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HEALTHY COMMUNITIES • SUSTAINABLE COMMUNITIES

Journal

HOW DO WE ENGAGE THE PUBLIC?

SURVIVING, RETHINKING, INSPIRING PARTICIPATION



IN THIS ISSUE

There is much to be valued in working with the public and stakeholders to better understand the impacts and opportunities for furthering the public interest in our communities.



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2014 OPPI Symposium

Healthy Communities & Planning in a Digital Age

This year the Symposium will be held in Niagara Falls on October 1st & 2nd. The landscape of communication, consultation and engagement is changing. The symposium will explore this theme and engage members through numerous planning and professional practice examples.



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OPPI's Governance & Nominating Committee is calling for nominations for five Directors on OPPI Council, each for a two-year term. Elected Directors assume office at the adjournment of the 2014 Annual meeting. On-line nominations are accepted annually between February 1st and April 1st. Help to shape the planning profession. Stand for election to OPPI Council.

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Spotlight on Planners

Ryan Mounsey, MCIP, RPP

Manager of Expansion and Retention Services, Economic Development, City of Waterloo With over 15 years of professional planning expertise, Ryan has a range of private and public sector experience in the planning profession throughout the Region of Waterloo. Read more about Ryan and other planners in the spotlight.



Surviving Public Participation

Creating a Win-Win

By Sue Cumming

There is much to be valued in working with the public and stakeholders to better understand the impacts and opportunities for furthering the public interest in our communities. A well developed and adaptable public consultation program involves effective input so as to better inform decision-making. Throughout this edition of the Journal there are ideas about how to effectively engage the public as illustrated through project ideas and experiences. As professional planners we have the opportunity to build on these ideas and to learn what has worked well in similar situations and what techniques contribute to a good public participation project.

Introduction

Public engagement and consultation is as fundamental to the practice of planning as “location, location, location” is to real estate. Our standards of practice are based on our commitment to protect and further the public interest. Understanding the public interest has become even more complex given the wide spectrum of public interests that exist. There are any multitude of opinions and ideas about land use planning, social planning, environmental and community planning issues. Whether you practice in a small town or urban centre, there is much debate over such things as where to locate types of housing, how infrastructure is planned, how to manage growth and provide for the needs within our communities. How we engage the public shapes not only the outcomes of planning policies and plans but also public perceptions about the planning profession.

Who can recount a public meeting where there is a presenter at the front of the room and a throng of angry citizens lining up at a microphone sharing frustrations and opposition with more applause the more derogatory the remarks. These meetings do little to further the public interest or to foster any kind of understanding on the issues and opportunities that each decision presents.

Add to this the widespread sharing of opinions on social media, and the plethora of materials available, it is becoming more difficult to make reliable information available for people to learn about a project or initiative. Confusion and



misinformation surround many projects. This is not to say that the public does not have valid concerns, quite the opposite for their concerns stem from wanting to understand how a wind turbine project or new trail or new social housing project will affect them.

This article is intended to highlight approaches and strategies for better community engagement. It outlines the following eight key elements towards creating a win-win.

Identify the goals and purpose of consultation before starting the conversation

An obvious question is why do we consult with the public? There are many answers—to inform, to define problems and identify solutions, to garner approval; to enhance the relevancy of outcomes; and of course because we have to, to satisfy legislative and mandated requirements. In order to develop an effective and responsive public consultation process and or even to hold a single purposeful public meeting, there are three questions that should be addressed:

- Why is input being sought?
- What is the purpose of the consultation?
- What are the desired outcomes of the meeting or consultation process?

Following along Arnstein’s Ladder of Citizen Participation, a different approach could be developed based on different goals for the consultation. Consider the following scenarios.

Customized open house—There may be a project where there is detailed information to be presented on a comprehensive plan and a drop-in open house provides better opportunities for communicating through customized stations attended by knowledgeable staff and consultants. The advantage of this is that the public can attend when it is convenient and stay for whatever length of time that they are able. This drop in format is popular for addressing lots of information on different themes and seeking input from everyone that attends on the issues that most concern them.

Interactive workshop—There could be a project where the goal is to identify barriers and create strategies for increasing walking and cycling in the community, which would lend itself well to a workshop-style meeting where a variety of interests

Above: Sue Cumming facilitating a workshop

collaborate to brainstorm on ways to make this so. The advantage is the opportunity to host invited stakeholders and the public in interactive discussions leading to a range of implementable strategies.

Utilizing a variety of techniques—There could be a project concerning downtown revitalization, which involves a variety of techniques at different decision points in an overall process. The starting point could be a public survey of downtown issues followed by a community open house on key themes held in conjunction with stakeholder meetings, bolstered by a drop-in storefront office, then a series of workshops to evaluate options and a public meeting to present the recommendations. This type of comprehensive consultation has the advantage of building momentum and interest in the downtown through a community-wide dialogue.

A good understanding of what is to be achieved is essential for developing an effective program to meet the relevant goals.

Identify your audiences and how these could be engaged

Once the goals and purpose of the consultation are understood, a next step is to identify who, what, when and how—who you will consult, what will you consult on, when should the consultation occur and how will people be involved? If the project is one that affects seniors a process that is responsive to their needs should be developed. For example, a meeting could be held in the afternoon at a seniors centre. If there is an interest in engaging youth then working with high schools and gearing the consultation to after school over pizza works well. When consulting agricultural stakeholders early morning meetings away from peak planting and harvest times work best. Meetings held in June are rarely attended by families with busy school activities. Community visioning held on Saturdays can be well attended. It is important to determine how and when to engage the intended audiences in order to maximize opportunities for input.

Overall timing of when to consult is a key factor. Often issues result because the public is consulted after decisions have been made and there is less opportunity to consider their input in formulating recommendations. The earlier the consultation the better is a good rule of thumb for any engagement process.

History of involvement

Understanding the history of involvement is critical to developing a consultation program that is responsive to community needs, addresses unique situations and creates a constructive environment for input. Is there heightened controversy on certain issues? Is there consultation fatigue with the same types of meeting and similar views being provided each time? Is there a feeling of

consultation for consultation sake where community members doubt that their input will have any bearing on the outcomes? Is there a culture of mistrust towards staff or the municipality that negates efforts for an open dialogue? Are there cultural or faith based considerations that affect how citizens participate? Understanding the patterns and history of involvement is important for identifying potential barriers that may preclude people from being involved. Clearly stated objectives, use of appropriate techniques, customized

approaches and transparent reporting on what input was received will contribute to a better understanding of the importance of receiving community views. A good consultation program by its design will plan for an inclusive and engaging process where all voices are encouraged.

Explore a variety of participation techniques and tools

When developing a consultation program, the full array of techniques should be considered. There are numerous formats for holding different style meetings which enable citizens to learn about the project, understand it and provide

input. Knowing when to use different techniques is important. This is where a good understanding of the goals, audiences and history of involvement will become important for developing an effective consultation program. There are as many participation techniques for getting information to the public as there are for getting information from the public. In many situations a combination of techniques including face-to-face and online communication is used to build community awareness and to seek input through community-wide or more focused audience involvement.

A more collaborative approach is often recommended, which can lead to a win-win for the community. This usually includes focused meetings to address specific topics, multi-stakeholder roundtables and small group workshop discussions.

There are many other situations where a presentation style meeting is appropriate. Advance planning for the public meeting would address use of visual aids, selection of a suitable venue and creation of a comfortable environment. Overly lengthy presentations, poor room acoustics and lack of meeting protocols are but a few of the things to avoid. These can result in frustration for all those involved and care

is required in determining how best to hold these meetings so as to inform and receive input in a constructive manner.

Given the diversity of views in our communities, it is essential that consultation programs provide for different ways for these perspectives to be shared. Not everyone wants

Techniques for getting info to the Public

- Newsletters / brochures
- Mailings
- Website / internet postings
- Exhibits and Displays
- Social media
- Webinars
- Presentations to organizations
- News Features through radio and print

Techniques for getting info from the Public

- Surveys
- Public meetings / open houses
- Workshops/ roundtables
- Stakeholder / focus group meetings
- Design charrettes
- Community advisory groups
- Storefront Offices
- Bus tours / field trips



IMAGE COURTESY OF THE AUTHOR

Consulting kids about their community

to or is able to attend public meetings and the consultation program should provide ways for people to learn about and provide input through an interactive website, surveys, phone calls, daytime drop-ins, newsletters and interviews. Similarly, not everyone has access to internet-based tools and copies of materials need to be made available by mail or at central locations in the community.

Many consultation programs involve establishing advisory committees comprising broad community interests so as to discern input from these different perspectives. Focused outreach to specific audiences is important to ensure there is a balance of input being received. There are many opportunities for informal engagement that augment input received through more structured meetings. An effective consultation program will encourage an exchange of views and perspectives.

Create effective communication tools

There are a wide variety of communication tools both print and webbased that are used in public consultation. Social media is usually a component of engagement projects and can provide a vehicle for expanding the reach to wider audiences and for receiving input from people from the comfort of their homes. How you communicate about a

project will set the stage for how the public reacts and responds to it. It is always a good idea to scope communication objectives including by identifying critical information needs, defining key messages and discussing how to convey what the project is about. Ask the tough questions—if you don't, someone else will. Outreach strategies should address how you will use social media, timing and delivery of materials and media relations.

Public Meeting Notices that eliminate jargon and focus on explaining what the project is about and why it should matter to people can be effective in starting the conversation. Words matter. We often say "improvements" in community discussions when citizens feel that their neighbourhoods are already desirable as they are. Terms like density and active transportation mean little to citizens who may better understand these as where housing is located and types of housing and walking and cycling.

Thorough and timely documentation of public input is important and can lead to better accountability in the process. The tracking of comments and issues that arise is recorded in meeting reports and through summary charts. Record keeping will be important for identifying future directions/commitments that arise during a public meeting and for mapping the ideas and discussion points throughout the public engagement process. The use of newsletters, information bulletins, Frequently Asked Questions, workshop backgrounders, participant guides and comment forms are useful in elevating the discussion and input.

Manage conflict

Conflict is inherent in planning as the public have different views about what the problems are and how these can be solved.

Direct and open communication, clear visual aids and the opportunity for people to share their views in a constructive way will contribute to positive outcomes for any project. While there is no easy template for resolving conflict, there are important public participation and engagement techniques that can create a more comfortable environment for the airing of issues and exploring of a wide array of options. Often conflict arises through misinformation and it is critical that the project information is accurate and purposeful and distributed to all audiences.

Nimbyism, NIMTO and BANANA—We are all familiar with nimbyism and many projects also become victims of NIMTO (not in my term of office) and BANANA (build absolutely nothing anytime near anyone).

When encountering such situations it is important to reflect that these often stem from a fear of change, a misconception about the project, incomplete information, a history of mistrust and often other agendas outside the planning process.

Project opposition can at times be vociferous and conflict can arise on any project. Getting to know your public is important for understanding community



Waterfront plan outdoor community meeting

concerns and for developing effective consultation strategies for constructive input. Many projects that include the development of a communication plan and stakeholder sensitivity analysis can identify approaches for conflict management. The following are questions that can assist in determining how to move forward with different consultation approaches:

- Will the decision have negative or adverse impacts?
- Will the decision impact some differently than others?
- Is there a history of controversy or interest?
- Could there be trade-offs?
- Are the issues well understood?

Deal with the media

Another key element in any public engagement process is how to effectively deal with the media. Be mindful that media is everywhere! You are never off the record. Every phone has a video camera and you may find yourself on "YouTube" or talked about in a blog or become the headline quote for a meeting from a casual remark you made after the meeting was over when you thought that the person was just kindly helping you carry out the displays. Tweet with care—tweeting a picture of baked pasta that is waiting for you at home during a public meeting is never a good idea!

Dealing with the media is a critical component of developing the public consultation plan. Designating a media spokesperson can be effective along with creating media information kits and providing these at meetings. Cultivate a relationship with the media that can be focused

on stories and features can be very effective for elevating planning issues.

Manage what can go wrong

Inevitably something will go wrong—the venue is locked and you can't get in to set up, there are no chairs, the well prepared PowerPoint presentation seems to be missing those few critical slides, a bus pulls up with protesters arriving hours before the meeting is to begin. These are real scenarios that occur and should be factored into the detailed preparation. Can these situations be avoided? Can we prevent it from going wrong by something we do before the “conversation”? If we can't prevent it, what is our contingency plan if it happens?

You can never fully anticipate any eventuality and often a contingency plan is needed. If more people arrive than can comfortably be accommodated then another meeting may need to be held. The presentation length may need to be adjusted.

Be responsive to the overall public audience, find effective ways of having the conversation to get the input that is needed to inform the project.

Sue Cumming, MCIP, RPP, principal, Cumming+Company is a facilitator and consultant who specializes in public and stakeholder consultation. She is an adjunct lecturer at the School of Urban and Regional Planning at Queens University where she teaches public participation techniques. She is Past President of OPPI. Sue can be reached at cumming1@total.net and 866.611.3715.



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PLANNING + URBAN DESIGN

Rethinking consultation

By Sean Galloway, Liz Nield and David Dilks

Official Plan review—these words mean a call to action for municipal planners and an exciting opportunity to refresh local policies and plans. But from a community engagement perspective, the same words can lead to glazed eyes, community apathy and most telling, a near empty public gallery as council decides on a new official plan. Recognizing this, City of London planners made a conscious decision to look at the official plan review process and community engagement in a completely different light. Rather than embarking on a traditional policy-driven, statutory review, we created ReThink London—an inclusive, community-driven conversation with Londoners about city-building and the future of our community. The result has been what we had hoped for and much more, with residents stepping up to engage in record numbers in an important dialogue about issues that matter and the kind of London we all want in the future.

As we began to map out our community engagement approach, there were two key considerations that guided our thinking. First was a commitment to talk about ReThink in a way that people could understand—we would not use planning jargon. For example, we banned the use of the term Official Plan and even set up a swear jar in the office for anyone who uttered these words at any time. ReThink was to be a conversation about city-building, what London could be in the future and how we will achieve this vision. The second key factor was that this was not to be a land use plan. Of course land use is a core component, but it is just one of many that will inform our new plan. The ReThink London plan will not just be for the Planning Department, but rather a guide for the entire Corporation of the City of London—and its residents—on how we will live, grow, move, prosper and protect our environment in the future.



Sean Galloway



David Dilks

What we have achieved

To date, the ReThink London community engagement process has shown us in spades that the people of London really do care about their city, how it will be planned, and its future. As of mid-January 2014—1.5 years into the process—over 14,500 Londoners have attended public meetings or engaged through non-traditional means (i.e., social media or online). We have held 78 public meetings/events over a seven-month period and have reached out to 240,000 Londoners via mailouts or media.

What is notable is that the vast majority of this engagement work has been undertaken in-house. The ReThink team has engaged consultants (as an example, Lura Consulting was retained to help design the engagement process and assist with implementation behind the scenes) to help prepare background studies, communications and engagement plans and provide capacity building, data management support and website support. But the Planning Department is proud to have taken a very visible lead role for the engagement process and has found the ongoing conversation with residents to be both constructive and reinvigorating.

The launch event, with a keynote address from Peter Mansbridge, was one of the largest engagement events in London's history. We were able to attract over 1,300 people to discuss community issues and planning and kickstart



Liz Nield

ReThink London. Since then, we have used a mix of face-to-face and online engagement activities to enable residents to participate in crafting the ReThink vision, objectives and strategies. As we embark on our last leg of engagement, which is to seek feedback on the draft plan (likely this spring), we are looking at new ways and tools to maximize engagement in refining our blueprint for city-building. Our goal is to make the plan as accessible as possible, using plain language to convert planning policy lingo into an easy and exciting read.

Lessons learned

While we have learned many things through ReThink, there are five main lessons that the team has taken from this process. First, effective community engagement takes time and resources. It requires connecting with individuals on a localized, recurring basis, which takes both time and resources. However, there is a benefit to all this and that is getting more people involved in planning matters and contributing to the plan. As noted above, we conducted 78 public meetings in a seven-month period; however, 93 per cent of those meetings took place in the first three of those seven months. It takes time to prepare for these meetings as each was individualized for the particular group. We could not go out with a stock presentation and expect to get relevant information back from the participants. Each group has its unique issues and perspectives.

Second, is the use of social media. This tool has many facets to it, and a huge amount of potential. However, you need information to feed to it...constantly. Looking back on our use of social media, it would have been wise to identify a specific person to perform this function, rather than the ad hoc approach we took. A dedicated social media person

would constantly be searching for information, educational pieces, pictures and other resources to post to the various tools. In future, as these tools become more prevalent in the way we do planning we will require a larger dedication to the researching of information and maintenance of social media. Meanwhile, through ReThink, we have developed a solid following on Twitter, which we can use and leverage moving into new projects and the review of the plan.

Third, is that as planners we can no longer expect people to come to us. To effectively engage with the public, we need to go to the people. We need to engage them on their own terms, their schedule and in places and spaces that they congregate. Our engagement approach has demonstrated the utility of tools and techniques such as, show and tell, workshop-in-a-box, places and spaces conversations, online visual preference surveys and other web-based tools. Our next round of engagement on the draft plan will continue this by using some unique GIS tools and other measures that will make reading the plan interesting and pertinent to people.

Fourth, is to work with community groups and social infrastructure to get a diversity of citizens engaged. As an example of this, the ReThink Team engaged with the city's Housing Advisory Committee, which helped to hold a public meeting with the homeless at a local mission/shelter in the city. Additionally, we connected with other community groups such as the Kiwanis Club, Rotary International and both of the major hospitals in London to engage with staff and stakeholders. Through these groups we were able to reach a much wider audience and involve people who do not generally participate in the planning and design of their community.

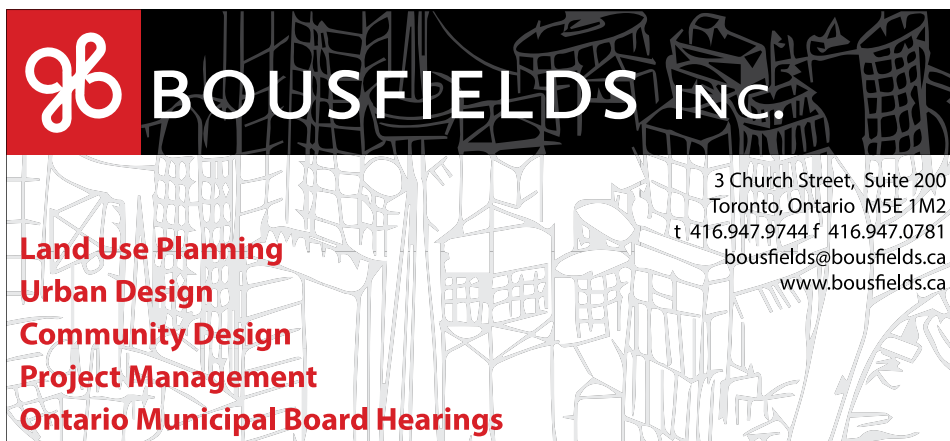
The fifth lesson is all about the benefits of doing a project like

this mostly in-house. We have built tremendous corporate knowledge and capacity to engage with the community. With the "all hands on deck" mentality the vast majority of staff members have been exposed to the underlying foundations of this plan, and have no doubt developed a clear understanding of how we got to where we are. Even more important is that by providing staff the opportunity to be a part of such an important city project it instilled confidence in them and the work that they do. Equally as important, is that it has helped build the confidence of the citizens of London in their civic administration.

Honourable mention—is branding. The ReThink London concept and logo was developed very early in the process and quickly became a recognizable trademark for the project. We are actively considering how we can continue to use the ReThink brand—and for what—once the plan has been finalized later this year.

This has been a great process for all involved including city staff, consultants and the citizens of London. As we move forward, there is an ongoing effort to innovate and in that vein we have built some non-traditional elements into our new city plan. You will have to wait until later this year to see those. All in all, this has been one of the most significant engagement processes ever undertaken in London, facilitating a conversation about city-building and our city's future. The new vision statement says it all—Our Future: Exciting, Exceptional, Connected London.

Sean Galloway, MUDD, MCIP, RPP, is Urban Design and GIS manager with the City of London. Liz Nield is CEO and David Dilks is president of Lura Consulting. For more information visit www.rethinklondon.ca.



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Online Community Engagement

Challenges and nuances

By Anthea Brown, Karla Kolli and Ruth Marland

Community consultation is changing. Not so much in the principles that underpin the value of engaging the public, but rather in the practice of implementing and managing consultation projects.

The internet has created an environment where people have open and unlimited access to information. This, blended with a growing expectation the public has for consumer fueled on-demand customer service, creates fertile ground for the growth of online community engagement.

Businesses and government are still expected to consult the public and people still want their voices heard. But in today's busy world that often means in their own time and at their own convenience. To successfully communicate with their stakeholders organizations must learn how to balance traditional forms of consultation with online community engagement.



Anthea Brown

A case study

Inspiration Port Credit project stats—13,000 people connected—57,562 website visits—18,912 document downloads. These are impressive statistics from the ongoing strategic planning process led by the City of Mississauga. And the numbers continue to grow as the project evolves.

Port Credit, a thriving Mississauga waterfront community at the confluence of Lake Ontario and the Credit River, is experiencing significant pressure for growth. Its future holds greater connection to the city through the proposed Hurontario-Main Light Rail Transit and additional growth through two redevelopment areas on the east and west side of the river. Many residents, business owners, visitors and boating and water enthusiasts love the Port Credit of today and want to understand the possibilities for the future. They also want their voice heard.

The city's robust community engagement program for this project actively pursued opportunities to create excitement, build mutual understanding among all stakeholders and incorporate the community perspective. An important part of this program is the integration of a strong online presence with interactive events as well as more traditional consultation opportunities.

The foundation for the ongoing engagement is the



Ruth Marland

dynamic, user friendly and interactive project website www.inspirationportcredit.com. Built using EngagementHQ, an online platform for community engagement, the website provides a 24/7 call to the community to “Get Behind Your Waterfront.” The site includes opportunities for visitors to find information about the project, register for events, receive updates, provide their thoughts, and respond to important survey questions.

Four considerations for effective online engagement

Online consultation has its share of unique challenges and nuances. There are a number of things that consultation professionals should keep in mind when planning, implementing and managing an online community engagement initiative. The following four key considerations represent best practices and lessons learned



Karla Kolli

from the Inspiration Port Credit online engagement program.

Organizational culture—The online engagement tools you choose to implement (i.e., social media vs. enterprise online community engagement software) can have a bearing on the level of public access and tone of discussion. The reality is that you will be providing the public with greater opportunity to share their ideas and opinions. As a result,

consideration of your organizational culture plays a much more important role with respect to how much information you are able to make available online and how available staff resources are to make it happen.

What is your appetite for feedback? It is critical that your team be honest and upfront about the answer to this question. How your organization processes feedback and its commitment to staffing this medium will determine both your online engagement strategy and your choice of feedback tools.

The City of Mississauga has embraced online engagement and



is very excited about the ongoing community response to the interactive project website. Some of the challenges with the interactivity of the site have included having staff available to monitor the website and provide timely responses and updates as required. From a project management perspective, the real value and benefit of this site is the ability to quickly assess which components of the site are most valued by the site's visitors and get a



IMAGES COURTESY OF THE AUTHORS

Community workshops, November 29–December 1, 2012

sense of the key issues so that they can be addressed.

Blend the use of online and offline tools and strategies— Online community engagement offers many benefits that are not present with many forms of traditional consultation. However, like any method of communication, it also has some gaps that may need to be addressed depending on the nature of your project, audience and location.

If there is budget and resource capacity, it is always a good idea to offer the public a mixture of online and offline consultation options for your project. This will present the best opportunity to optimize community participation and allow your consultation team to be able to measure and benchmark participation metrics between digital and traditional engagement channels.

With so many online followers, the City of Mississauga’s web presence naturally generated interest and attendance at the variety of offline project events, which included Walks and Talks, Imagining the Future Ideas Workshop with hands-on activities, and a bus tour and walkabout. The value of online engagement efforts went beyond simple promotion. The site offered an opportunity for continuation of the conversation and expansion to a broader audience.

Understand your audience’s information needs—The public consumes online content differently than more tactile,



printed material. In addition to the idea that people “skim” more than read online, when it comes to digital communication channels, there is also an increasing appetite and expectation for richer multimedia content such as videos.

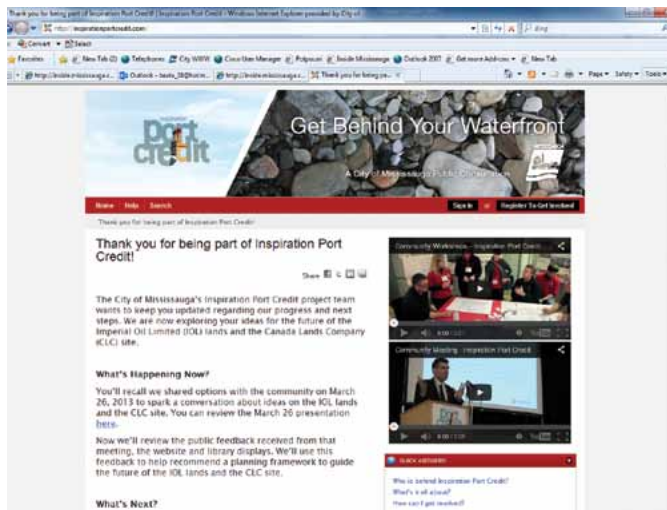
Given these dynamics and the fact that large written documents and text-only communication is not as accessible to many nor desirable, it makes sense for organizations to take the time to understand how their audience consumes information.

Investing in the development of consultation content and material that is digestible and easy to understand increases the likelihood of increased participation and a more successful outcome for your consultation project.

Online consultation materials for the Port Credit project were developed with the information needs of the audience in mind. Overall, the majority of visitors use the site to access project information and documents. Visitors also provide comments, register for events and learn about next steps. The interactive site enables users to participate in online polling and surveys. Event videos posted on the site also provide an important audio-visual record of events and bring some of the excitement of those events to community members who could not attend.

Goals and timelines—Whether your consultation is being





Inspiration Port Credit website, inspirationportcredit.com

conducted via traditional channels or online, it's imperative to be transparent, share your objectives and communicate the potential outcomes of the project and the process.

The big difference with online community engagement is the need for brevity. As mentioned above, how the public connects with information online can be very different than in face-to-face situations. Consequently, it is critical that your organization be really clear and concise (using as few words as possible) when conveying the purpose, timeline, outcome and expectation related to your consultation initiative.

Transparency requires you to be responsive to the input received. With online engagement there is a greater expectation of immediacy. Throughout the Inspiration Port Credit online engagement, the city committed to responding to participants as quickly as possible. This was balanced with the need to consolidate input and prepare thoughtful responses to comments received.

The online difference

The online efforts for the Inspiration Port Credit project have opened up the process to a larger audience. It gives people who would not normally participate a chance to have their say. It also allows community members to regularly come back to the discussion at their convenience and perhaps later reflect on things they heard or saw at one of the events. Port Credit will continue to evolve. With 13,000 people aware and engaged in the project at some level, it is hoped that there is a greater sense of understanding and ownership in working together for the future of the community.

Anthea Brown is the general manager of SustaiNet Software's EngagementHQ, an online community engagement and consultation solution, and an active member of the International Association of Public Participation (IAP2). Karla Kolli, MCIP, RPP, is a planner at Dillon Consulting Limited and a member of the executive committee for the International Association of Public Participation Canada, Great Lakes Chapter. Ruth Marland, MCIP, RPP, is a strategic leader with the City of Mississauga and is leading the Inspiration Port Credit project.

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Citizen Participation

Can we over engage?

By Dana Anderson

At the recent OPPI Conference in London, I asked the question, can we over engage with the public in the planning process? The response from attendees at the session was mixed but the majority appeared to believe you could not over engage and that public consultation was an essential element of the planning process.

With exponential advancements in communication methods including social media and online forums, planners have more ways than they ever had to engage the public in the planning process. With so many ways to communicate information, it can be overwhelming for both planners and the public. How much communication and engagement is needed? When should it occur? How should we engage? How do we ensure public engagement remains meaningful?

This article looks briefly at the history of the engagement process in planning, the approaches and opportunities available today, the challenges, and some thoughts on ensuring meaningful engagement.



Dana Anderson

Arnstein's ladder with new rungs?

Sherry Arnstein's A Ladder of Citizen Participation¹ was first published in 1969 and is still relevant today. If public engagement is to be meaningful, decisions should be reflective of the public interest and not the corporate one. Otherwise, the process will not result in a real influence on decision-making power. It will be seen as tokenism and given little, if any, weight in the decision-making process.

While Arnstein is still relevant, the bottom two rungs of the ladder have eroded into the ground over the last two decades. With the exception of planning for emergency responses, there are very few public processes in planning that would not involve, let alone require, some form of public engagement. It would also appear that a few rungs on the ladder have actually widened with an expanded role for public engagement.

Changes to the ladder are in part due to the increase in interest and participation by citizens in civil and planning matters over the last 50 years. This truly began with the rise of the democratic planning era of the 1960s thanks to many influential figures including Paul Davidoff, the founder of advocacy planning, and Jane Jacobs.

The changes are also due to the increased number of ways we

have to communicate given the explosion of the internet and social media and its ever increasing influence on how we communicate. With the ease and speed of access to information, reactions and responses are also instantaneous and issues can become polarized very quickly.

Planners more than ever before are recognizing the importance of assessing each planning process or project to determine what approach or strategy should be used to engage with the public. The first step is to determine the goal of public engagement—which rung of the ladder is needed or expected given the context and nature of a planning project or process?

A public engagement strategy has become an essential part of the planning process. For the most part this is a good thing. However, it does bring with it a question about the role of planners in the public engagement process and can, if not properly defined, create a negative culture and one of mistrust. Creating a positive culture for public engagement and clearly defined roles and expectations, regardless of the project, is one of the planner's greatest challenges.

What is the planner's role?

The planner's role in public engagement can vary—to educate and foster understanding, to listen and gain input, to facilitate, to build consensus. Defining the appropriate role is a critical early step in the development of an engagement strategy.

When facilitating it is important to remember that building a consensus is not always about moving everyone from one side to another. It is about educating and understanding both sides.

In other cases, planners may take on more of an observatory role, educating people about the issues, listening to obtain input, while remaining objective to develop a recommendation. This is often used in the development application process.

"Hands up all those who hate this"

We have all attended the public meeting where there is one very vocal individual who asks the audience for a show of hands—"who hates this project?" or "who is opposed to this development?"—and

almost everyone raises their hands and spontaneous applauding and cheering follows. At that moment most of us are saying "now what do I do?" Over the years I have found it actually useful to remember these moments and more specifically these



IMAGES COURTESY OF THE AUTHORS

Updating Arnstein's ladder

individuals. I call them “keypers” (the key persons you want to know and, yes, involve in your process).

Now of course part of the problem with many of our engagement processes is giving “keypers” a platform to make such statements in the first place. Many have stated that town hall meetings give people the chance to say stupid things in public. Do the “keypers” statements and frustrations occur because of a lack of knowledge about the project or development?

The culture of engagement is an important consideration in developing a strategy. Planners need to define the expectations for all participants, and ensure there is a positive environment, which still allows for vocal opposition.

Shifts...trends...new tools

Planners have at their disposal more ways to engage the public than ever before and the techniques and tools available are constantly expanding.

The use of online public engagement has become mainstream for most planning projects today. Rather than repeat them here, Robyn Spencer provides an excellent overview of the evolving technologies and some tips for choosing the right tools to suit the process in her article “The Online Public Engagement Tools – What’s out there and what to use.”² One of her key points is to provide information and education early in the process, regardless of the method of online communication.

But how do we ensure the “keypers” don’t overwhelm the process when it is online? In the past we may have known the “keypers” by name but online or through social media they often remain anonymous and even when they identify themselves they can overpower the process. It is important to clearly identify how online input is to be used.

Understanding the way engagement results will be translated into decision-making is an essential part of the process, for without it the usefulness of online input may become questionable.

A public voting tool, for instance, should not be used to solicit opinions on options which are non-defensible or unrealistic. Clear expectations about what can be considered and what the implications are of such considerations is part of the planners’ “inform and educate” role.

The use of crowdsourcing has become a popular technique to solicit creative ideas and input into the planning process. Planners must however use caution when using this approach to avoid equating good planning with what is the “most popular.” If we have learned anything through the planning process, it is that the best decisions are often the most difficult to reach.

While crowdsourcing and online engagement has become a model for civic engagement, the idea of “digital democracy” can exclude many groups and still be dominated by special interest groups. Many would argue that face-to-face social interactions should also be part of a public engagement process. While it

may not be the most efficient way to communicate, it is a highly effective way to bring a personal element to the conversation and should not be completely replaced by other methods.

Person engagement and more traditional consultation methods (open houses, meetings, workshops, etc.) still provide effective opportunities and, if well organized, can be used to develop good relationships between local planners and the public. There are also several effective techniques that can be used at in-person meetings such as Audience Response Technology, which enables instant voting and immediate responses. The use of smaller focus groups, kitchen table chats and informant interviews are also traditional approaches that can be used to establish respectful relationships early in a process.

Maintaining a good relationship with the public before and after the process is also important. While some groups may form solely for the purpose of an area-specific or subject-specific issue, maintaining peoples’ interest by keeping in touch with them is a good way to sustain good relationships with public groups.

Oakville’s Public Engagement Guide

The Town of Oakville Communication Department recently developed a [Public Engagement Guide](#), which offers staff a step-by-step process for developing an engagement plan.

Oakville planning staff uses the guide to develop strategies for all projects. Recent projects have successfully included a range of techniques and levels of engagement. The following are some examples: [South Central Public Lands Study](#), [Old Bronte Road Streetscape Study](#), [Merton Planning Study](#).

Finallythe top ten list

At the conclusion of the conference session, 10 thoughts on developing a public engagement strategy for planning projects were listed based on the discussion. I leave

these with you and always welcome more thoughts, questions and discussion—more engagement is a good thing.

Dana Anderson, MCIP, RPP, is the Town of Oakville planning services director. She is a former OPPI Council member and served as a past Chair of Membership Services. She can be reached at danderson@oakville.ca, 905.845.6601 ext. 6020 or on twitter at @danaLanderson. Dana would like to thank Mary Jo Milhomens, Oakville senior communications advisor for co-presenting at the conference.

Endnotes

- 1 Arnstein, Sherry R. “A Ladder of Citizen Participation,” *JAIP*, Vol. 35, No. 4, July 1969, pp. 216-224.
- 2 Spencer, Robyn “The Online Public Engagement Tools – What’s out there and what to use” *Plan Canada*, Winter 2012, pp. 24-26.



10 thoughts on developing a public engagement strategy for planning projects

Inspired waterfront vision

Public expressions

By Michael Seaman and Ute Maya-Giambattista

Successful urban design and planning studies require a combination of clear municipal strategies and sustained civic involvement/stewardship.

When it comes to public engagement in urban planning, there's always room for new ideas to encourage public involvement and interest in a particular project and that's just what happened recently in Grimsby. In August 2013 the Town of Grimsby initiated a West End Waterfront Master Plan to guide urban development and public realm elements along a 3.9 km. stretch of largely private and undeveloped waterfront lands. It was clear from the outset that the key to an implementable plan would be a successful public engagement strategy.



Michael Seaman

The waterfront is intended to become a major recreational destination for locals and visitors to Grimsby for years to come. Thus, the waterfront master plan needed to reflect the vision of the people who would be using the waterfront in the future.

Grimsby's West End Waterfront Study called for an engagement approach that raised the public's awareness throughout the process while planting the seed of stewardship and civic action necessary for implementation.

The town secured the services of SGL Planning Associates Inc. urban design head Ute Maya-Giambattista, with a team of professionals from Thinc design, North South Environmental Inc. and N. Barry Lyon Consultants Ltd. to undertake the project. The consultant team immediately embraced the need for a quality public engagement process. Aware of the crucial importance of a strong and well publicized start to the project, Ute proposed providing large-scale art boards for people to

write on in well-visited locations around the community.

Inspired by Candy Chang's work on spontaneous public input, the study began with a media call for residents' and visitors' comments to make Grimsby's waterfront their waterfront. To kick off the study, two comment boards headed with the thought "I want my Waterfront to..." were installed at Grimsby's Library/Art Gallery and Station One, its most popular downtown coffee shop along with plenty of pens and crayons.

The comment boards were big. Bold and welcoming, they could not be missed. They succeeded in capturing the public's curiosity and interest and reminding—and sometimes introducing—residents about their waterfront's hidden beaches and lockout area. Once installed the boards drew even more media attention which helped to heighten interest and ensure that almost every square of boards were filled in with public input. For community members both expressing their wishes and reading what others had to say, it was a fun experience.

While the public's outpour of ideas has informed the design options it has also strengthened the public's commitment to participate and aid in the West End Waterfront implementation process.

Michael Seaman, MCIP, RPP, is director of planning for the Town of Grimsby. He is currently contributing editor for heritage for the Ontario Planning Journal. Ute Maya-Giambattista, B.A.ARCH, MPL, MCIP, RPP, LEED AP, is head of urban design at SGL Planning Associates.

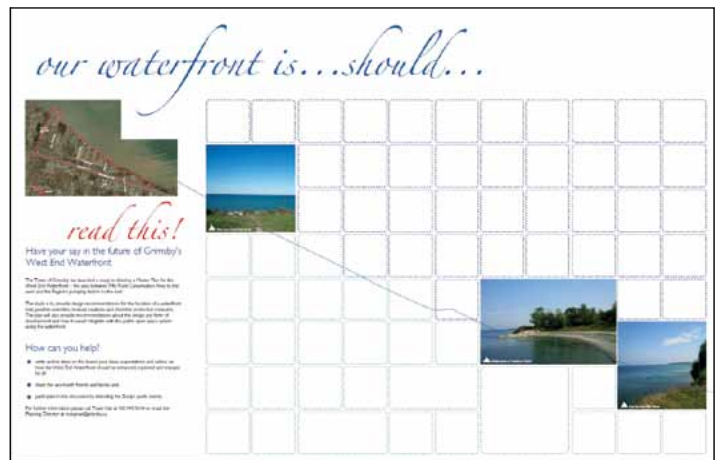


Ute Maya-Giambattista

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Grimsby Library Art Gallery Canvas



Grimsby Station One Board



Public input

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Heritage Conservation Districts

Communicating ideas

By Christy Chrus

At the outset of Ajax's first proposed Heritage Conservation District in Pickering Village, it was important for the town to establish an effective and captivating communication strategy to ensure the public was well informed was offered sufficient opportunities for input at key stages. The first step was to create a public consultation plan that outlined the overall approach, discussed the issues and challenges, identified objectives, established key stakeholders and reviewed success indicators.

Once this plan was established, the next order of business was to create a logo or graphic identifier that could be used on all future communication material distributed by the municipality to help separate the project visually from others. Many ideas were discussed, but eventually, it was decided to use the historic village bell—a neutral feature within the community that is a publicly-owned asset with significant historic ties to Pickering Village life.

After the logo was created, staff set up a project [website](#) to act as a central information hub. The design was simple, easy-to-read, and used colours similar to those in the logo and historic images from the town's archives. The primary source of public information, the site was well used throughout the process.

The consultation plan also identified various marketing pieces. The first, a door hanger created to advertise upcoming public

meetings, was distributed to all properties within the HCD study area to garner attention and encourage public involvement in the process. The second was a series of four video blogs, posed on the town's website and YouTube channel and designed to provide information at key stages of the project:

1. Introduction and launch of the HCD Study
2. HCD walking tour showcasing the significance of the area
3. Q & A session with the town's heritage consultant
4. Snapshots of the draft HCD plan.

In November 2013, council approved the HCD Plan along with a Community Improvement Plan, which detailed financial incentives for property owners within Pickering Village. Both the HCD Plan and CIP were approved with no opposition or appeals filed with the Ontario Municipal Board. This sent a clear message that the consultation plan had been successful in establishing a meaningful way to communicate with the public and effectively mitigate concerns.

Christy Chrus, MCIP, RPP, is a senior planner at the Town of Ajax specializing in heritage matters. She can be reached at christy.chrus@ajax.ca.

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Moving Beyond the Minimum

IAP2 Tools

By Tracey Ehl, Karla Kolli and Mike Sullivan

As planners, we are required to identify and consult the public for a variety of reasons—statutory requirements of the *Planning Act* or *Environmental Assessment Act*, municipal norms and practices, and stakeholder pressure to be involved in decision-making. Drafting notices and holding public information centres have become common place on a planner’s to do list.

Just meeting the minimum requirements often isn’t good enough to make informed recommendations in the public interest. Hearing the same old messages from the same few people doesn’t sit well. In this age of constant connectedness and real time information sharing, it is critical to engage our public(s) in a meaningful way to address specific needs, to manage risk (real or perceived), and to build positive relationships.

At our fingertips are a wide range of tools and techniques to do just that. But, even before we choose the right tools for the project, there is value in having a framework to guide

consultation activities so that we can reach beyond what has become comfortable and incorporate new ways to contribute, collaborate and even empower communities.

Values-based consultation

The Canadian Institute of Planners’ Statement of Values includes a commitment to public participation, specifically: “To foster public participation. CIP Members believe in meaningful public participation by all individuals and groups and seek to articulate the needs of those whose interests have not been represented.”

Dialogue with the community can come to a grinding and contentious halt if there is no “meaning” or trust. This could come from a sense that no one is listening or that consultation efforts are only for show to satisfy some regulation.

To overcome this, we can look both inside and outside of



Spectrum of Public Participation



	INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
PUBLIC PARTICIPATION GOAL	To provide the public with balanced and objective information to assist them in understanding the problems, alternatives and/or solutions.	To obtain public feedback on analysis, alternatives and/or decision.	To work directly with the public throughout the process to ensure that public issues and concerns are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision-making in the hands of the public.
PROMISE TO THE PUBLIC	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and issues are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for direct advice and innovation in formulating solutions and incorporate your advise and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.
EXAMPLE TOOLS	Fact sheets Websites Open houses	Public comment Focus groups Surveys Public meetings	Workshops Deliberate polling	Citizen Advisory committees Consensus-building Participatory decision-making	Citizen juries Ballots Delegated decisions

IMAGE COURTESY OF THE AUTHORS

The public participation spectrum

our profession to find additional guidance. The International Association of Public Participation (IAP2) Code of Ethics gives another level of depth to the CIP values and can provide a helpful checklist for embarking on the consultation journey.

OPPI's Professional Code of Practice, speaks directly to a planner's responsibility to the public interest and engaging all interested parties in a meaningful way. Specifically, it states: "Members have a primary responsibility to define and serve the interests of the public. This requires the use of theories and techniques of planning that inform and structure debate, facilitate communication and foster understanding."

Consider this: how often do you ask your public how they can best participate in a process? How many times do you talk to people like your parents, your neighbours, your children's teachers within a process? As a project nears completion and recommendations are presented, can participants see a clear line between their input, the trade-offs that you made, and the eventual recommendation?

IAP2 Core Values for the Practice of Public Participation give further depth to the Code of Practice. Using them as a foundation can inform the tools and techniques that you choose.

Decision-oriented consultation

As planners, we are responsible to our employers, clients, the Institute and other members of the profession. Public participation should be driven by project objectives and be decision oriented. The IAP2 Public Participation Spectrum provides an excellent framework to visualize your consultation goals as well as how to go about achieving them.

A key first step in designing the right consultation program is to achieve buy-in about the level of decision making involvement that stakeholders should have on the issue at hand. The Spectrum is a simple tool to guide the conversation with internal colleagues and decision-makers on the public participation goal for your project. The promise to the public provides a way to frame your commitment to them. The commitment to engage increases as you move across the spectrum from "informing" the community to "empowering"

IAP2 Core Values for the Practice of Public Participation

Is based on the belief that those who are affected by a decision have a right to be involved in the decision-making process.

Includes the promise that the public's contribution will influence the decision.

Promotes sustainable decisions by recognizing and communicating the needs and interests of all participants, including decision makers.

Seeks out and facilitates the involvement of those potentially affected by or interested in a decision.

Seeks input from participants in designing how they participate.

Provides participants with the information they need to participate in a meaningful way.

Communicates to participants how their input affected the decision.

IAP2 Code of Ethics

Purpose: we support public participation as a process to make better decisions that incorporate the interests and concerns of all affected stakeholders and meet the needs of the decision-making body.

Role of Practitioner: we will enhance the public's participation in the decision-making process and assist decision-makers in being responsive to the public's concerns and suggestions.

Trust: we will undertake and encourage actions that build trust and credibility for the process and among all the participants.

Defining the Public's Role: we will carefully consider and accurately portray the public's role in the decision-making process.

Openness: we will encourage the disclosure of all information relevant to the public's understanding and evaluation of a decision.

Access to the Process: we will ensure that stakeholders have fair and equal access to the public participation process and the opportunity to influence decisions.

Respect for Communities: we will avoid strategies that risk polarizing community interest or that appear to "divide and conquer."

Advocacy: we will advocate for the public participation process and will not advocate for a particular interest, party or project outcome.

Commitments: we will ensure that all commitments made to the public, including those by the decision-maker, are made in good faith.

Support of the Practice: we will mentor new practitioners in the field and educate decision-makers and the public about the value and use of public participation.

them. The Spectrum can help you, your team and your public(s) clearly define what public participation will look like, feel like and mean to participants. The result is a solid base for public engagement, and a direct connection to the Statement of Values and Code of Practice.

What is IAP2?

IAP2 is an international association supporting people who implement or participate in public decision-making processes. IAP2's focus on practical tools and best practices has made it the primary resource for developing public participation processes.

The IAP2 is a federation comprises national affiliates, including IAP2 Canada. Much like OPPI, there are local chapters, two of which exist here in Ontario: Great Lakes Chapter (GTA and central-southwest Ontario) and St. Lawrence Chapter (Ottawa Valley).

IAP2 Canada is involved in research, advocacy, and learning activities. For more information about IAP2 visit <http://iap2canada.ca/>.

Tracey Ehl, MCIP, RPP, Karla Kolli, MCIP, RPP, and Mike Sullivan, MCIP, RPP, are professional planners, who are active members of the IAP2 Great Lakes Chapter Executive Committee.

The Ideas Café

By *Khaldoon Ahmad*



This article describes an innovative approach to public engagement called the Ideas Café that was implemented by City of Hamilton urban design staff to advance the Ottawa Street Master Plan. Two cafés were held to involve members of the Ottawa Street Business Improvement Association and Ottawa Street Farmers' Market in January and February of 2013.

This approach to engagement represents a creative direction both at the professional and municipal levels.

Participants at the Ideas Café were invited to immerse themselves in a discussion of ideas and concepts to make common ground and contribute to a shared vision. This form of engagement is different from the traditional vertical format practiced by many municipalities where formal and structured forums typically limit the level of engagement and discussion among participants.

The Ideas Café builds on the world café method described in the course work for the OPPI Planner as Facilitator course. Participants are inserted into an experience that is familiar where they are comfortable and relaxed enough to share their hopes and express their ideas at length. They engage in vision exercises and discussions without sensing the rigid structures workshops often impose. The experience of the Ideas Café was carefully designed around the following first principles:

- Respect the value of participant's time
- Create familiar environments
- Promote natural behavior, comfort and expression
- Promote the exchange of ideas
- Promote common ground.

Ottawa Street North BIA is home to a vibrant textile and home decor industry that attracts professionals from the GTA keen on finding specialty products, unique and interesting finds. To live up to the creatively-minded business owners and to Ottawa Street's reputation as the "destination for inspiration" staff looked for



Khaldoon Ahmad

alternative methods of public engagement that would draw ideas from the business owners.

The design team, led by the author and Lura Consulting CEO Liz Nield, aimed to draw from the BIA members their visions of the kinds of experience they thought Ottawa Street should provide residents, patrons and visitors. To do this well, the design team took a risk in designing and implementing an innovative format of engagement never before attempted by the City of Hamilton. In this way the team gained a stronger understanding of the many experiential opportunities offered on the street. The result was meaningful input and a change in direction for Ottawa Street, beyond its beautification.

The Ideas Café provided the perfect environment for friendly interaction and a natural pattern of discussion eliciting shared concerns, ideas and opportunities as participants moved around the room. To facilitate the dialogue an excellent selection of foods and beverages were generously provided by The Cannon and Limoncello Restaurant.

Discussions were recorded by participants and compiled into an issues list, which generated input for the final issues report.

Conclusion

Public engagement is a valuable professional opportunity for planners to interact with the community. The credibility of planners and the profession is influenced by how well planners help communities and other stakeholders address the issues that are impacting them. Therefore it is vital that creativity is a cornerstone of public engagement and each process reflects a community's unique richness and flavour.

The Ideas Café has clearly demonstrated that more can be drawn out of an engaged stakeholder group. City staff hope to build on this creative engagement direction and broaden the application to other planning areas.

Khaldoon Ahmad, MCIP, RPP, is a professional planner and an urban designer currently with the City of Hamilton. The Ideas Café is a recipient of the OPPI 2013 Excellence in Planning awards.



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WESTERN LAKE ONTARIO

Good things are happening in Buffalo...

By Sonya Kapusin and George McKibbon

In the evening of October 29 2013 approximately 70 planners and students gathered at Alphies Trough on the Brock University Campus in St. Catharines to listen to Chris Hawley and share time with friends. A city planner with the Mayor of Buffalo's strategic planning office, Hawley presented an overview of the Green Code: Buffalo's comprehensive rewrite of its zoning ordinance.

Form based codes are new to Ontario's municipalities and we listened with much interest as Hawley reviewed the innovative process used to develop Buffalo's Green Code. The initiative builds on and implements Buffalo's award winning Comprehensive Plan: Queen City in the 21st Century, adopted February 7, 2006. It involves replacing in its entirety, Buffalo's outdated zoning ordinance. The outcomes will include a new land use plan and form-based code ordinance. Among



Sonya Kapusin



George McKibbon

other things, this comprehensive plan and ordinance will restore Olmstead's park system, repair and build on Ellicott's grid and radial street system and link to a greener and more accessible waterfront.

Buffalo's zoning code was approved in the 1950s based on suburban development standards mismatched with Buffalo's built environment. It will be replaced with a land use plan and a form-based code with standards better suited to Buffalo's older walkable neighbourhoods. These standards will also inter-relate with the streetscapes that characterize Buffalo's communities, most of which were built before the 1950s when the automobile wasn't a dominant transportation mode.

The ordinance comprises four components. First, a series of zones were developed through application of an urban transect analysis and characterization of built form and streetscapes along this transect. Neighbourhood Zones are identified from the downtown to outlying residential communities. This characterization also depicts graphically the types of built forms that will be encouraged in each zone. Second, a table sets out which uses are permitted in which zones.

The third component will prescribe the types of buildings and frontages and permitted uses in each zone together with detailed information on lot widths and areas, lot occupancy, yard requirements, building heights, building disposition, façade transparency, entrance location, parking, and other elements. Forth, various approval requirements will be described including the types of approvals necessary for various developments, public hearing and, if any, public notice criteria, and who makes decisions on approvals.

So what does the Green Code do for Buffalo? It considers citizens' input to what kind of city they want Buffalo to be, and forms an instruction manual for building that vision. All of this will unfold in the

coming year and progress can be viewed at buffalogreencode.com.

Western Lake Ontario OPPI members thanked Chris for a stimulating presentation and look forward with interest to implementation updates in the future.

Sonya Kapusin, MCIP, RPP, is a project manager in environmental planning at CIMA Canada Inc. and a member of the Western Lake Ontario District Leadership Team. George McKibbon MCIP, RPP, AICP CEP is an environmental planner with McKibbon Wakefield Inc. and an adjunct professor in the School of Environmental Design and Rural Development in the Ontario Agricultural College, University of Guelph.

WORLD TOWN PLANNING DAY 2013

York University's Field-Trip to Guelph

By Anthony Taylor

World Town Planning Day was founded in 1949 by University of Buenos Aires professor Carlos Maria Della Paolera to increase planning interest and awareness. It is now celebrated in over 30 countries on four continents. In celebration of World Town Planning Day 2013, OPPI student representatives from York and Guelph universities, with the support of the York Planning Alumni Committee, teamed up to organize a fantastic day for the planning students of both programs.

Bright and early on the crisp fall morning of November 8th 37 York planning students boarded a bus and headed west on Highway 407 to the University of Guelph. Following a stop in Oakville to observe the new urbanist community located on Trafalgar Road, the bus pulled in to the University of Guelph where students were treated to lunch by the Guelph faculty and OPPI student representatives.

In keeping with the 2013 theme, The Fluid Challenge: Water and Planning, a panel presented water issues of relevance to the Greater Golden Horseshoe area. These included water as a resource influencing population management and growth, dumping fill created by Toronto development and subway construction on the Oak Ridges Moraine, Line 9 and its potential impact on aquifers, and water bottling by private companies. The panel featured Guelph School of Environmental Design and Rural Development professor Dr. John FitzGibbon, Guelph rural studies PhD candidate James Johnstone, Harden Environmental Services Ltd. president and senior hydrogeologist Stan Denhoed, Guelph rural studies PhD candidate and former city policy planner Paul Kraehling, and York University associate professor and planning program coordinator Dr. Laura Taylor.

Before heading back to York, students enjoyed a 90-minute walking tour of Guelph's historic planned city. The commentary focused on the original planning principles and the deviations from them following the arrival of the railroad and the automobile.

Next year Guelph students will be making the trip to York. A huge thanks everyone who made the day such an amazing success!

Anthony Taylor is a graduate student in planning in the Faculty of Environmental Studies at York University. His research focuses on equity and social justice issues related to land use.

CAPS WALK

Shapes of the Junction Triangle

By Anthony Dionigi

Junction Triangle resident and award winning documentary filmmaker Scott Dobson led a group of planning students from various universities on a walking tour of the Junction Triangle neighbourhood in Toronto this past November.

The neighbourhood's uniqueness is embodied in its industrial past, and owes its name to the three rail corridors which outline its triangular shape. With deindustrialization, the Junction Triangle underwent significant transformations, allowing the

neighbourhood to become an attractive cornerstone of West Toronto. In celebration of this year's 30th Canadian Association of Planning Students (CAPS) Conference theme, Transformations, the walk focused on various changes taking place in the Junction Triangle. These were illustrated by the shifting development patterns, brownfield remediation, adaptive reuse, and new transportation infrastructure such as the Union Pearson Express, and the extension of the West Toronto Railpath. The latter is part of a foundational network of bike trails that links non-motorized commuters to the downtown core alongside the Georgetown South rail corridor.

The tour began at the corner of

Sterling Road and Dundas Street West and headed north along the Railpath. Students were immediately halted at the optical scale of the old Tower Automotive Building left derelict and waiting to be revived into The Sterling Lofts. The area south of Bloor Street and north of Dundas Street West has undergone extensive land remediation with plans for mixed-use development. The proposed redevelopment has caused a contestation for space with the existing industrial land occupant Nestlé Canada, who has coexisted with residents for years. Passing the historic Wallace Avenue Bridge allowed the group to reimagine the once

industrial elements of the neighbourhood. On the final leg of the tour, students examined the hollowed-out shell of the former Wallace Avenue Methodist Church currently undergoing conversion into a



ANTHONY DIONIGI AND SCOTT DOBSON

CAPS walk led by filmmaker Scott Dobson (in red)

LEED-Platinum residential building—Union Lofts.

Ending the walk with a warm drink from Café Con Leche inspired diverse conversations among planning students and urban experts. Introducing students to the various historical exhibits and transformations within the Junction Triangle, cultivated a fascination with planning in one of Toronto's most unique historical neighbourhoods.

Anthony Dionigi is engaged in a Master in Environmental Studies with a speciality in urban and transportation planning at York University (Class of 2015) and is the OPPI First Year Student Liaison representative.

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Toronto: Transformations in a City and its Region

Reviewed by Dave Aston, contributing editor

Toronto: *Transformations in a City and its Region*, is an account of the various landscapes and urban form of Toronto with description and analysis on how the city developed from its origins to the present day. The author, Edward Relph, is a geographer from Toronto and the book represents the culmination of his research, as well as his observations as a long-time resident of the city. Relph suggests the aim of the book is “relatively straight forward, to create a broad-stroke portrait of Toronto’s built up metropolitan region that brings together many aspects in order to give a sense of how its urban forms and landscapes have come to be as they are.” He notes the ideas and themes of the book emerged through discussions and explorations with colleagues, friends and students. The photos and sketches in the book, including the maps, were developed by the author and complement the text in an interesting and creative way.



Dave Aston

In working through the description of the changing urban form and landscapes the author draws on the ideas of two well-known Torontonians—Jane Jacobs and Marshall McLuhan. The book is organized in chapters that summarize the transformation of Toronto over a time horizon with each chapter looking at a different period in Toronto’s history. The beginning chapters describe the change in context for shaping the old city, the modernizing of the metropolitan area through the 1943 Master Plan for the Metropolitan Area and through the 1960s.

The author then moves into the 1970s, where he analyses a number of different movements that created the “tipping point” in the way the city functioned. It was in 1975, the author suggests, that plans associated with Metro Toronto were compromised or hit dead-ends and a set of new suburban centres was built.

Also in 1975, study showed the downtown was reaching capacity in terms of the number of people taking transit to work and de-centralization was proposed as a solution for future office employment. This led to the identification of a number of sub-centres in suburban towns that could accommodate new offices and resulted in a radical shift in how the city and the urban regions around the city were shaped. Thus began the development of the city (Toronto) as a multi-centred urban region. From that point forward the urban region outside of Toronto (the “905” area) started to build out with urban forms and landscapes varying from the inner-city.

An interesting section of the book, *Not Sprawl*, provides a summary of opinions from well known geographers such as Mumford and Gottman, along with John Sewell. The author offers a definition of sprawl as “occurring when the area of urbanized lands increases faster than the population, and densities therefore decline.” Relph suggests that the evidence that this is what happened around Toronto is contradictory and confusing and that a report from 2002 for the City of Toronto concluded that between 1992 and 1999 there had actually been intensification rather than sprawl, with the population increasing by 21 per cent and land consumed by only 13 per cent. It notes that this conclusion has been the subject of further study and precise investigation on urban growth in Toronto. When describing the transformation and diversity in the outer suburbs, the author also looks at the matrix of green corridors and arterial roads, diverse residential landscapes, faith-based subdivisions, new urbanism and industrial employment districts. In the chapter, *Globally Connected*, the book turns to economic globalization, the role of Toronto in the global economy, and the implications of attracting large numbers of immigrants to fuel the local economy.

A review of recent policy directions, such as *Places to Grow Act* and the *Greenbelt Plan*, is undertaken with commentary on the need for regional plans concerning the environment and economic development. In the final chapter the author talks about creating a “City for Everybody” and the need to continue to provide reasonable spaces in all its different parts—core city and outer areas—for all its citizens. The author concludes that Toronto has become “both literally and figuratively an urban region of many different cities.”

Relph’s closing comments are sure to engage planners, designers, developers and architects in a discussion. He states that while the city works well, “for the most part Toronto is not beautiful” and “there may be little in its urban landscapes that can be said to be truly inspiring.”

This book provides a great overview of the change in Toronto from a city to a metropolitan area. The research, investigation and overall style and layout of the book ensure a good and interesting read.

David Aston, MCIP, RPP, is a partner with MHBC Planning, Urban Design and Landscape Architecture in its Kitchener office. His practice includes policy development and land use planning for both public and private sectors throughout Ontario. If you are interested in completing a book review and adding to your professional credit, please contact David at daston@mhbcpplan.com.



Title: Toronto: Transformations in a City and its Region

Author: Edward Relph

Publisher: University of Pennsylvania Press (2014)

Reviewing Ontario's Planning System

By Jason Thorne, contributing editor

In October 2013, the province announced that it was launching a review of Ontario's land use planning and appeals system. The scope of this ongoing review is potentially quite significant, and it has captured a great deal of interest from the planning community.

In part, this review represents an opportunity to reflect, and potentially recalibrate, the planning system since the sweeping changes that took place over the period from 2004 to 2007. During those three years, the province introduced a series of amendments to the *Planning Act*, an updated *Provincial Policy Statement*, and a number of new provincial plans, most notably the *Greenbelt Plan* and growth plans for the Greater Golden Horseshoe and Northern Ontario.

According to the province, this current review is intended to make sure that the land use planning and appeals system is predictable, transparent, cost effective and responsive. It is focused on a number of ongoing concerns about the system, which the province has grouped into four broad themes: predictability, transparency and accountability of the appeals system; need for greater municipal leadership in land use decision-making; improving citizen engagement; and better alignment among



Jason Thorne

land use planning, infrastructure planning and economic development.

This review of the planning system is also coming at a time when the province is gearing up to review many of its most significant provincial plans. Reviews of the *Greenbelt Plan*, *Growth Plan for the Greater Golden Horseshoe*, *Oak Ridges Moraine Conservation Plan* and *Niagara Escarpment Plan* will all be rolling out over the next one to three years.

The *Ontario Planning Journal* will be featuring a series of articles over the next several issues on different aspects of the review of provincial plans and the land use planning and appeals system, curated by contributing editor Jason Thorne. The first article in this series addresses the review of the appeals system. Future articles will explore the review of the development charges system; the reviews and potential for harmonization of the *Niagara Escarpment Plan*, *Greenbelt Plan*, and *Oak Ridges Moraine Conservation Plan*; and the 10-year review of the *Growth Plan for the Greater Golden Horseshoe*.

OPJ is also interested in other ideas for this series. Interested contributors should contact the OPJ editor.

Jason Thorne, MCIP, RPP, is a principal with the planning and urban design consulting firm planningAlliance as well as its affiliated architectural practice regionalArchitects. Jason is the OPJ provincial news contributing editor.

Reviewing Ontario's Planning System

The never-ending debate on planning appeals

By Jason Thorne, contributing editor

The "appealability" of local planning decisions is one of the most controversial and most often-debated features of the Ontario planning system.

It is well known that Ontario is unique in Canada in its use of the quasi-judicial Ontario Municipal Board to hear appeals of local planning decisions. While other provinces have various types of adjudicative bodies in place, they tend to focus on narrow subsets of municipal land use decision-making, such as the application of zoning by-laws or the issuance of development permits. The OMB is unique in its ability to review all manner of municipal land use

decision-making, including the adoption of municipal plans, policies and by-laws.

The appeals process featured prominently in the last major review of the planning system that took place shortly after the election of the McGuinty Liberal government, and that resulted in amendments to the *Planning Act* in 2004 and 2007. Then, as now, the debate has tended to revolve around issues of cost, time, accessibility, consistency, fairness and accountability.

The 2004 and 2007 *Planning Act* amendments introduced a number of new features to the appeals system. These included giving municipalities the authority to set out requirements for what would comprise a "complete application" prior to being required to make a decision; increasing the timelines for municipalities to make decisions before an appeal could be launched; limiting the ability for third parties to appeal settlement area boundary expansions and employment land conversions; and introducing an option for municipalities to put in place local appeal bodies. The amendments also brought in reforms to how the OMB would hear appeals. For example, they allowed the OMB to dismiss repeat applications and explicitly required the OMB to have regard for the decisions of local councils.

This time around, the province has proposed a number of specific questions.

One of these questions relates to the appropriateness of appeals of entire official plans and zoning by-laws. Although the *Planning Act* currently requires appellants to specifically identify what is being appealed and why, it is still permissible to appeal an official plan or zoning by-law in its entirety. In other jurisdictions, appeals are limited to the application of these planning documents, but not to their actual adoption. Some municipalities have proposed to take this a step further. They have commented that the right of appeal to a council's refusal of an application to amend an approved official plan should be removed. It is argued that if lower-tier and upper-tier councils, and in some cases the province and the OMB as well, have all said yes to a plan, then it makes no sense that a private appellant could then seek an appeal if his or her application is refused because of non-conformity with that plan.

Another issue being brought forward for discussion by the province is appeals in the case of non-decisions. Currently, an appeal can be made if a municipality does not make a decision on an application within a specific timeline. However, there is then an unlimited period of time within which additional appeals can be filed on the same matter. This creates the potential for appeals to grow in scope and complexity. As one possible remedy for this, the Town of Whitby has recommended that once an appeal has been submitted on a non-decision there should be a 60-day time limit for other appellants to submit their appeals, after which no additional appeals would be considered.

The relationship between lower-tier and upper-tier official plans is another area where the province is seeking input in order to potentially streamline the appeals process. Specifically, the province has asked whether there should be limitations on the ability of a lower-tier municipality to adopt amendments that do not conform to the upper-tier plan. It has been suggested that the current situation allows lower-tier municipalities to prematurely force an upper-tier to deal with a matter by adopting an amendment to the lower-tier plan, despite the fact that the matter may already have been addressed through the adoption of the upper-tier official plan.

The question of appeals also promises to feature quite prominently in the upcoming reviews of the major provincial plans. It is not yet clear whether these reviews will focus solely on the plans themselves, or whether they will include a review

of their enabling legislation; however there have been strong calls from municipalities to limit appeals of any municipal conformity exercises that arise from these reviews. Some municipalities have called for provisions similar to *section 10(2)* of the *Oak Ridges Moraine Conservation Act* to apply to the other provincial plans. This provision designates the minister as the approval authority for OPAs that implement the *Oak Ridges Moraine Conservation Plan*, rather than the OMB or other tribunal. The minister's decision is not appealable.

In its consultation documents, the province has also posed the question of whether the right of appeal should be removed for municipal planning decisions that adopt or amend an official plan or zoning by-law in response to a provincial conformity requirement. Some municipalities have taken this a step further, and recommended that the cycles for reviews and updates to provincial plans be synchronized, in order to avoid a never-ending local conformity cycle.

In addition to these questions being proposed by the province, municipalities have also put forward a number of additional considerations. These include increases in the legislated timeframes within which councils must make decisions before an appeal can be made; raising the threshold for what it takes for a party to be eligible to launch an appeal; and modernizing public notice requirements. Municipalities have also pointed at "the elephant in the room;" the structure and function of the OMB itself, which the province has said since the outset is not on the table for this review.

At this stage, the province's review of the appeals system has been limited to posing questions focused on a few specific issues. How it responds to the feedback received, and whether the resulting amendments will represent minor tinkering with the system or more radical reforms, remains to be seen. The province has stated that it is currently reviewing the submissions it received since the comment period closed in mid-January. It has not indicated what the next steps will be or when the proposed reforms may be released for comment.

Jason Thorne, MCIP, RPP, is a principal with the planning and urban design consulting firm planningAlliance as well as its affiliated architectural practice regionalArchitects. Jason is the OPJ provincial news contributing editor.



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Coming up in 2014

By Paul J. Stagl

So, what's happening with CPL? What's up with Self-Regulation? What's happening with CIP? Where are the Districts? What's OPPI Council doing?

There really wasn't much fanfare or celebration about it, but the inaugural 2013/2014 meeting last November of the new, trimmer, OPPI Council marked a number of firsts.

In no particular order of priority, it was the first meeting of the new format, where Council is now to focus on governance, priorities and initiatives. It was the first meeting welcoming the District Leadership Teams, who are now in full swing with their 2014 programmes. It was also the inaugural meeting where Council welcomed our Public Interest Representative Cheryl L. Horrobin, CPA, CA. Plus, it was the kick-off meeting for setting out our three-year roadmap of priorities and initiatives.

Council set priorities for a number of organizational, technology and communication initiatives, including District support, financial stability, the Planning Knowledge Exchange, CPL, pursuing updated and improved self-regulation legislation and continuing to ensure that OPPI is the recognized voice of the profession throughout the province.

The following are just a few highlights to share with you from that meeting.

Across the province, OPPI members are taking ownership of professionalism more than ever—through the implementation of professional standards, CPL, the pursuit of professional regulation, member engagement in Districts, mentoring, writing *Journal* articles and, most importantly, leading by example in putting the public interest to the fore.

On the CPL front, December 2013 completed its full roll



Paul Stagl

out—and congratulations to OPPI Members for showing how it can be done. By year's end almost 40 per cent of you had already fully completed your organized and structured units for both 2013 and 2014. Wow, congratulations to those Members! And thanks to everyone for a successful transition. If you're looking for 2014 ideas for your office—or if you have ideas to share with others—just let the OPPI office know and they will get forwarded to the Professional Standards & Registration Committee.

Some of you had opted to log only some or nothing on your record for the transitional 2013 year. My advice is to log early and often in 2014 to avoid the rush.

Among the 2013 resignations and retirements, we had a handful of early retirements that were linked to concerns over the new CPL obligations. That's indeed unfortunate and we will miss their participation, as we miss all of our retirees. On the good news side we had 110 new Full members and 113 new Candidate members accepted in 2013. Welcome!

On the professional regulation front: While dialogue with the province is ongoing, we remain in a holding pattern awaiting a change in the current minority government status. Meanwhile, we continue to prepare and update background papers, make plans to engage and update our stakeholder partners and our Members. We are also monitoring progress being made by other provincial Institutes and other professional groups (such as The Human Resources Professionals tier 1 status update) so as to be as prepared as possible when the timing is right for OPPI to move forward.

As we celebrate the 20th anniversary of the *Ontario Professional Planners Institute Act* and the title right of Registered Professional Planner, we must reflect on the patience and leadership of Councils past, who shepherded these landmark undertakings through the maze of approvals. To all those who were involved, thank you.

Since 1994, professional regulations for the planning profession in other provinces have followed that example, with most of the other Institutes having now established their own RPP legislation and the remainder following in close pursuit. The newly approved *Saskatchewan Professional Planners Act* and its related RPP legislation is the most recent example. OPPI Council also continues to work with CIP in considering a number of national legislative initiatives, including using RPP nationally.

OPPI Council also continues to work with the National Council and the other provincial/regional Institute partners to advance the profession across the country. Many of the

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individual professional planning Institutes in Canada have recently completed, or are in the process of completing, the redefinition of their governance and organizational structures. These changes have been made, in part, to align with current best practices, as well as the realities of the planning profession, including the successful launch of the shared professional standards and processes created through the “Planning for the Future” initiative. National Council and the professional Institutes met in January in Winnipeg to discuss, describe and define CIP’s future purpose, roles and structures within this new context. Tremendous progress was achieved, and work is continuing over the coming months. We’ll have more details to offer about this exciting and valuable initiative in the near future.

Finally, on a quick yearend note, the award for the largest single Membership renewal by an employer goes to the City of Toronto Planning Department with 105 renewals! Each renewal is an affirmation of our commitment to the profession—that was certainly an impressive statement.

Overall, not bad for the first, albeit somewhat unheralded, OPPI 2013/14 Council meeting. Looks to be an exciting 2014. Stay tuned.

Paul J. Stagl, MCIP, RPP, is President of OPPI. Also, president of Opus Management Inc., he provides professional planning consulting services to both public and private sector clients. Paul can be reached at 416.784.2952 or pstagl@sympatico.ca.

PLANNING ISSUES STRATEGY GROUP

Members identify emerging issues

By Scott Tousaw

O PPI’s Planning Issues Strategy Group received valuable feedback from members at the 2013 symposium in London. The interactive session led to many submissions identifying what members considered to be the emerging issues facing the planning profession in Ontario.

With numerous provincial reviews either underway or coming in the new future—*Planning Act, Provincial Policy Statement, Ontario Municipal Board, Greenbelt Plan* (includes the *Oak Ridges Moraine Conservation Plan* and the *Niagara Escarpment Plan*), *Growth Plan for the Greater Golden Horseshoe* and *The Big Move*—there is no shortage of issues vying for planners’ time.



Scott Tousaw

Members’ submissions were categorized into broad headings, which collectively provide a perspective on the issues of concern to Ontarians. The breadth and depth suggest a solid picture of emerging issues across planning districts, disciplines and sectors. In alphabetical order with no ranking as to frequency of response, this is what we heard:

- Aging—accessibility, demographics
- Climate Change—emergencies and adaptation
- Coordination—reducing planning complexity
- Economic Development—including employment lands
- Energy—planning, rising costs
- Growth Management—province-wide
- Infrastructure—renewal, feasibility
- Northern Ontario—planning challenges
- Planning for slow/no growth—especially rural and northern, flexibility
- Planning with First Nation communities
- Public Engagement
- Transportation—active, retrofitting suburbs, transit
- Urban Design—including site planning
- Water—Great Lakes, drinking, protection, shorelines.

While some aspects of these topics have been addressed in part through OPPI initiatives, there is more work to be done. In the past submissions and Calls to Action have helped to advance awareness and action on hot button and emerging issues. Additionally, these and other papers provide valuable resources to members and stakeholders.

The Strategy Group, through its working groups and network of volunteers, will continue to raise awareness and stimulate discussion by developing submissions and Calls to Action. Get involved, offer suggestions, spread the word. Find out more by contacting Planning Issues Strategy Group chair [Scott Tousaw](#) or OPPI Public Affairs Director [Loretta Ryan](#).

Scott Tousaw, MCIP, RPP, is a Director on OPPI Council and chairs the Planning Issues Strategy Group. Scott is the planning and development director in Huron County, “Ontario’s West Coast.”

PROFESSIONAL STANDARDS COMMITTEE

Membership, practice and pedagogy

By Charles Lanktree

O PPI and the other planning institutes across Canada have now entered a new era of governance of the planning profession in Canada. The transition was largely due to the changes that resulted from the Planning for the Future initiative. These changes are largely in the area of membership standards and procedures.

Those who are new to the profession will be aware that the membership process is now administered by the Professional Standards Board. A candidate’s experience logs are now reviewed by the board and the former oral exam A has been replaced by a

written exam that is marked by the PSB. These changes have ensured that planners across the country follow exactly the same route to full membership. As a result our provincial legislatures can rest assured that planners meet the same standards across the country and can practice in any province or territory.

A major prerequisite of this new membership process was the drafting of new standards that govern professional practice and the accreditation of university planning programs. The standards were previously the responsibility of the National Membership Standards Committee, which reported to the Canadian Institute of Planners. This system has now been transformed under a new governance model. All the provincial affiliates now share responsibility equally with CIP under an agreement that also created the Professional Standards Committee. Under this agreement, the PSC is now responsible for developing consistent, effective and shared national standards, processes and best practices for the certification of professional planners. It is also responsible for setting standards related to the accreditation of academic planning programs across Canada.

Comprising representatives of all affiliate organizations and CIP, who are parties to the agreement, the Professional Standards Committee held its inaugural in-person meeting in April 2013. Most significantly, as its first undertaking, the board received approval from all the parties for the new



Charles Lanktree

accreditation standards for university planning programs. This is a major achievement and an auspicious beginning. The drafting of new accreditation standards was one of the most difficult issues encountered in the half dozen years of the Planning for the Future process.

The Professional Standards Committee is now moving on to new projects that will be of interest to the membership. More about this initiative will be announced over the coming months.

If you have an interest in the standards of practice and pedagogy, get involved with the PSC on behalf of OPPI.

Charles Lanktree, MCIP, RPP, is OPPI's representative on the Professional Standards Committee and currently chairs the committee.

SOCIAL MEDIA & CONTEMPORARY TECHNOLOGY

A Public Resource by Any Other Name

Open Up to Open Data

By Robert Voigt

Depending on the viewpoint of who is using or providing it, open data is many things to many people. Open data is a perspective, a governance philosophy, a shift in service provision, and an economic develop tool. It holds a significant position in a world where freely available information is changing people's relationship to government, creating value with previously unimagined services and building new business sectors based on symbiotic relationships between government and entrepreneurs.

What is it?


Wikipedia defines open data as "the idea that certain data should be freely available to everyone to use and republish as they wish, without restrictions from copyright, patents or other mechanisms of control." Essentially, think of it like a creative common license that makes public data free to access, free to use, free to reuse, and free to distribute.


While the broad implementation of providing access to sets of public data is relatively new—particularly at the municipal level—it is expanding at a rapid rate, and does have some long-standing examples of services that we should all be familiar with. For example, almost the entire industry of weather forecasting through television networks, print media, the web and mobile devices is based on public open data provided by the government. A more recent, but equally ubiquitous example is the online and portable mapping and navigation systems whose backbones are based on various public data sets.



Robert Voigt

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Shifting perspective

As municipalities begin exploring the concept of open data there is often a shift in perspectives that needs to take place. At one of the recent series of open data events held by the Association of Municipal Managers, Clerks and Treasurers of Ontario there was significant discussion about potential lost revenue that can result from making data freely available as opposed to charging for it, as often has been the case. The expert response, and with which I concur, was as follows:

- The data in question was created through public programs and expenditures, and therefore citizens had already paid for it, and the right to access and use it
- The fees that would be collected for the data were a minor benefit to municipalities, when compared to the economic development and service provision benefits of open data that could be many times greater
- From the perspective of creating a culture supportive of creativity, innovation and entrepreneurship, open access for data keeps it free of limitations that create exclusivity or restrictions for businesses, researchers, public interest groups and anyone else.

Internationally we see similar viewpoints about open data. [The Engage: Getting on with Government 2.0](#), report from Australia's Government 2.0 Taskforce states: "Information collected by or for the public sector is a national resource which should be managed for public purposes. That means we should reverse the current presumption that it is secret unless there are good reasons for release, and presume instead that it should be freely available for anyone to use." There is a well produced 13 min video from the [Open Knowledge Foundation](#) available online that provides further background that may be of interest.

Governance philosophy

Creating systems that facilitate access to free data requires an organizational culture that values more than just the raw data "resource," but also the potential for its creative use. This means that municipalities will need to become comfortable with having less control over this information than they had in the past.

Additionally, although open data has obvious connections to current technological advances it is not technology dependent. For example, the World Bank Group has pilot programs in small communities in Indonesia and Kenya to determine how they could adapt the open data concept to communities that are not online. In fact, I suggest that it makes most sense to describe open data as a governance philosophy, because it is first and foremost about the information and having an organizational culture that is comfortable with providing access to it.

The City of Surrey, B.C. states "the goal of open data is: to empower citizens, to help small businesses, or to create value in some other positive unforeseen way." It's that final point that is particularly interesting. Ask yourself when the last time was that you saw a municipality stating that it was comfortable with unforeseen outcomes. Municipal governments undertaking open data programs will have to become "ok" with being unsure, it's inherent in the process. Once the data is made available there is no control over what

it becomes. Some examples of this are tools that provide easily understood and spatially-referenced health inspection data, parks, playgrounds and dog run locator/navigators, accessible parking space locators, tools for public infrastructure maintenance requests, or the "Where to Wee" tool that maps public restrooms.

Service provision

The new role of municipal government and the potential benefits of open data also require a change in the way service provision is viewed. Traditionally governments collected and used public data to assess and inform how well they might be providing a particular service to their citizens. With open data the expansion or creation of new services can be shared with others outside of the government. This happens when open data is provided as a platform from which things can be developed.

The City of Toronto's open data successes are well documented on its [website](#). Among the listing of tools/services that have been developed through open data is "Rocket Man," which I particularly like as much for its name as I do for the practicality of its service. It provides real-time next TTC bus or streetcar arrival information. It is very useful and shows how a new service/tool (mobile app) can make a traditional service (transit) more effective. This is an example of the symbiotic relationship I referred to earlier, where government acts as the platform that is used by an outside entity which in turn helps improve a service provided by the government.

Final thoughts

If we believe what we read in some popular media a community's choice to initiate open data will result in them becoming economic powerhouses of service efficiencies and community innovation and a beacon of democracy and transparent governance. Or perhaps even an incubator of hipster creativity culture. But the reality is not unlike the hyperbola around the cultural creative class of a few years ago; communities will have varying successes based on their characteristics and assets at hand.

Instead of concluding with a checklist of action items and a rational planning model to explore open data with your communities, I will leave you with the poetic and profound Zen of Open Data by Chris McDowall and just suggest that it's worth trying to be open to "unforeseen value:"

"Open is better than closed.
Transparent is better than opaque.
Simple is better than complex.
Accessible is better than inaccessible.
Sharing is better than hoarding.
Linked is more useful than isolated.
Fine grained is preferable to aggregated.
Optimize for machine readability—they can translate for humans.
Barriers prevent worthwhile things from happening.
"Flawed, but out there" is a million times better than "perfect but unattainable."
Opening data up to thousands of eyes makes the data better.
Iterate in response to demand."

Robert Voigt, MCIP, RPP, is a planner, artist and writer, specializing in healthy community design, active transportation and citizen engagement. He is senior project manager for Cambium Inc, chair of OPPI's Community Design Working Group, member of Project for Public Spaces' Placemaking Leadership Council, and writer for Urban Times and CivicBlogger. rob@robvoigt.com Twitter @robvoigt Google +robertvoigt.

DEAR DILEMMA

Resolving complaints

Dear Dilemma,

I am a practicing planner in a municipality in Ontario and a Full Member of OPPI.

A lot of my time is spent at the office counter and in meetings advising landowners, residents and business owners who want to submit planning applications. Quite often I give them my opinion on their requests including their chances of success. Often I have told people that some of the policies in our municipal planning documents are weak and should be

changed or ignored. Over the last six to 12 months my manager has heard of my opinion from the public and councillors, so much so that he has asked me to tone down my concerns. Frankly, I think I am entitled to my professional opinion and have not altered my position significantly.

My employers have now taken the matter more seriously than I expected and have filed a complaint to OPPI's Discipline Committee. I now have to answer and respond to the complaint so what should I do? I love the profession, enjoy the debates over policy and development applications and believe myself to be a good planner.

Can you advise me what to do? I do not want to lose my status as an RPP.

—Alleged Offender

Dear Alleged Offender,

First, let me say, do not panic. The Institute's Discipline Committee seeks to resolve matters on a fair basis. Sometimes complaints are made to resolve planning opinions and to establish professional practice procedures within a planning group. This may be something to think about in your case.

The Discipline Committee gets its mandate from O.P.P.I.'s *General By-Law No. 1*. The Committee is defined in *section 5.1.1.4* and its terms of reference are outlined in *section 6*, including the *Professional Code of Practice* (Appendix 1) and *Disciplinary Proceedings* (Appendix 2). You should make yourself, and any advisers you might use, aware of these documents. The process and procedures for dealing with a complaint are clearly outlined.

If you firmly believe in your position and can propose policies and procedures that would define agreed upon protocols for your situation in the future, then you should be proactive and bring them forward. However, remember that sometimes issues can be resolved by mediation rather than confrontation so continuing to be singularly firm in your opinions may not be helpful.

Finally, here are some steps you could take in dealing and responding to the complaint:

- a) Communicate immediately with your professional adviser(s)—lawyer, colleague or union.
- b) Take the complaint seriously.
- c) Put the facts in writing to your advisers and gather all relevant documents, memos, emails, etc.
- d) Consider mediation or without prejudice discussions with Discipline Committee representatives appointed to your case.
- e) Establish a timeframe to address and resolve issues on a proactive basis.
- f) Prepare a written statement of facts with your adviser's input and concurrence.
- g) Protect your other rights—job security, benefits, etc.—don't let resolution of the complaint overshadow your day to day job performance.
- h) Keep organized and focused on establishing a clear and permanent resolution to the complaint.

—Yours in the planning interest,
Dilemma

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Recent court decision

Expert reports

By Brian Brophrey, with advice from Ian Lord

The *OPJ* has in the past published articles about the role and obligations of planners as expert witnesses—most often, at the Ontario Municipal Board. An important part of that role is usually the preparation of the planner's expert report. Such reports either form the basis of the planning expert's testimony, or are entered directly into evidence.

A recent Ontario Superior Court decision may signal a change in how expert reports can be prepared, based on an interpretation of the new *Rules of Civil Procedure*. In 2008 amendments were made to the *Rules of Civil Procedure*, to take effect in 2010. Those changes also affect practices and procedures before the OMB. The *OMB Rules of Practice & Procedure*, as well as those of the OPPI Discipline Committee, often explicitly incorporate the *Rules of Civil Procedure*, or are influenced by them.

For example, in 2009 the OMB introduced the same expert witness form that was introduced in the *Rules of Civil Procedure*.

The recent court [decision](#) is *Moore v. Getahun*, 2014 ONSC 237, and the change is self-explanatory in this excerpt:

“[49] Defence counsel's written and oral submissions at the conclusion of the trial suggest that ‘experts are entitled to prepare draft reports and they are entitled to share those drafts with counsel for comment and discussion.’

[50] For reasons that I will more fully outline, the purpose of Rule 53.03 is to ensure the expert witness' independence and integrity. The expert's primary duty is to assist the court. In light of this change in the role of the expert witness, I conclude that counsel's prior practice of reviewing

draft reports should stop. Discussions or meetings between counsel and an expert to review and shape a draft expert report are no longer acceptable. [emphasis added]

[51] If after submitting the final expert report, counsel believes that there is need for clarification or amplification, any input whatsoever from counsel should be in writing and should be disclosed to opposing counsel.

[52] ... The practice of discussing draft reports with counsel is improper and undermines both the purpose of Rule 53.03 as well as the expert's credibility and neutrality.”

This was a case involving medical expert opinions, and the decision's very new reasoning on expert reports has not yet been considered or applied in an OMB case. However, OPPI Members should be aware that this is a distinct possibility.

Brian Brophrey is OPPI's Registrar and Director, Member Relations. Ian Lord is a municipal and planning law practitioner with WeirFoulds, which has been counsel to OPPI throughout its existence. Ian has recently restricted his practice to mediation and dispute resolution.



Brian Brophrey

MARCH/APRIL OPJ ALERT

SKILLS AND EXPERTISE

Your OPPI Member Profile allows you to list your planning-related specialties and skills. This feature also allows Members to search and find other planners by specific skills. Simply [log in to your Member Profile](#), click on “Specialties and Skills” in the “About Me” section, and select the skills that are relevant to your experience. To search for other Members by skill, click on “Find a Member.”

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