



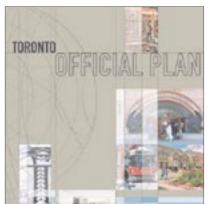


**EQUITY, DIVERSITY, AND INCLUSION (EDI)** 

# POLICIES AND PROCEDURES: WHAT'S WRONG.

CULP TEAM 3

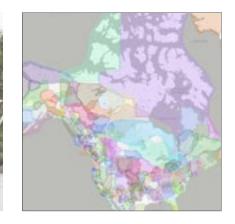






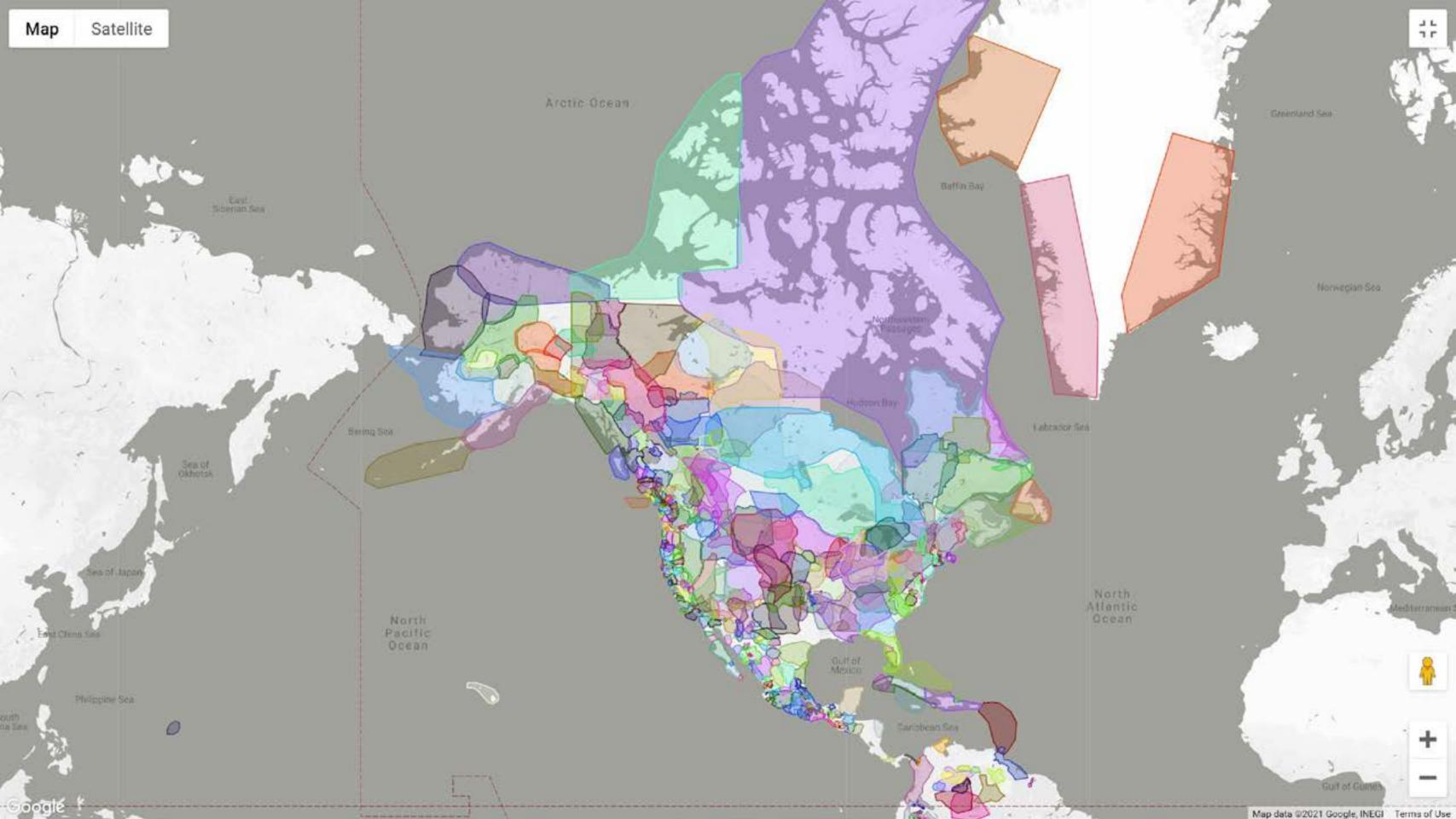






#### LAND ACKNOWLEDGEMENT

We acknowledge the land we are meeting on is the traditional territory of many nations including the Mississaugas of the Credit, the Anishnabeg, the Chippewa, the Haudenosaunee and the Wendat peoples and is now home to many diverse First Nations, Inuit and Métis peoples. We also acknowledge that Toronto is covered by Treaty 13 with the Mississaugas of the Credit.



#### **AGENDA**

8:30 1 Introduction
Fireside Chat with Chidinma Azubuike:
EDI in Urban Development

10:15 Panel Discussion (15-25 min)

Break at 10:40

9:00 2 History of Zoning and Current Planning Practices

10:45 **Group Activity**Conclusion

9:15 Case Study 1: Nibinamik

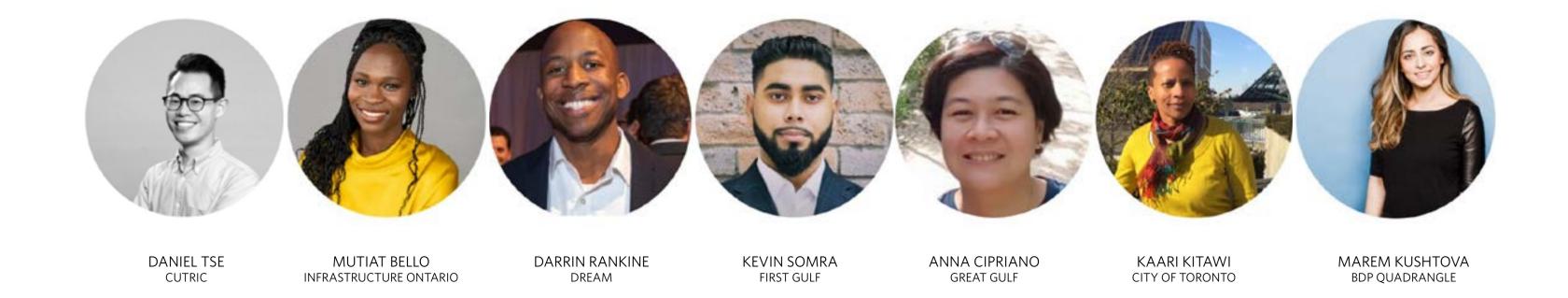
Speaker: Shelagh McCartney

Case Study 2: Jane and Finch

Speaker: Imara Rolston

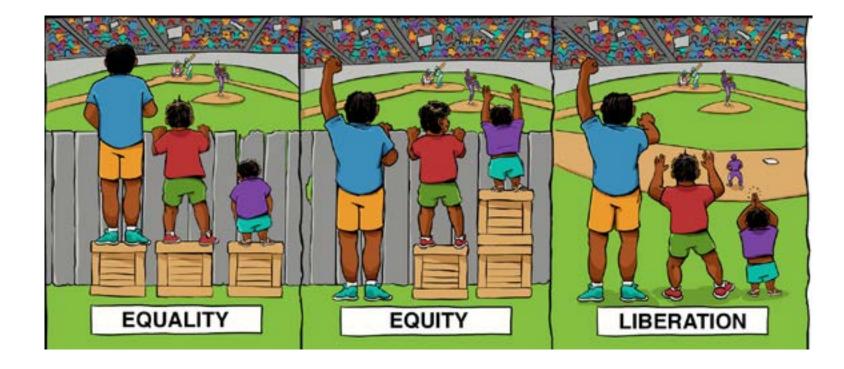
11:30 6 Team 5

## TEAM 3



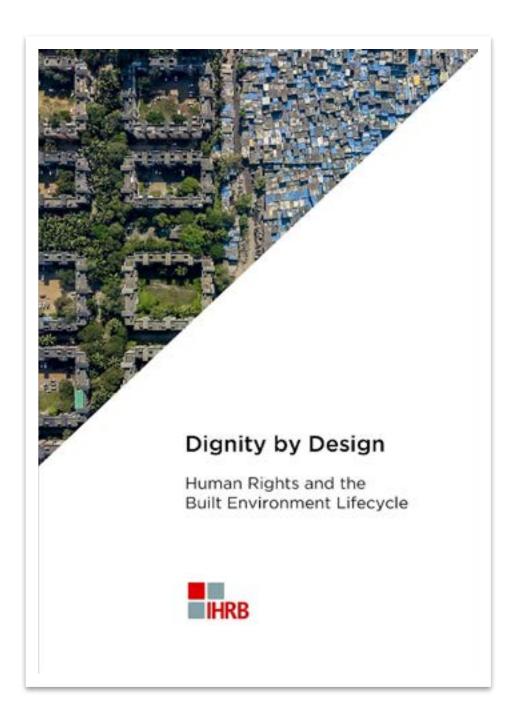
## WHAT IS MEANT BY DIGNITY IN EDI?

- 1 Recognizing inalienable rights
- 2 Acknowledging that those who existed in a space did so and functioned prior to today's planning principles
- **3** Accepting that EDI principles, policies and procedures may be more about "getting out of the way" than prescriptions for 'equality'.



## WHAT IS MEANT BY DIGNITY IN EDI?

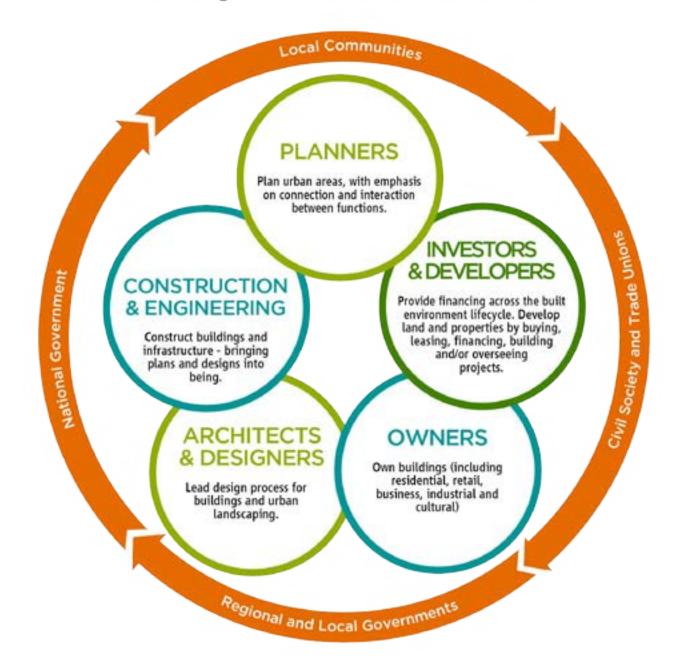
- 1 Land
- 2 Planning & Finance
- 3 Design
- **4** Construction
- **5** Management & Use
- 6 Demolition & Redevelopment



#### The Built Environment Lifecycle



#### Actors Driving Decisions Across the Built Environment



This infographic conveys the continuum of human rights risk and responsibility across the built environment lifecycle, the inter-relatedness of the actors, and points of leverage between them. The distribution of power between these actors largely determines the nature of the built environment - and whether it responds only to narrow financial interests or also to the needs of residents, particularly the most vulnerable.

#### 1. LAND

## **The Framework:**

Stakeholder Engagement & Consent

#### 2. PLANNING AND FINANCE

## The Framework:

Resilient communities and access to ownership

## **Commentary:**

To what extent can stakeholders say 'no' and for this refusal to be truly accepted by decision makers?

To what extent can the same stakeholders be supported to negotiate terms that they find agreeable?

## **Commentary:**

How might the eligibility criteria for resilient development options translate into diverse, equitable, and inclusive outcomes at every level of design and planning leading up to the final development submission?

#### 3. DESIGN

#### The Framework:

Human Rights, safety, and civil liberties

#### 4. CONSTRUCTION

## The Framework:

Workers' rights and non-discrimination

## **Commentary:**

Does design acknowledge the everyday multidisciplinary nature of human life vs. the notion of 'neat' and 'ordered' existence that design may impose?

## **Commentary:**

While these are acknowledged intellectually, is there truly an urgency amongst leaders and decision makers? To whom are infringements simply unfortunate? For whom are they a reminder of their insignificance and/or mortality?

#### 5. MANAGEMENT & USE

### The Framework:

Respect and reciprocity between communities and external actors.

## 6. DEMOLITION & REDEVELOPMENT

#### The Framework:

Adaptive re-use

## **Commentary:**

Are we operating from the point of view that even after scopes of work are completed and communities exited, those we met there will remain and continue interfacing with the consequences of our decisions and indecisions?

## **Commentary:**

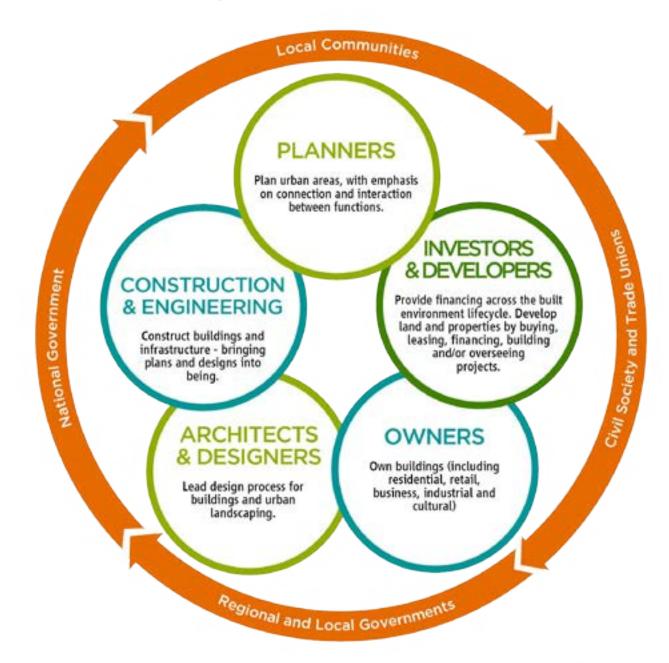
What criteria are being applied to ensure that options and final selections are reflective of the communities' needs and not only external factors of 'viability' and 'suitability'?

What is the role of language? As determined by whom? Who gets to change it? Do these terms evolve at the speed of socio-technological and environmental evolution?

#### The Built Environment Lifecycle



#### Actors Driving Decisions Across the Built Environment

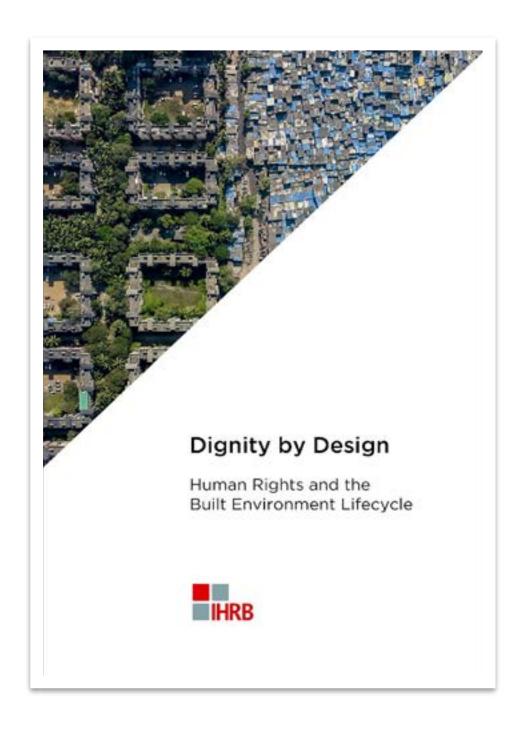


This infographic conveys the continuum of human rights risk and responsibility across the built environment lifecycle, the inter-relatedness of the actors, and points of leverage between them. The distribution of power between these actors largely determines the nature of the built environment - and whether it responds only to narrow financial interests or also to the needs of residents, particularly the most vulnerable.

## FIRESIDE CHAT: DIGNITY IN THE BUILT ENVIRONMENT



CHIDINMA AZUBUIKE



# HISTORY OF ZONING AND CURRENT PLANNING PRACTICES



"Cities are complex organisms shaped by a myriad of forces, but their organization bears the fingerprints of planners and policy makers who have shaped them for decades."

- Diana Budds







Manhattan, Early 1900s

- To promote and protect public health, safety and general welfare.
- Establish height and setback controls.
- Separate residential areas from non-residential uses.

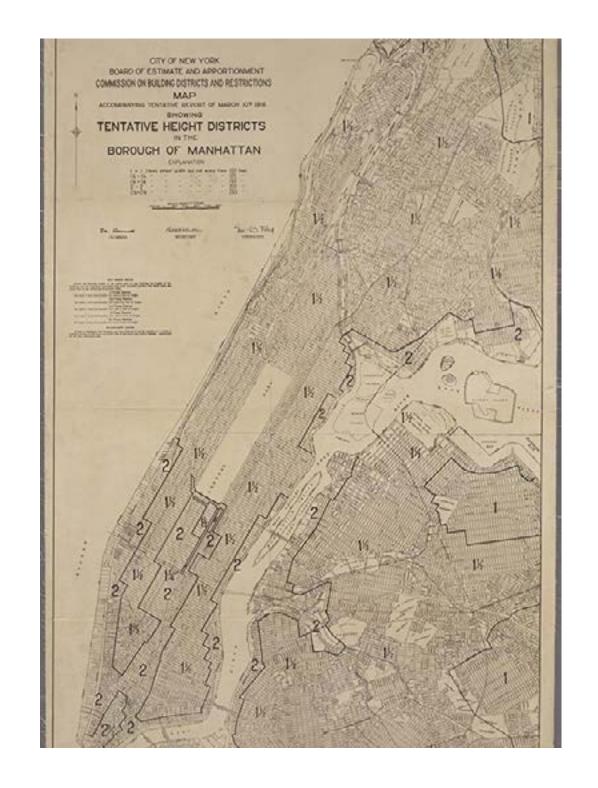
#### ZONING LEGACY OF SEGREGATION

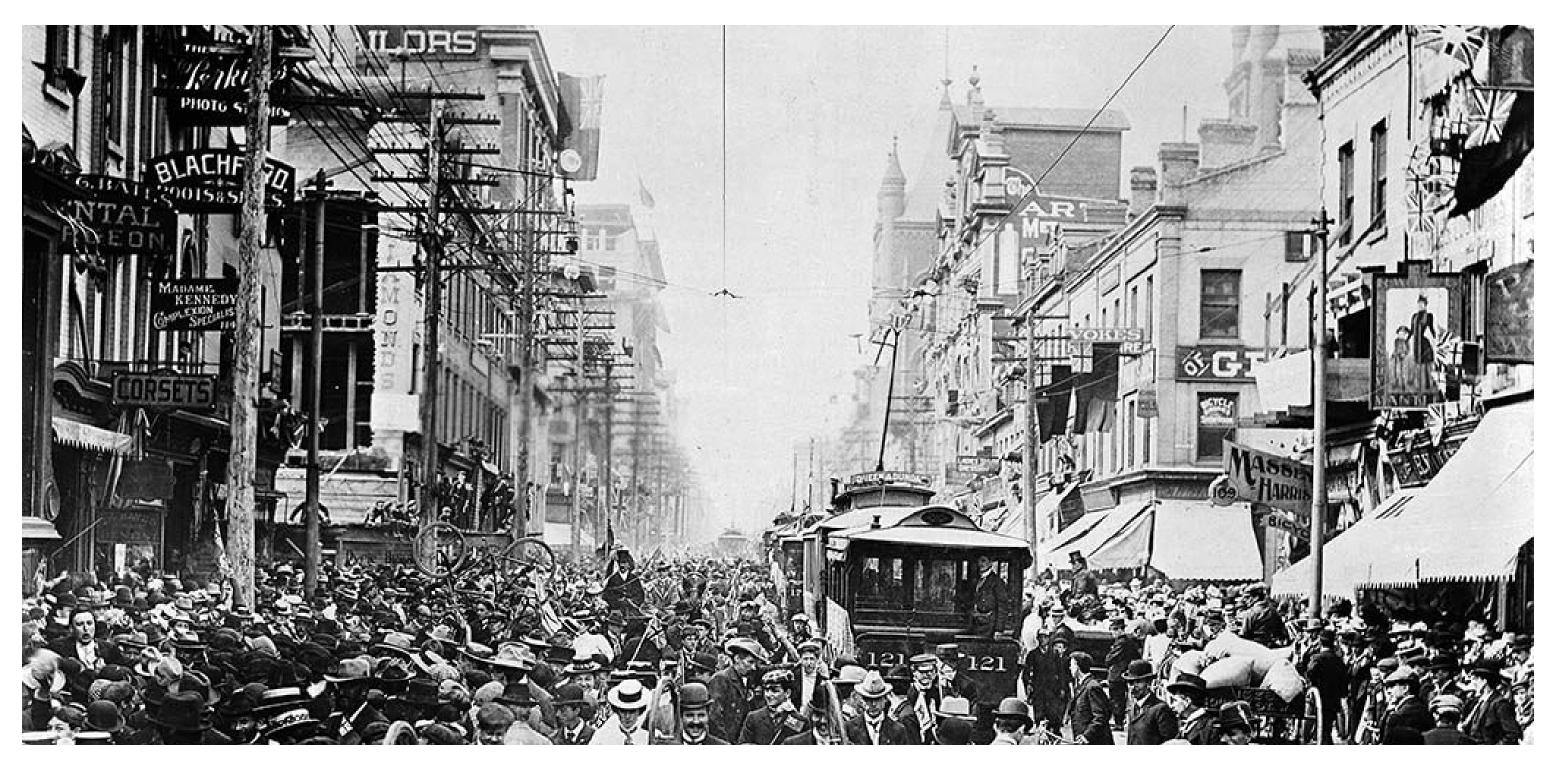
What began as a means of improving the blighted physical environment in which people lived and worked, became "a mechanism for protecting property values and excluding the undesirables."

- Yale Rabin (Expulsive Zoning, 1999)

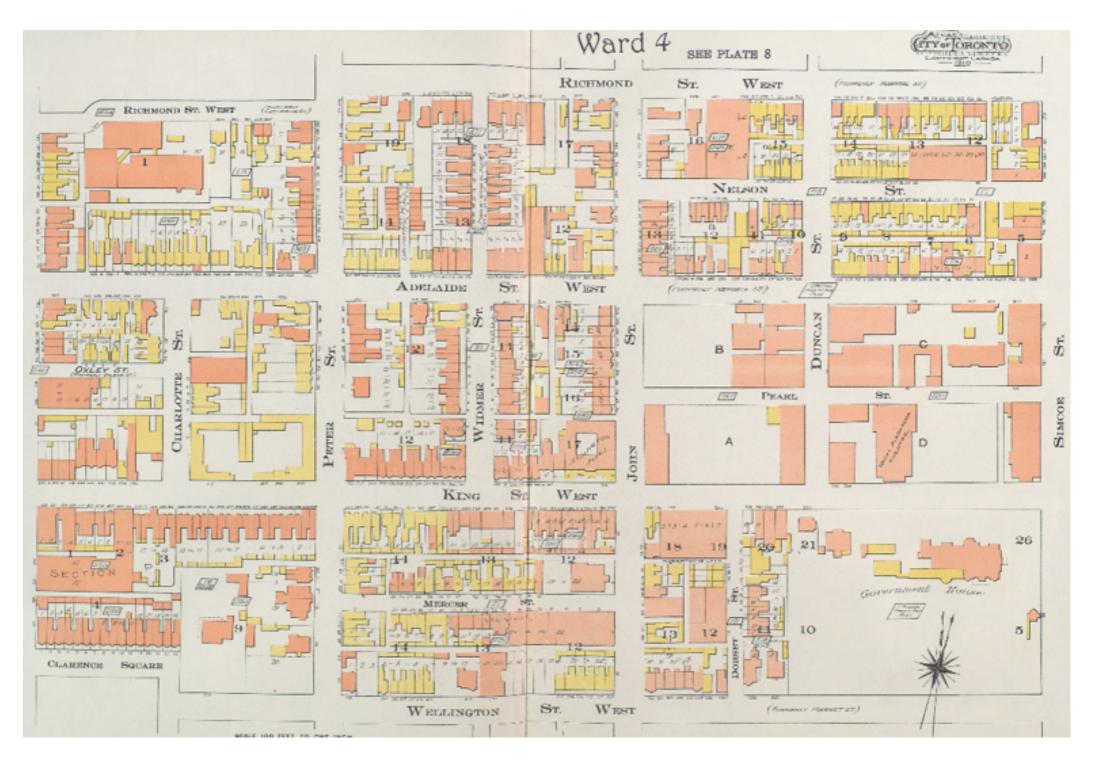
"Blacks should be quarantined in isolated slums in order to reduce the incidents of civil disturbance, to prevent the spread of communicable disease into the nearby White neighborhoods, and to protect property values among the White majority."

- J. Barry Mahool, 1910 Mayor of Baltimore, while explaining a municipal segregation law.

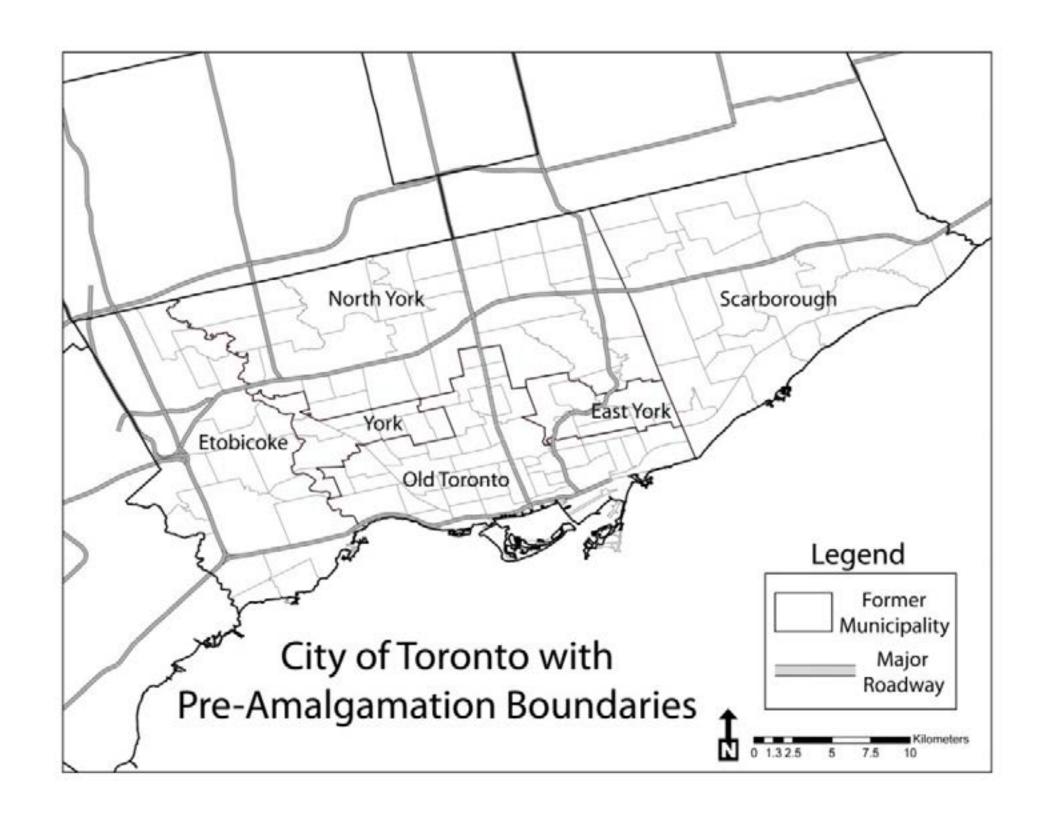




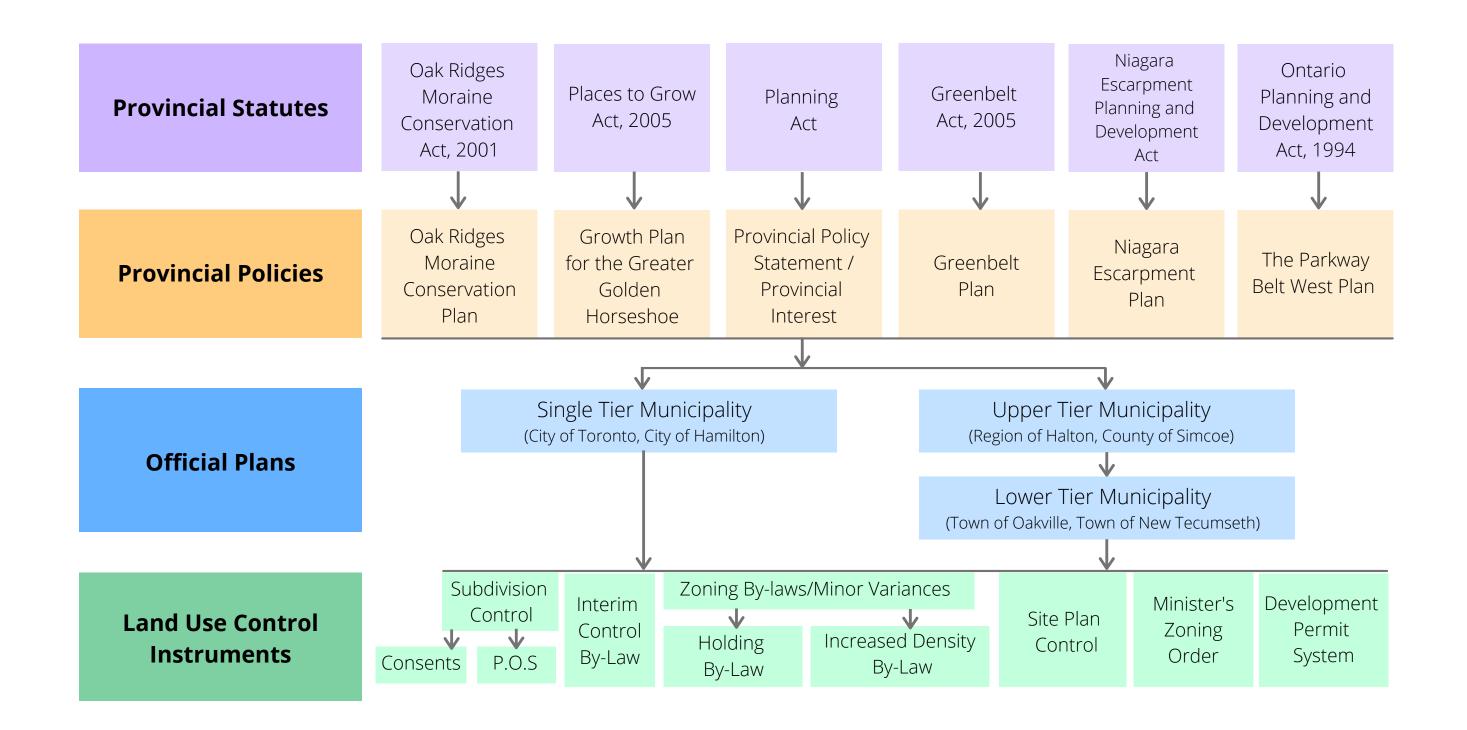
Toronto, 1901



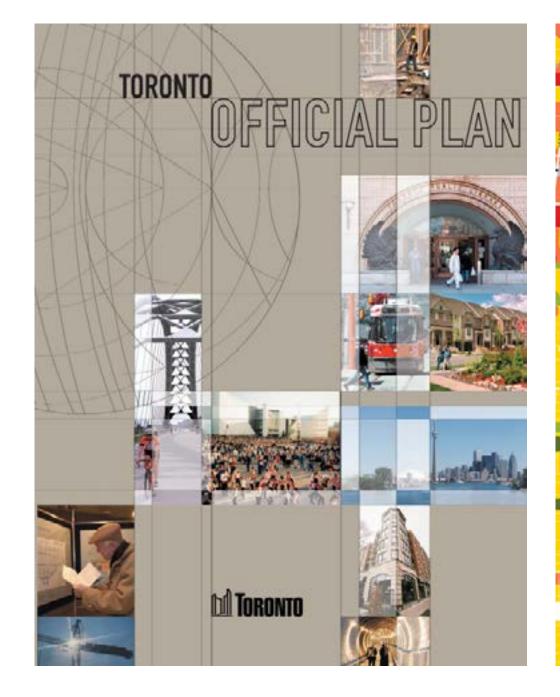
Toronto Fire Insurance Plan, Ward 4, King West and Simcoe Area, 1910.



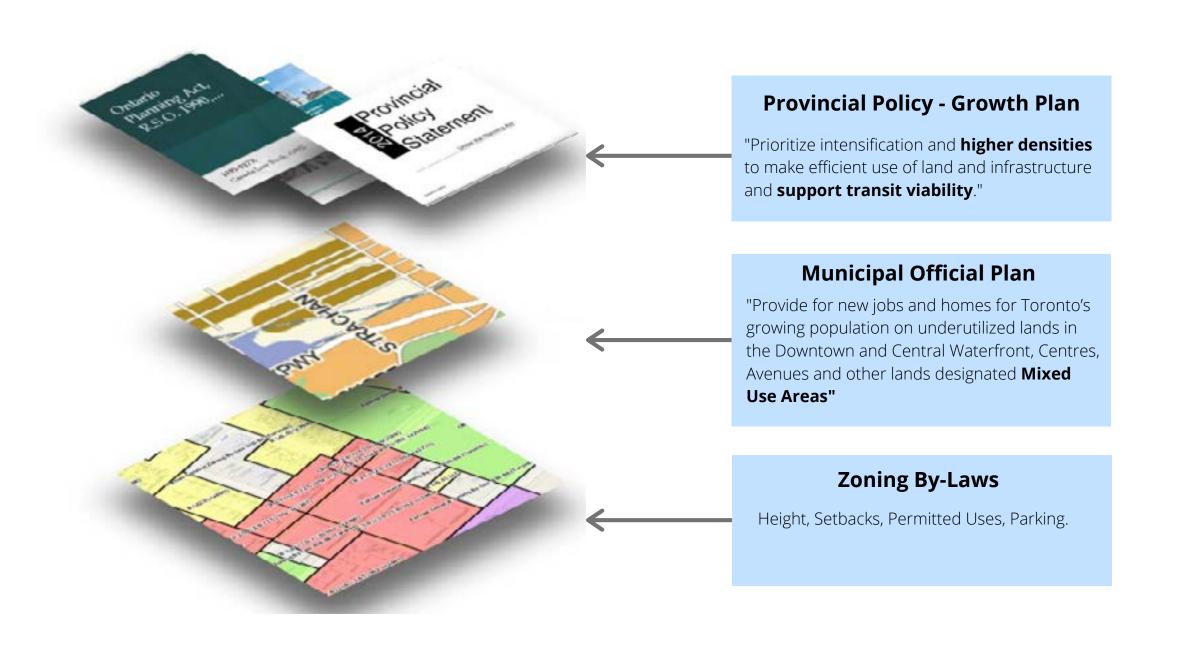




# OFFICIAL PLANS

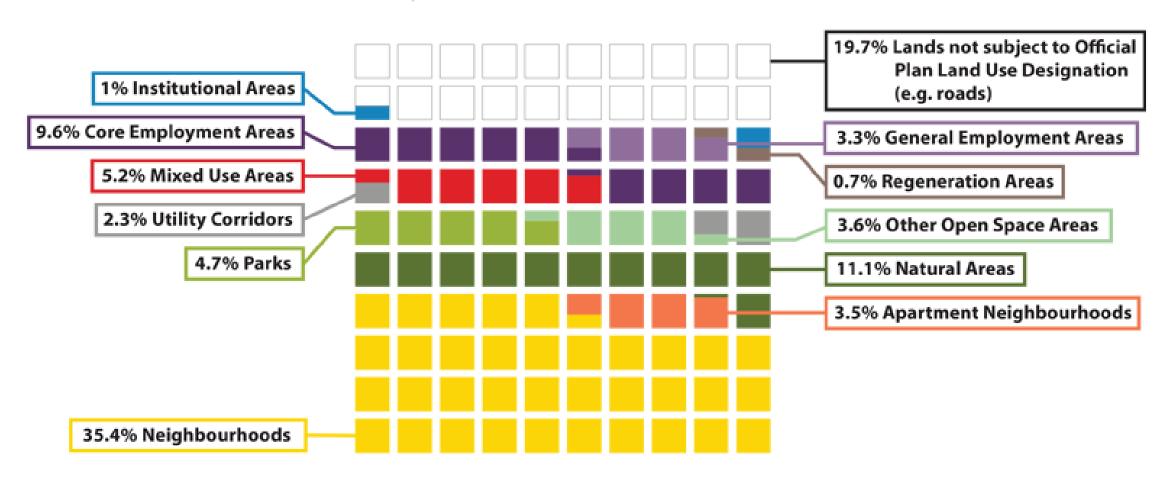






## CITY OF TORONTO - OFFICIAL PLAN LAND USE DESIGNATIONS

As a % of total City of Toronto land area (634.04 Square Kilometres)



Note: The graph excludes the 'Special Study Areas' land use designation which measures 0.1 square kilometres (0.02% of the City's land area)

## Designations that Reinforce Existing Physical Character

Four land use designations shown on the Plan's land use maps, Neighbourhoods, Apartment Neighbourhoods, Parks and Open Space Areas and Utility Corridors, will help to protect and reinforce the existing physical character of these areas.

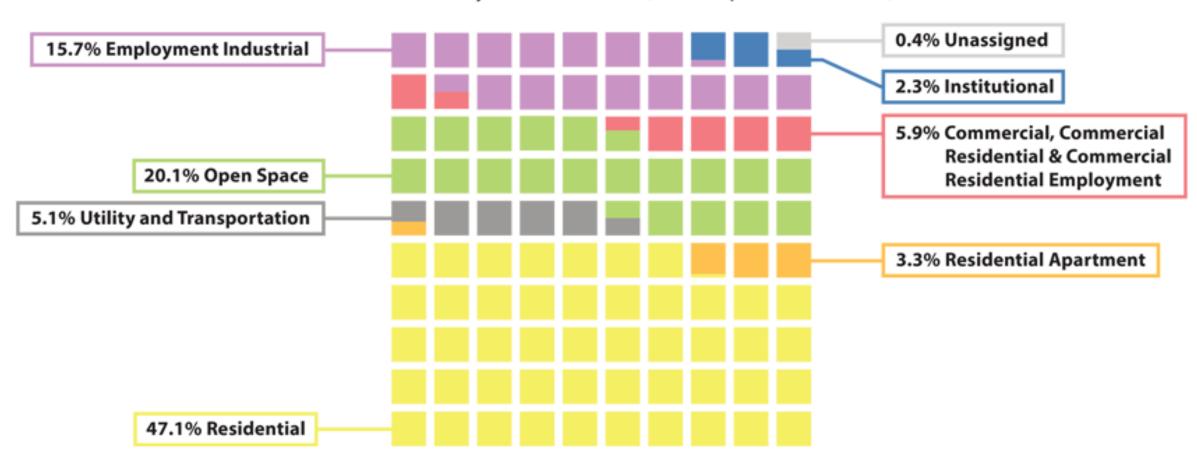
Toronto's hundreds of low scale residential neighbourhoods, with their distinctive character, together with local institutions, retail and services that serve their populations, are prized by residents. These Neighbourhoods, as well as the Apartment Neighbourhoods, composed largely of apartment buildings and differentiated because of the scale of buildings, share the objectives for contextual stability, better amenities and environmental sustainability.

- 7. Proposals for intensification of land on major streets in Neighbourhoods are not encouraged by the policies of this Plan.

  Where a more intense form of residential development than that permitted by existing zoning on a major street in a Neighbourhood is proposed, the application will be reviewed in accordance with Policy 5, having regard to both the form of development along the street and its relationship to adjacent development in the Neighbourhood.
- 8. Zoning by-laws will contain numerical site standards for matters such as building type and height, density, lot sizes, lot depths, lot frontages, parking, building setbacks from lot lines, landscaped open space and any other performance standards to ensure that new development will be compatible with the physical character of established residential Neighbourhoods.

## CITY OF TORONTO - ZONING BY-LAW ZONE CATEGORIES





#### LOCAL PLANNING APPEAL TRIBUNAL

Litigious

Expensive

Arbitrative

Complex

Do I need a lawyer to be a party or participant?

No, a lawyer is not required for hearing events before LPAT. However, if you do not hire one, you should be prepared to:

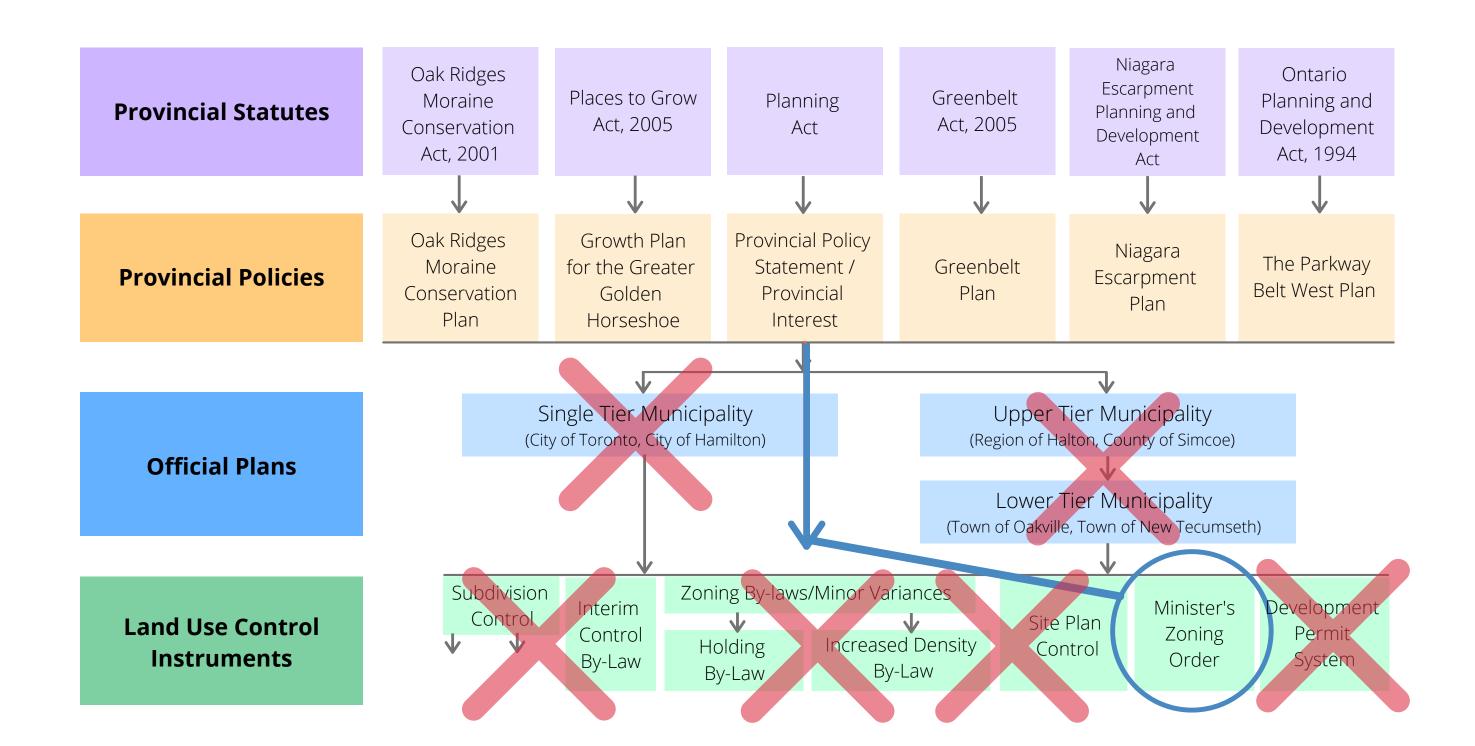
- Conduct your own research on the matter;
- 2. Find the documents and information you need for your case;
- 3. Make copies of the documents for LPAT and all parties;
- 4. Speak on your own behalf at the hearing; and,

"This is pretty hardcore to me as a schmuck on the street. When you get into [the consistency and conformity test], this is a matter for subject matter experts. That's pretty harsh to ask for that. That's not my job. **This is a way to disenfranchise participation.** Language like this is pushing the community out of the process. I'm not sure how some people will participate"

- Public Interviewee when asked about public participation in LPAT appeals

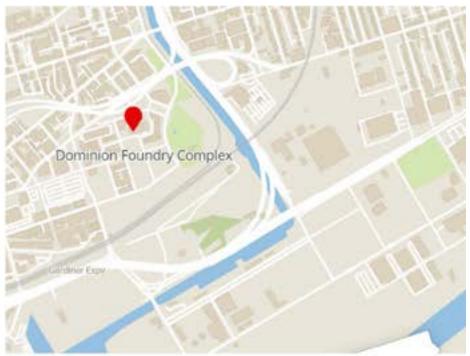
"In principle, any Ontarian interested in, or potentially affected by, land use planning decisions must have a meaningful opportunity to fully participate in the decision-making process, particularly where such decisions are appealed to the OMB since it effectively serves as the final arbitrator of planning disputes"

- Canadian Environmental Law Association



# MINISTER'S ZONING ORDERS (MZO)







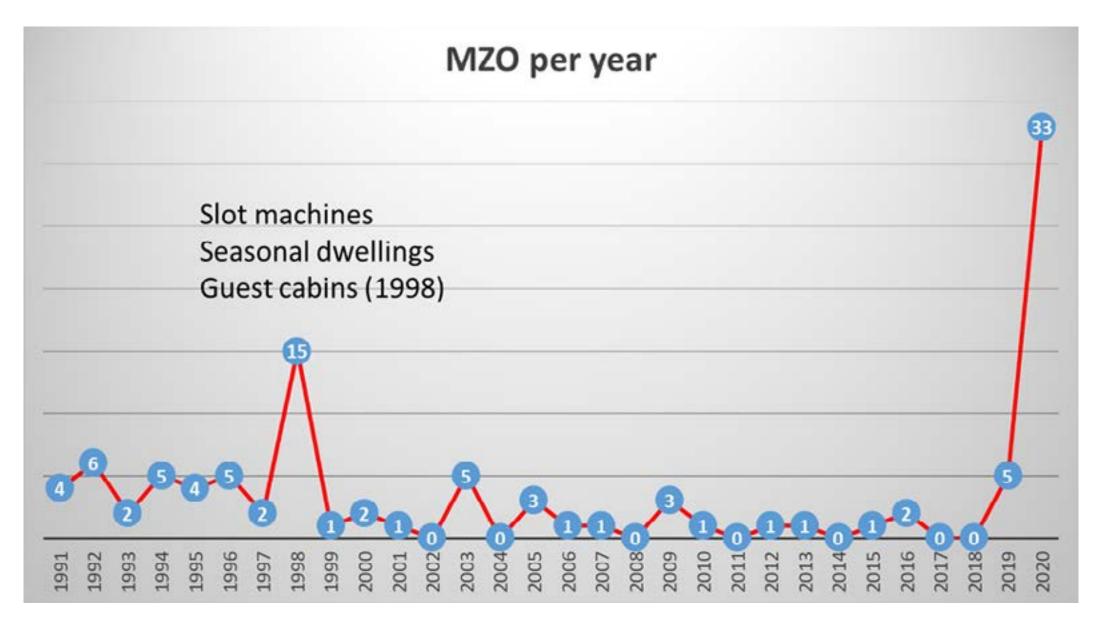
Dominion Foundry in the West Donlands

MZOs now 'a weapon of mass destruction in the planning world,' critics say

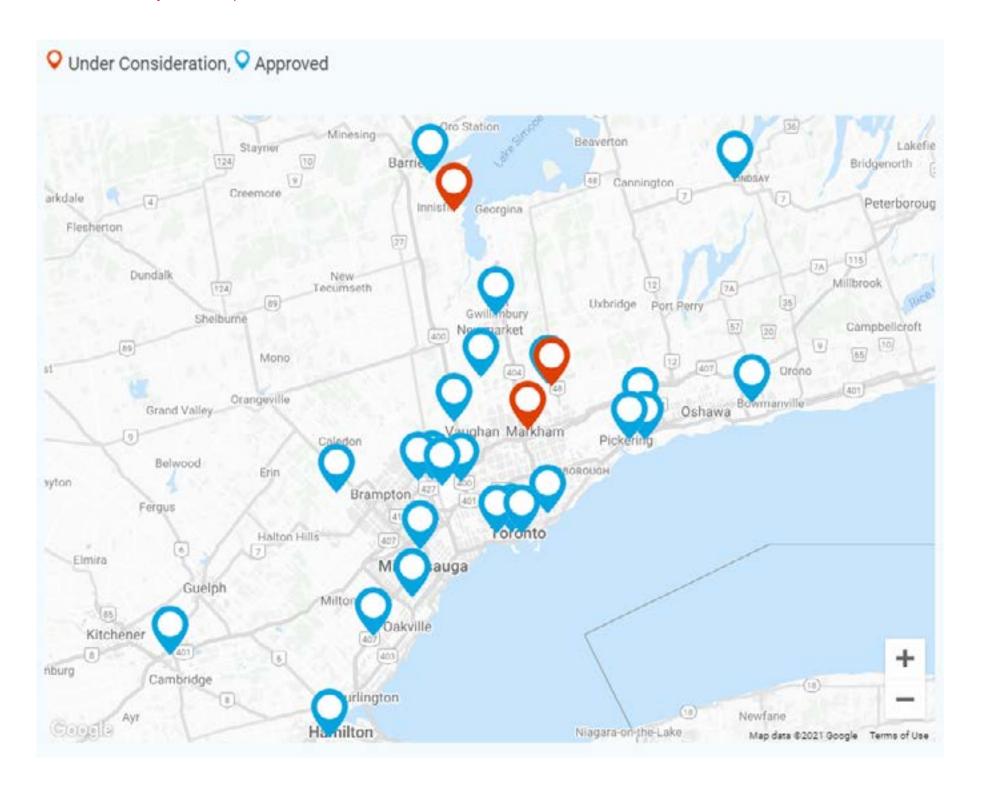
Use of Minister's Zoning Orders to bypass public consultation not good

Province passes dozens of special orders to override local planning for developments across GTA

## MINISTER'S ZONING ORDERS (MZO)



#### MINISTER'S ZONING ORDERS (MZO)



#### NEIGHBOURHOOD CHARACTER

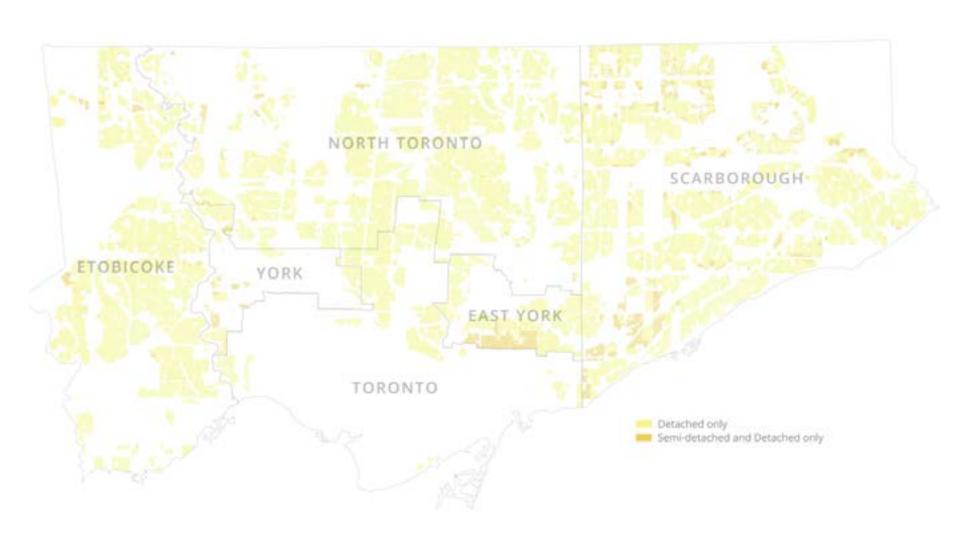
"In the postwar period, "character" was widely used as "a defensive term," neighbourhood character "nearly always [was] something to protect, not something to create."

- Richard White

#### NEIGHBOURHOOD CHARACTER AREAS

**Protect** mature neighbourhoods from the development of alternative housing types.

- 1 Height and Massing
- 2 Building Elements
- **3** Driveways and Garages
- 4 Setbacks and Landscape
- **5** Special Features
- **6** Heritage

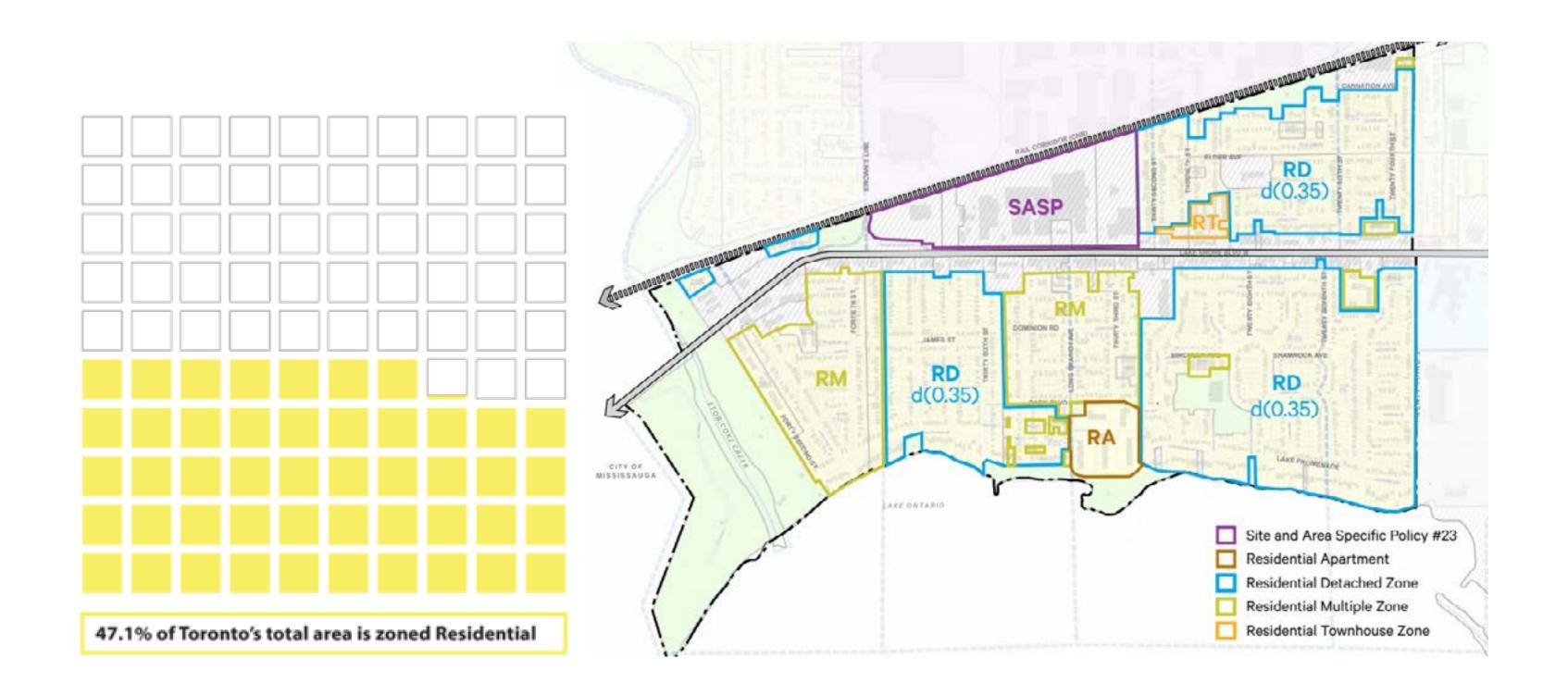


#### LONG BRANCH NEIGHBOURHOOD CHARACTER AREA

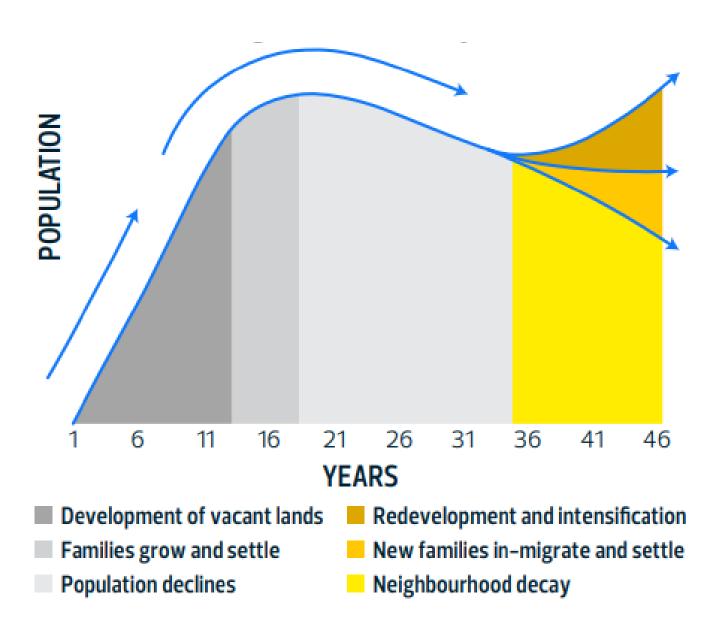








#### NEIGHBOURHOOD LIFECYCLE



#### WHO'S CHARACTER?

"Toronto's hundreds of Neighbourhoods contain a full range of residential uses within lower scale buildings, as well as parks, schools, local institutions and small-scale stores and shops serving the needs of area residents [...] While communities experience constant social and demographic change, the general physical character of Toronto's residential Neighbourhoods endures."

- Official Plan Section 4.1 Neighbourhoods



Long Branch public meeting to discuss the development of the Neighbourhood Character Guidelines.

#### CITY OF EDMONTON ZONING BY-LAW REVIEW

#### Embedding Equity in the Zoning By-Law by:

Removing people-based regulations.

Removing the differentiation of community-supported living arrangements in all residential zones to allow different ways of living together.

Creating more flexible zones to provide more attainable and affordable types of housing.

Providing more flexible regulations to accommodate informal gatherings, recreation, arts, culture and spirituality throughout the city.

Addressing any unjust processes such as privileging property owners over renters for notifications of proposed development -Creating a bylaw that is more approachable in its presentation and easy to understand.



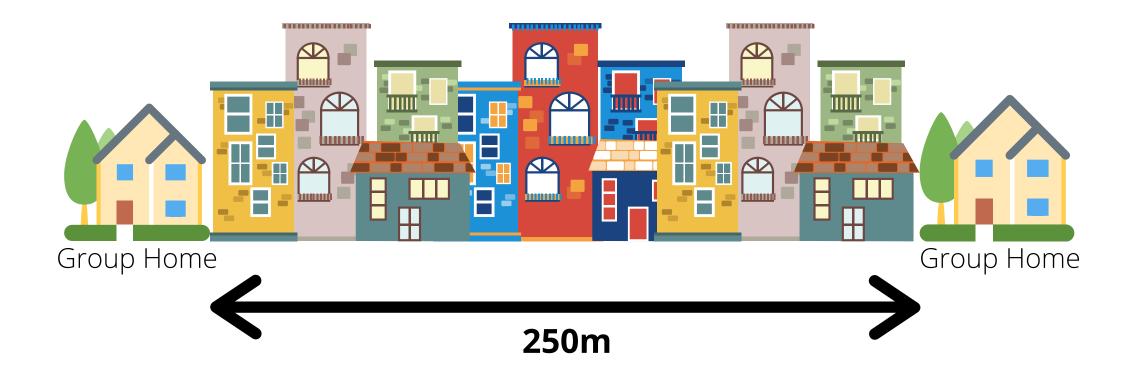
"Every individual is equal before and under the law and has the right to equal protection and equal benefit of the law without discrimination..." - Section 15 (1) of the Canadian Charter of Rights and Freedoms

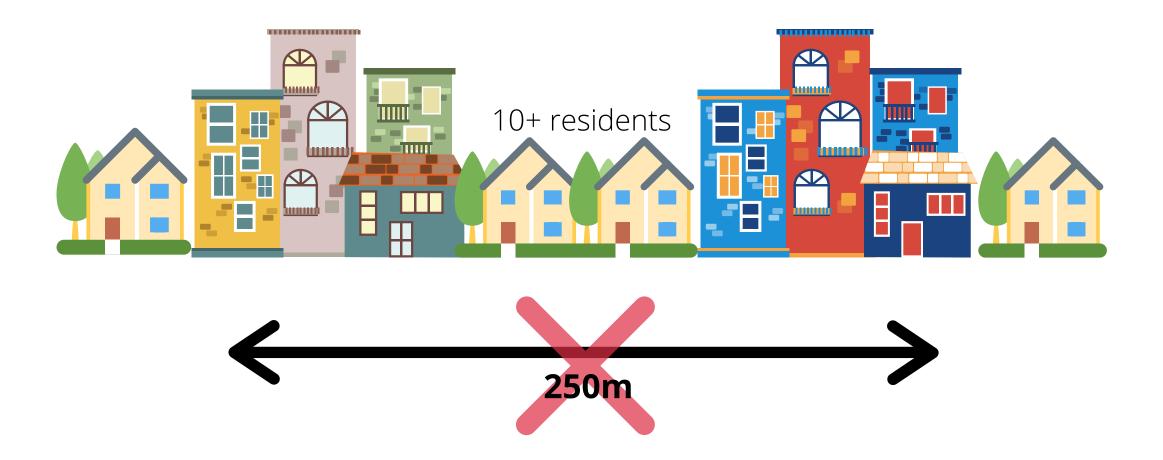
#### THE DREAM TEAM: GROUP HOMES AND HUMAN RIGHTS

We are a group of psychiatric consumer/survivors. We advocate for more supportive housing for people with mental health and addiction issues and educate against stigma and discrimination.

By telling our personal stories, by conducting and presenting research, and by standing up for human rights, we demonstrate the life altering benefits of supportive housing.







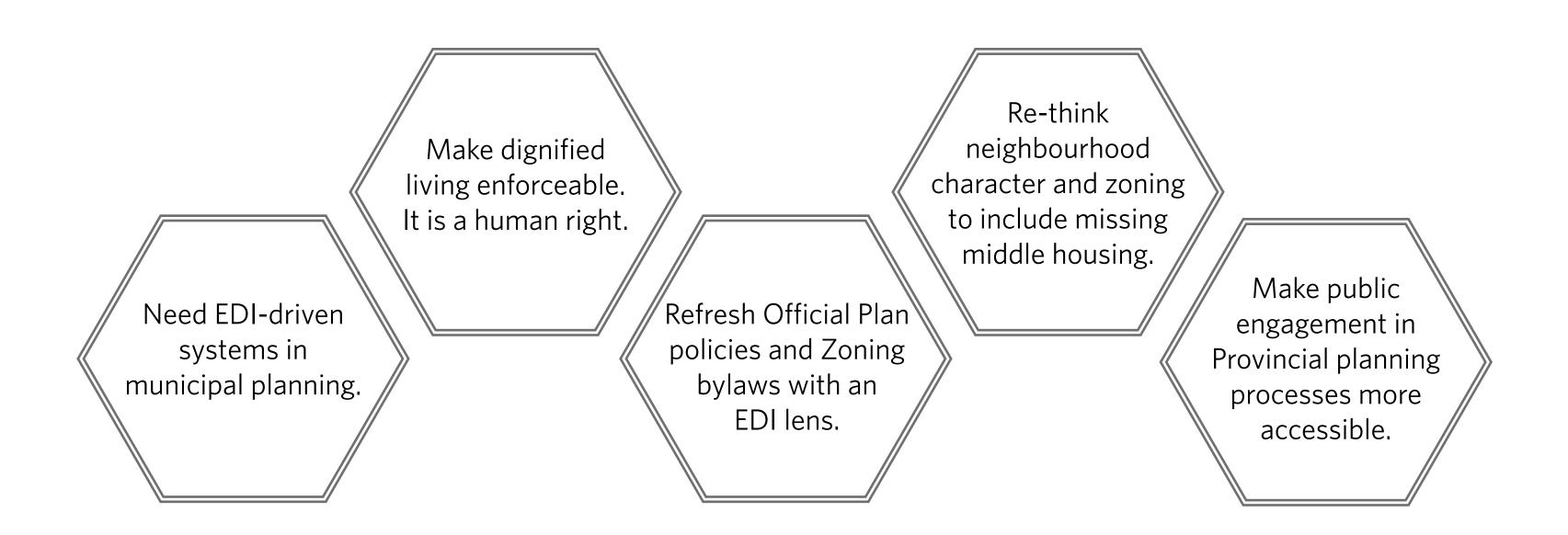
Amended 'Group Home' Definition in Toronto's Zoning Bylaw: means premises used to provide supervised living accommodation, licensed or funded under Province of Ontario or Government of Canada legislation, for up to ten persons, exclusive of staff, living together in a single housekeeping unit because they require a supervised group living arrangement.

#### **EDI-BASED ZONING TESTS**



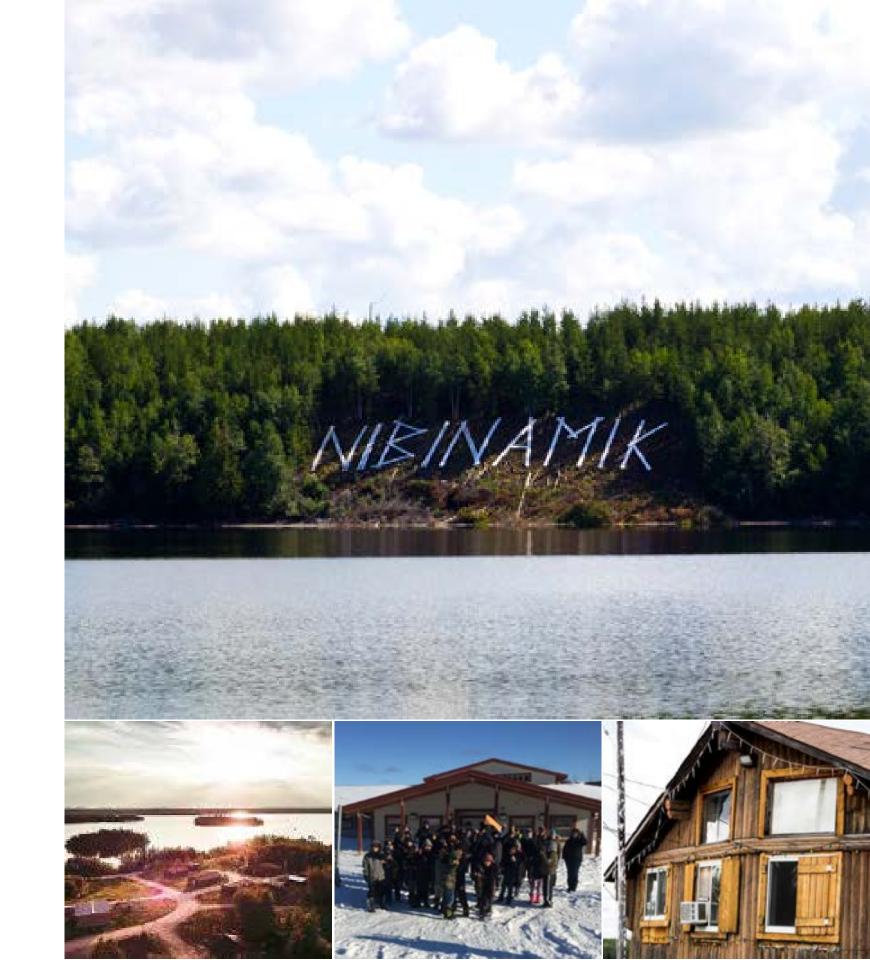
- Is the ZBL being enacted honestly and in good faith?
- Is the ZBL reasonably necessary to accomplish the purpose?

#### MOVING FORWARD



## NIBINAMIK FIRST NATION CASE STUDY 1

- 1 Introduction: History of Political Injustice and Procedural Failure
- 2 Brief Overview | Origins
- **3** Mid-Canada Corridor
- **4** Historic Policy Issues: Treaty 9
- **5** Modern Policy Issues: Bill 197
- 6 Historical Policies: Cascading Effects and Procedural Outcomes



#### A HISTORY OF POLITICAL INJUSTICE AND PROCEDURAL FAILURES: THE INDIAN

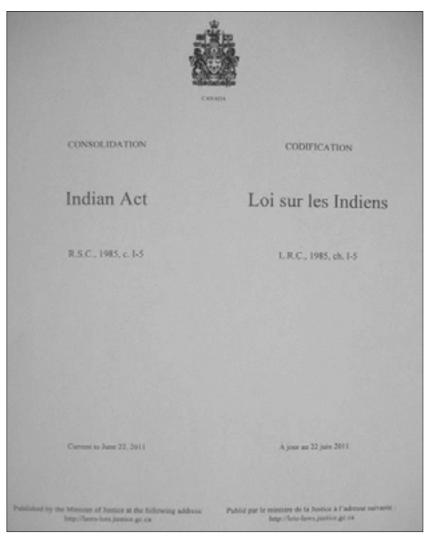
#### The Indian Act - 1876

- Consolidates the Gradual Civilization Act - (1857) & the Gradual Enfranchisement Act -(1869)

#### Policies Strived to:

- Replace traditional governance practice with colonial style practices (Band Councils, formal elections)
- Illegalized religious ceremonies and cultural gatherings
- Mandated residential school attendance for FN children





## **ORIGINS**





#### MID-CANADA CORRIDOR



#### HISTORIC POLICY ISSUES: TREATY NINE

Brief History | Signing of Treaty No. 9 (1905-06)

#### Intent:

- -To purchase interest in Ojibway-Cree lands
- -Settlers: To purchase land for nonindigenous settlement and resource development
- -Ojibway-Cree: to address concerns with declining natural resources (beaver populations, fur-bearing animals, land boundaries)
- -Indigenous leaders became aware of treaties drafted for other territories, & petitioned for a similar process to protect themselves



#### HISTORIC POLICY ISSUES: TREATY NINE

"What could they [Indigenous peoples] grasp of the pronouncement on the Indian tenure [usufructuary] which had been delivered by the law lords of the Crown, what of the elaborate negotiations between a dominion and a province which had made a treaty possible, what of the sense of traditional policy which brooded over the whole? Nothing. So there was no basis for argument. The simple facts had to be stated and the parental idea developed that the King is the great father of the Indians, watchful over their interests, and ever compassionate."

-Duncan Campbell Scott, Dominion Treaty Commissioner (1906)

"There is no better teaching than the object lesson of a good and well-ordered christian home"

- Thomas Crosby, Missionary (1907)



#### MODERN POLICY ISSUES: BILL 197

#### Bill 197: Economic Recovery Act

- Enacts changes for the Environmental Assessment Act & the Planning Act

#### Environmental Assessment Act changes include:

- -Exempt certain projects from the Environmental Assessment Process
- Relief from the "Duty to Consult" which is triggered by an Environmental Assessment
- Addition of a Non-Derogation Clause:

"For greater certainty, nothing in this Act shall be construed so as to abrogate or derogate from the protection provided for the existing aboriginal and treaty rights of the aboriginal peoples of Canada as recognized and affirmed in section 35 of the Constitution Act, 1982."

#### HISTORICAL POLICIES: CASCADING EFFECTS AND PROCEDURAL OUTCOMES

#### **Nibinamik**

- Treaties relegated Indigenous communities onto reserves
- Associated Colonial procedures perpetuate a housing crisis (e.g. 3rd Party Management)
- Imposition of values via policy sustain a legacy of mistreatment



Acevedo-Martinez, (2016)

#### **SPEAKER**



DR. SHELAGH MCCARTNEY

# +city lab



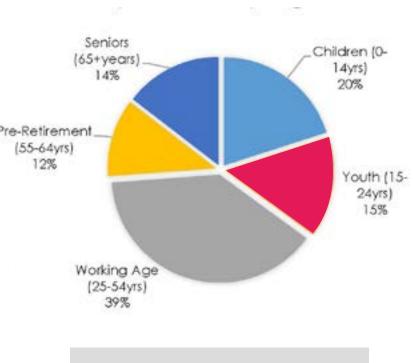
## JANE AND FINCH CASE STUDY 2

- About | Location and People
- Brief History
- "Instant Community" Plan
- 4 Jane and Finch Community
- Current Initiatives
- Moving Forward



#### LOCATION and PEOPLE



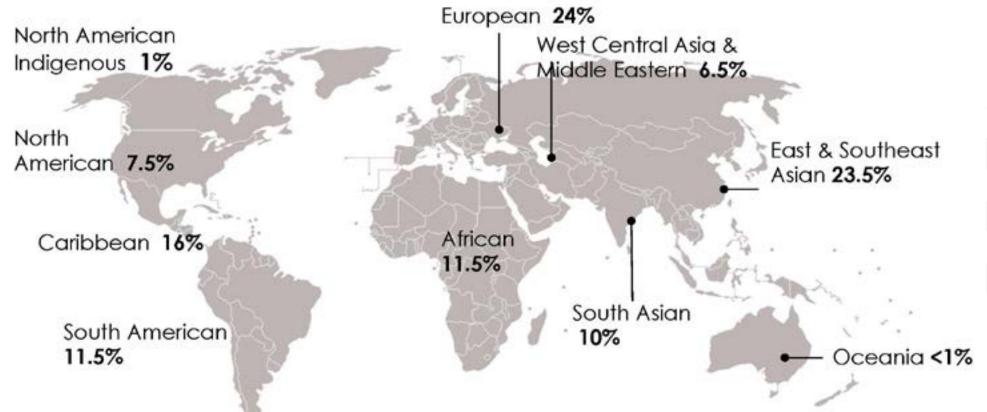


POPULATION TOTAL:

52,228

Source: Statistics Canada, 2016 Census of Population and City of Toronto.

#### ETHNOCULTURAL DIVERSITY





**VISIBLE MINORITY** 

<b>Key Benchmark Indicators (2016)</b>	Jane-Finch	Toronto
Average Household Income	\$60,997	\$102,721
Incidence of Low Income	28.7%	20.2%
Unemployment Rate	12.0%	8.20%
Post-secondary attainment	39.0%	69.0%
Renters	56.0%	47.0%
Housing Does Not Meet National Occupancy Standard	24.3%	14.0%

#### Note:

People can identify with more than one ethnicity so the totals will sum to more than 100%

Source: Statistics Canada, 2016 Census of Population and City of Toronto.

### HISTORY

Pre-colonial times: territory of many nations including the Wendat, Mississaugas of the Credit, Anishinaabe, Haudenosaunee.

Colonial settlement







#### **HISTORY**

- -Until late 1950s: a farming community with villages including Elia, Emery and Kaiserville.
- -Post-world war suburbia and high immigration rates = demand for housing.
- -Social welfare programme and subsidized housing expansion.



1958 Black Creek Pioneer Village



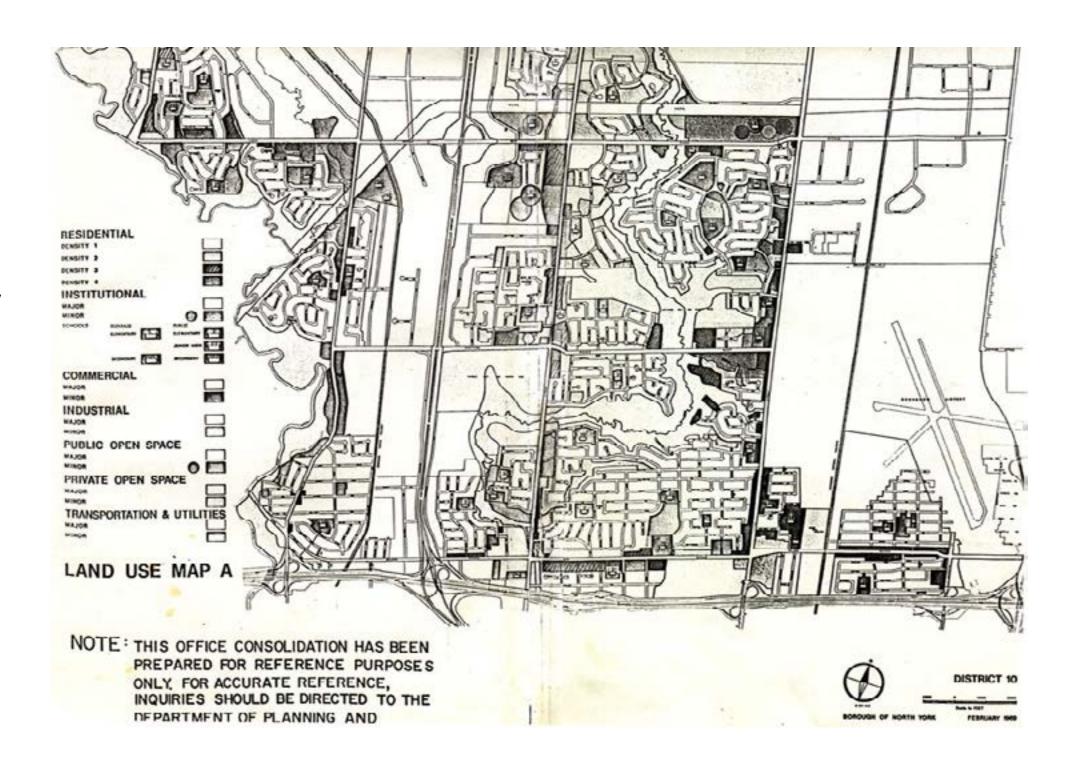
Recreation farm for the community in the Elia area, around 1950.



1956 Steeles looking east towards Jane Street 300 yards away. Source: sites.google.com/site/blackcreeklocalhistory/photo-gallery

#### **District 10 Masterplan, 1962**

- -Ontario Housing Corporation (OHC) And North York Planning Department
- -"Social integration" to lessen effects of class structure via mix of low, medium-, high-density housing, employment, commercial and social services.
- -High-rise apartments added along 'Jane-Finch corridor' in the coming years.





The Jane and Finch intersection in the 1960s. Photo by City of Toronto Archives. Source: BlogTO.com



Robert Hodge walking away from a barn located near Black Creek Pioneer Village and toward one of the high rise towers, 1970s. Source: The Black Creek Living History Project.



North York suburbs with high-rise apartments. Photo by City of Toronto Archives. Source: innercityoutreach.ca

- -1960s rapid growth: 4.1 persons per dwelling on average
- -90% of population growth expected for 1990 was in place in 1975
- -Highest concentration of OHC-owned family housing in Toronto
- -Lack of social infrastructure





#### "THE PLAN SHOULD ADAPT TO THE PEOPLE"

- -This 1974 brief was submitted by the association of ratepayer residents in the Jane-Finch area and proposed a re-evaluation of the District 10 Plan
- -Lack of key commercial and recreation facilities

#### Purpose

1.1 The purpose of this brief is twofold.

First, we wish to bring to the attention of the Council of the Borough of North York a serious situation existing in Ward 3. Many residents

It is our contention that the Plan, prepared over five years ago, is now out-of-step with the needs of this community. Things have changed since 1968-69 (recent concern over high-rise, and more public participation, for example) and the Plan must change too. The Plan should adapt to the people, not the people to the Plan.

2.1 Ward 3 has grown quickly. Maybe too quickly. There are alarming signals suggesting that something is wrong here. Development of the Ward seems to have outstripped the ability of its residents and various public agencies to cope with it.

"...the blame must fall on elected government and social welfare agencies for not fulfilling responsibilities to this and other "instant" communities where human needs are assessed secondly to the rate of physical development." 29

Press release by The Downsview Weston Action Community (DWAC) in 1976 on the availability of human services in the Jane and Finch area.

The residents "saw elementary schools with populations of over 1,000; traffic that was a nightmare; public transportation that was non-existent on weekends and which has buses moving in convoys at rush-hour; shopping that meant hours in line-ups, facilities and services that did not materialize; questionable educational opportunities for their children and a lack of recreational facilities."35

Source: Helen Ede Workshop 5 "Neighbourhood Planning- Social Evolution of Jane Finch (Toronto: Jane/Finch Community and Family Centre) as cited in Bow, 1984.



Inadequate recreational facilities = cause of juvenile problems (outlined in the 1974 brief submitted by Jane-Finch Association of Ratepayers in the Jane-Finch area)

- -Community was solated and removed from the rest of the city
- -Leftover places adapted: malls, basements and warehouses



Clip from 2015 Jane and Finch Documentary "Crossroads", Lawrence Manu from the Jane and Finch Boys and Girls Club, grass-roots community group, shows a neglected playground water feature.

### play in the mud tenants were promised recre-Suration services several years ago but are still waiting. And the police call it Jun-Provincial and Jungle South. understood ing has been done. Paul Seydell, a spokesman piles them he new youth group, says. just want somewhere to meet. Somewhere where we have something to do injust hanging around

Clip from "Mr Jane and Finch" documentary; article by Raymond Aboud, "Jane-Finch OHC Area Called a Jungle"

#### COMMUNITY-BUILDING

Starting from early 1970s members of the community formed groups to address the issues that they were being faced with. Dozens of non-profits and organizations have been created to get rid of its negative public image and work to create programs to aid its residents.

Jane Finch Action Against Poverty Jane/Finch Community & Family Centre Belka Enrichment Center Black Creek Community Health Centre Completing the Circle Delta Family Resource Centre Friends In Trouble **Humber Community Employment Services** Jamaican Canadian Association Jane/Finch Concerned Citizens (JFCCO) JVS Toronto Employment Source Northwood Neighbourhood Services Out of Bounds PEACH Sickle Cell Awareness Group **Upfront Theatre Foundation** Vietnamese Association Toronto Worc It Working Women Community Centre Y-Connect **Driftwood Community Centre** Firgrove Learning Centre Oakdale Community Centre University City Recreation Centre Asante Soccer Academy Flying Angels Track Club Jane & Finch Boys' & Girls' Club The Spot Norfinch Adult Education Centre Ontario Early Years Centre Inner City Outreach





#### **COMMUNITY-BUILDING**



Top left: An event organized by Jane Finch Action Against Poverty, a resident-led grassroots group, in 2020. Photo by Jane Finch Centre. Source: BlogTO.com

Top right: "Mr. Jane and Finch" 2019 Documentary about Winston LaRose, an 80-year-old Guyanese-Canadian activist and Executive Director of Jane Finch Concerned Citizens Organization.

Bottom right: The Jane/Finch Centre community-based organization



## "LEFTOVER SPACES" AND PLACE-MAKING











### 40 YEARS LATER! MANY STRATEGIES, NOT A LOT OF ACTION.

\* The District 10 Plan (dated Feb. 1969; approved by the Ministry November 1969 and the O.M.B. June 1970) states on p.44: "The District Plan will be reviewed and revised at approximately five year intervals. Amendments, however, may be proposed at more frequent intervals if found necessary or desirable to meet changing conditions or to permit the realization of specific municipal objectives". We feel that conditions have indeed changed since the Plan was drawn up, and that a Plan review is now urgently required.

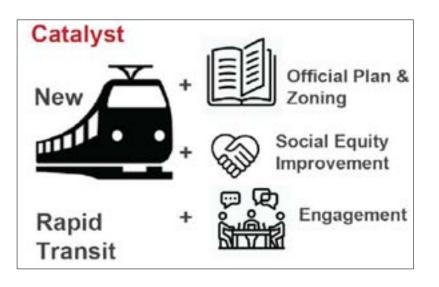
### Official Plan Updates:

"It is expected that council will regularly update the official plan to ensure that the plan implements any changes to the PPS and provincial plan. The official plan update is also an opportunity to ensure the official plan continues to address local priorities and changing community needs. This update should be completed 10 years after a municipality prepares a new comprehensive plan or every five years after an update done through an amendment of the plan"

## REASSESSMENT CATALYST(S)

Catalysts that may spur development:

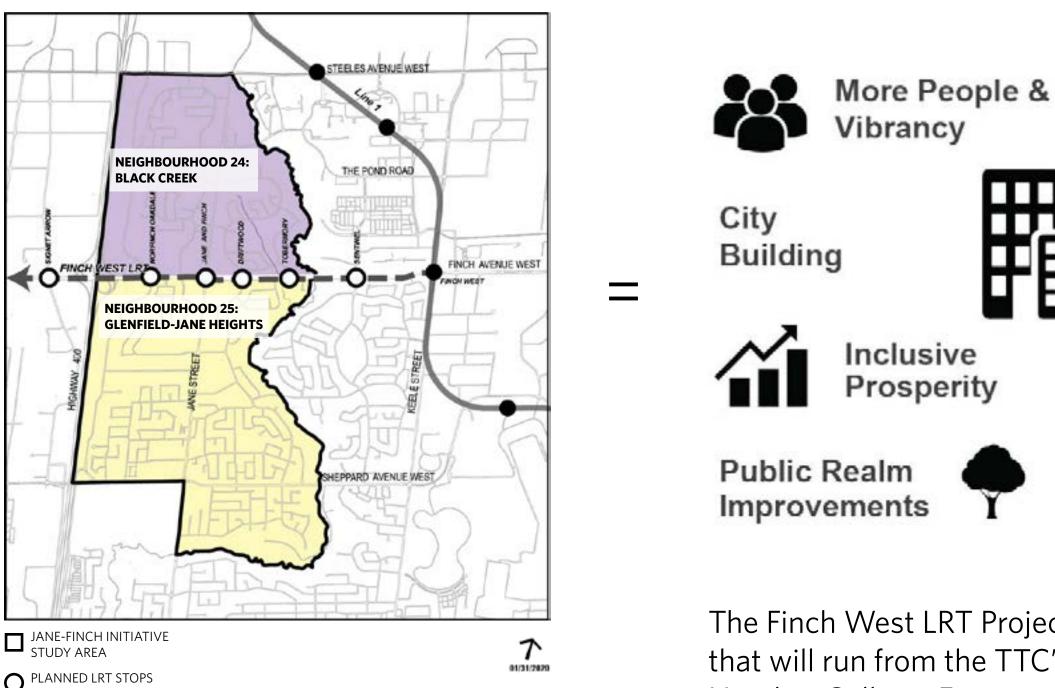
- -Changes to the Provincial Policy Statement or Official Plan
- -Developer Interest
- -Community-driven Clamor for Change
- -Transit Plans





#### FINCH WEST LRT - TRANSIT ORIENTED DEVELOPMENT

SUBWAY STATIONS



The Finch West LRT Project: 11-km, 18-stop line that will run from the TTC's Finch Station to Humber College. Expected completion 2023.

#### JANE-FINCH INITIATIVE

Toronto Poverty Reduction Strategy

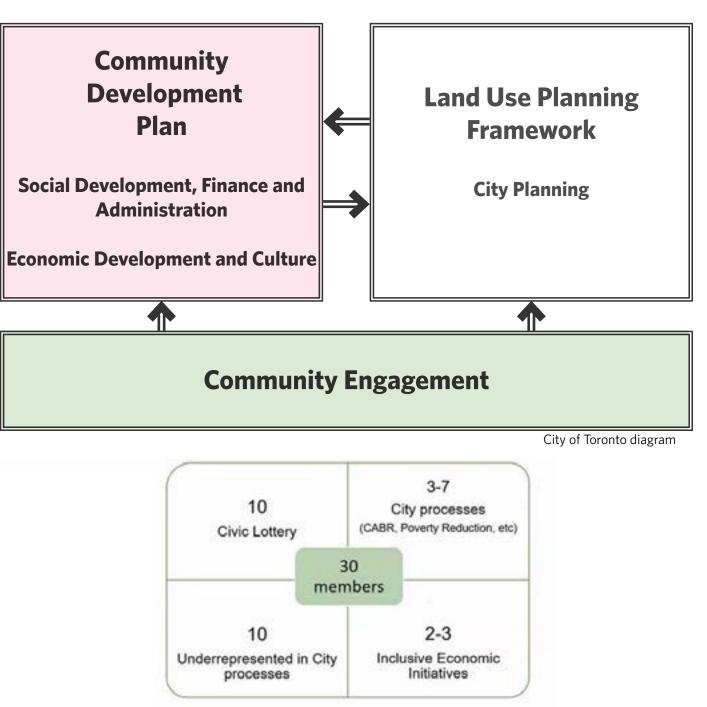
Toronto Strong Neighbourhoods Strategy

Housing TO Action Plan

Toronto Action Plan to Confront Anti-Black Racism

**Tower Renewal** 

Heritage Survey



**Community Advisory Committee (CAC)** 

#### JANE-FINCH COMMUNITY CENTRE

A 65,000 sqft Community
Hub and Center for the Arts to
be built on a 2.174-acre parcel
adjacent to the Metrolinx
Maintenance and Storage Facility
(MSF) for the Finch West LRT.



## Province transferring lands for community hub in Toronto's Jane and Finch neighbourhood

DCN-JOC News Services March 12, 2021



ORONTO — The Ontario government is transferring over two acres of land at no cost to the City of Toronto to build a community hub and centre for the arts in the Jane and Finch community, adjacent to the future Finch West LRT Maintenance and Storage Facility.

The contribution of the land, which the community has been pushing for and working on securing for years, will allow the city to continue design-related work and establish partnerships to construct a new 65,000 square foot centre in the area. It will benefit community members and be a key part of the neighbourhood's future along with the Finch West LRT, indicates a release.

Metrolinx president and CEO Phil Verster provided a personal commitment in writing to the community and Mayor John Tory to work with Minister of Transportation Caroline Mulroney and the province to make the land transfer happen.

## A PLACE TO STAY, A PLACE TO GROW

Gentrification vs. preserving a sense of home/place and group cohesion.



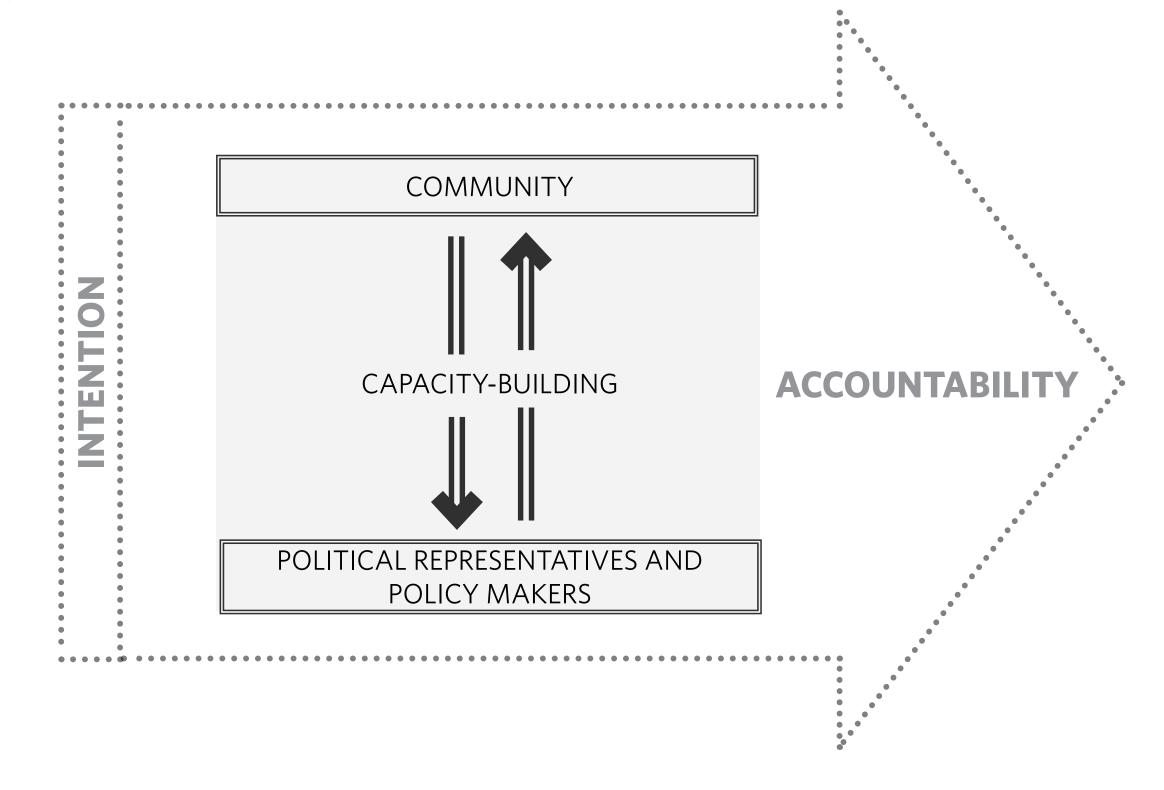


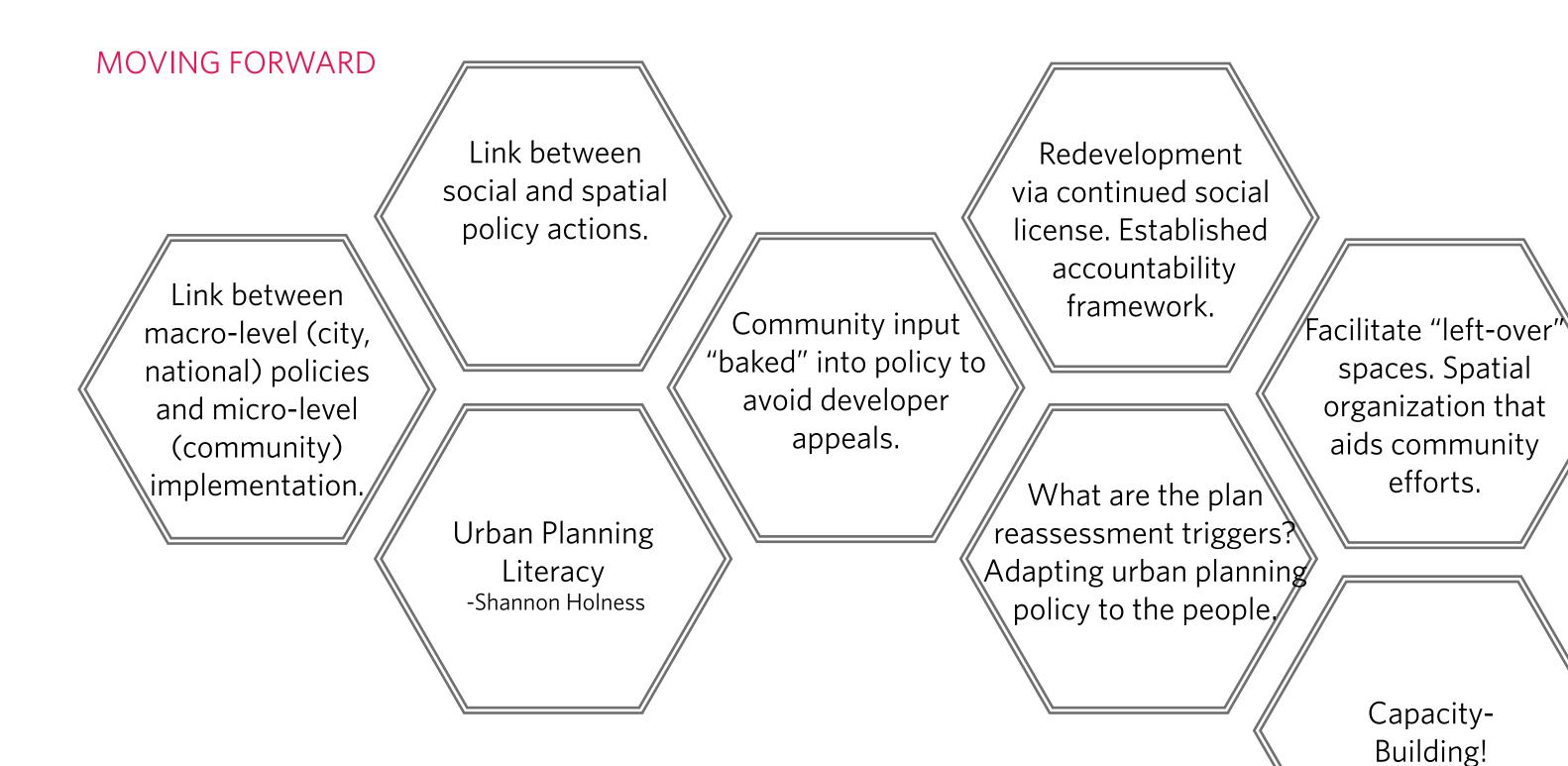












## **SPEAKER**



IMARA ROLSTON









# REFLECTIONS / REACTIONS!







**Feeling good** 



**Good experience** 



Not what I expected



Made me think a lot



Ready for new conversations