agree, some official plans read more like a zoning by-law than a higher-level planning document.

An interesting case in point is the new

Official Plan for the City of Toronto, which heavily encourages intensification. However, when it comes to implementation on a specific site, planners invariably run into opposition from local neighbourhoods. In meetings and hearings, we listen to arguments about how a specific development maintains the general intent and purpose of the official plan. Yet in the details, the development may not be an exact copy of the official plan policies.

When we don't see the actual words and phrases of the official plan literally reflected in a development, we may see this as a failure of the plan. But maybe we need to measure success differently. Maybe we need to see it like fashion. Maybe official plans need to be *avant garde*, so that they push us from vague notions to "ready-to-wear" ideas that drive real change in our cities.

Mark Simeoni, MCIP, RPP, is a senior planner with the City of Sudbury and a former member of OPPI Council.

LETTERS TO THE EDITOR

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Central

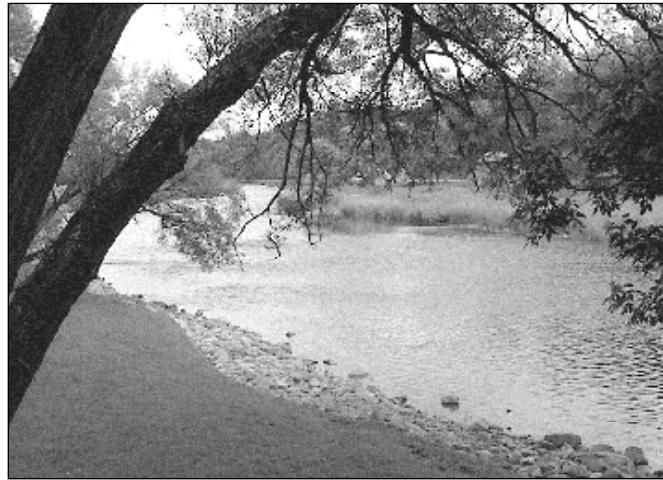
Bringing Nature Back to Ontario Cities: Community-Based Environmental Stewardship Tools and Partnerships

John Meligrana and Stewart Chisholm

The School of Urban and Regional Planning at Queen's University and Evergreen received a grant from the Social Sciences and Humanities Research Council of Canada (SSHRC) to investigate ways to bring nature back to Ontario cities. The grant provides seed money to prepare a full proposal for funds from the Community University Research Alliance (CURA) program offered by SSHRC. The proposed CURA project will generate important new information and community-based solutions to enhance and maintain the natural areas within our cities. It brings together a diverse group of community and university partners to address the serious challenges faced by municipal governments to ensure that adequate supplies of natural areas, which are critical to their communities, are protected and cared for.

The first event funded by this grant included a workshop and site visit to various greening projects in Mississauga in May. The CURA project partners who attended included the cities of Burlington, Kingston, Mississauga, and Timmins, as well as representatives from OPPI, the Ontario Smart Growth Network, and The Native Men's Residence in Toronto. Evergreen and The School of Urban and Regional Planning (SURP) at Queen's University organized the workshop. Future workshops and meetings will be organized for a broader range of community groups and municipal governments.

SURP-Queen's University and Evergreen will be working with the above partners to develop a CURA project intended to gain new insights into citizen engagement in the protection and stewardship of urban natural areas; build the capacity of municipalities and local partners to collaborate; foster new, long-term partnerships between universities, community organizations and municipal governments; create diverse research opportunities



Stewardship is still a skill that can be learned

and hands-on career training for graduate and undergraduate students in a variety of disciplines; and develop models that can be replicated by other communities.

The CURA project will also assess the performance of local governments at protecting natural areas, identify successful

community-based approaches to environmental protection and restoration, and develop transferable models for many other communities. In many cases, there is a knowledge gap among municipal governments on how to create effective community partnerships to achieve environmental stewardship goals.

The CURA will also develop and prepare a Green Report Card on Ontario municipalities which includes: (1) an assessment of existing municipal policies and community-based efforts to protect and enhance natural areas, and (2) an evaluation of various factors enabling or inhibiting meaningful citizen engagement. Based on the Green Report Card results, an integrated training and support program will be developed for municipal



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staff, elected officials and community organizations. Interactive workshops will be offered that provide practical training, covering: the economic, social and health benefits of urban nature; innovative land-use planning and conservation tools; and strategies for developing successful comprehensive community partnership programs.

Overall, the CURA project will assess the performance of Ontario municipalities at protecting natural areas, identify successful community-based approaches to restoring degraded urban ecosystems, and develop transferable models for many other communities.

Stewart Chisholm, MCIP, RPP, is Common Grounds Manager at Evergreen. He can be reached at stewartc@evergreen.ca. John Meligrana, MCIP, RPP, is an Assistant Professor with the School of Urban and Regional Planning at Queen's University. He can be contacted at jmeligra@post.queensu.ca.

Eastern

**Ottawa Design Review
Process Making Its
Mark**

John Smit, Program Manager with the Planning and Growth Management department at the City of Ottawa, made a presentation on the City's design review process to a joint forum organized by Toronto and the Canadian Urban Institute in late June. The City of Ottawa has established a Pilot Project utilizing the authority of the Former *City of Ottawa Act* to require proponents of development in the downtown area to obtain urban design approval for their projects as part of the normal planning approval process prior to obtaining a building permit. The urban design review of projects is undertaken by a peer design review panel comprising of architects and landscape architects. To ensure comprehensive review of development projects, the design review is being integrated into the City's Site Plan approval process and will be undertaken within the timelines that the City has established for processing site plan applications. The focus of the design review is to have the design review panel and the proponent come to an agreement on the final project design which would then be approved by staff under delegated approval authority as part of the site plan approval.

Northern

**Ontario Needs an
Immigration Policy in
Support of Regional
Development**

Carlos Salazar

The results of the 2001 Census brought into focus what many planners had already projected: Canada is one of the most urbanized countries in the world. But population growth shows that there are really two Canadas. One is the Canada of rapid population increase and job creation, centred on large metropolitan areas such as Toronto and Montreal, which receive the majority of immigrants. The other is the Canada of population stagnation and decline in small urban and rural areas, such as Northern Ontario.

Immigration is one of the cornerstones of our identity and of our economy. Cities like Timmins, Sault Ste. Marie and Sudbury grew rapidly in the early 20th century, when the economy was based on natural resources. Tens of thousands of mainly European immigrants came to work in mining and forestry, making for diverse and multicultural cities. This is not the case any more.

In the era of globalization and technological advances, northern Ontario competes with Australia and Indonesia, and fewer workers are required in the natural resource sector. The knowledge-based economy emphasizes job creation in the financial services, biotechnology and high-tech manufacturing, for which northern Ontario cities are poorly prepared. This trend has resulted in the concentration of job creation in large urban centres that are magnets for northern Ontario youth and skilled workers.

Northern communities, as well as smaller urban centres and rural areas, are experiencing a serious decline in population and a shortage of skilled labour, from technicians to family doctors. In the long run, growth in large urban centres will also have to support infrastructure and services in these smaller communities. This occurs indirectly through provincial and federal taxes and regional development programs, taking away needed resources, like funding for transit and social housing, which are needed in southern Ontario.

Federal and provincial policies do not

address immigration as an economic and social policy tool to alleviate growth pressures in large urban centres nor to support economic development in declining regions. It is in the province's interest to develop an immigration policy to support regional development.

While southern Ontario municipalities are being pressured to accommodate and provide services to new immigrants from different cultures, Northern and rural communities are trying to attract jobs and population. Neither is dealing with the need to change the current patterns of immigration settlement.

The Canadian and Ontario government can advise immigrants and refugees to come to Northern Ontario cities, which offer the friendliness of a small town with top-quality health and education services. Ontario can only prosper in the long run by looking at regional development in Northern Ontario as a solution to southern Ontario's uncontrolled sprawl. A policy to redirect immigration to Northern Ontario would be a bold first step in a unified vision for all of Ontario.

Carlos Salazar, MCIP, RPP, is coordinating editor for Northern District.

Southwest

Planning to Retain Young Adults in Rural Communities

Andrew W. Redden

The notion that young adults are leaving rural communities in droves is not just a rumour, it's really happening. Population data and recent research clearly reveals that rural areas of Ontario are experiencing out-migration of young adults (15-29 years of age). Furthermore, few are returning after receiving postsecondary education. Estimates suggest that only one in four returns within 10 years.

The recent publication titled *The Out-migration of Rural Young Adults: A Case Study in the Municipality of Trent Hills, Ontario* provides results from a postgraduate research study that analyzes and assesses selected theories and concepts to explain the out-migration of young adults as well as policies and practices used to retain and attract. The research provides important insights for planners seeking to mitigate these trends.

The report made four recommendations.

First, community economic development by itself is not enough to attract and retain young adults. Planners should work closely with recreation departments, volunteer agencies and community social organizations to improve the social and recreational opportunities for young adults alongside economic development efforts.

Second, young adults are not optimistic about their social opportunities and do not feel they have opportunities to participate in the governance of their hometown. It is therefore recommended that young adults be provided with greater opportunity to participate in the planning and governance of their community. Ideally this would result in the creation of a municipal Youth Council Executive. Several communities already have a youth council in place, including Chatham-Kent and Sault Ste. Marie, and

Northumberland County is just starting one. A youth council can foster community pride not only in young adults, but in the broader community. If youth are not listened to and encouraged to participate in the present, what are the chances that they will listen to an aging population's needs in the future?

The third recommendation for planners emerges out of the finding that a majority of young adults who have migrated noted that they have considered living in their rural hometown and commuting to a nearby urban centre for employment. Many also said that it would allow them to return to their home and enjoy small town life. Retired professor Harry Gow argues that a viable rural transportation network would be a good investment for the good of society. While individual communities might find it difficult to run rural transit service, neigh-

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bouring municipalities could potentially partner to provide shuttle commuter service to and from the closest employment centres.

Finally, planners need to work towards building a community that makes every effort possible to remain in contact with young adult migrants so that they do not forget about where they came from and let them know that they are wanted, let them know about job opportunities that arise, plus investment opportunities, business start-up support, self-employment benefits, partnerships as well as any other initiatives that they might be interested in.

Andrew W. Redden is employed by Trenval Business Development Corporation in Belleville and recently completed his Master's in Rural Planning & Development at the University of Guelph. His thesis can be downloaded from <http://www.andrewredde.ca/thesis.htm>

People

John Farrow Becomes Chairman and CEO of LEA Group Holdings

The *Ontario Planning Journal* was pleased to learn that the Contributing Editor for Management, **John Farrow**, has recently been appointed to succeed John Long as the Chairman and CEO of LEA Group Holdings. John said that he is very excited about LEA as with a staff of more than 750 he feels that they are well positioned in a number of transportation planning and engineering consulting niches that are enjoying strong growth. Not only are they active with many clients across Ontario, but they are winning landmark projects internationally against the world's top consultants. He noted that the current challenge of preparing a comprehensive land use transportation plan for Mumbai, India, where population is projected to grow to 30 million by 2031, puts Canadian problems in perspective. John credits his recent exposure as Dr Foresite with the decision of the LEA board to elevate him to chairman and CEO.



Urban Strategies' new partners. Cut-away look inspired by new logo

Rudayna Abdo, a McGill graduate and past contributor to the *Ontario Planning Journal*, has been working in the United States for a number of years and is currently Director, American Institute of Certified Planners & Professional Development for the American Planning Association. She is returning to Toronto but will continue her role with the APA long distance.

A crop of new partners has been announced at Urban Strategies: **Melanie Hare**, **Michel Trocme**, **Pino Di Mascio** and **Mark Reid**. Melanie has been a frequent contributor to the *Ontario Planning Journal*.

She is a member of the Board of the Canadian Urban Institute and an advisor to the Metcalfe Foundation, which funds environmental and urban projects.



John Farrow

After almost 20 years in the planning profession, **Astrid Clos** is

pleased to announce that she has started her own planning firm. The name of her new company is Astrid J. Clos Planning Consultants. The office is located in Guelph. Astrid can be reached at (519) 836-7526 and astrid.clos@ajcplanning.ca.

Carolyn Lane is doing the same job under a new brand name. Her employer, Canadian Institute of Public and Private Real Estate Corporations, has changed its name to Real Property Association of Canada – or RealPac for short. As Director of Research and Communications, Carolyn's role is to help bring together Canada's real property investment leaders to collectively influence public policy, to educate government and the public, and to ensure stable and beneficial real estate capital and property markets in Canada. RealPac members currently own in excess of CDN \$80 billion in real estate assets.

Planning Futures

Steering the Good Ship “Intensification”

Political will in short supply

Paul Bedford

As planners gather in Burlington and Hamilton for the annual OPPI conference, the theme of “Making Connections” is most relevant to the intensification challenges facing all planners in our growing urban and suburban communities. The province, the City of Toronto and most GTA municipalities now have planning policies that encourage intensification, advocate targeting future growth into designated areas and seek to maximize the use of existing infrastructure. Sprawl is out and intensification is in.

Making connections between these positive objectives and the current housing boom has actually produced a unique challenge for planners as they see the development community not only embrace but push intensification beyond expectations in parts of the GTA. How do you cope with an overwhelming desire to build tall buildings?

How do you stimulate responsible intensification on the hundreds of kilometres of urban main streets and suburban arterial roads? How do you successfully engage communities whose residents are often outraged at plans for high-rises on their doorstep?

Clearly, intensification means different things to different people. The municipal planner is often the meat in the sandwich in this debate and tends to be blamed by activists, community groups, developers and politicians for either being too accommodating or too demanding. A lot of this criticism is misplaced. In my opinion the system we work with is to blame, not the planners.

Context. Context. Context

Over the past few months, I had the chance to speak at various conferences and workshops in Toronto, Halifax and Kitchener on growth management issues and have visited much of the GTA to personally see how intensification is actually being built. What immediately hit me is that, collectively, we are in the middle of building a totally different city region from what we have known in the past. Diversity, choice, transit, condos and much more expensive ener-

gy of all kinds will shape how we move forward. We will need planners and political leaders with the courage to do things a different way. Whether in downtown Toronto or in 905, the entire region is experiencing new layers of city building that will be with us for the next 50+ years.

In the GTA, according to recent published information, 46 new buildings over 30 storeys are now under way with 11 in Mississauga and the remaining 35 all in Toronto. As expected, most are located in Toronto’s downtown, centres and the central waterfront. The statistics are mind boggling with over 141,000 units of housing in the development approval pipeline and 25,000 units being approved by Toronto City Council in 2004 alone.

In the 905 belt, there is also a record amount of development activity, with significant progress being made in specific areas, where a diversity of housing is being built at higher densities that embrace urban qualities. In places like Cornell and other adjacent neighbourhoods in Markham, a clear break has been made from conventional suburban development. What is perhaps most interesting is that values have risen by about 30 percent in neighbourhoods where intensification principles have been adopted compared to a 10 percent increase in traditional low-density suburban neighbourhoods.

What seems to be missing throughout the GTA is a willingness by the development industry to seriously embrace mid-rise intensification on main streets and arterial corridors. There are individual success stories but nothing at a large enough scale to take advantage of the enormous opportunities available to transform the main arteries into vibrant mixed-use places over time.

Community Backlash and Responsible Intensification

Community backlash to intensification is not new but it seems more vocal than ever. While most people generally do not like change, I think the current anger is provoked by an abuse of the intensification



Photo: Brent Gilmour

New additions to the skyline demand decision-makers take political risks



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uncommon, for example, for applicants to seek three or more times the permitted heights and densities in much of Toronto's central area. While many proposals are very well designed and exhibit high-quality architecture, others are merely statements of minimal quality and excess greed. It seems that intensification is now being used to justify every proposal regardless of location, context, planning policy or physical impact.

I believe much of the community backlash is directed towards the "one size fits all" approach. Intensification doesn't only mean tall buildings. There is a strong planning case to be made for responsible intensification that is respectful of neighbourhood context, scale and function. Low- to medium-rise development is also needed. It is ironic that Toronto's successful track record of infill and brownfield development in the 1970s and 1980s was a response to the tower in the park development boom of the late 1960s and was the product of an angry citizenry that elected a reform council and mayor David Crombie.

Are we going to repeat this cycle all over again?

Today, the market is supporting tall buildings. I believe tall buildings are appropriate in the right places. The key planning challenge is to define the right places and ensure that people understand that there will be on-site and local area improvements to the public realm that they can relate to in their personal life cycle that would not be achieved otherwise. These can include streetscape enhancements, a greater diversity of housing choice in the neighbourhood for all ages and incomes or improved viability of local retail shopping. Where intensification is concentrated, the municipality and the development industry also have an obligation to take the necessary steps to create new public spaces and amenities that people can see, feel and touch.

Seizing the Main Streets Opportunity
Planners and the development industry need to do everything possible to create a market demand for mixed-use development on main streets and arterial corridors throughout the region. For this opportunity to be tapped, main street development needs to be made as attractive as high-rise intensification.

How can this be achieved?

The province and all local and regional governments must develop a full A to Z list of carrots and sticks that will make main streets intensification irresistible. A complete arsenal of financial tools, planning tools and innovative approval processes must be put in

place to make it happen, not to discourage it. For example, in the Region of Waterloo and the City of Kitchener, development charges are waived in the downtown and second-floor financial incentives are being offered to encourage conversions and new mixed-use development. These incentives, coupled with a proactive and comprehensive re-urbanization strategy, have begun to transform Kitchener's downtown core.

The opportunity is simply too good to be lost. In Toronto alone, official plan background research studies revealed a potential for 125,000 units on Main Streets and arterial roads over a 30-year period within a 6 storey built form. The potential opportunity within the GTA and other growth centres in Ontario is staggering. It is this very form of intensification that will be most readily supported by local communities who want to see new development that is in character with the lower scale of established neighbourhoods. They also want to see walkable, more vibrant shopping streets with a variety of housing opportunities instead of more one-storey strip plazas that are totally car dependent.

Political Will

Planning visions are essential, but the political will to carry them out is where the rubber hits the road. If municipal councils let the OMB continue to make the tough calls, they don't have much of a case to abolish it. If councils truly want the final planning and decision-making power to manage their own futures, they need to embrace a greater city-wide perspective and "walk the talk." They have to be more prepared to make the unpopular decisions and take the heat. That's what good leadership is all about and that is what city building is all about. Successful city building throughout the GTA region will require unprecedented vision, courage and action by political leaders over the next 30 years.

Just as responsible intensification is needed from the development industry, responsible decision-making is needed from elected leaders. In addition, alternative community engagement strategies need to be continually developed and updated to ensure that all stakeholders are on the same page. Without these initiatives and other new approaches described, I am concerned that more of the same will risk killing the goose that lays the golden eggs.

Paul Bedford, FCIP, RPP, is the former chief planner for the City of Toronto. He is contributing editor for the Planning Futures column.

OMB Hearings and the Oak Ridges Moraine Conservation Plan

Review shows OMB is quick study

David Burnett

Planners and ecologists from the Toronto and Region Conservation Authority have been involved in a number of OMB hearings where conformity with the *Oak Ridges Moraine Conservation Act* and Plan has been one of the central issues in a hearing. To date, five such hearings have been completed where the OMB has made a final decision. This article traces the progression in the way the OMB has dealt with important issues over time and concludes with some thoughts on the broader implications for conservation planning. (For an explanation of some new terminology see the accompanying box.)

Sandhill Aggregates v. Township of Uxbridge

OMB case: #PL000037 & PL000180


Member: G. J. Daly

Decision/Order issue dates: May 29/02; June 7/02; Nov. 13/02

This application was for a regional and local official plan and zoning by-law amendment that proposed to rehabilitate an exhausted gravel pit in the Countryside Area designation to permit a 750-unit residential and golf course development as an expansion to the hamlet of Coppins

Corners in the Township of Uxbridge. The application was a "transitional application" and was therefore subject only to the "prescribed provisions" of section 48 of the *Oak Ridges Moraine Conservation Plan* (ORMCP). Part of the development proposed encroachment into a Key Natural Heritage Feature (KNHF)—a significant woodland—which is prohibited by section 22 (2) of the ORMCP, and which is one of the prescribed provisions of section 48. The developer agreed to reconfigure the golf course layout to eliminate development within the KNHF, provide a better buffer and additional plantings of native species to promote connectivity of several small adjacent woodland pockets.

The impact of this decision was far-reaching. The OMB interpreted section 17 (1) of the ORMC Act very broadly to allow applications for subdivision and zoning submitted after the ORMC Act was passed to be treated as if they had been submitted before the deadline on the grounds that the policy direction had already been established in an OPA approved before the Act came into force.



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The public agencies argued that this interpretation was far too broad. Municipal Affairs staff supported this more restrictive interpretation but declined to intervene in the hearing. The OMB relied on this broad interpretation in several subsequent hearings by other Board members. In June last year, however, the provincial legislature passed Bill 27, *An Act to Establish a Greenbelt Study Area and to amend the Oak Ridges Moraine Conservation Act, 2001* to close the door on this broad interpretation.

Johnson v. City of Pickering

OMB case: #PL030324
Member: C. A. Beach
Decision/Order issue date: February 3/04

The Committee of Adjustment approved an application for minor variance with conditions to permit a private dwelling to be built on a property that does not front onto an “opened street maintained at public expense.” The dwelling was as a “transitional application.” Conditions of approval required that the access road for the dwelling, an unopened road allowance in the Natural Core Area, be widened and improved to meet standards for emergency vehicle access. This would have required site alteration (filling, grading of land and removal of trees) within Key Natural Heritage Features—referred to as KNHF—(significant woodland and ANSI—Area of Natural and Scientific Interest). This was contrary to ORMCP section 22 (2), which permits only development and site alteration in KNHF for transportation and infrastructure uses if it is undertaken by a public body. The conditions were appealed by the City of Pickering, the TRCA and a local

citizens’ conservation group on the grounds that the decision did not conform to the ORMCP.

In the end, all parties agreed to new conditions, which allowed for the use and maintenance of the travelled portion of the existing access road (within the unopened road allowance) but did not permit widening or the installation of services or utilities outside the existing 3.65m travelled portion of the access road. This decision confirms that transportation, infrastructure and utilities uses that infringe on KNHF can only be undertaken by a public body (as per the definition of development and site alteration in section 3) and not by a private landowner.

Basso v. King Township

OMB case: #PL030506
Member: D. J. Culham
Decision/Order issue date: February 9/04


Transitional and Prescribed Provisions

Transitional provisions are described in section 15 of Bill 122, the Oak Ridges Moraine Conservation Act and apply to applications, matters or proceedings under the Planning Act or section 9 of the Condominium Act. The provisions are based on the date November 17, 2001, which is when the 6-month moratorium on development expired. All applications, matters or proceedings where a decision has been made prior to November 17, 2001 are exempt from the ORM Conservation Plan (i.e., grandfathered). Applications commenced after November 17 must conform to all applicable provisions of the Plan. Applications commenced prior to November 17, 2001, but where no decision has been made, must conform to the prescribed provisions of the ORMCP.

The Prescribed Provisions are found in section 48 of the ORMCP and apply to lands in Natural Core, Natural Linkage and Countryside Areas, but not to lands in the Settlement Areas designation. The Prescribed Provisions include some of the most restrictive and protective policies in the ORMCP.

In this file, the applicant appealed a decision by King Township that rejected a proposed zoning by-law amendment to permit a bed and breakfast establishment on a vacant parcel of land. The parcel was not zoned for single dwelling uses because it had no access to a public road. The applicants argued that a bed and breakfast operation was a permitted use in the Natural Core Area (section 11 (3)) because it was a principal use of land and not an accessory use.

The Township and several residents opposed this new application, which was subject to all relevant policies of the ORMCP. TRCA supported the position to be applied in the event that the application was approved. Prior to the pre-hearing, MAH staff issued a written response to the Township’s inquiry confirming King’s position that a bed and breakfast establishment can only be created in conjunction with a single dwelling on a lot of record that permits a single family residential use. They also testified to this effect at the pre-hearing. In dismissing the motion and denying the application, the Board stated, “The clear intent of the Conservation Plan is to limit uses and the intensity of uses within the whole of the Conservation Plan area, but particularly to do so within the Natural Core Area. ... The applicant’s interpretation would allow for the creation of new single-family dwellings, and then provide the means for their intensification, where no such right exists today. This interpretation would clearly defeat the purpose of the legislation and the Conservation Plan.”

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Uxbridge Industrial Limited v. Township of Uxbridge

OMB case: #PL030628
 Member: N. C. Jackson
 Decision/Order issue date: June 30/04

The principal issue for this hearing was whether a portion of lands in a proposed industrial subdivision should be identified as a KNHF and therefore be protected from development. The 37 ha parcel of land was phase 2 of an adjacent built-out industrial subdivision located on ORM lands designated as Countryside Area. As a transitional application, it was subject only to section 48 Prescribed Provisions of the ORMCP. Section 48 requires adherence to, among other parts, sections 22 and 26, which prohibits development and site alteration in KNHF and Hydrologically Sensitive Features (HSF), both of which include wetlands.

Consultants for the applicant initially provided only a bare bones Natural Heritage Evaluation (NHE) and disputed that the wetland was really a wetland. TRCA staff ecologists disputed this and were supported by staff from the Ministry of Natural Resources (MNR). It was their joint opinion that the wetland met the definition of a wetland, as defined in the ORMCP. Additionally, the wetland feature was shown on KNHF mapping provided by the province. Consultants for the applicant held firm in their original position that the feature was only a "wet depression," arguing that the feature was less than 0.5 ha and thus should not be classified as a KNHF/HSF, and therefore should not be subject to the development prohibition of section 22(2) and 26(2).

This stalemate brought into play the draft ORMCP implementation guidelines being prepared by the province, in particular ORM Technical Paper 1-02, "Identification of Key Natural Heritage Features on the ORM." The document lists specific criteria for defining wetlands as KNHF. Although the ORMCP includes all wetlands as KNHF, the technical paper sets out criteria for determining whether or not protection is required. TRCA, through earlier comments and as a party to the hearing, insisted that a more comprehensive Natural Heritage Evaluation be undertaken to demonstrate whether the criteria, such as providing ecological linkages or rare species habitat, were met. Again, the applicant and their consultants refused to undertake this additional work, claiming that the guidelines were only draft and therefore had no status.



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As the 7-day hearing approached, with TRCA staff and MNR staff (under friendly subpoena) set to testify, the applicants changed their minds and committed to doing the required studies. The additional work included mapping of vegetation communities, assessment of hydrological function and further botanical and amphibian breeding assessment in the appropriate season.

In the end, this additional work showed that the wetland was not a KNHF and clearly established that protection was not required. Citizen appellants and public agency staff both agreed, however, that the draft MNR guidelines, in addition to technical support by MNR staff, had done their job and were instrumental in ensuring that the appropriate level of environmental study was carried out.

Dreamworks Property Inc. v. City of Vaughan

OMB case: #PL040217
 Member: R. D. M. Owen
 Decision/Order issue date: February 21/05

The application at issue in this file was unique in that it was a brand new (revised) application for a plan of subdivision, partly in the Settlement Area designation and partly off the moraine. The site contained a locally significant 2-part wetland complex, with one small wetland being

located completely off the moraine while the other wetland was located half-on/half-off the moraine. The developer had received previous OMB approvals for a residential development, prior to the enactment of the *ORM Conservation Act*, which did not require preservation of any portion of the wetland complex. To respond to changed market conditions, the developer was seeking approvals for a rezoning and new plan of subdivision, which triggered the full application of the ORMCP.

The initial submission of the revised/new application proposed to fill in and develop the wetland portion completely off the moraine. The applicant proposed that the half-on/half-off portion of the wetland be preserved as a KNHF, including a 10m buffer, but with a road and residential lots encircling the wetland. Subsequent negotiations with the developer resulted in an offer to provide an amphibian corridor, by way of a culvert underneath the road, to connect the tableland wetland to the adjacent Natural Core Area woodlands and valley lands, some 80m distant. TRCA staff felt that this proposal still would not meet the requirement of the ORMCP to maintain the ecological integrity of the moraine in this area, particularly the breeding populations of salamanders and frogs. The application ended up at the OMB.

Further negotiations leading up to the hearing resulted in a much-improved solution to the environmental issues that were finally settled with the agreement of all par-

ties, which agreed that the small wetland completely off the moraine, which was severely degraded by runoff from adjacent development and past agricultural uses, and which exhibited minimal biological diversity, could be filled and developed. The remaining half-on/half-off wetland was completely protected with an expanded buffer. The proposed subdivision road surrounding this wetland was replaced with two cul-de-sacs separated by a tableland amphibian connectivity corridor approximately 80m long by 55m wide. The conditions attached to draft plan approval were extensive.

What was noteworthy here was the attainment of the connectivity corridor to enable survival of the resident “species of concern” amphibian populations. Section 20 of the ORMCP requires maintaining and enhancing connectivity between KNHFs, but only within Natural Core Areas, Natural Linkage Areas and Countryside Area designations. In this case, the requirements of section 23, components of a Natural Heritage Evaluation, were used to justify the need for a connectivity corridor to connect KNHFs in Settlement Area lands to Natural Core Area lands. Time and the results of the monitoring program will determine if this negotiated settlement meet one of the key tests of the ORMCP: to maintain, improve or restore the ecological integrity of the Oak Ridges Moraine.

Conclusions

Although the province was initially reluct-

Figure 1: Original plans isolated the wetland. Approved plans provided a connectivity corridor to the adjacent woodland and valleylands

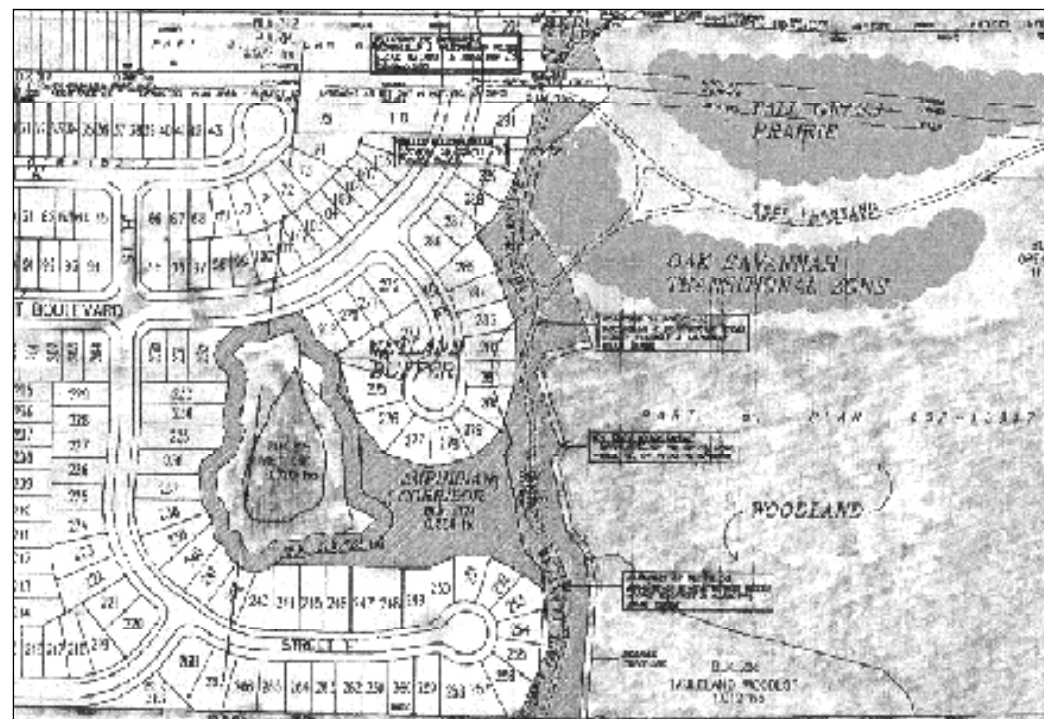
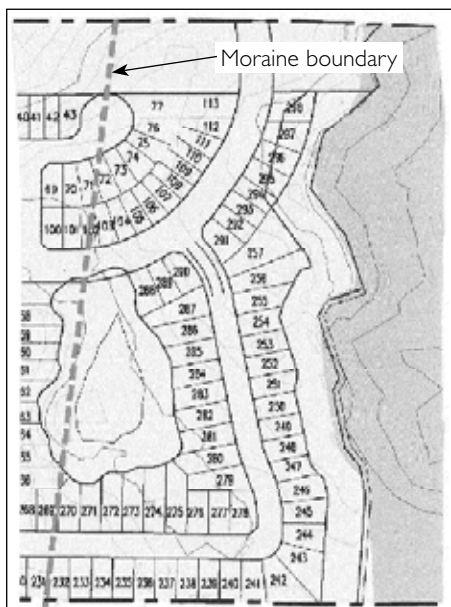


Illustration: David Barnett, Toronto and Region Conservation Authority

tant to get involved when the ORMCP Act and Plan were interpreted in a manner inconsistent with the original provincial intent, the province has subsequently taken decisive action, first by passing new legislation and second by providing staff support to ensure that policies were properly implemented. One might assume that this involvement will continue to be forthcoming as both the *Greenbelt* and *Places to Grow* Acts and Plans are tested at the OMB.

In four of the five case studies presented, the issues were ultimately resolved on consent of all parties, with all outcomes conforming to the requirements of the ORMCP. In the Basso case, the applicant's motion arguing for acceptance of their legal interpretation of the ORMCP was defeated. In many instances, the prescriptive nature of the ORMCP allows for a clear determination of conformity and encourages parties to resolve issues rather than argue them at length before the OMB. The similarly prescriptive nature of the Greenbelt Plan should produce similar results. The province would be well advised to carry this level of

prescriptive policy into the Sub-Area Growth Strategies required by the Growth Plan in order to overcome the anticipated NIMBY opposition to proposed requirements for intensification.

Before issuing decisions, several OMB members expressed interest in learning more about the ORMCP and in ensuring that the public agencies were satisfied that potential decisions conformed to the ORMCP. One might also assume that OMB members will be equally keen to ensure their decisions reflect the intent of the Greenbelt and Growth Plans and adhere to the new *Planning Act* standard to "be consistent with" the Provincial Policy Statement.

Although MNR's implementation guidelines still have only draft status, they are being used and relied upon by ORMCP implementing/commenting agencies. Additionally, in spite of this, they have been used effectively to convince applicants to do sufficient environmental studies to show clearly that proposed development conforms to the ORMCP. The eight MNR Guidelines need to be finalized and approved by the

province as soon as possible. The seven MOE guidelines still have not seen the light of day, except for a limited technical peer review circulation. They also need to be finalized and made available as soon as possible. Once finalized, these guidelines should be able to be modified quickly and easily into guidelines to assist in the implementation of the Greenbelt Plan and Growth Plan.

David Burnett, MCIP, RPP is a senior planner at the Toronto and Region Conservation Authority. David is also the coordinator of the Conservation Authorities Moraine Coalition (CAMC), which includes the 9 conservation authorities with watersheds on the moraine. David can be reached at dburnett@trca.on.ca. For information on the activities of the CAMC, go to http://www.trca.on.ca/corporate_info/conservation_authorities/.

Editor's note: MNR has announced guideline is no long draft.

Environment

The Natural Resources Take on Biodiversity

A baseline for policy?

Mike Sullivan

Ownership, engage, enthusiasm, protection, growth, stress and conservation are all catch words used frequently in Ontario's Biodiversity Strategy. This is Ontario's response to 1995's Canadian Biodiversity Strategy, the origins of which can be traced back to the World Commission on Environment and Development (Brundtland). The Ontario Biodiversity Strategy is intended to provide the province with principles and action items that will enable a solid step forward on the path to protection of ecosystems.

This strategy adopts the definition of biodiversity used in both the Canadian and United Nations' Strategies, which provides for consistency and uniformity in the way that each strategy measures success.

"Biodiversity is the variability among living organisms from all sources including, inter alia, terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are a part, this includes diversity within species, between species and

of ecosystems [inter alia means among other things]."

Species are disappearing for many reasons:

- destruction of habitat;
- introduction of invasive species;
- disruption of the food chain on which they depend;
- impacts of harmful substances on reproduction;
- over-harvesting.

Biodiversity supports many sectors of our economy, including recreational uses, agriculture and forest products, which provide direct and indirect benefits to all of us. Think of the reliance that hikers have on forests and wildlife. Without biodiversity, there would be fewer trees and wildlife to enjoy, which would result in fewer of us wanting to enjoy the great outdoors. This strategy seeks to address this issue by establishing a set of principles and creating a vision for the future.

The vision embraces all the familiar tenets of sustainability.

Buy-in is required for any strategy or change to be successful. This strategy is no different. However, the goals here are so broad and fundamental to our way of life that Ontario cannot achieve anything without major changes in attitudes and behaviour over the next 25 years. This is considered a starting point. The notion that we can be green and prosperous concurrently is a relatively new idea. In fact, economics is fundamental to biodiversity, as are ecological and intrinsic values. Our task is to identify areas for economic production and areas for ecological protection. In other words, choose among ecological alternatives, based on the values placed on the area in question.

This strategy builds on principles outlined in the Canadian response to the Brundtland Commission. They include, among others:

- Biodiversity has ecological, economic, social, cultural and intrinsic values.
- All life is ultimately interconnected.
- We depend on biodiversity and are responsible for its conservation.
- We should use the best knowledge and technology available.
- Development decisions must reflect ecological and economic values.
- The knowledge, innovations and practices of local communities should be respected.
- Resources must be managed with an eco-



Linkages and buffers play a key role

logical approach to conserve biodiversity.

- Full government cooperation and knowledge sharing is required to be successful.

The four main threats to biodiversity are pollution; habitat loss; invasive species; and unsustainable use. As a result of human activity, ecosystems have changed rapidly and extensively, resulting in a substantial and largely irreversible loss to our biodiversity. This degradation could get significantly worse over the next 50 years.

Ultimately, we cannot look at the impact of change on individual parcels of land, or on one species. Rather, the strategy focuses on identifying the cumulative impacts of change on ecosystem biodiversity. It should be noted that cumulative impacts can damage not only natural ecosystems, but urban ones as well. For example, air pollution in cities from numerous sources is increasing

the incidence of asthma in children.

The basis for stewardship is education. For example, decreasing landfill capacity has been partially addressed through widespread adoption of the 3Rs (reduce, reuse and recycle). Likewise, a number of volunteer and not-for-profit organizations have been organized to address specific issues: the Ontario Breeding Bird Atlas and the Sydenham Sportsman Association are two examples. Some school boards have taken steps to better educate our children in order to ensure that biodiversity principles are passed along to the next generation.

Ecosystem conservation and maintenance of biodiversity appear to be gaining support. Examples include: protection of species at risk; Ontario's expanded system of parks and protected areas and the ongoing review of Ontario's protected areas legislation; protection of cultural landscapes with the *Ontario*

Heritage Act; ongoing reform of the *Environmental Assessment Act*; environmental monitoring; provincial and municipal natural heritage policies; the pending *Source Water Protection Act*; the *Greenbelt Protection Act*; the Oak Ridges Moraine Conservation Plan, and incentives for private land stewardship. The Ontario Biodiversity Strategy is an attempt to build on this foundation by putting forth ways to implement the goals and principles. In contrast to the recent string of Provincial legislation, this Strategy focuses on implementation through stewardship, volunteer efforts and education rather than legislative and regulatory means.

Ontario still has an abundance of species and self-sustaining ecosystems, but these are primarily focused in the north. However, the remaining natural areas in the south have higher biodiversity, but are at increased risk of loss due to growth-related pressures. The



The ORM gets a prescriptive standard that may well influence other implementation

south is also experiencing its share of ecological success stories. These include the creation of five Chairs in Biodiversity at Ontario universities and creating 56 active recovery teams for species at risk.

In order to engage Ontarians, the strategy provides 37 recommendations for us to consider, most of which focus on providing some sort of economic or educational tool that will allow us to achieve the goals and recommendations in the least intrusive manner possible. MNR proposes to develop partnerships to help with implementation of the strategy.

Will the strategy be effective?

At first glance, there is cause for hope, but the strategy emphasizes public buy-in, and reliance on volunteers for implementation,

rather than enforcement through regulation. Ironically, for all of the good rhetoric, monitoring and management to quantify long-term effectiveness are not even mentioned.

There are also some issues unresolved. One is the obvious conflict between the strategy and provincial goals for intensification. Which takes precedence? If the PPS is the official policy, where does that leave the Biodiversity Strategy? With such competing and conflicting interests at play, it will be difficult for planners to synthesize policy versus non-policy initiatives and to provide appropriate recommendations to their employers as to how the pieces of the puzzle should be put together. In the end, while the PPS provides us with the base line for protection, will the MNR be prepared to defend itself or other parties if this strategy, or its

principles are challenged at the OMB, or other tribunal? Only the future will tell us for sure.

Ontario's Biodiversity Strategy was placed on the EBR in April, for a 30-day public review period. While the document is not subject to any formal review, or opportunity for appeal, the MNR used this public forum to seek feedback prior to publication. The final version should be coming out this fall.

Michael Sullivan, MCIP, RPP, is a senior planner with LGL Ltd. Environmental Research Associates. He is a regular contributor to the Ontario Planning Journal. Steve Rowe, MCIP, RPP, is the principal of Steven Rowe, Environmental Planner, and contributing editor for the Ontario Planning Journal on Environment.

Urban Design

A Critique of the Fused Grid

New ideas need careful handling

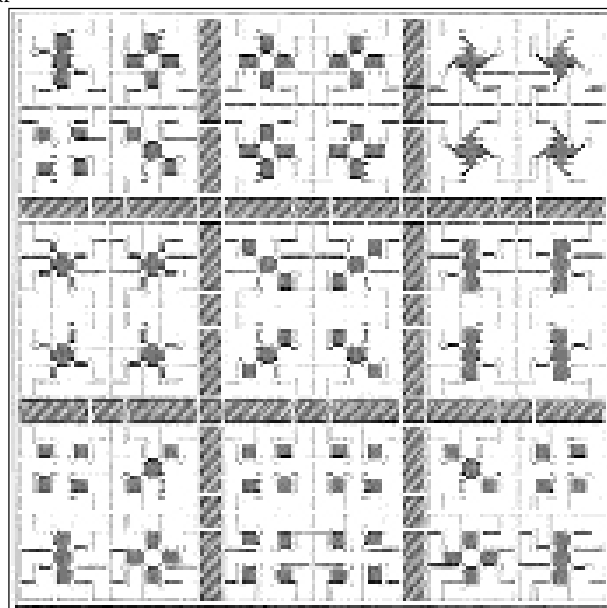
Ron Palmer

Over the past two years, the idea of the Fused Grid has taken on a life of its own, without any objective, independent critical evaluation of its merits. This article is based on a compendium of notes taken in discussions with a range of experts in community design, urban planning, transportation engineering, parks programming and development as well as market economics.

1. **The Fused Grid does not necessarily produce a "better" community.** Designing a good community is complex, and includes an array of interrelated and integrated components that are balanced and applied based on the attributes of the actual site—such as environmental features, the surrounding context and local market conditions. Furthermore a good community is not just about efficiency, it is also about livability, marketability and the production of premium development sites (more money for fewer lots probably sounds OK to some developers). Comments on some of the components of good community design, and how the Fused Grid fails to address them, are as follows:

- Protection of the natural environment. The template does not anticipate any natural features or other site

constraints. As soon as a real site is presented, the template is abandoned, and a "hybrid" is produced. It is unclear how or where environmental features and storm water management facilities would be integrated into the template. It is contended that the Fused Grid, like all attempts at urban pattern making, does



The fused grid is a concept being promoted by CMHC as an alternative to New Urbanism. Some feel it is really a "confused grid"

- not translate well in the real world.
- Neighbourhood permeability and support for public transit. If it is the goal of the Fused Grid to facilitate pedestrian permeability, and to frustrate automobile and transit permeability, it has done an excellent job. However, a more appropriate balance between pedestrian, automobile and transit permeability is necessary to establish a well functioning community. The idea of creating development enclaves, and forcing all the traffic onto the one-way arterials is a fundamental flaw.

- Establishing a hierarchy of public parks. When you start pasting together some 25 or so of the Fused Grid 16 hectare modules to create a typical concession block sized community, it becomes obvious that all of the public parkland is provided in small, sometimes oddly configured spaces that serve only the very local neighbourhood. This approach ignores the broader requirements for recreational programming, typically requiring larger park spaces that would serve a larger community. The neglect of neighbourhood and community scale parks, and the lack of clarity on how would they be integrated into the Fused Grid module is problematic, especially when the supply of public parkland is limited.

- Creating a community focus and an integrated mix of land uses. Traditionally, neighbourhood planning included about 5,000 residents and was focused on an

elementary school site, associated neighbourhood scale park and included some small-scale convenience retail. To achieve this type of critical mass, at least five or six of the Fused Grid modules would be required. Further, the higher density residential development, as well as the retail, office and institutional uses would be segregated, focused in the corridors created by the one-way arterials. There is substantial concern about the location of these facilities in relation to the modules, and the fact that a linear community focus would have difficulty establishing the necessary critical mass to actually perform a community focus function.

- Producing delight and beauty. Community design must include a component of delight and beauty. These elements are created by the attributes of the site as they are exploited by the ingenuity and eccentricity of the designer. By definition, these elements play on or create inherent inefficiency, but are crucial to the character and image of the community—a key marketing consideration. The obsessive pattern making promoted by the Fused Grid is too focused inward on the 16 ha module, with no outward display of image or character to the rest of the community.
- Incorporating the flexibility to respond to changes in land use and intensity over time. History has taught us that the most flexible road and block pattern that can accommodate changes in land use and development intensity over time is based on the traditional grid pattern. The Fused

Grid proposes an extremely static model. Responsible community design must always consider how the area might change over time, responding to increasing pressure for higher urban densities. The Fused Grid, like many of the subdivision plans produced in the 1970s, will be very difficult to modify over time, because it is fundamentally based on creating separated enclaves of detached housing.

- Ensuring appropriate land use interface conditions. The idea of creating one-way arterial roads at the edges of the neighbourhoods creates a significant interface problem. Detached housing, as well as all of the higher density housing, would need to face directly onto these one way arterials, which is not an ideal way to integrate things. With many other options that have been successfully implemented everywhere, why would any development template force this difficult interface condition?

2. There are substantial issues related to the marketability and scale of the mixed-use corridors. There seems to be a major market exaggeration with respect to the anticipated development within the mixed-use corridors. They appear to be between 80 and 100 metres in depth, which is too large for townhouse development forms, and not large enough for school sites and community scale retail or recreational facilities. The linear concept does not create any market synergy, or provide any focus for retail activity. The concept of one-way arterials is a proven

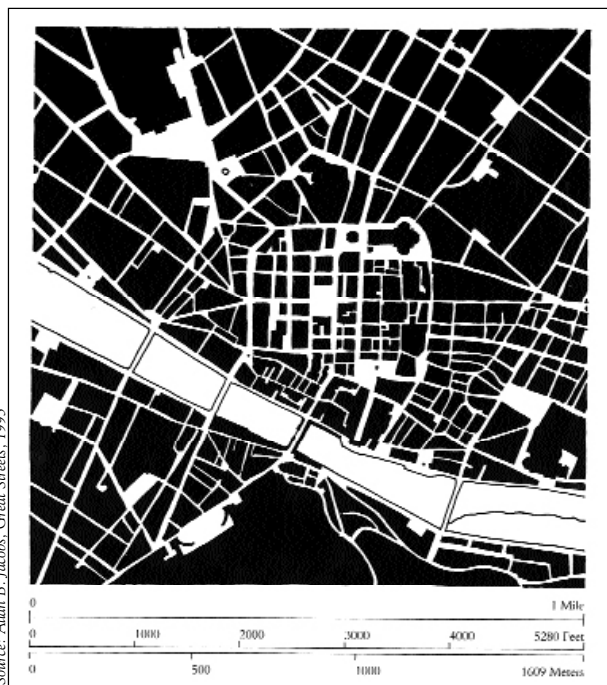
preparation to date, as soon as there are constraints on the site, a “hybrid” of the Fused Grid pattern is produced. These “hybrid” plans appear to resemble the type of community design done in the 1970s. Contemporary community design has evolved substantially for the better since those days. Why have a template if it falls apart as soon as it is applied in the real world?

4. There is no evidence that suggests that the benefits that the Fused Grid purports to achieve are, in fact, actually achieved. The information supporting the claims of the Fused Grid has significant issues in terms of methodology and consistency. It is not objective. For example, there is substantial effort made to suggest that the Fused Grid is more efficient than other forms of community development. However, efficiency of design is not measured by right-of-way width and the cost of services alone. A true measure of development efficiency is the ratio of right-of-way width and servicing costs versus saleable/buildable frontage. Of crucial importance in today’s marketplace is the quality and image of the community. The Fused Grid does not take full advantage of the opportunities to create premium value lots. The analysis on the Fused Grid carried out has not proven the case that it implements the principles of good community design in a superior measure over any other form of contemporary community design.

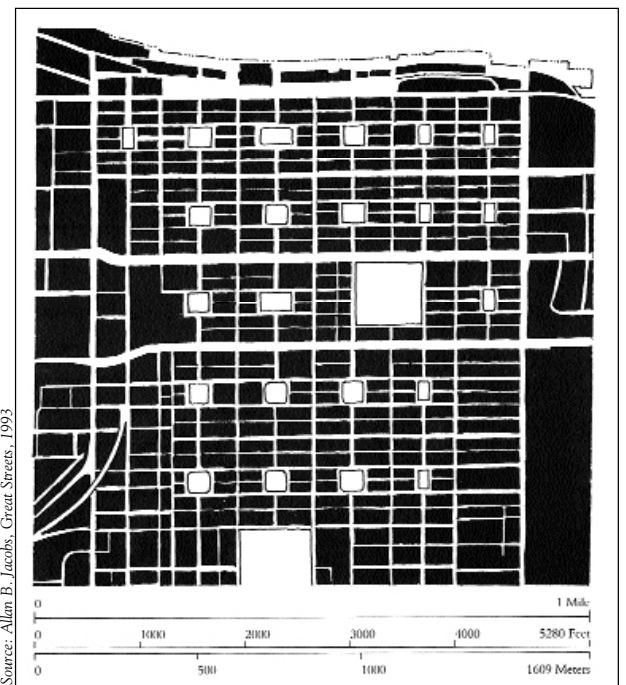
Community design requires a top-down approach, focusing first on the environmental and historic context of the site, then

loser, especially in dealing with retail uses - it has safety, access and marketability issues.

3. The Fused Grid template is abandoned as soon as it is applied to a real site. The Fused Grid does not respond well to topography, natural features and other contextual issues, such as historic road patterns and the need for storm water management facilities. Based on the real world examples



Florence



Savannah

establishing an open space network, then the road and block pattern, and the overall land use pattern. The exercise is both art and science, with the site providing the clues to guide the design process. The Fused Grid represents the worst kind of pattern fixation. It is a pre-conceived concept applied from the top down, and it fails to accommodate broader planning objectives in application without the templates being virtually irrelevant. In fact, there is no appropriate template that could be applied to a range of sites that would establish a successful and efficient community.

Further, proponents of the Fused Grid cite inspiration from successful examples of community design, including Florence in Italy, Savannah, Georgia and Radburn, New Jersey. There is, in fact, very little resemblance between the Fused Grid and these examples. Many other forms of contemporary urban design do draw inspiration from these good examples, and make efforts to replicate those components of the design that result in their enhanced desirability. The Fused Grid attempts to reinterpret and revise these desirable components, with no proof that a desirable and marketable community has been achieved.

In closing, there is substantial concern with the design community that the Fused Grid has not adequately considered larger scale planning issues, either at the regional scale, the city scale, the concession block scale or even at the neighbourhood scale. This approach to planning fails in applica-

tion because of its lack of flexibility to respond to real world conditions. It also fails because it does not respond to other planning objectives related to establishing a structure of urban centres and corridors, to respond to major investment in public transit, to protect the natural environment, or in creating a city-wide hierarchy of public parks and recreation facilities.

This article was written by Ron Palmer, BES, MCIP, RPP, Planner, The Planning Partnership, with considerable input from the following professionals, many of whom are members of the Urban Design Working Group:

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Nick Poulos, PEng, MCIP, RPP, Transportation Planner/Engineer, Poulos + Chung
Eric Turcotte, MCIP, RPP, OAA, OAQ, Urban Designer/Architect, Urban Strategies Inc.
Scott Chandler, MA, Real Estate/Market Analyst, Royal LePage Advisors
Rick Merrill, BArch, MURP, OAA, MCIP, RPP, Urban Designer/Architect
Paul Nodwell, BLA, OALA, CSLA, Landscape Architect, PD3 Planning and Design Solutions
Philip Weinstein, BA, DipTP, MRTPI, MCIP, RPP, Urban Designer, The Planning Partnership

others around them. Cities that achieve these energy clusters will be the metropolises of tomorrow. So smart cities are becoming 'cities by design' and they are retrofitting their governance and development management processes to bring forward design as a key factor in shaping change and in setting a contemporary image and character for those cities."

Joe Berridge began with a reality check: What is the problem that Toronto is trying to solve? Is it bad planning, bad urban design or bad architecture? "And one needs to make sure that a design review process is not just a more sophisticated way of saying 'no,' perhaps the problem is bad process.

"What can a design review do, and what can't it do? Design review can't establish heights, massing or use. There must be an urban design plan or master plan or precinct plan that sets out the basic rules. Toronto's difficulties come from bad planning and a lack of precinct or other plans that set the context. Design review is also the primary place for public participation. There are some structural fixes needed. Design review is part of a development review process that needs radical improvement.

"In the constant tug of war between design, cost and process, we need to strengthen the importance of design. Good design is a matter of political will, community will, architect will . . . the evidence is application of the collective will that can generate a virtuous cycle. Design review process is part of an expression of the importance of design in our culture. It is up to Torontonians to make sure that this expression serves as a positive commentary. We need to avoid (creating) a contentious, constitutionally cumbersome, costly, time-consuming process. We need to respond to the love we feel for this place, to our sense of delight, to our search for beauty. As our confrere from Montreal, Adrian Sheppard, noted: design review should be simple, light, fair, credible and helpful."

Visit www.canurb.com (follow links to Urban Leadership archives) for comments from Allan Leibel, and presentations from Larry Beasley; David Carlson, Boston; Joanne Everley, CABE (UK); and Adrian Sheppard, Montreal. This session was one of three related events.

Visit www.toronto.ca for more details.

*

Has Vaughan done away with urban design? Look for an update in the next issue.

Design Review: Lessons From Other Places

Design review panels for Toronto gain support from elsewhere

By staff

At the end of June, the Canadian Urban Institute held a special Urban Leadership session in cooperation with the City of Toronto to explore the potential for instituting design review in the City. Expertly moderated by Allan Leibel, co-chair of Goodmans LLP, the seminar looked at the experience of Vancouver, Montreal, England and Boston. Joe Berridge offered a pithy summing-up that addressed not only the content of the four presentations, but also commented on the many questions and discussion points raised by the capacity audience. Here are some excerpts:

Vancouver's Larry Beasley, FCIP, co-

director of Vancouver's planning department, explained why design is so important. "Smart cities are noticing that a passive civic attitude about design doesn't tend to foster good results on a pervasive basis. Not only are citizens becoming more discerning and demanding about their built environment, there is a worldwide competition among cities to capture the wealth and talent that is footloose everywhere. Smart, creative people are freer than ever before to work and live and play wherever they wish. And the place they decide to put down roots will benefit from their wealth and from the clustering of

Market Transformation for High-Performance Buildings: One Sector at a Time

Brent Gilmour

When the pundits decry Canada's efforts to reduce greenhouse gas emissions, they usually overlook our building stock as a source of GHG emissions. The fact is that buildings use more than one-third of all primary energy, two-thirds of all electricity generated and one-third of all raw material inputs and a growing percentage of fresh water supplies. As the second largest contributor of greenhouse gases behind transportation—Canada currently has more than 12.5 million residential units and nearly 500,000 commercial/institutional structures—buildings are clearly a significant contributor to society's impact on the environment and consumption of the natural resources upon which we all depend. This is why the growing interest in designing high-

performance (also known as green or sustainable) buildings holds so much promise.

The environmental load from buildings is not likely to diminish any time soon. Across Canada, strong growth is forecast for most city-regions. In the Greater Golden Horseshoe, it is estimated that over 600,000 housing units will be required to accommodate population increases over the next decade.

The level of resources required to create, maintain and replenish this level of infrastructure is significant and probably not sustainable. A growing number of development practitioners are pushing to adopt a development structure that remains competitive and profitable, but which adheres to a building model premised on the principles of resource

efficiency, conservation and environmental performance.

A recent application of this sustainable development model emerged when Tridel and the Toronto Atmospheric Fund (a City of Toronto agency established to combat global warming and improve air quality) announced a pioneering partnership to launch a Green Loan fund to spur energy efficient and environmentally friendly condominium development in the City of Toronto.




Photo: Tridel Corp.

Verve is truly

The concept is being presented at Verve, a new development in the Sherbourne and Wellesley area of Toronto. Verve will be one of Canada's largest "green" residential buildings to pursue certification with the Canada

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Green Building Council under the LEED rating system (Leadership in Energy and Environmental Design, a rating system administered by the Canada Green Building Council) and will be recognized by Natural Resources Canada for having outperformed energy code requirements for condominiums by more than 25 percent.



Leading edge

Historically, the cost premium for creating environmentally friendly buildings has been a major deterrent to the rapid uptake and application of high performance practices in new or retrofitted developments. The Green Loan is the first Ontario financing mechanism of its kind to meet this challenge head-on.

The reason that the Green Loan is so innovative is that it levels the playing field between high-performance and conventional buildings. The risk for developers is that constructing a high-performance building costs more. But the reward is that green buildings also offer worthwhile energy savings, as well as healthier and more produc-

incremental costs of developing a high-performance building without charging a potential condominium owner more than the market will bear. This is where the Green Loan comes in.

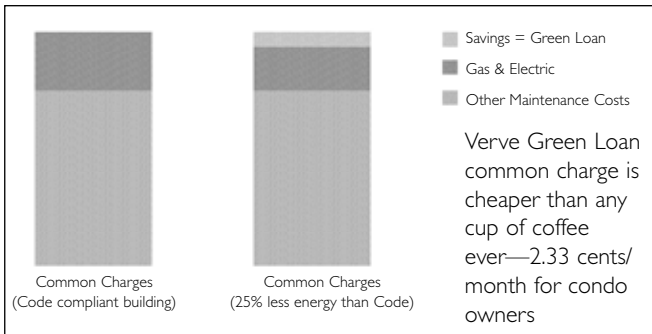
The Green Loan enables a developer to produce a high-performance condominium that is competitive with a conventional one. The loan achieves this by enabling the condominium corporation to become the primary agent accountable for repaying the loan. Shifting the loan payment responsibility away from a developer and towards the condominium owners ensures that the financial benefits of an energy efficient building will be realized and reduces the financial risk for a developer.

The repayment structure of the Green Loan also protects condominium owners from paying an unfair proportion of the loan. Instead of condominium owners dealing directly with a lender, each owner pays his or her share (based on the size of unit) of the loan fees through the monthly common expenses of the condominium corporation. The Green Loan is assessed in the same manner as other applicable common elements. In the case of Verve, it is expected that the loan will be paid back within seven years and all of the operating cost savings thereafter will be passed onto the residents of the condominium.

To ensure condominium owners inherit the savings they invest in, The City of Toronto, through the Energy Efficiency Office (EEO) and Better Buildings Program, provides the necessary third-party verification required to make sure a building will achieve its energy saving potential. The EEO provides a developer with design and energy modeling assistance, and must approve all energy efficiency improvements to the design of the building. Until the EEO validates that a building is constructed to the design, modelling and construction drawings approved, a

developer cannot gain access to the Green Loan.

At first glance, it might seem a tough sell to have a condominium owner wait seven years for the benefits to occur. Yet the marketing appeal is very attractive. For Verve, the loan payment schedule is designed not to exceed anticipated cost savings. This means that a high-performance condominium unit will not have higher common charges than a conventional building. Payment that would have gone to additional



tive interior environments. The Green Loan capitalizes on the savings gained from improved energy efficiency in order to pay the incremental costs associated with more efficient designs and equipment.

Of all the building sectors, high-performance condominiums are the hardest to initiate because most of the financial benefits of an environmentally friendly building occur only after an owner or tenant has taken occupancy. The competitive challenge for developers is to find a way to recover the

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the payment of the loan. In the end, condominium owners get more than just an energy-efficient apartment, they also get a profitable one too!

The Green Loan is just one of many new approaches being applied to stimulate increased application of sustainable development practices in municipalities across Canada. A recent report prepared by the Canadian Urban Institute for the National Round Table on the Environment and Economy analyzed six communities from across Canada and the U.S. to better understand how high performance building development was being brought into mainstream practice. The common factor in communities enjoying success in this regard is the willingness of the municipality and private sector to actively work together to stimulate market transformation (the process which allows a new concept or product to become mainstreamed through commercialization).

A local case in point is London, Ontario. In 2004, the City of London, Natural Resources Canada and the London Home Builders' Association formed the London EnerGuide Partnership. The program is designed to encourage improved house design by enabling developers to provide energy efficiency upgrade packages to potential homebuyers, while offering homeowners the ability to verify energy upgrades through audits and a certification process. The program has successfully brought together development practitioners from both the public and private sector to advance climate change initiatives, while making a direct difference on how new homes are constructed and equipped.

The program is already starting to change the local purchasing culture by making homeowners more aware of the environmental and cost saving benefits of choosing an energy-efficient home, and, at the same time, encouraging developers to offer a more energy-efficient and higher quality product. Currently, there are four home builders registered with the London EnerGuide Partnership and more are expected to join as interest grows. Similar initiatives are also occurring in other parts of Ontario, such as Oshawa, where Marshall Homes is providing homebuyers with Energy Star homes (40 percent more energy-efficient than homes built to the Ontario Building Code), as well as in Alberta (Built Green Alberta) and in British Columbia with VanCity.

Successfully overcoming the financing and marketing challenges of achieving a high-performance building in the residential sector does not happen overnight. Establishing a development environment

that supports the market uptake for more sustainable building practices requires a systematic approach not only by public agencies, but also by private development practitioners to examine all the opportunities to encourage high-performance buildings. An increasingly important aspect of successful market transformation is generating consumer demand (the primary driver for commercialization).

One local community that is taking a holistic approach to mainstreaming-high performance development is the Town of Markham. Last October, the Town created the Markham Energy Conservation Office (ECO) with the goal of improving local environmental quality and reducing energy consumption. Markham staff and the local development community are working to enhance opportunities to promote and accommodate the application of nationally accepted standards of sustainable design in municipal planning and development processes. Over the coming year, the Town is expected to introduce a refined development process that can accelerate the implementation of high-performance buildings, particularly for new commercial, institutional and high-rise residential buildings. As part of the development process, the ECO will be actively engaging and educating residential consumers and commercial tenants/owners about the benefits of high-performance buildings to generate demand and wider buy-in from the local development community.

The approach selected to achieve high-performance development varies from place to place; yet government agencies and development practitioners are recognizing that to be successful, the adoption of high-performance building practices necessitates a "whole-systems" approach. Whole-systems thinking requires practitioners in all fields to look at all the facets contributing to a project, not just their particular area of expertise.

Planners are in a key position to help overcome regulatory hurdles, to cultivate a strong relationship with development practitioners and to leverage scarce resources to effect change. Planners are also one of the few professions that can directly contribute to market transformation by doing what they do best, taking ideas from concept to a sustainable reality.

Brent Gilmour, M.Sc.Pl., is a project manager with the Canadian Urban Institute in Toronto. He was co-author of the CUI report prepared for the NRTEE and helped develop the business plan and programs for the Markham ECO. He can be reached at bgilmour@canurb.com.

Common Area Thinking

A Planners' and Municipalities' Guide to the Condominium Act 1998: Including Information for Issuing Condominium Plan Approvals and Clearing for Registration

Authors: Greg Carpenter, Michael Clifton
Ron Danks, Avril Lavallee and Craig
Robson

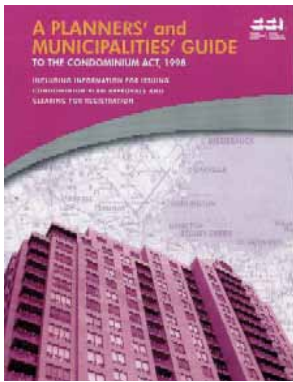
Publisher: Canadian Condominium
Institute—Golden Horseshoe Chapter
(paperback), 2005

Pages: 108

Cost: \$27

The *Condominium Act, 1998* and its regulations describe a number of innovative opportunities for condominium development in Ontario. The Act permits several new forms of condominium such as phased, vacant land, leasehold and common elements condominium. The current legislation is much more complex and lengthy than the legislation it replaced. In addition there are new procedures in place for existing condominium addressing matters such as amalgamations and amendments to condominium declarations and descriptions.

Based on their experience as counsel for developers of all types of condominium, the authors provide a comprehensive review of issues relating to condominium approvals and registrations generally. They also



explain the new forms of condominium and highlight issues relating to the consideration and approval of condominiums under the Act. There are separate chapters on phased condominiums, common elements condominiums, vacant land condominiums, leasehold condominiums; and one chapter dealing with amalgamations and conversions. The text concludes with a number of helpful appendices that list key points from the text, statutory references and definitions of the most pertinent terms in the Act.

While there may be a number of texts in place that deal with the Act in its entirety, this publication considers the Act specifically from a municipal or planner's perspective. It is an excellent resource for planners, municipal staff and others involved in this process and working with the Act with respect to any type of condominium development.

A Wake-Up Call for Dreamers

Dream City: Vancouver and the Global Imagination

Author: Lance Berelowitz

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Reviewed by Gordon Harris

Vancouver is not really like other cities and in *Dream City: Vancouver and the Global Imagination*, Lance Berelowitz tells the story of how—and why—Vancouver is so different.

Berelowitz, trained as an architect, is a planner and urban designer who first arrived in Vancouver in 1985 from his native South Africa via Paris and London. He is plainly in love with his chosen home. He reads the city well and he writes about it beautifully.

Part history, part urban design primer, part architectural criticism, *Dream City* is

mostly the story of a new city at the furthest edge of a still-young country—a city that, simply by virtue of its setting and the time in which it grew, has always meant something different than anything we experience elsewhere in Canada.

Berelowitz opens his story with “Vancouver has emerged as the poster child of urbanism in North America.” And he’s right. Hardly a week goes by where we don’t see visiting planners, architects, politicians and others with an interest in city-making being squired around town. In fact, the week of his book launch, Lance Berelowitz had a group from Russia here to see how the city works.

Like many of us who live in Vancouver, the visitors are looking at what we look at—the views. Berelowitz talks about the cult of the view. We stand with our backs to the city and look out across the water to the mountains. Berelowitz tells us that “Vancouverites tend to over-idealize their place in the world as a natural paradise and underestimate their impact on it, even as they go about ignoring it, misunderstanding it or degrading it. In fact the city’s growth is founded on the paradox of urban development: destruction of the very things that attract people in the first place.” He goes on to say that “far from cohabiting with nature, Vancouver stands squarely in her way.” And this is where his story starts to get very interesting and reveals much about the contradictions and opposing forces that make Vancouver such a different place.

Vancouver’s city-making reflects its recent settlement history. It is a city planned and built after the advent of the automobile. Automobiles, streetcars, and an interurban railway in the early days meant that Vancouver could spread itself out, and it did. Today, Vancouver sits at the edge of a region of two million people that is almost entirely suburban (70 percent of the region’s population lives not in Vancouver but in the suburbs that stretch a hundred kilometres up into the fertile Fraser Valley).

Berelowitz rightly describes Vancouver as having a “culture of speculation.” From the

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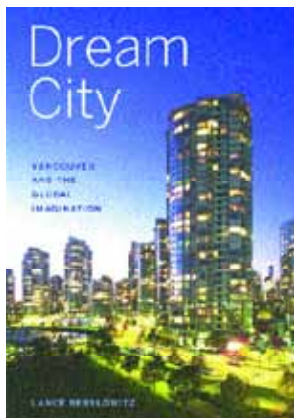
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1880s, when the Canadian Pacific Railway was given nearly 6,000 acres of land at the western terminus of the transcontinental railway line, real estate has been, as the author puts it, "Vancouver's true passion, its blood sport."

Today, the "developer impulse" that prevailed throughout the 20th century continues and Berelowitz tells us about projects like Concord Pacific's redevelopment of the Expo 86 lands along False Creek, Coal Harbour on the southern shore of Burrard Inlet and other major developments and redevelopments as examples of our "instant urbanism."

One of the things that serves to balance the developer impulse is the approach the City of Vancouver takes to regulating the use of land. Back in 1991, land zoned for industrial and commercial use was converted to residential use. This policy decision added eight million square feet of residential potential to the city's core area and would mean that more people



could live and work in a compact, highly urban, and highly livable city.

While Berelowitz argues that more flexible zoning is needed in Vancouver, the discretionary zoning approach pioneered by Vancouver's former visionary director of planning, Ray Spaxman, has certainly contributed to—and some contend is solely responsible for—the remarkable livable city that is Vancouver.

Vancouver's approach is to collaborate with developers rather than to blindly apply a one-size-fits-all set of zoning regulations. Oddly, there is only one, very oblique, reference to Ray Spaxman in *Dream City*. Larry Beasley, Spaxman's successor in shaping Vancouver's downtown, and a recent recipient of the Order of Canada for his contribution to city-making, gets only a footnote. Yet is largely through the efforts of this formidable pair of planners that the discretionary zoning model is in place and still works so well today.

So in the end, it is an extraordinary

combination of factors and events, including its spectacular setting, the timing of its initial conversion from wilderness into frontier railroad town, and the many accidental and thoughtful decisions made over the past 120 years, that make Vancouver so very different. As the world's attention focuses on Vancouver with the coming Olympic Games in 2010, there is still much to be done. Along with the all the physical changes that will be part of the Olympic legacy, Berelowitz tells us that Vancouver may now also be on the verge of developing a culture of excellence—and along with it, "the ineffable, empowering sense of pride and self-confidence that citizens of all great cities evince."

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