

**MUNICIPAL PLANNING, LAND DEVELOPMENT  
AND ENVIRONMENTAL INTERVENTION:  
AN INSTITUTIONAL ETHNOGRAPHY**

**by**

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**A thesis submitted in conformity with the requirements  
for the degree of Doctor of Philosophy  
Department of Sociology and Equity Studies in Education  
Ontario Institute for Studies in Education of the  
University of Toronto**

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**ABSTRACT**

Municipal planning and land development politics are increasingly central to public and scholarly debates on the governing and restructuring of public institutions and their effects on people's quality of life and environment. This thesis begins in the author's experience as a resident being drawn into a planning process and public decision making regarding a developer's proposal to build a housing development in a small ravine. It explores land use planning as a complex of work processes that actively puts together and mediates relations of land use, governing, and city politics. From a location inside planning relations, accounts of planning and urban politics are found to presuppose the routine textual and communicative practices that one encounters as a participant. This inquiry makes the extended work processes and their routine textual practices that put together institutional action the object of study in order to explicate them.

The study uses Institutional Ethnography (IE) as its method of inquiry. It develops IE's focus on textual practices and work processes that connect people's diverse activities in multiple settings and examines how these routine practices coordinate those activities into the 'macro' institution of land development and produce its power and agency. The study explores how standardized texts, in the form of reports, letters and site plans, operate in complex exchanges where people do their work in the temporal process of planning and approving development in the ravine. Texts shape essential aspects of institutional action: 'the public' is notified, informed and participates; the public decision making by elected officials comprising a local government 'council' is carried out; and 'commenting agencies' with protective jurisdiction over physical features of the land are consulted and produce legal 'conditions' of development approval. The close examination and analytic descriptions and diagrams of text based processes make visible

how environmental interventions are incorporated into the complex interchanges that produce the main business of land development routinely so that the 'neutral' public institution is produced, interventions and concerns are given 'fair hearing' and 'resolved' and the production of land development for profit and 'systematic' destruction of the physical environment goes on.

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## CHAPTER ONE

### THE ACTIVIST AS ETHNOGRAPHER<sup>1</sup>

For more than a decade I was actively involved with others trying to stop forms of development taking place in my city that I saw were destroying the quality and character of the physical natural environment and the old downtown. From a location outside what George Smith (1995) calls a ‘politico administrative regime’ that administers some aspect of society, the organization of planning and governing these aspects of our lives is not visible. Residents and activists I worked with tended to ascribe the loss of wetlands and woods or small shops to ‘corrupt’ or ‘pro-developer’ politicians, bureaucratic ‘red tape’ or ‘greed.’ These kinds of explanations were, in my experience, unhelpful in providing a way to work within or change the institutional forms of planning and governing we actually encountered when drawn into those processes and relations. Nor did official accounts that the provincial government produced – brochures depicting ‘the subdivision process’ and ‘the zoning by-law process’ as a set of six steps – aid any effective action to intervene in or change these processes. They did not provide any account of how land development was being put together, what the internal organization of how it actually works was. Critical accounts of planning and governing that cited ‘planning jargon,’ ‘lack of political will,’ ‘corruption’ or a ‘powerless’ city as the causes of the lack of protection of the natural environment, blocked empirical investigation and further inquiry about how ‘the process’ actually works, why it seems remorseless and why activism fails to change it.

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<sup>1</sup> George Smith, in his article ‘Political Activist as Ethnographer,’ *Social Problems* 37: 401-21, explicates the organization of research into the administrative practices and relations of public health and medicine governing the treatment of people living with HIV/AIDS. He describes the progression of standpoint I describe here that activists can make when inquiry is directed by looking for social organization as it is occurring and as people take up texts and talk that organizes their activities. The approach recommended locates the problematic for social research in those occurring activities.

During my years of activism I began to study with Dorothy Smith and to learn about her approach to the social organization of knowledge and to work with her new method of inquiry now called Institutional Ethnography (IE). Taking up her methodological stipulations of *insider standpoint* and *text mediated social relations*, allowed the inquirer to be as she is, situated in her living, in ongoing relations with others in settings where people are reading, writing, talking, laughing, crying, and coordinating what they say and do. The inquirer is also active in settings where what happens there is connected to sequences of action that begin and continue outside the setting. What people do and say in the setting may draw on and bring to the present for this moment, or for some future other moment, some act or potential act of someone elsewhere. My experience of not knowing how to read the Notice of Public Meetings, what to do next, what could be said that would be heard, and by whom, that could make a difference in the planning, not knowing how the councillors sitting around ‘the horseshoe’ in City Hall Council Chambers would read the Staff Report and would make a decision there, and not knowing how the provincial ministries and sub-provincial agencies who were ‘circulated’ and consulted would produce what they would have to ‘say’ about the developer’s proposal – all became the ground for inquiry. Beginning and locating the ground of both problematic and the method of inquiry in experience, my activism became an ethnographic resource. The disjuncture I experienced while first reading the Notice of Public Meetings and then the Staff Report to Council, is a feature of the organization of planning relations. Those moments became the point of entry into and beginning of my research into institutional processes. The formal public council meetings, broadcast on local radio and cable television stations and the focus of significant scholarly work on municipal politics, afforded direct observation of people’s talk and the texts coordinating multiple work processes into standard municipal decision making procedures. Often treated by scholarly and activist accounts alike as unitary acts of the local state, council’s ‘decision making’ became observable as an ongoing extended and complex set of activities in which a standard text, its format, phrases and surface features and routine ways of speaking, organized what happened as the acts of local government. Equally significant was the observable text based coordination of ‘fair hearing’ for residents. The focus of critiques of governing and democratic processes, the public hearing and decision

making in the setting of 'local government' became visible as one small moment in an extensive complex of activities that were taking place outside the public setting in which many other participants were putting together what are called 'the conditions of development approval.' How the observable 'public' activities were connected to these others and coordinated as stable relations was not visible.

My inquiry focussed both on how people oriented to and activated texts *in* the setting, and how what they did there extended beyond it by taking up Dorothy Smith's notion of *the active text* as a material object bringing into actual settings a standard form of words and images that can be read and activated by many others in many other times and places. From where I was, drawn into the ongoing action, reading texts and talking to people, as others do in the public setting and outside it, I could take up standard clauses and formats that appeared in the public setting in the Staff Report, and track them through the actual work processes that put them there and that took them up, in the work of the city clerk or the city planner, after they left the public council meeting setting. I could track the wording of a 'condition clause' that appeared in the council meeting in the Staff Report, from text to text and site to site, how a routine work process called 'consultation with agencies' was put together, and how it produced 'the conditions of development approval' for several approval moments, including for 'the Minister' (of Municipal Affairs and Housing) and for the text that organizes other activities and legal agreements for actual construction on the land, the Development Agreement. I could see from its signatories, how other work processes out of view connected the work of 'the city,' the land registry office, land surveyor, and the developer to the work procedures of banks and public utilities.

My view shifted away from one in which the planners, the politicians or the bureaucracy or legislation controlled the land use planning process and determined its outcomes. My position moved away from a critique of planning and government based on theoretical or speculative accounts of how things worked, to a method of inquiry aimed to produce an account of how the institutional processes are brought into being in individuals' routine and often well-intentioned *work practices*. I came to see how

planners' work and municipal councillors' work, as well as the work of people in agencies such as conservation authorities,<sup>2</sup> is actively coordinated through routine work procedures with the work of many others before and after them – in standard texts and local practices of speaking – into a complex of processes and extended relations. I observed talk and texts in action in many settings, and began to see the particular texts that are *standard* and overlooked in other accounts, as part of the actual conditions of people's work, and thus as actively coordinating the work of multiple participants.

I observed and transcribed the public meetings. I documented and made notes of my conversations with planners, engineers, clerks, developers, lawyers, and surveyors in the course of my activism as a resident. These people are trained to use and work with the concepts that are currently active, and sometimes changing, in planning and governing discourses. They organize and bring to the present in settings where they work these ruling discourses as part of their routine activities. Asking them about their work and about how the process goes on and is put together, from the location of someone drawn into it, brought an abundance of data about the currency in these discourses and their intersection with discourses of forms of global economic restructuring and new mechanisms of local state adjustments being broached and tried. Actively talking about finding 'new efficiencies,' 'new ways of doing business' and 'positioning the city in the new economy,' planners and city officials were engaged in organizing new forms of work that agencies put together with municipal staff and developers' planners and engineers. Such 'new ways of doing business' included texts outlining how residents could provide 'input' into prior policy processes and texts which cut down their intervention time at the public meeting stage. Talking to people *during engagement in an institutional process*

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<sup>2</sup> In Ontario, Canada, conservation authorities were established in the 1940s in order to manage recurring problems with watershed flooding, erosion and water supply. Some agencies built structures such as dams to engineer the flows of water from their headwaters (wetlands, streams, creeks, municipal drains, etc.) through to entry into a large body of water such as one of the Great Lakes. Conservation authorities have since, developed multiple strategies for managing the conservation of water resources within watershed boundaries, including 'reforesting' and improving farm practices in rural areas that produce contaminated 'runoff' into streams and rivers. In the 1950s, conservation authorities, as well as public health, education and several other boards and agencies, gained the responsibility of commenting on development plans being considered by councils in rural townships and urban municipalities regarding the consequences for watercourses and wetlands that might be altered by development. I use the term 'agency'

*(continued on next page)*

offers a range of data not limited to formal kinds of interview research. In the course of activism I asked planners about their particular practices with particular texts. As a concerned citizen, I observed how different participants in formal public hearings and meetings oriented to texts in their talk and to the formal ‘decision-making’ process. I talked to planners in conservation agencies, ministry policy analysts, Ontario Municipal Board members, journalists, other activists and members of the provincial Commission to Reform the Land Use Planning Process in the most developed province in Canada.

With an expressed interest in making *the process* work better and work for residents, to alter or stop a destructive land development, I did my research as a resident drawn into the field of institutional action in which land use planning comes into being with all its peculiar features and power that I initially felt was held in the texts or in the minds of individual planners or politicians, and how they did what they did in ‘the process.’ I began to put pieces together to form a picture of an extended organization of ruling relations. Investigating institutions as a complex of coordinated text-based work processes, this complex of *ruling relations*, that seemed to have a power and ongoing agency of its own, thus came into view as put together in the routine work of people in actual settings. When I began to produce a detailed ‘map’ of texts and their work and location within the actual sequences of a planning process – as an alternative to the simple brochure version of six steps – I found the coordinative work of texts in putting together a complex of institutional sites and relations was the most significant feature. The mapping I did reveals not just a cluster of linear text based work processes. Rather, it shows the work of texts actively coordinating and bringing into relation a complex of textual and speech practices *as institutional*, that is, as relatively enduring forms of social organization. A particular text did not just play a part in a sequence of linear action. Looking at the text’s format closely, we can see it has multiple possible functions. Its surface features can be activated differently by different people in the same setting or in different, or sequential, or simultaneous multiple settings. The text has a dynamic, rather than a static form. It operates as a ‘flexible connector’ in the field of action. As an

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as my interest here is in the organization of commenting relations, rather than the acts of particular agencies.

illustration, arriving in diverse sites, in over forty agency offices, ministry branches and the homes of residents, the apparently straightforward three page Notice of Public Meetings can be activated differently in people's work, reading, talking, writing, compiling, and so on, by the resident in her or his home, the agency planner or ministry clerk. Similarly, the Staff Report to council has several components to it – description of the site and the proposal, the motion, the condition clauses, the draft plan. Councillors can take them all up, but that would be rarely if ever done. The Report presents multiple bits in it that different people orient to in their work. The Staff Report has been compiled of standard bits of texts from diverse offices and professional worksites. It has bits pulled together for the council setting and task. The text organizes several different strands of work. The power of standardized texts and formats is the replicable character and familiarity its format and wordings bring into so many settings for the coordination of individuals' actions there. This is the power of texts in institutions and in *institutional action*.

A course of activism, such as that described in Chapter Two, provides for a natural progression of standpoint and ethnography. Where scholarly and activist discourses tend to gloss and nominalize social activities as 'institutional arrangements' and the like, ethnography, direct observation and conversations reveal the rich and complex social organization of relations as sequences of ongoing activities that cross and connect many settings. My experience as an activist provided the basis for learning how to speak and act within the range of planning processes and in the connected settings I describe in the thesis, allowing me to move about in the sphere of activities comprising municipal governing and planning of land use development. The brochure the provincial government publishes on 'the planning process,' and how people talk about it, has six steps. Mapping text to text, site to site and local speech practices, I show the extensive coordinative work of standardized texts and institutional local practices of speaking in connected sites that bring diverse actions into a text realm to count as a single step as if one moment or act. The mapping can show how the organization of key 'steps' – particularly notification, consideration and decision, and consultation – actually takes place in its routine and material detail and how what individuals do becomes institutional action. It makes visible the organization of a distinct field of action as a 'functional



complex' of governing with its peculiar work processes and embedded standard texts and forms of speaking and coordinating them. It makes visible how opposing views are invited and are integrated as 'concerns' that are 'resolved through conditions,' so that the process goes on.

The analysis of textual practices can make visible features of the ongoing organization of planning relations and work processes as part of the ongoing organization of a market and an economy. There is a common notion that something could be said that could stop a development or the ongoing process, some 'blockbuster' argument. What can be discovered in the course of activism is how, within legislated timelines, the coordinated textual activities putting together the process operate to treat few statements as an objection. It is only by coincidence in the Howitt Park case that we are able to see what could constitute an intervention or potential objection that could have consequences of delaying, altering or stopping development. This actual work that goes on outside the realm of the 'public' process is not visible from a location in it. The procedures producing the 'resolution' of the Canadian National Railway's near-objection took place through textual practices connecting provincial ministries, planners and solicitors among others over a period of two years. This potential objection merely held up the process of developing the ravine land. The procedures embed noise level 'standards' into texts and then shift the 'risk' of a higher-than-acceptable noise level from the CNR's operations near the development site to the Agreements of Purchase and Sale for the lots and thus to the future home buyer of the houses built there. However this example of textual embedding is not my focus here.

My experience of involvement and engagement with the Howitt Park 'case' allowed me to learn the local practices of municipal planning *speech genres*, and to competently participate in several planning processes for the city. How these processes are put together and operate is the basis of much of what is presumed in other accounts of local government and local environmental and development politics. As a novice drawn into land development planning processes, I experienced the disjuncture between what was going on around me and how people talked about what was happening as the steps in the process. This disjuncture is the rich ground that enables one to begin to make the essential ontological shift Institutional Ethnography stipulates in order to regard and treat

texts as I encountered them, as present, material, problematic and as actual participants and organizers in settings. How 'the process' gets put together is standardized, knowable and visible through text based activity. Those present orient to the texts that are being produced *in the process* – written, drawn, mailed, faxed, read, and talked about by people who routinely in their day to day work are doing the writing, compiling, editing, copying and reading.

Of course texts are not totalitarian in their operation. They do not have power over action in themselves. They are, however, powerful in their capacity to coordinate activities, and to do so in ways that people acting in settings rely on as routine practices and what they do, see, hear and recognize as what ethnomethodologists call 'members knowledge.' How they do operate powerfully is for empirical investigation. What is routine is what the novice comes to question – the forms of standardized, replicable, known-in-common work processes that seem in themselves to be powerful and as ruling or governing. Drawn in, one can observe texts as they are, *in the action*. Observing texts and talk as ongoing social organization, one can see the apparently insignificant moments of disjuncture the resident experiences – reading a Notice of Public Meetings, the frustrating and unfathomable talk of elected officials in a city council meeting, or the council's apparent disregard for the environmental agency's 'concern' there – as routine and organizing features of the institution. The location as an activist within planning processes provides the basis for this ethnography of text-based institutional forms of action and local practices of its speech genres.

## CHAPTER TWO

### THE HOWITT PARK 'CASE'

The activities of which I give an account here became known in local planning talk as 'the Howitt Park case.' I treat what happened and how I describe these activities differently from both the local talk and the studies that provide case studies to illustrate or demonstrate a theoretical point or category. I draw on a tradition in phenomenology and ethnomethodology, developed within the approach of the social organization of knowledge and institutional ethnography, that relies on, and treats as a resource, the inquirer's 'member's knowledge' as a ground for inquiry and explication. My experience within planning processes to develop the site adjacent to Howitt Park and the years of volunteer work I then did with the city and boards and associations afterwards, provide a resource for my research and what I am able to say about the complex of planning relations as a contemporary governing institution. The questions for this sociological inquiry into the organization of planning emerged within these relations and processes. Just how to write about them and speak about them in a way that does not produce an ideological, but rather a materialist account of social organization as actual human practices, I have been learning and developing with Dorothy E. Smith and others over several years while family and other living was going on. 'Howitt Park' is a gloss for the actual goings on out of which emerged the problematic of planning relations as they are put together around us.

I have problematized these moments: the moment a resident reads the text of the Notice of Public Meetings; the two hour discussion by elected politicians of the 'planning item' – the text called the Staff Report to City Council – that produces 'council's approval' of an application to change the zoning on a piece of property called a 'site' that is 'municipally known;' and the ambiguous series of moments whose outcome is an authorized text treated as the conservation authority's approval of the project. These are moments not just of experiences of a powerful and active institution, but of sites of entry

into essential work processes and coordination of people's actual practices into the *acts of* that powerful institution. Problematizing within experience in relations as they are being put together allows us to begin to write a sociology that attends to the actualities of our lives and to the institutions that implicate our own practices of knowing and working in routine and everyday ways as they go on, located as we are in our bodies and living in time and space. Here are the essential moments of a chronological account of my activist activities and bases of my research into the organization of planning.

#### THE NARRATIVE – FEBRUARY 1986-1996

##### **February 1986**

##### **The Notice of the Developer's Meeting**

I found in my mailbox a single sheet of paper, a photocopy of something called 'an invitation,' dated February 17, 1986, to an 'informative' meeting at the Optimist Club around the corner from where I lived. It said the meeting was to 'introduce a development project to neighbours near Howitt Park.' There was a signature, and below it the word "Owner." On the sheet someone had hand written the dates of two upcoming public meetings at City Hall.

##### **February 25, 1986**

##### **The Developer's Meeting**

A hundred people sit in rows of wooden and metal chairs in the neighbourhood hall. Tables are lined up at the front where seven men in suits sit. The developer presents his experts: the owner of the Construction Company, his engineering consultant, a landscape architect who says he will transplant large trees to provide screening and offers trees to the neighbours, an architect who is introduced as having "studied under Jack Campbell," an independent real estate appraiser, a real estate agent. The builder presents a "history of the project," showing a drawing of "the alternate proposal" a simple flat diagram of lines representing a named street straight through what was then a small ravine. The diagram has 21 rectangular shapes representing house lots -- eleven on one side and ten on the other side of the street. He says that it would be too expensive, to cut and fill the ravine. Therefore, he says, the planning department says to build to conform to the site. The proposal is for 34 townhouses, 16 on top of the ravine and 18 in the bottom. The architect says the emphasis is on trees and the landscape architect presents a Tree Inventory and a map with five zones. People in the audience asked questions.

I scribbled “ residents ‘wants:’ no gates onto Howitt park, stop signs, speed bumps on roads. Look at how people accept inevitability of project.” My notes continue with “developer says project will start from Inkerman Street and will be completed by September; road and services March 17 plus 21 days – start.”

I noted “Magna – 75 buildings, 2 auto plants = pressure.” Later, when I speak to the Director of Planning he tells me the location of Magna Industries in the northwest of the city is a corporate catch of which the City is extremely proud.

The architect details the units re: screening, sunlight to the units, access from the southern street, 2-3 bedrooms, slope 18', drive in garage ea. single car and 1 parking space.

The property appraiser talks about the condominium corporation. There is, he says, a market for condos. In the last year prices have skyrocketed for a 3-bed to \$60-90,000. The nature of condos is shifting to couples without children and older couples. Here they would be asking \$110-115,000 and \$900-1000/month rent.

There would be \$10,000 cash or 5% of land trade-off to City for the park. Doughnuts and coffee were laid out at a big table and people walked around the architect’s scale model of the project and asked questions about what it will be like. I asked lots of questions. The builder gave me his card.

### **The week following the developer’s meeting.**

#### **Notice of Public Meetings**

The text is dated February 14 that some neighbours had received from the City Hall Planning Department. Renters in the house on the property did not receive a Notice and one, a writer, wrote a long letter to the local paper about the proposal. I telephoned the planner who had signed the official Notice. I was drawn to respond to its statement “Persons desiring a copy of the Guelph Planning Advisory Committee’s (PAC) recommendation may obtain a copy by contacting the Department of Planning and Development, City Hall . . .” This document would, however, not be available until the day before the meeting.

The day before the PAC meeting I went to City Hall, talked to the planner over the counter in the Planning Department, and got a copy of the **Staff Report, that is, the report that goes from Staff to the PAC.** The report was 13 legal size pages long. That

night I called a lawyer on the next street who had young children I knew used the park, to read and talk about the Staff Report.

**March 5, 1986**

**The Staff Report: "Item 2 March 5th, 1986 Re: Jocius Property"**

The report is 13 legal size pages. It includes: Summary of Application, Location map, Background Information, The Proposal, Official Plan and District plan Designation, Liaison Comments: Recreation and Parks Department, Engineering Department, Fire Department, city Hydro, Canadian National Railway, Staff Planning Advisory Committee Recommendations, 32 "matters to be dealt with in accordance with Section 40 of the Planning Act, R.S.O. 1980 or prior to the passing of the amending by-law", plus a Site Plan – Engineering, and Site Plan. On this document I underlined in red pen "The draft new Official Plan would recognize this proposed infill project as being an acceptable residential density on these lands." (p.3) and clause 32 "The applicant shall enter into a Development Agreement with the City covering the conditions listed above and any other conditions added by City Council, prior to the passing of the amending by-law." (p.11.) I made several phone calls and with other residents, set up meetings of residents in our homes in the evenings to write a petition opposing the development and then gather signatures.

**March 5, 1986.**

**Daily Mercury article titled 'Condos' in the Ravine' begins:**

Environment versus Development: in Guelph it's a confrontation which is never too far from City Hall... Tonight the [PAC] will be hearing an application to rezone the 1.25 hectare (three acres) wooded lot next to Howitt Park to accommodate 34 condominium townhouse units. It's a proposal which has alarmed many of the area residents; not just those whose homes back onto the picturesque ravine but also those who live on [surround streets] who are uncertain about the impact 34 new families will have on one of the city's oldest neighbourhoods.

Quotes from several residents are strung together in the story the reporter constructs.

**March 5, 1986**

**The PAC Meeting**

About fifty neighbours gathered in the city council chambers to speak and present the petition with 67 names and request a deferral. GM, the lawyer requested a deferral,

and one neighbour EP, whose garden backed onto the site and had lived there for thirty years, objected to the proposal. The chairman of the committee interrupted the neighbour lawyer, several times. They argued about the PAC's role, what was supposed to happen here. The Chair called on "Section 40": he listed the "options" for action that are available to the committee: "defer, reject, accept, accept amended;" and the "options" available to the public (the residents) in the process: "public meetings with the developer, PAC, Council." I listed this in my notes along with the names of members of the PAC with a star or 'X' notation beside them according to their vote. Who were they? What expertise did they have to be making recommendations to council? What other provisions are available for public input? I was orienting to the members themselves. I didn't know a thing about Section 40. Afterwards we focussed our attention on the council meeting in two weeks, where the Notice had informed us "a decision will be made."

I began to contact people around town about the proposal, including the city hall editor and city editor of the local newspaper, a planner on a Municipal Affairs Committee of the NDP, and people at the university arboretum.

I starred the clause in the Staff Report regarding "the Development Agreement and any other conditions added by City Council, prior to the passing of the amending by-law" with six big red stars and at the bottom of the document wrote:

“DK [planner] is this an ‘agreement’ if passed by PAC? What is the status of *this* document? what constitutes site plan approval? what is process for Development Agreement?

G [lawyer] what is *status* of by-law to close street?

R [arborist] tree inventory?

C [freelance writer renting house on property from developer] letter?”

### **March 6-7, 1986**

#### **Residents Fail to Block Condo**

A report in the local newspaper on the 'conflict' at PAC carries the headline "Residents fail to block condo plan" and is accompanied by photos of the ravine and the scale model of the 34 units on the property from above. A second report is titled "Residents near Park will fight condo approval."

### **March 11, 1986**

**Neighbours in a much wider area around the neighbourhood received in their mailboxes a 'Memo' "To: All Neighbours and Residents Re: Proposed Condominium Project."**

It is signed "E.D., RC Realty Ltd." This was the developer's real estate agent. The sheet announced a second meeting March 13 to include City Hall staff.

The residents decided on and circulated an Agenda for a meeting of 'Ratepayers Opposed to Townhouse Development Located adjacent to Howitt Park.' We posted our own notices around the neighbourhood about the developer's March 13 meeting.

At the "neighbours' meeting" in the Optimist Club near the site, now offered by the Club to us for our meeting, over fifty residents attended and agreed on the main issues and on the people who will represent them at any subsequent meetings with the developer and City. We decided to select representatives and focus on particular issues based on conversations some of us had with councillors, who told us how to proceed and be heard at the council meeting.

**March 12, 1986**

**The Daily Mercury 'city beat' column is titled "Committee short changes citizens" and describes the PAC meeting**

**March 13, 1986**

**Neighbours received a Memo on RC Realty Ltd letterhead to "All Owners and Residents" signed by the Developer and his agent, RC Realty Ltd.**

On it, the real estate agent summarized residents' concerns and described condominiums and the type of people likely to live in them, assuring residents that basically "your property values will go up and only nice people will buy these condos because they are 'luxury'."

Over one hundred and fifty residents attended the March 13 meeting. Some residents were angry and questioned city staff's information regarding the details of the planner's statement that there would be minimal or 'no impact' on traffic, parks, what our neighbourhood was like and what the 'impact' of the development on the neighbourhood would be.

**March 14, 1986**

**Daily Mercury headline reads "Residents give City Hall valuable dynamics lesson"**

**March 17, 1986**

**The City Council Meeting. Residents present a "Summary: Brief to Council – Re: Application to Rezone 27 Chadwick Avenue Lands" plus a "list of Reports Recommended before Application be Considered"**

Residents fill the council chambers, and their representatives closely address the information given in the Staff Report and claim not enough information has been made



available and that many issues remain outstanding. Council votes to defer making a decision (for 30 days) until more information could be collected by city staff on the project. Council appoints a councillor (at that time called alderman) to mediate further meetings with the residents and developer.

**March 18, 1986**

**Daily Mercury headline “Howitt Park residents get council Reprieve.”**

**March 20, 1986**

**Letter to Citizens Forum in Daily Mercury “The time was pressing” from PAC chairman describing and defending his actions referring to what’s in the Planning Act, fairness and democracy.**

**Letter to City Council Mediator**

I sent a letter to the appointed councillor mediator with copies to the Director of Planning, City Engineer, Parks and Recreation Director and BP (Design and Construction) requesting existing reports on the project.

**Saturday Morning, March 22, 1986**

**The Developer’s “Woodsmen” Cut Down Trees**

I awoke to the sound of chainsaws and trees crashing in the ravine. The developer had sent men to cut down hundreds of trees on one slope of the ravine. Residents called the police, councillors and newspaper reporters. We discovered there was no law to call on to stop them. Several councillors came to the site. One, after walking around the site, sat in his parked vehicle next to the ravine and wept.

**Monday March 24, 1986**

**The Daily Mercury’s Woodcutter Photo**

The city’s daily newspaper ran a photo of a “woodcutter” with a bold headline “Woodsmen didn’t “spare the trees” in disputed ravine” and a caption under the photo, “I’m just hired to cut trees,” said [‘woodcutter’]. With two other people including his son, he clear cut the slope of a ravine off Beechwood Avenue on Saturday. Residents say the ravine contains some environmentally sensitive flora and fauna, including some rare trees imported from China.” The article quoted the developer saying “Something is going to go in there. The more we can get down now the better.” The article goes on to say that the Police Inspector “said police patrols were increased at the request of [the developer’s] lawyer because of concerns that residents might take some action. The article also carried a quote from the developer’s real estate agent saying “Nothing has been destroyed that

wouldn't have been anyway. Of course, if the subdivision goes through (instead of the townhouses) there will be more trees cut up.”

**March 26, 1986**

**The Planning Act**

I went to city hall to talk to the city planners. The planner AH gives me a copy of Section 40 and Section 50 of the Planning Act. Section 40 enables “development” and provides for the *interpretation* of “development” into practical concerted actions; it refers to clauses and sections of the Municipal Act, the Official Plan (OP) of a municipality, and how the council of the local municipality may by by-law designate “site plan control” areas. Designation is “by reference to one or more land use designations contained in a by-law passed under Section 34.” This by-law, passed under Section 34, is the Comprehensive Zoning By-law of the City. In it land use designations set out what can be done on a piece of land. Councils can amend the by-law bit by bit. To get them to do that – to change the zoning category on a piece of land – means going through the zone change process and building a case for altering what can be done on the particular piece of land, and usually that means building a case for development.

Under the Planning Act Section 40(4) “no development may be undertaken without the approval of the council or the Municipal Board of *one or both* of 1. Plans, 2. drawings...and in Section 40.(7) conditions to approval of plans ...” Further, a municipality “may require an owner to...enter into further agreements,” do studies etc. before getting a building permit. Negotiating these texts and agreements is how “the city,” through its planners, engineers, clerks, and “the developer,” do the business of land development.

I got a copy of the then small blue booklet from the NDP Municipal Affairs Committee planner and read the Planning Act in a sitting, in the sun sitting on the steps of my back porch. I was astonished at the world it put in place. It defined and so authorized the bodies that can act in the process, the texts, and through them their essential work processes. I could see sequences of authorized texts and activities. In Section 50(6) the Minister requires a minimum of 2% of land being developed for industrial and commercial, and 5% for residential, to be conveyed to the local municipality for ‘park or recreational purposes.’ At once I noticed a problem with the cash in lieu conveyance. I wondered where does that money go? Does it go into the park where the development is?

Why shouldn't some of the ravine stay with the park? How is the 'cash in lieu' decided? I thought we could research, retroactive to the last Official Plan (OP), and trace where all the cash in lieu went. The city parks and recreation department director told me that cash in lieu from developments goes to parks and recreation to meet the standard formula requirements for population: parkland ratio, and not to the purchase and preservation of land. I figured the city owes the community a lot of trees and land.

"Reports" in the form of memos, from City Departments came in, most saying none of the studies we asked for had been done, nor were they required to be done. This was a key piece of information for me. I felt I could use this in our arguments about the lack of information available about physical sites. What does justify approving a development then, if no studies are required 'up front'?

**March 27, 1986**

**Report from GS Guelph Recreation and Parks Director**

**April 1, 1986**

**Report from NS planner for the city**

**April 2, 1986**

**Report from RF Engineering**

**April 2, 1986**

**The Media Account Continues**

I wrote a letter and I walked into the newsroom at the Daily Mercury office and talked to the city editor. My letter was published in the 'Citizens' Forum' under the title "Zone Change Objections." I wrote that residents' knowledge is a valuable resource for the city; that residents value long term development and not short term profit. I said that with the current zoning the developer could build only one house.

Neighbours received, in their mailboxes, a **Notice of a meeting April 2, 1986** at the Optimist Club. It is from the City Clerk, with copies to City staff, the developer's men and "Property owners Within 400' of Chadwick and Hearn Avenues." Here was the technical, regulated constitution of 'neighbours' deemed to have an interest by their location in relation to *the site* – measured by a distance of 400 feet or 120 metres.

**April 2, 1986**

**The Meeting to Resolve Citizen's Concerns**

This meeting was set to “resolve the citizens concerns.” The hall at the Optimist Club was packed with over one hundred people, with people standing at the back and whole families there. The appointed mediator councillor begins by saying that as long as there is a chance to resolve our concerns at the community level and not go to the provincial level Ontario Municipal Board (OMB), we should. He said he also does this kind of mediation because it is ‘civilized.’ He tells us that “the framework we must go with is: 1. what the private landowner can do with his own land, has lots of restrictions but he has freedom to develop, and 2. the city won’t buy the land, that something is going to happen to the land and change it from what it is now.” “We can discuss,” he says, “these options: go with what is proposed; preserve part of the land; swap of land; or the developer’s proposal that we modify to something we can live with.” At this meeting the horticulturalist from the university arboretum reported there are 38 species of trees and shrubs and that the site has a unique history. The developer says the proposal is better than a subdivision. He says he cut down the trees because ‘we’re preparing to build something in there.’ Our planner says there is a disregard for the existing District Plan. The city planner replies that these are approved by council but are not accepted at the OMB. Our planner refers to the issue of ‘natural justice’: that the resolution of council approved these documents as ‘implementation plans’ and that residents expectations about the areas in which they live are based on them. The city planner replies that in 1975 when the district plans were put in place ‘good planning’ is not necessarily the same thing as good planning today. The director of planning says that an appeal to the OMB would be difficult “unless we could prove that there is something to be preserved on this site.” Our lawyer suggests that the District plan says the area and site is zoned low density. The city planner replies that the residential category in the Official Plan is now up to 40 units per acre and that “we are recommending medium density here.”

**April 3, 1986**

**The Daily Mercury article, “No one’s satisfied”**

The news media account extracts specific bits of what went on at this meeting. We could begin to see how the media shapes the picture of the residents who are opposed, their peculiar and diverse statements, and the developer with his and the city councillor mediator with his statements. The article the next day quotes the mediating councillor saying “if those opposed to the project wish to have the city retain the area as

parkland then the city will have to purchase it, but I don't think that will happen." A very vocal resident is quoted saying to the planners "That park is a heritage to the city. If the owner of the Church of Our Lady was going to tear it down and put up a humungous building you'd pretty soon come up with another plan." HK from the university arboretum is quoted saying "The forest is very much different from what the landscape architect told the city it was and the area represents a lot of possibilities for development other than what has been presented." The developer's builder is quoted saying, in defense of the cutting down the hundreds of trees, "we were preparing for the eventuality of a development – something is going in there."

What went on at the meeting for us was a lot of learning about not just what is in place as regulations, but how the city planner and the developer employ different documents and orient to them in an ongoing context of changing planning practice. And the 'plan' is not fixed. It is 'something.' It is getting worked up and negotiated along the way in several settings and sites of working with texts, many of them out of reach of residents and councillors.

The week before the (deciding) council meeting, I phoned John Sewell, former mayor of Toronto and at that time a columnist with *The Globe and Mail* in Toronto writing about planning issues. He came to see what was going on in Guelph and talked to several people, including the mayor. Over my kitchen table we talked about the current push for infill development. He noted "there's plenty of room for infill in this city." And we talked about numerous particular sites for it, including the lovely sites at Manor Park on the other side of the river and Ker Caven up on St. George's Hill that also had development proposals for them and residents organized in opposition. In his column the next day he added "Too bad it's all the nice green that gives this city its quality."

**April 21, 1986**

**John Sewell's Column in *The Globe and Mail***

In his column in *The Globe and Mail*, "Lure of Guelph creates problems" John Sewell wrote "The city's draft OP calls for infill development rather than more suburban sprawl, a policy that should be strongly commended. But the proof of that policy is in the destruction of the Howitt Park ravine and the spacious grounds of Ker Cavan by developments local residents find offensive" . . . "Unless pushed, council will take the

easy way out: simply roll with the punches the developers deliver, and make the best of infill schemes that eat up the sites that make Guelph special.”

**April 21, 1986**

**Preparations for the City Council Meeting**

I spoke to our advising planner and wrote down his recommendations: “[Under] Sec. 34 (12) of the Planning Act re: adequate information to public, we can request decision on zone change be deferred” and at council *in writing* request that “hereby each one go on record as opposing approval of zone change.”

I am concerned about what happens next and where we can intervene and how. I phoned the city planner in charge of the project. She said “if the new plan is approved by council April 21, then we apply for subdivision under Condominium Act. The Draft Plan of condo subdivision must be approved by the Minister in 3-4 months. At the end of May, we could start detailed drawings for buildings. We would have to have noise vibration, landscape plan, fencing – may defer on that – and we must convey to city [the cash in lieu of land or land]. By the end of June the by-law is in place, and that means a building permit from the Chief Building Official.” It all seemed so inevitable, routine, and in her location and view just a matter of putting the pieces together. This was her routine work and the typical process.

I talked to people across the city every day and met every night with the lawyer on the next street and his wife, and several others, to plan and put together our presentation to council. The council decision seemed like our only opportunity for stopping or changing what the city planner and the developer treated as inevitable.

We prepared seven submissions. One was from the daughter of the builder of the original house who planted the rare species in the ravine, whom one neighbour had known and contacted in Toronto. The rest included my own as resident representative, our lawyer, our consulting planner, the arboretum horticulturalist, and we contacted and hired an environmental lawyer from the Canadian Environmental Law Association (CELA), who would recommend that council use its power to place an interim holding by-law on the property as well as refuse the application. Right up to 10:00 p.m. or so the night before the council meeting, we did not know what we were going to ask for or say our position was. Deciding to ask councillors to out and out refuse the proposal took hours and nights of talking among ourselves. We argued what our chances were, what

would happen, what we could gain and lose, knowing that the city has a policy of infilling, and that the proposal 'conformed' to the OP which was in draft form, and knowing that staff was recommending the application be approved. The lawyer's secretaries worked the day of the meeting typing up our presentation we'd hashed out very late the night before. We knew we were going with what we really believed and we used everything we'd learned in the past few weeks about how the process works. What we didn't anticipate was the power of the media report on what people were calling the developer's 'chainsaw massacre' and the taken for granted 'rules of behaviour' in the planning process.

**April 21, 1986**

**The City Council Meeting**

The council hall was packed, young and old, neighbours, environmentalists, people from across the city who were engaged in similar processes, my husband with our six and four year old daughters. We made our presentations one by one. I began, speaking about our concerns, the problem with the proposal, and the lack of an Official Plan and policies to protect this ravine. "The neighbours," the NDP Municipal Affairs Committee Planner, the University of Guelph horticulturalist, and the CELA lawyer made six further presentations. After two and a half hours of discussion, City Council voted 12-0 against the planning staff recommendation to approve the project. After midnight council passed an interim control by-law to prohibit tree cutting in the city without city engineer's permission, until the current by-law could be reviewed and revised. What was curious was that many councillors and others spoke as if this was completed, decided.

**April 22, 1986**

**The Daily Mercury**

What the councillors said was quoted in detail in a lengthy article in the local newspaper the next day, with the headline "Snowfall hails frosty night for proposed developments" and "Howitt Park area residents stop developer." "Alderman LL said developers are valuable to the city because they bring needed growth. However, she added that they also take risks when they purchase property which is not properly zoned. "And this time I believe [the developer] is going to lose and the residents win."

Alderman JW said “I keep asking myself what is the purpose of all this official planning that we do...and I tell myself it’s so we can establish some reasonable guidelines to development in this city.”

Planning Director MV told council “the proposal is good planning and meets the requirements of the OP.” V said staff preferred the condo proposal over a single-family subdivision plan because more of the tree cover could be protected. However, members of council did not share V’s assessment. “How can we bring in multi-family zoning into a single-family neighbourhood?” “How is that compatible with the area? It’s not good planning,” said one alderman. “I don’t see how it complies with the current OP or the proposed OP. It doesn’t minimize conflicts. It doesn’t maintain the character of the neighbourhood,” said another, KH.

What happened was being called the residents’ “win.” The reporter included glowing words for the interim “by-law which prohibits anyone from injuring or destroying a live tree without first receiving approval from the engineering department.” In a separate article quoting the residents titled “Council’s ruling a real surprise,” I was quoted saying “I expect the developer will appeal to the Ontario Municipal Board.” I knew that this was not a win; that this was not the end of our fight if we decided to carry on. I knew that others would fight this kind of fight every time a developer submitted an application, and that there would be many applications, because of the city’s policy to encourage growth and its need to expand its tax base. As I had stood on the steps of city hall after the council meeting with someone who’d just fought another development on the other side of the river, I expressed my frustration at this myth being created of the ‘citizens’ victory.’ She agreed. What happened next would be different and would require much more of our time and energy. In similar reports in *The Record* in nearby Kitchener-Waterloo that week the decision was called “Common Sense: Guelph axes town-house plan after developer fells rare trees.” In Guelph another article was headed “Victory for Democracy.”

Weeks later we received notices of the council’s decision and the time allotted for appeals to the Ontario Municipal Board. The councillor mediator had warned us not to let this go there.

**April 23, 1986**



### **The Daily Mercury 'city beat' column "Plan wasn't good planning"**

The columnist wrote that "the planner representing area residents proved the plan was not good planning; did not conform to the present official plan; did not conform to the proposed OP; and violated several of the implementation guidelines which are to be used when dealing with existing neighbourhoods."

**July 11, 1986**

### **The Developer Appeals to the Ontario Municipal Board**

Neighbours received a "Notice that the Ontario Municipal Board appoints November 3 1986 for Hearing the appeal" by the developer. I spoke to our advising planner on notification of Hearing date. He suggests filing a preliminary objection and asking the Board to require the developer to submit plan of condominium, site plan and zoning by law. He suggests we "Notify the board that we plan to object to those as well, so we may as well hear all at one time." He says the Canadian Environmental Law Association (CELA) lawyer at \$500/day was cheap, and that we have to decide whether to hire a lawyer or a planner. He says we can argue good planning principles: that the City never provided enough information on intent (comprised of information fixed on a submitted draft plan); we should get a written request from council for planning support for their position or at least a council resolution which says the plan does not conform to the good planning principles, i.e. that this is why council refused; that the ravine is a hazard land, not designated, but the policy is there regarding steep slopes. According to our planner, this is the 'natural justice' argument and the basis for the old implementation (District) or secondary neighbourhood plans, which the city planner says will be made redundant by our new Official Plan. The question is, he says, what weight does the development agreement have in front of the Board. The problem is of "intent" – this is a perfect situation for requiring a site plan. If we could get minutes from 1946 OMB proceedings we could see why a previous development was turned down on this site. What studies have been done on site? Engineering, drainage, slope stability, etc? We don't have access to this previous information. OMB hearings are not recorded. There are no minutes, only records of decisions. There is no continuity of information. There is no history. When this was called "Jocius property" on the first Notice, we learned that Ginty Jocius (a well-known local marketing businessman) had owned the land and had tried to develop it with the fill-in-the-ravine and build a road straight through and put single

houses up either side, but the city had refused outright. The so called “alternative plan” the builder had presented at the first meeting, had in fact been rejected by the city in 1946! The decision was upheld at the OMB. There was speculation that the current owner perhaps still owed money to Jocius in a purchase.

Our preparations for the OMB hearing were entirely different from our preparations for council. We had to raise money to hire a planner. Our planner and lawyer met with the planner he had recommended we hire. We, the non-professionals, were left out of those discussions.

**November 1, 1986**

**The Daily Mercury**

The local paper features an article on page 1 under the title “Analysis” and headline “TEST TIME: Neighbours vs. City Hall, developer.” The reporter says:

The first real test of neighbourhood activism gets under way next week when Howitt Park residents square off with developer Arnold Bolliger at an Ontario Municipal Board hearing.” After a review of what’s gone on, he says “...while five days have been booked for the hearing, there could be some unusual twists early Monday morning. Bolliger is expected to ask for an adjournment to better prepare his case; and the residents are expected to ask the board to dismiss the appeal outright. The residents have a hired a Kitchener planner to represent them at the hearing. The city, because of staff’s position, has subpoenaed Waterloo planner (and local resident) Don Kaufmann who presented the residents with a strong case. [The developer] has his own bevy of experts, but has subpoenaed city planning director [MV], city engineer [RF], and recreation and parks director [GS].

**November 3, 1986**

**The OMB Hearing**

Assembled in the city council chambers, taking seats where councillors and city staff usually sit, the lawyers, residents, city staff, the developer. The OMB chair in the mayor’s raised seat. After hearing the developer’s lawyer and city planning director’s statements supporting the proposal, the Chairman questioned the city’s procedures for dealing with plans. He states he is “here to hear arguments re a zoning amendment, not plan of subdivision” which the developer’s planner was presenting. The City’s Draft OP he says, “has no status.” It “is an idea in somebody’s head, that’s all.” The Director of Planning says the District Plan is approved as a guideline, that it is no longer a ‘conceptual guideline.’ He says the proposal is in “substantial conformity with OP

objectives.” The Board Chair says there is nothing in Section 16 and 17 of the Planning Act that allows this procedure [of approving a plan of subdivision when the zoning is unchanged]. He refers to “the law of Ontario” and he says “we can talk about neighbourhood, what’s east and west and compatible and zoning.” “Let’s make it as quick and to the point – if there is a point – as possible.” Then my notes indicate the texts as schedules and the exhibits the Chair refers to as he reads out loud and checks the planners’ exhibits and asks questions: Reviewing process started 3 years earlier and Draft OP as exhibit 13. He asks, “How is this parcel designated? Schedule 1 residential as designated in OP...any environmental studies done? Was this site identified? ESA not worthy of protection Schedule 2? Under Draft OP are density requirements greater? Presently 16. Claim townhouse plan protects environment, is compatible, low rise 10/acre site plan. Exhibit 14 before council Jan 29, 1986 print date Oct 24, 1986. Director of Planning says *Staff Planning Advisory Committee recommendations, tries to embody conditions of development agreement prior to passing of zone change by-law.*

The Chair asks, “Who determines site plan conditions?” The Director of Planning says council has delegated power to him. He identifies this as infilling project. The Chair asks where is infill defined? There is no policy in existing OP, therefore does not comply. 12 units/acre = appropriate density to satisfy.

Chair: What are you infilling this between? What is being infilled?

Director of Planning: Infills into space between single family and park.

Chair: Don’t know density assumes 12. Why? On what basis? In other comparable developments?

I am allowed to ask several questions. Based on the notes I’ve scribbled in the hearing so far, I ask:

1. In the original description prepared by the staff planning advisory committee, what is the size of the site in question? What is your present understanding of the size of the site? Can you tell us how this figure got to be changed? The size was 3 hectares, now 3.6 hectares. How are the city or developer calculating density.

2. You stated that the staff planning position is to encourage and approve “a range of residential units” in a residential area? How then do you interpret compatibility? What are the concrete guidelines you have for determining compatibility of a zone change with

surrounding uses in cases such as this one and what you have identified as an infill project?

3. What is specified as allowable in the R3 zone? Does the R3 zone include duplex? (I know it does not because I've checked the by-law and the submission.) The Chair looks concerned and starts leafing through the huge zoning by-law document.

4. The Draft OP has a policy to encourage infilling which the OP does not. The Draft has several sections with conditions which must be met before infilling can be approved (see the resident GM's April 21 report). Was there consideration made of the draft OP, or is it being treated as relevant? The situation is, I suggest, the OP and Draft OP are in essence contradictory for this hearing.

5. If district/secondary plans are not of any use at the OMB and the OP is so broad, then what guides development in Guelph? At this time planners seem to refer to the Draft, which they say is better and "more concrete" and which makes the District Plans "redundant." In a later conversation a current member of the PAC told me that in making decisions, the planners can and do pick and choose among criteria to refer to whatever they want to, to back up the projects they put forward.

Documents may have "no status" as having a binding effect at an OMB hearing such as this one – that is, they are not approved by the city as a by-law where Zoning By-Laws have to conform to but are seen to 'implement' the City's OP in order to both regulate land use in planning practice and be legal documents available for public information. However, what I was seeing was that they do carry weight in the local settings of the planning process, and much more weight than as what the Director of Planning calls "conceptual guidelines." How do the documents, I was asking, organize routine practice? This was a real problem for knowing how to intervene.

6. A letter I sent to city staff departments asking for specific relevant engineering, etc information received no answers. I was told that none of this information was sought and was not available and was not necessary. I asked for 13 documents. What course of action requires this information and when?

At this point I could see this question was irrelevant to what was happening here, as the Chair looks irritated, but he takes up some of what I have asked. It was clear that we should not argue our case here at the OMB, as we did at city council, on the basis of

how the proposed development (for which we do not have a plan of subdivision or site plan) does not comply with the District Plans. The District Plans were based on local historical information, physical layouts, contours, rivers, actual uses of land, and were relevant to council since they were documents prepared by their own staff and approved by previous councils, and not yet made redundant by the Draft Official Plan. The Chair recognized this as problematic “that the appellant can argue where it does comply and the opposition can equally well argue how it does not comply.”

7. Re the Director’s opportunity to review our planner’s April 21 arguments: I ask if the director had met with DK to discuss planning arguments several times prior to the April 21 council meeting.

My notes switch to capitals: THE CHAIR SAYS THAT THE ‘OFFICIAL’ OFFICIAL PLAN P 21 EXHIBIT 8 ALLOWS AD HOC PLANNING WITHOUT CONSULTATION. SERVICING, “WITH REGARD TO PROTECTION OR ASSURANCE TO THE CITIZENS – HOW WILL WE HAVE THIS IF THIS BY-LAW IS PASSED, SINCE [THE DIRECTOR OF PLANNING] TAKES, AS YOU’VE RECOGNIZED, THE ROLE OF ADVOCACY (FOR THE DEVELOPER)?”

In a subsequent conversation (1990) the Director of the City’s Planning Department tells me that the Planning Department, unlike the Parks and Recreation Department that is viewed as a ‘service’ department, must “pay for itself.” It does this via income from development application fees and development levies.

At lunch breaks in a nearby downtown restaurant during the OMB hearing, the residents’ lawyer, consulting planner and hired planner talked heatedly. We female residents who have worked and strategized all along are ignored as we try to interject our strategizing suggestions. We roll our eyes at each other and raise our voices to get what we want to be argued, into the talk. In this lunch setting I see the already shaping up ‘deal making’ feature. It looks rather different from our expected or assumed continuation of a formal fair hearing process. What the still inexperienced female residents did not see was the ‘closure’ that the lawyers and planners could see at that point, and that we could not anticipate happening next, and for which they, with their experience, were strategizing.

**November 4, 1986**  
**Second Day of OMB Hearing**

The Chair raises questions about services. The City Engineer states that services are “simply a matter of money.” The Chair quips, “That’s the developer’s money!” The question of intent comes up: the developer “has not and is not compelled to apply for plan of condominium.” This [plan] can’t be made enforceable. Chair: “I would be more content if I knew how to separate what is here or how to put it into one package.”

Ah! Here I see our planner’s prior advice to me regarding how to stall the OMB hearing. He had advised me to ask for everything to come forward at once and to state that we would be objecting to it all. I did not do it at the time, probably due to exhaustion.

A discussion of “What impost charge?” What right exists in the Committee of Adjustment to set conditions after consent is given? The Chair refers to Section 52(1 and 2) of the Planning Act, “Contrary to statute it takes out of operation of statute Section 52 (5), re-examines does the site have to be properly serviced before building permit?” I do not understand everything that is being said or what is being put together. In response to the claim by the developer’s lawyer regarding their intent for the development, the Chair snaps, “What was in their mind is of no consequence, what is in the document is what I’m looking at.”

I am allowed to question the City’s traffic co-ordinator who has testified that there will be no impact on the surrounding neighbourhood by the increase in traffic from the development. I ask does he know what are the actual uses in the area that his formulas have created projections of traffic into? He does not know. I go into asking about traffic counts for various specific uses, intersections, etc, but the Chair now indicates that he wants to “figure a way out of this puzzling mess.”

Chair (speaking to the developer’s lawyer):

“You can’t come with plan of condo immediately to Board. The municipality must review it. The Board won’t be able to deal with a plan of condominium unless it’s as an appeal. It’s more than a procedural problem. Sec 50 of Condominium Act (2) Application under Sec 50 of Planning Act and subdivision procedure is applicable. You must make application and that will take its normal course, therefore [such a plan] might meet approval at the municipality. I have no power to commit the Board to [this plan.] We’ve got to go through the steps. I’m willing to adjourn. I see 176 more positives than negatives. Unless part of an appeal to the Board is in relation to the application. How do you join this up with the plan of condominium which might never get here?”

What I see and hear going on here is the Chair instructing the developer's lawyer on how to properly proceed in order to gain approval. He calls the lawyers into Committee Room B behind the Mayor's/Chairman's chair and council chambers, and they make a 'deal' for the developer to put in a proper application. I am outraged. That week I am interviewed for an article in a special supplement to the regional newspaper on current regional development issues and specific controversies. I explain to the writer how the Howitt Park case and this hearing went on. I am quoted as saying "all the lawyers go into the back room and make a deal at the OMB. This is how it works and it includes even my friend who happened to be there that day, and be a lawyer." This public statement of my frustration separated my friends, the lawyer and his wife, from me. We were all tired of this.

**July 1987**

**Notice of Meeting, Committee of Adjustment**

When we get a Notice of this committee meeting, we are looking at a map and drawings of the site, which are in this setting of a different thing – a different entity than we'd been seeing previously. It is a smaller piece of the larger site we've been focussed on. The application to this committee is to sever this piece as a lot with the existing house on it, off from the larger 'site.' Residents get this notice and a few of us go to this other setting of talk about what will happen on this site. The meeting is in Committee Room B. We expect the committee will know about the 'Howitt Park case'. The Committee of Adjustment deferred making a decision on the developer's application to sever the portion of the site with the existing duplex, based on our claim at the meeting, that the development proposal for the whole site is not yet decided. I am appalled that the committee members do not know what is going on, on the adjacent property. Decisions at this committee level are evidently made completely without information on what is happening around the sites they are looking at and making decisions on. The committee had only the particular information presented by staff about 'the site' as it was presented, as a piece to be severed from a larger piece, with a description only of what the developer wanted to sever, the existing house with a lot.

**August 1987**

**Ontario Environmental Roundtable**

I was invited to speak to the Ontario Environmental Roundtable at its Grindstone Island conference. I spoke on 'Communications and Negotiation in Municipal Planning.' It was my first experience of speaking in this kind of larger activist forum. I encountered a discourse into which my analysis did not fit. I did not address the future possibility and moral imperative of sustainable development, nor reference a spiritual connection to the earth that participants seemed to want at this event. I was baffled by their cool reception to my account of environmental discourse and its lack of engagement with "the main business" of land use planning.

At the same time I was invited to participate in the City's Community Forum for the Official Plan Review and the Community Planning Forum on Housing for the City. There was intense debate and several affordable housing activists present spoke out against neighbourhood groups and environmentalists. At the time I was a board member of Matrix Affordable Homes for the Disadvantaged. It struck me how 'special interest groups' were constructed and divided in city planning processes.

**September 15, 1987**

**Committee of Adjustment meeting**

I am shocked that just a couple of months later, there are different committee members who do not have background of this site and the ongoing planning processes and problems. They grant the developer the right to sever off a lot with the existing house, from the site, without information about what happens on the rest of the site. The remaining 'site' now has different boundaries, and of course the R3 zone is intact and the developer has made more money by selling the severed piece with the house.

**September 18, 1987**

**Notice of Public Meetings**

Neighbours receive a new Notice of Public meetings for a zoning by-law amendment "to permit the use of the property ...for 13 single family dwellings as condominiums," plus a map. Now the development is called "Beechwood Estates/City of Guelph." The new City planner handling the file, CM, has hand written notes on the diagram "the setbacks and side yards will be similar to a R1B zone subdivision" and in pencil marks more changes [exact] "resulting from Engineering comments. " I wonder why these lines and notations are there, how they 'justify' what the application is for, since it is a condominium. When I go and meet him and ask him, he says the dotted lines



that appear to indicate individual lots around the boxes indicating houses “Don’t mean anything. They are just what it would look like if it were a subdivision.”

**September 21, 1987**

**Notice of Committee of Adjustment Decision**

Neighbours receive Notice of the Decision of the Committee of Adjustment to approve the application to sever the lot and the existing house, under Section 52(1), subject to . . . conditions, with a list of ‘reasons for approval,’ with enclosures re: method and procedures for appeal. I wonder how residents or anyone can appeal the organizational arrangements for committee members attending meetings so that there is no continuity of knowledge? We can see that the developer’s moves will extract the most ‘value’ from the land.

**October 7, 1987**

**Planning Advisory Committee**

I get on the agenda and request the PAC add modifications to the development agreement regarding replacement of trees, no development below the 326' contour line, make a clear arrangement re: area of ravine not developed, and implement a tree saving plan. The PAC approves the application with none of our requested changes, approves a change requested by the developer’s lawyer, and recommends the application to council. I go home and reread the planning **Staff Report** through and notice the part that is the conservation authority’s ‘comment.’ It states that the agency “has concerns and recommends that the proposal not be approved until [it has] received satisfactory grading plans.” At this point I believe that this agency has the power to halt the development based on the physical features of the ravine that the residents have wanted recognized all along.

**October 19, 1987**

**City council meeting Transcript**

GM, (lawyer resident) makes a presentation on behalf of the residents and asks for conditions for protection of the ravine. Council has the PAC Report with a list of 13 conditions and diagrams. After several hours of discussion, Council approves the application with a minor change to condition clause 10, which the PAC had added at the request of the developer “or some other binding arrangement satisfactory to city council.”

**October 20, 1987**

**Receive copy of letter re appeal filed by GM re severance**

**December 15, 1987**

**Receive Notice of Appointment for OMB Hearing February 26, 1988**

**May 9, 1988**

**Community Forum on Housing**

Here the chair of the PAC participating in the forum, says, and is quoted in The Daily Mercury, May 10, 1988, p. 1, that some residents and their hired experts have a major attitude problem, don't want their neighbourhood to change and don't want to share what they don't even own with others. He says that they should wake up and realize that change is inevitable. His remarks were applauded by many forum participants.

**June 17, 1988**

**Notice of Public Meetings Re Draft Plan of Subdivision**

Neighbours receive Notice of Public meetings re Draft Plan of Subdivision and Associated Zone Change – To permit 12 single family lots and 2 Park Blocks. There is a different City planner AH dealing with this one.

**July 6, 1988**

**Planning Advisory Committee**

I go to this meeting with a few residents. I claim the new proposal does not protect the ravine; that the subdivision road sets units further into the ravine and engineering requirements with the 3-5 metre retaining walls would destroy the ravine. The Chair asks how many people do I represent. I say that the residents have been involved all along.

I read a fax from the conservation authority I have got that day saying they have a concern regarding the steep slope and that there is not a plan in place for stabilizing the slope. The committee recommends that council approve the plan, saying that “the conditions will cover getting an approved grading plan.” At this point I am beginning to talk to the planner about the development agreement and how ‘the conditions’ get into it. I see this whole planning process as having two parts, one of building up a set of written ‘conditions of approval,’ then a process of ‘clearing’ them. So this so-called ‘legally binding’ development agreement seems to retrospectively organize the whole process and what people do in it. AH the city planner claims ‘the Minister sets the final conditions’ that go into that legal agreement. I see, however, that what is in the texts in every site and setting that planners and others in numerous sites write along the way gets taken up and treated as adequate to move to the next step. I believe this is how it goes on, unstopped. It

is in part because that legal agreement is treated as final and somehow binding on what the developer does and, more significantly, on what happens on the land. I began to ask for copies of the city's standard condition clauses and Howitt Park development agreement.

**July 7, 1988**

**The Daily Mercury**

On page 1, the Mercury reports, "Planning Committee endorses Howitt Park subdivision," and notes, "The 12 single-family home subdivision is the third development proposal for the 1.3 hectare (3.25 acre) property submitted to the city in the past three years."

**July 18, 1988**

**City Council Meeting**

To prepare for this meeting I have gone to a consulting engineer who explains how retaining walls are constructed, and the NDP Municipal Affairs Committee planner who has been advising me all along, shows me how to do drawings called 'side elevations' based on the data the city engineer has given – engineering requirements for roads, storm sewers, setbacks, side yards, etc. I spend a day drawing, and submit to councillors, diagrams showing how this new plan and engineering it would actually destroy the ravine. One councillor stands up and says my projections are speculative, and then does his own verbal formulation of housing types called split levels with lower walk-out basements which he claims will mean lower retaining walls. I don't argue. I feel stuck in the moment. In the moment I forgot the key text piece, which the councillor has ignored in order to imagine his own speculative scenario in which the development is suitable for the ravine. In the text is the city engineer's requirement of gravity feed to the basements. This is what I had talked to engineers about and whose specifications I had used to do my drawings. The mayor asks me if I have any expertise in this field. I wanted to say, "No, your worship, however I am an expert sociologist, and my side elevations are correct." I didn't. Council approves the plan. The city planner tells me later that 'the city felt the developer had done enough.' Months later I find in the file another city planner's notes, addressed to the planner AH, saying "[A], it makes me sick to think engineering would do this," and with this note the planner does his own alternative scenario drawings

of cottage like homes on stilts above the ravine (notes to file). He knew the effects of the engineer's requirements meant the 3-5 metre retaining wall and destruction of the ravine.

**July 20, 1988**

**The Daily Mercury, p. 1. "Howitt Park subdivision okayed with conditions."**

**August 2, 1988**

**Notice From Ministry of Consumer and Commercial Relations**

A neighbour telephoned and brought over a package of documents she and several others had received. Owners of property adjacent to the site receive from the Ministry of Consumer and Commercial Relations, Real Property Registration Branch, Certification of Titles Act, a "Notice of Application to be registered as owners of certain lands/to have the property certified under the Act," plus Plan of Survey with Surveyor's Certificate January 22 1988, plus a December 1985 mimeo letter to "those with property adjoining the land under application." They were being asked to "sign off on" the boundaries to their land, as indicated on the survey. This is the legal procedure for establishing real property ownership.

**October 13, 1988**

**Notice of By-Law**

Neighbours receive Notice of passing of by-law from the city clerk plus city conditions.

**1988-89**

**'Nothing Happens' (for the residents) Regarding Howitt Park**

**1988-89**

**My 'Community Work'**

Several months pass, with no visible action (for the residents) on the Howitt Park case. I had been interviewed for a local cable television show and the station manager asked me and one of the university arborists if we'd like to put together our own show on the kinds of local development issues we were talking about. Starting in 1989 we conceived, researched and produced several shows for our show *Community Focus*, immediate issues that had us interviewing on site at such locations as city hall, for an OMB hearing on the city's responsibility for public health but inability to include a clause in its Official Plan that prohibits the production and storage of nuclear materials, and wading into marshes behind factories that were dumping their waste directly into the ground. I gave a talk called "Sustainable Development and the main business of local

planning” to the University of Guelph Conference on Sustainable Development, an increasingly popular concept that was organizing a lot of talk, meetings and writing. I was discovering a serious disjuncture between what I’d learned about how land development routinely was put together around us, and the discourses that took up ‘the environment’ in a peculiar objectified way with aims to protect it. And now, working with Dorothy Smith at OISE/University of Toronto, I was beginning to speak about my experience in scholarly settings, at the CSAA in Windsor, the Eastern Sociological Society Meetings in Boston in 1990. I became a Junior Research Associate at the University of Toronto’s Centre for Urban and Community Studies, and began to become familiar with their members’ research on urban policy. With Centre members I participated in the Seminar on Current Planning Issues and Research, Ministry of Municipal Affairs and University of Toronto, at Eaton Hall. Here the focus on land use planning for the ministry policy analysts was overthrown by everyone’s interest in what the ministry advisor Nancy Bardeki had to say about her work on the new financing arrangements the government was putting in place and was calling ‘disentanglement.’ At this time I was also attending several conferences aimed at trying to find ways to put into practice the Brundtland Report and its mandate: the Waterloo Region Conference on Sustainable Development and Its Application to Local and Regional Official Plans; the Region’s and Grand River Conservation Authority’s (GRCA) Integrated Watershed Planning and Management Conference; and the Public Forum on Environment and Economy Provincial Task Force on Urban Development. I joined the Steering Committee of the City’s Municipal Round Table on Environment and Economy. The project we undertook was to produce a public consultation process and Green Plan for the City.

**June 4, 1990**

**Tree Removal ‘Plan’ Comes Before Council**

I get a phone call from a friend across town saying she read in the local newspaper that tonight at city council the tree removal plan for Howitt Park is on the agenda. I call the city clerk but it is too late to get on the agenda. I go to city hall to the council meeting. The council chambers are full of people upset about development proposed in their area of the city. The planning director sees me and goes to the city clerk and mayor and asks them to put me on the agenda to speak. Right there, I get hold of the package for the meeting and the Engineering Report (Item No: 8-D) that is before the

council. This is a report from the Engineering Department and is a request for permission to clear trees off a site in order to bulldoze, dig, and install services. It says:

...a request has come from [BSRD] Limited on behalf of the developer; that request includes a report on existing trees and a letter from the BSRD planner that “the removal of the majority of trees located in the roadway and on the subdivision lots is necessary; ...the subdivision is positioned parallel to a significant slope; ...the removal of all the trees in this area is required; ...the trees are of marginal value; ...the lots are relatively small and it is unlikely that any trees could be preserved; ...the severe grades at the rear of the lots...will require filling to maintain any usable rear yard space. As council is aware, some tree removal was carried out in spring 1987 on this property prior to the passing of the tree by-law.

The report, signed by the Director of Engineering and City Engineer concludes “we consider the proposal reasonable and required to allow the development to proceed...it is staff’s intention to approve of the removal of trees as requested.” I object, saying that any existing tree removal ‘plan’ (not present in the package councillors have in front of them) is out of date and citizens have not seen it nor been informed. Council defers for two weeks, noting that the neighbours have been there on this item for such a long time. Once again I began to track the texts that were supposed to constitute “the tree plan.” When I do get the texts from the city planner and look closely, I discover that, in fact, there is no plan as such, only part of the 1986 drawings of the landscape architect done for the original proposal five years earlier; no diagram with trees marked out as expected, just the letter in the current package from the developer’s planner saying they will “...take every effort to preserve trees where possible ...”

During the following week the developer’s (new) lawyer calls me every day and leaves 2-3 messages on my answering machine asking to meet with me. I put off calling him. I did not know what to say or do. Now I was fighting for the actual remaining trees, as the engineers were ‘engineering the site,’ and financing agreements were being written up. I go to city hall to talk to city staff in the planning department and other departments about what happens next. I am interested in how trees get handled by the city, but again, what are the processes going on now? The city planner tells me that there are servicing and subdivision agreements, but the city may not be receptive to adding more conditions. At this point, he says, the plan is not yet registered and “the province needs to hear from the municipality.”

**June 1990**

**Dealing With The Developer's Lawyer And Planner**

For two weeks I consult and get help from the university's arborists and city planners about how to make a deal with the developer through his lawyer and his hired consultants. We talk trees, volume, size, costs, species, etc. I talk to the works department, engineering department, and parks department about trees. I discover that looking after trees in the city is divided up among several departments. None is responsible for keeping track of publicly owned or privately owned trees in the city as a whole. I figure this is how we lose tree cover rapidly. I try to get a procedure in place and documented to have developers replace trees by volume destroyed in the process of doing a subdivision in which they make a million dollars. I want a tree replacement procedure that would be visible and set a precedent so the city could show developers how this city requires developers to replace trees they destroy during construction of subdivisions. I later discover that what we negotiate is not documented, but the negotiations we have made are hidden within the normal financial arrangements between the city and the developer. So this kind of work to get a procedure and an outcome would have to be fought for each and every time, and who would anticipate the tree removal process, which does not itself require public notice and is a routine work process involving the city engineer and the developer.

**1991**

**More Conferences**

I am invited to several more conferences, including the University of Waterloo's School of Urban and Regional Planning "Green Cities: Visioning a More Livable Habitat;" the Association of Municipal Clerks and Treasurers of Ontario Management Symposium, "Implementing Sustainable Development in Municipalities; and "Greenways and Green Space on the Oak Ridges Moraine – Towards Co-operative Planning" sponsored by Trent University and the Ontario Trails Councils.

At the same time, neighbourhood groups protesting "infill" and "intensification" projects in the city increased, as did scholarly and news accounts. Later, in 1992, Strategies Education, an independent agency, sponsored a workshop in Toronto on Residential Intensification for the real estate development industry.

**June 18, 1991**

**City Council Meeting**

I go with the developer's lawyer and his planner and submit my **Report on a Tree Replacement Program** paid for by the developer and request for 1350 trees planted by the residents with the help of the university arboretum staff. In their presentations, the developer's planner and lawyer claim he has cooperated with the residents and that this is proof that the developer is "environment-friendly." The residents around Howitt Park and others across the city organize a weekend of tree planting. Families come from all over the city to plant trees in Howitt Park on the west side of the development site. The reporter and photographer from the local newspaper are there. The mayor comes, gets his photo in the local newspaper and the Parks Department park planner who comes to the event claims what we are doing is part of *their* [the City's Parks and Recreation Department] 'naturalization program.'

**June 19, 1991**

**Flyer in mailbox**

The developer's lawyer sends out invitations to councillors and residents to remove trees from the site as they are "an asset to be protected."

**1992**

**Engineering on Site**

There are many problems with building in the ravine. The 'environment-friendly' developer tries several methods of building a retaining wall in the ravine, before getting an approvable structure. Bulldozers work in the ravine. Several neighbours complain to the city, one of them, an engineer, describing the site as dangerous and not meeting engineering standards. A conservation authority employee walks the site with me and declares it a "hazard land." The city engineer inspects and says simply the orange fence meets the standards and makes it safe. The wall is eventually constructed out of huge blocks of cement. Big 'monster' homes are built and 'Beechwood Estates' is advertised as 'in a ravine setting.' The myths of the Howitt Park case persist. The residents are remembered as having 'won.' The development was changed from townhouses to single family houses. The developer paid for the trees. The Howitt Park 'case' ends, but my own involvement in a variety of city and provincial planning processes continues.

**April 1992**

**Ontario Society for Environmental Management (OSEM) Conference**

I was asked to speak to the Ontario Society for Environmental Management Conference, called 'A Municipal Guide for the Environment.' At this point I was more



strongly speaking about what I knew about the organization of the land use planning institution whose constituent work processes were being reorganized, not by discourses of environmental reform like Sustainable Development and its local community initiatives, but rather by the reorganization of a global economy and its national and provincial initiatives that were being drawn into the municipal processes of zoning, budgeting and production of ‘efficiencies’ in administrative processes. I had seen it in the texts and heard in planners’ talk over the last several years. The environmentalists did not get it but the municipal and regional planners did. It was the planners from other regions and municipalities who gave me their business cards and asked to meet and talk further.

**1993**

**Zoning By-Law Review**

I was invited by the director of planning to chair the environment panel for the city’s Zoning By-Law Review. I do, and work with professionals from several agencies, environmental lawyers and residents to make recommendations to amend the city’s zoning by-law. We meet for weeks, reading the thick text produced in a newspaper format, and several background pieces of legislation, regulations, codes, other municipalities’ wordings of by-laws aimed at protecting specific pieces of environment – hedges, borders, public spaces. Much of what we recommend was not taken up to be inserted into the zoning by-law, although the legislated regulations of the conservation authority on floodplains, are inserted.

**1994**

**Official Plan Review**

The long range planner for the city asks me to help facilitate a public forum on the Official Plan Review, and I go through another form of engaging city residents in the work of policy review. The ‘new draft’ I had encountered in 1986 was now being changed itself.

**1994**

**DBM Redevelopment Committee**

At the same time I was invited by a member to be on the Redevelopment Committee of the Downtown Board of Management (DBM), and I begin meeting with them, then to research and write reports for them on how the downtown is shaped by the city’s OP and zoning policies which support development of subdivisions, strip malls and industry, on the city’s periphery. I work with an environmental designer to analyze and

indicate where and how problems emerge in the downtown and can start to be addressed. She makes drawings of simple changes from the perspective of the pedestrian in the downtown. I make huge coloured maps on which inexperienced people can see how zoning works and how recent applications for building that have been opposed by residents identify “hot spots” all around the important entrances or ‘gateways’ to the downtown. At our public open house presentation of our work, people talked about what we’ve seen and mapped, and connect it to their own experience of city development. The city planner in charge of the downtown, however, calls the work ‘unprofessional.’ Years later our mapping and design analysis are incorporated by the long range policy planner into the city’s work on the downtown. In 2001 the city’s Downtown Economic Strategy Steering Committee (DESSC) includes several of our recommendations as their ‘Year 2000 accomplishments’ and ‘2001 Action Plan’ (City News, *Guelph Tribune*, June 22, 2001, p.10).

**1994**

**Strategic Economic Directions**

Some of us negotiate with the city directors of planning and economic development, to form a partnership with the DBM to do a secondary plan for the downtown. We suggest a fundamentally different kind of plan that would address the issues of other policies and include a new management structure and administrative organization. In the city’s budget process, city council votes against the secondary plan for the downtown being funded. They vote to fund the concept plan for the newly annexed lands in the south end (annexed from Puslinch township for the city’s expansion towards the 401 highway to capture industrial and commercial locations moving out of high cost Toronto).

**March 29 1995**

**Minister of Municipal Affairs sends notice addressed ‘Dear Colleague’ announcing ‘new land use planning system’ based on March 28<sup>th</sup> “proclamation of the Planning Act parts of Bill 163 and the planning-related amendments to the Municipal Act;” provincial government’s Comprehensive Set of Policy Statements take effect.**

The letter concludes “Thank you for your interest and participation in planning reform. Fold out includes list of “Planning Reform Publications – Order Form” listing legislation, policy statements, summary of amendments to Planning Act and related

legislation, implementation guidelines, several bulletins, a Guide to the Ontario Planning and Development Act, and a Guide to Planning Applications.

**1995**

**City Strategic Planning**

In 1995 I work with the DBM group to insert the Downtown Vision (a text worked up through a community involvement process led by a professor from the university's University School for Rural Planning and Development (USRPD) into the city's Strategic Planning process. Strategic Plans are at this time the latest management technique, moved from the private corporate sector into public institutions, and when municipalities undertake them they are funded in part by the Province. The city hires an outside consulting company that has recently done a Strategic Plan for a city in the Greater Toronto Area. The firm gets people in the city to come to lots of meetings and puts together what people say into a document. At the last public meeting with the consultant the Developers Association comes in with its brief, and this gets inserted whole. The nice "vision statements" regarding the downtown are incorporated at the front of the Strategic Plan text and not in the action section. We write amendments and recommend specific actions. Some are added by the city's writing team. But in the next textual 'round' the Action steps are prioritized, and the downtown actions are designated for 'later.'

Some of us on the DBM downtown redevelopment committee approach the city's economic development department and suggest a partnership with them to plan a strategy that includes the downtown. We say that the growth of the Greater Toronto Area with industry wanting to locate outside the GTA, want a location with a vibrant, safe, etc, downtown. The professional and business discourses on industry flight and relocation are saying the same things. The argument works. We work for months with a team including three of us from the DBM, the community economic development expert, the city's economic development director and commercial development officer. We aim for a long term multi-strategy. At this point the city hires a new Chief Administrative Officer (CAO) from the big city to the east of us. He takes two weeks of reviewing what departments are doing, claims the city has 'too many studies going on' and demands we have the 'study' completed within a year. Rather than develop a long term set of strategies that the group intended, we complete a study.

1996

**Downtown Economic Strategy Steering Committee**

We then begin to work with the new CAO and form a new group the Downtown Economic Strategy Steering Committee. We are appointed by city council. The councillor who chaired the committee is a progressive female and head of the OPIRG. In the year 2000 she was elected mayor of the city. Some of us fight to get on our agenda a new management structure for the downtown. By 1998, the downtown is hot. Many cities are doing revitalization as part of attracting new industries and businesses to them, citing the new economy and requirements of corporations that recognize the importance of community in location criteria. The DESSC is addressing physical planning as well as commercial incentives, building code changes, greening measures, parking issues, marketing strategies, and the organization of administration for the downtown. New studies are commissioned. Design *charrettes* and community forums and MBA student studies recommend a new structure. Several businessmen, developers, the planning department, the tourism group, landscape architects have thrown their weight behind, and have taken on, the work we've been trying to get the city doing for years.

I was still the volunteer. Not categorizable. When the DESSC accounts for itself, I was referred to as the committee's 'citizen at large', sometimes referred to as 'University professor.' I don't quite fit, and it was often impossible for me to get to meetings because they are scheduled during the normal work day, based on people having their own business or working for the city and so it being part of their work to engage in this business. For me it is not. It is difficult to stay engaged with the planning processes while working in a realm quite apart from the planning and development sphere of activities. This experience makes me acutely aware of the boundaries to this sphere of action, and of the peculiar mode that produces a public knowledge of land use planning and development through the news media.

I sometimes had trouble getting the documents that are circulated around city hall and to others with whom the CAO, councillors and planners are in regular 'conversation.' The main business and its regular conversation, go on. The DESSC produced an 'action plan.' It included the city's reinvestment in the downtown, and the development of a new management structure. This is part of the city's "Open For Business" policy and strategy to attract corporations to locate in the city, part of the newly formed regional

“Technology Triangle” and to position itself in the emerging tourist industry in Southern Ontario.

#### ISSUES FOR RESEARCH

When I started, as an activist, on this ten-year journey through the complex pathways of the municipal planning process, I began, as did other residents, with no more than a very minimal knowledge of municipal planning. We had assumed that our ‘well-informed’ interventions would be heard and taken seriously. As I pursued the line of activism and discovery, I learned as I went along. But I also became an ethnographer and as such I saw the need to begin to explore the processes in which I was active so that the ways in which our interventions as residents and environmental protection interventions are in general ineffective. The municipal land use planning system coordinates municipal economic development with development at the provincial and national levels. Changes made at one level must be coordinated with changes elsewhere, sometimes outside the jurisdiction or effective reach of a given governmental process. In Ontario Canada, changes were made to several Acts of provincial legislation by the Conservative government elected in 1995. Those changes ‘streamlined’ the development process, reorganized municipalities’ and agencies’ work processes. Among other changes, environmental protections were virtually eliminated. Shortly before it was ousted, the previous NDP government, following the recommendations of the Commission to Reform the Planning Process, had introduced provincial ‘Statements of Interest’ that would have enabled provincial intervention in the interests of environmental protection. These were done away with in the Conservative government reforms. Legislation changes and new Statements of Interest regarding land use planning and development were just a part of a reorganization of governing that has opened up the planning process to competitive economic development through zoning land use. In municipalities since there have been battles over proposed budget strategies to raise residential taxes and reduce ‘development charges’ paid by developers to pay for the costs the city incurs for building new infrastructure (roads, upgrade sewage treatment and so on) for the new subdivisions developers build. There are ongoing changes to governing and planning in the province, including financial ‘disentanglement’ and downloading of planning

approval responsibilities to municipalities. The operation of a ‘new public management’ discourse takes shape in accountable ways in municipal economic development and land use planning processes. Municipalities are undertaking ‘Smart Growth’ and ‘Smart City’ processes that involve “extensive” public consultation and meet the provincial requirements for municipal reorganization. Their products will replace the ‘strategic planning’ that was provincially funded and rampant several years prior. The builders’ and developers’ associations are vigorously opposing the ‘Smart City’ report being produced in my city – one of the top three ‘environmentally-friendly’ cities in Canada – even before the report is public and goes to council for approval. My city is not a ‘world city’ or ‘global city’ that is the centerpiece of new scholarship on global economic changes. My city is a mid-size university town, population 108,000, in formerly agricultural countryside, one hour from the megalopolis of the Greater Toronto Area, and has a reputation for environmentally friendly waste management and development. My city faces issues of declining water quality and quantity, and impacts of ‘sprawl’ on our downtown small businesses. New battles over land development proposals for subdivisions and ‘big box’ stores are increasingly bitter.

What happens in battles over land use is of interest to residents, activist organizations, professionals in the process and scholars in several disciplines. These battles take place everywhere in the world. While the ‘public participation’ varies, the social organization of planning relations is present and discoverable in every situation. For a social research that can be useful for someone wanting to actively engage in the planning and governing processes taking place around us, the issues are how to make visible fundamental aspects of the organization of land development planning and its politics in routine activities as it goes on organizing people’s activities in time and space.

There are four issues for research my work intends to address.

The challenge is to produce a research approach that can make visible the social organization of policy and planning in a way that brings to the foreground the dynamic flexibility and active character of textual practices. The experience of residents is through and through of a complex textually produced and powerful organization that those working in the field take for granted and speak about in terms that obscure what goes on. The Howitt Park ‘case’ shows that the documents have a historical character and the

textual aspect of planning is extraordinarily significant and consequential. People actually orient to and talk about texts in diverse ways and in every setting. The challenge is to draw on that ontological experience of the social and produce a rigorous account of the governing practices and processes in which that experience emerges.

The focus of popular and scholarly accounts of governing and policy is largely of decision-making and assumes the bodies that do it. The experience of 'Howitt Park' reveals that what scholarly and professional discourses and speculative accounts ascribe to one group or body, such as a council, an agency, a provincial government or 'citizens,' comprises much more complex and extended sequences of activities. The disjuncture and connection between the public accounts of 'the process' and its 'decision-making' and how it actually goes on in ways one can observe and take part in, in these material and textual practices, is a challenge for an inquiry that will produce alternative accounts.

A common complaint among planning and policy analysts and critics is that residents and 'the environment' are excluded from land development policy and planning. In a 'neutral' and 'democratic' process where different interests are taken into account and "balanced" by decision-makers in public, the challenge is to make visible how the process draws people into the ongoing action in different ways, positions them *in the action* differently and constructs or 'scripts' what they can say. How can we develop an inquiry that can account for just how residents and others come *into the process* and are 'heard' and 'environmental' physical features are brought in and addressed in consultation and decision-making activities? How to make visible the power of texts to bring in people and their utterances, including those of opposition and concern, into the 'meta-language' that operates as an in-common perspective of the legislated process? How is it dialogic, drawing in and engaging diverse actors so that it produces itself as 'consultative' and at the same time neutral? An alternative research approach to policy and planning analysis will make visible how opposition and 'concerns' are incorporated and 'resolved' rather than 'co-opted' or excluded. Such an approach will consequently help to identify, for example as Ellen Pence (1999) has done in her study of the justice system in Duluth, Minnesota in the USA, progressive ways to intervene in several sites, to modify the textual production in different sites, and change how the system functions. Once those working in the system jointly take into account how they produce in routine

textual practices, the operation of the system, its procedures and its problems, Pence shows they can work with advocacy groups to produce effective changes.

How to make visible the complex work processes that comprise an institution, and produce institutional action with the features that it has, in order that interventions, changes, policy reforms might be able to actively protect living physical land or heritage downtowns. The character of the system needs an account, not as the 'city as growth machine' and so on, but as coordinated activities including texts and talk that are encountered in experience. The account must show how these are replicable forms of reasoning and accountability, how the local actions of individuals actually produce what happens as instances of whatever discourse is drawn on – good land use planning, part of global economic restructuring, a piece of the new public management and the city's good business practice or what is policy. The experience of 'Howitt Park' was of a field of governing and planning as constantly being planned and reorganized. Not at all a 'static' or 'neutral' bureaucracy. Policy planning processes and consultation processes are continually being put together and their products 'implemented.' Documents are constantly produced. The concept of 'policy networks' and 'policy communities' seem to grasp this broader context of activities. They invite accounts of legislated, commissioned and otherwise governing relations in which these planning processes go on as taken for granted institutions of governing. How could a social research make visible the language procedures that operate so that we are drawn into them as part of an ongoing public 'consultation' and in which we learn how to know and to speak and act, but that somehow turns out to be building private land development? How can we show the 'system's' peculiar function, line processes with their forms of reasoning and decision making at work? What activists, reformers and scholars of urban politics and policy want to understand in order to effectively intervene in *the planning process* is how all these line processes work so that in the work people are doing, in spite of residents and agencies being *in* the process, capital interests in the profitable development of land work their way through the existing organization of the public institution.



## CHAPTER THREE

### STUDIES OF PLANNING AND GOVERNING

#### LAND USE PLANNING AND GOVERNING: AN EMPIRICAL SPHERE OF ACTIVITIES AND HOW IT HAS BEEN PRODUCED AS AN OBJECT OF STUDY

Accounts of ‘the planning process’ and its problems emerged in the course of my own activism. The brochure published by the provincial government that outlines the steps the developer has to go through to get the zoning on his property changed (Figure 1); what the planners, politicians, engineers and other practitioners, said about the process; articles in the magazine *Municipal World* in the city hall offices; news media accounts of government and the development industry, and so on, all provided accounts from within the professional discourses of planning and governing. There was no overall account of the text-based work, the writing, reading and coordinative textual practices that put together much more than the ‘steps’ the brochure represented, the activities and relations on which spoken accounts relied. I wanted an account of practices that put together the social relations of planning, that included the texts and showed me where different participants intervened, did and said something that made a difference to what was happening or built the process as I was discovering it as a novice resident activist drawn into these complex relations. I could see that there was a coordinating of diverse work processes involving unknown individuals working in unknown sites, bringing them into *the process* and what reformers called *the planning system*. The city planners appeared to be central to putting all this work together routinely. They produced the texts for public settings. But, powerful official events municipal planners waited for, such as ‘what the Minister says’ and ‘what the agencies say’ did not appear in public settings. They were introduced into conversations in municipal offices, part of how planners talk about how the process goes on and what they do in it. These are the active local discourse practices of city planners. The coordinative work was also going on in several sites outside the municipal offices where the planners did their work. Councillors, agency

planners and developers all talked about what they do in the process in the terms of the official steps they participate in. Further, how people talked about their work and the process did not reveal the complex text-based action going on. These accounts, produced in and for ongoing processes, did not address the coordinated work that I began to see as putting together entities such as 'the city,' 'agencies,' 'the minister,' 'the process' and 'the residents' and their acts. People I knew were trying to intervene in this coordinated work of people in multiple sites. Drawn into this complex of ongoing courses of action putting together development planning and its local politics, I discovered it to be overwhelmingly organized in and through this other realm of texts and activities of which there was no account.

I began to read about planning and government in scholarly journals. Scholarly discourses are regulated by procedures orienting to theory development. Currently, for example, Hamel (1999) is concerned with contributing to and improving a theory of democracy, just as McCarney (1998) is aiming to improve theory of the state, Lustiger-Thaler and Salee *et al* (1994) 'a politically effective language of everyday life,' and Magnusson (1994) a theory of municipal 'alternative politics.' Each reflects on the actual social organization of social movements and political reforms and their conceptual apparatus and language. Movements are said to take up 'radical modernity' (Hamel 1993). Within processes of privatization and reorganization, professional forms of knowledge are said to provide the basis of a 'new class,' new forms of class conflict in the 'global city region,' and a new form of 'citizenship' (Isin 1996). Research and activism are said to need to make visible "the discursive and material processes that make [the] city," and to build local politics and "new urban environments" that "sustain local places in the age of the global city" Keil (1996).

The activities of planning land use occur within an empirical zone of governing and administering that organizes broader social relations in our society. As a general field of action, planning is claimed as a topic by several disciplines and is produced as an object of study in and for planning, urban and political studies, organizational theory and policy analysis. In this chapter I look at how various approaches take up and orient to planning activities and their politics as an object of study and how they provide an understanding of the activities they claim to illuminate. Their disciplinary languages

bring into relation the reader and the zone of activities and social world written into the text as objects in peculiar ways, providing a set of formulations about how things are, how they work, what should happen in practice, and so on. I examine samples of work on urban politics, city government, and planning in terms of how they set up a methodological and analytical frame for investigating and explicating the sphere of activities I have elsewhere (Turner 1990) formulated as the main business of planning and how it goes on in textual practices and procedures in standardized courses of action. My concern for activists and researchers is how these approaches constitute objects and relations in common for a discourse, how they provide for what counts for us to orient to as a basis for our knowing our world, how planning and governing works, and for what will come next and for possible action. I examine how the various approaches take up and orient to planning activities and their politics in order to clarify how I am doing it differently and what the social organization of knowledge approach and institutional ethnography in particular has to offer the study of planning and governing. The work examined is interesting and expands the conceptual framework beyond simple notions of “the state” and “governing” to trace the powerful discourses operating these institutions and the effects in local communities. It offers no resource however, for inquiry into how municipal governing goes on and puts together in observable practices what these approaches treat as ‘context’ or an operating ‘grid’ of practices. These scholars call for further studies and analyses but do not offer a method for detailed empirical investigation of social organization. They lack a conception of organization that renders ‘mundane’ events observable and explicable in terms of the larger processes in which they are constituents and that these scholars are interested in theorize and describe as events. My work undertakes the complementary task of empirical investigation into the material, mundane procedures and practices that these other accounts rely on but do not empirically examine.

#### **PLANNING AS PROFESSIONAL KNOWLEDGE AND PRACTICE**

This work focuses on planning practice as a profession, and which has a territory, role, ethics and body of knowledge that is relatively stable, repeatable, teachable and transferable. It is seen to be the expert knowledge that can provide “guidance” and

mediate conflicts of interest in a 'rational' process (Robertson 1982, Forester 1985, Freidmann 1987). The work relies on a conception of a specialized territory for practice, a training and body of knowledge and skills required to engage in the practice, and a definable 'role' for practitioners. Issues of professional journals hold debates on the changing 'role' of planners. Richardson (1989), Dakin (1989), among others, write on what role there is for planners "in the new politics of development." The dean of a top Canadian University Environmental Studies Department that graduates professional planners claims that, "there is not much of a role for planners at the municipal level." Critical planning theory that draws on Jurgen Habermas's conception of 'systematic' and 'distorted communication' (Roweis 1983, Forester 1985) examines the work of planning professionals as primarily 'communication.' Standard work practices are background to issues of communication in planning relations and their features – growth and development, conflicts of interests. A problem that emerges out of how current planning programs teach a professional body of knowledge and practice is described by the planning director in my city: "the graduates of these programs don't know how to do the work. They don't know how to process plans and developers' applications." An instructor in a university planning department complains that students in his program are "not interested in the documents."

Accounts that focus on planning practice rely on the body of organizational theory and political science theories of administrative behaviour and the policy process in public administration (Simon 1982, Simeon 1976, Kolb and Van Maanen 1985, Doern and Phidd 1991, Salter 1993, Sabatier 1991, Clark 1991). The notion of expert administrative knowledge as 'rational' behaviour is central to the notion of planning. Robertson (1982) characterizes planning as a natural human process that 'took hold' internationally:

People plan. To do so is little more than the exercise of human rationality. It is a means by which we try to exert control over our daily lives, making decisions about how we should behave. Insofar as we are dealing with a future which is always uncertain, planning is a hazardous activity.

Planning and administrative behaviour theorists recognize that in practice, planning is a 'bounded rationality' and highly 'contingent.' Robertson reiterates some of the troubles in the jurisdiction of planning others have expressed (Forester 1985, Freidmann 1987, Richardson 1988, Roweis 1983). These troubles coalesce in the

conceptions of planners and decision makers' tasks as situated in the highly charged political context of planning activities. This conception is shared by political theorists of urban planning and social semiotics. Forester (1985), Freidmann (1987) and Roweis (1983) among others, did foundational work focussed on the practices of planners. They conceive of what planners do as a complex of functions comprising a mediating, advisory or educative role in the processes of development. The analysis focuses on professional communication to how well the individual communicates what he knows within a field of 'systematic distortion' and power/knowledge. The way planning has been conceptualized within urban politics discourse emphasizes it as shaped entirely with the market economy (Peterson 1991) or in the choices city decision makers make while working out arrangements between private investment 'owners' and the public authority – a 'governing coalition' (Stone et al 1987). Making policy and the procedures that involves, is central in Stone *et al*'s analysis because it is understood as the working out of conceptions of "the public interest *mediated through* a governing coalition" (emphasis mine). This sounds promising for empirical investigation of how that 'working out' goes on. Practices that shape and carry out development are described as "which interests compose the coalition and by what rules they play." In these political studies land development and its procedures are often likened to playing a game, and the work of players is subsumed in it.

Policy and planning processes are often assumed to be 'rational' forms of problem solving. Even critical studies of administrative behaviour and planning rely on a concept of a 'rational' or neutral process. Tester (1985) examines the public and professional treatment of planning issues as resolvable by techniques – inventories, land use studies, economic benefit/cost analysis, mapping overlay techniques and value-free scientific inquiry. This he contrasts with an alternative process in which seeing issues as "questions about different values and assumptions" would prevail. While the problem solving process actually holds within it debates and disagreements and public forums, 'rationality' is still present as the bottom line in problem solving activities. With a 'rational' process assumed, Tester suggests "the important issues and real bases for decision making are values and power." Simeon (1976) suggests that the 'pragmatic' aspect of decision making versus the ideological, provides method in the apparently ad

hoc (ideological) madness. Planning is considered as co-terminus with ‘rationality’ in a number of ways: one is the planner’s knowledge and the organization of information by specialists. What planners know has been conceived as specialized forms of knowledge exercised within a ‘territorially based system of social relations (Friedmann 1987)<sup>1</sup> Friedmann identifies ‘the everyday speech in the context of action’ and grasps practices:

It is only when we proceed to talk or write about a given problem that knowledge is actualised. In talking and writing we address an audience, sometimes visible and sometimes not, from whom, sooner or later, we expect a response that will either refute or validate what we say, or else expand on it, refine it, and ultimately redirect the conversation to produce a new perception of the problem and new modes of practice. (373-4)

While Friedmann identifies an ongoing process, he moves the conception of planning from a ‘rational choice model’ to a ‘political choice’ model (in Hilts and Fuller eds. 1990: 36). Here he proposes we replace the ‘mystical’ concept ‘sustainable development,’ with a concept of ‘qualitative growth’ that he sees as having “relevance to us as a collectivity, a political community inhabiting places to which we are attached” (ibid: 36). It is a revision of ‘rational’ choice, locating the ‘mediations’ of planning centrally in the project of ‘the structural transformation of industrial capitalism toward the self-production of life, the recovery of political community, and the achievement of self-reliance in the context of common global concerns” (1987: 412). The notion of the ‘rationality’ of planning is still operative, observable in local practices and characterized as susceptible to the vagaries of ‘politics.’ We can read quite routinely in *The Globe and Mail* headlines in the business section such as “Development Stalled by Politics” and be led to assume the ‘rational’ process of development there, lying behind the surface.

A few studies of administrative processes examine the ways political decision-making relies on versions and conceptions of science and scientific data (Salter 1986, Clark 1990). These studies employ a concept of a sphere of interaction and communication among formal organizations whose task is to work out discrete

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<sup>1</sup> See his *Planning in the Public Domain: From Knowledge to Action* (1987) for a comprehensive analysis of traditions of planning theory including conceptions of planning practice, the state and politics of the planners’ ‘role.’ His work also centralizes the notion of mediation in that role and proposes a ‘radical’ planning practice based on Habermas’s “communicative acts” and discursive thinking (393).

organizational rights and responsibilities while formulating acceptable standards of public risk. Clark theorizes ‘turbulent environments’ in which organizations and decision-makers act. He wants to examine ‘social technologies’ used to organize decontamination after a fire and toxic chemical leak in a State owned building in Binghamton, New York. He has a notion (following March and Olsen 1979) of “patterns of interaction that direct solutions to problems,” but in order to explain “differences between what organization representatives said and what they did” invokes Lindblom’s (1959, 1979) conceptions of policy makers, scientists and bureaucracies as “muddling through” (177). Clark says “organizations act and produce goals only when they are challenged to render sensible accounts of their actions” (174), showing how in the Binghamton situation this is the result of the specific actions of individuals in public positions representing organizations.

The conception of organizations and institutions operating in ‘environments’ that produce different conditions within which they then ‘act,’ is widespread.<sup>2</sup> Paehlke (1985) suggests that the environmental movement of the 1970s opened bureaucratic decision making to public input but the fiscal crisis of the state has in the 1980s meant a return to a Weberian bureaucracy characterized by closed secrecy. Tester (1985) examines the economic crisis effect in development cases in New Zealand and Canada. He warns environmentalists to pay close attention to the ways local decision making processes are being shaped by “the crisis of the state.” “The crisis of the state” is characterized as international market forces putting a squeeze on states. National governments and local governments are likened to corporations. In this view public corporations, amongst freer private corporations, have restrictions to their efficient operation. They are turning to big resource development projects to kickstart or revive their flagging economies. As in Rostow’s (1960) seminal economic development theory, growth is still the condition that ensures survival. Land is the resource of resources that the city and private developers

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<sup>2</sup> I am not reviewing organizational literatures here, but see Perrow (1986) for an overview. I am rather looking at how in studies of governing and planning particular conceptions of organization and institutions operate.

have in their control (Layton 1990). In this context, the reality for planners then, operating with the restrictions of a 'rational' and legal process, Webb (1986) has called 'between a rock and a hard place.' He describes planning practice as "levering" legal and documentary instruments to pursue policies within the particular constraints of pressing policy implementation or enforcement in formal (courts/judicial) versus informal (bargaining, negotiation) means. In this literature, how the external 'puts a squeeze' on the local and viewable operation of governing and the routine work of professionals in public institutions is nicely identified.

The literature theorizes social structure and points to the political character of planning. The notion of an ideal planning process – an instrumental practical reasoning – accessible to anyone who can cut through the 'restrictions' or 'misinformation' in the system is operative. Critical organizational theory goes so far as to posit a 'garbage can' model of organizational choice (Clark, 1990) in attempting to do empirical investigation of organizational and policy activity which 'applies' the highly developed theories of "policy subsystems or communities" and develop a general causal theory of governmental policy decisions and its impacts on society.<sup>3</sup>

#### **PLANNING AS URBAN DEVELOPMENT POLICY IN A LOCAL STATE POLITICAL CONTEXT**

Studies of urban politics and the local state have described this sphere of local governing practices as an 'urban regime' of stable 'institutional arrangements' (Elkin, 1985), a 'growth machine' (Logan and Molotch 1987), 'growth coalition' (Molotch 1976), 'informal regime' (Elkin 1987), 'regime with the 'power of social production' (Stone 1987), activities of 'the local state' (Cockburn 1977, Wekerle 1996), local 'political architecture' (Clarke 1991, 1993), 'governing regimes' (Fainstein 1990), and again 'institutional arrangements' (McCarney 1996, Preteceille 1990, Stren 1996). These are compelling accounts. They attempt to analyze a sphere of institutional action, its forms and its politics with an interest in its power and consequences for specific social groups and urban form. Recent Canadian, U.S. and international collections (McCarney

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<sup>3</sup> See Sabatier 1991 for a summary of the field.



1996, Goetz and Clarke 1993, Logan and Swanstrom 1990, Andrew and Goldsmith 1998) conceptualize local governments as 'reinventing' themselves in the context of global economic and state restructuring. These studies raise issues of democratic participation and 'activities that link the local population to their governments' (Andrew and Goldsmith: p. 111). They theorize a new form of municipal 'governance' as 'a contested political space in which local politics are a means of determining "collectively binding rules and policies" and providing for the "resolution of disagreements"' (p. 115). Susan Clarke (1993) conceptualizes a 'new terrain' of local politics and governing where 'relations between public and private sectors' and the 'most basic governance issues,' are being reconstructed and reconsidered (p.1-2).

Studies of collective action and social movements (Carroll 1992, Magnusson 1992, Lustiger-Thaler 1992) construct what people do as discursive 'counter-hegemony' and 'identity politics.' Hamel (1998) claims that 'new institutional mechanisms' of public consultation' are a central feature of 'the new localism' and key to understanding how local urban policies and politics take shape. Hamel (1998) claims that 'local actors have no choice but to participate in democratic life' (184). He rejects outright a scholarly focus on 'procedural aspects' of governing, favoring a 'participation model...based on the concept of radical modernity.' Like much of the writing on collective action and literature from within social movements, these kinds of accounts ascribe agency to political ideologies. In 1966 Meyerson and Banfield defined planning as *designed* 'courses of action' that they claimed can be described at the 'operational' level (p. 318). They then launched a theoretical framework that crammed the institution and its complex social activities into a flat set of definitions. These studies foreground political relations and describe them in terms of conflicts and competing interests and jurisdictions. Planning is a tool of the state. The political science and political sociology framework features the local state and its role in governing and takes up urban development within the confines of this role. Stone, for example, describes "the divisions of labour between market and state" and "public officials resolving the tension between popular control and economic productivity" (1987). His notion of politics is focused on the tasks of putting together a 'governing coalition,' coping with those not included, making policies and making them understood in public discourse as "the public interest." Stone relies on Elkin's *regime*

paradigm, which treats policy as a product of “the struggle over a community’s political arrangements.” So Stone can make statements like “City is a diverse community, seeking its common interest in a search mediated through the regime or prevailing coalition” (1987). Working within the critical political science frame, he relies on the notion that development policies are being negotiated among interest groups and that some groups have more powerful positions than others. This neglects the whole sphere of activities that I am interested in, but which underlies the realm of politics Stone describes. While analyses of policy making and planning processes in contemporary urban settings have generally focused on such ‘structural’ relations of the state, Stone’s *Politics of Urban Development* and Gottdiener’s *City and the Sign* each attempt to put back into the policy making processes the human practices which coordinate how individuals live and participate in a city’s ongoing organization. These actual activities that people in several sites engage in to negotiate and put together development, however, are displaced by nominalizations of city, community, seeking, mediated and coalition.

Work focussing on urban social movements (Castells 1985, Magnusson 1992) as sources of change in decision making and policy locates the *municipality* as the locale of issues and of change and policy. Some work (Kiernan 1990, Sewell 1991, Frisken 1991, Richardson 1981) examines provincial policy discourse or municipal-provincial relations, but without examination of their organization. Drache and Gertler (1991) focus on market-driven change and the decline of state capacity to plan and manage, and rely on regulation theory to explain the link between state and capitalist accumulation and the changes taking place in the industrial workplace/labour force that are detailed finely in the essays. They identify ‘institutional arrangements’ as key to the link. Activism is treated in accounts of social movements as the object of study. Typologies are constructed and individual activity focussed on, so that types such as leaders of social movements and their characteristics (Veltmeyer and Petras 2002) can be what is brought into view.

**MUNICIPAL POLICY STRATEGIES IN GLOBAL ECONOMIC RELATIONS: NEW  
THEORIZING OF THE LOCAL STATE AND ITS LIMITS AND PROBLEMS**

Logan and Swanstrom (1990) remind us that theories of economic restructuring emerged in the 70s and 80s to explain what was seen as a fundamental crisis of the world capitalist economy. Restructuring involves shifts in production, consumption and residence that have “profound implications for cities” (1990: 7). Their analyses are based on theories of restructuring and spatial structure (Castells 1985) and theories of regulation (Aglietta 1976, Beauregard 1989) that posit a global process and transition to a new ‘flexible’ regime of accumulation. Fainstein (1990), Preteceille (1990), and Logan and Swanstrom (1990), argue that the organization of state power is not uniform, and that cities’ policies can “shape economic restructuring before it occurs” (1990: 20) Within this discourse on global restructuring and how cities make policy choices, Susan Clarke studies “the forces and imperatives for decision making.” Her frame for new trends in planning is not developed from within planning practice itself, as are those of Kiernan (1990) and Sewell (1995), but from within a broader political and policy perspective which understands the organizational and inter-organization linkages within which planning works. While Kiernan and Sewell recommend forms of planning to make it work more efficiently and equitably – joint ventures and stakeholder negotiations – Clarke explicates how such forms of “new policy orientations” are shaped by the financial linkages and management and administration choices local city administrators are making, given and within the conditions in which forms, strategies and policies are put in place.<sup>4</sup> Clarke understands the social organizational processes being put in place in U.S. cities that are ‘successful’ at developing new entrepreneurial forms of economic development. Those who do change their business practices, who are responding aggressively to the talk about global restructuring and the need to be competitive, organize a new form of management for their cities which is ‘good business’ and which

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<sup>4</sup> From this standpoint, Kiernan and Sewell are part of broaching the entrepreneurial forms including new corporate forms of doing development projects and public consultation. They are advocates working within the same frame. To imply that Sewell's Commission would come up with "New Planning in Ontario" was a task of the NDP government of the time to reinstate the process both to the public, developers and business.

‘depoliticises’ the planning process and the professional work of planners. That is, it takes planning out of the public sphere and the organization of ‘democratic’ processes and hooks it into the organization of private corporate business. The issues that arise in this analysis are different: they include the consequences for ways cities can take into account ‘the public interest’ and for the organization of the planning profession.<sup>5</sup>

Much of the literature on local state and urban development, including the “cultural logic” accounts by scholars such as Gottdeiner 1989 and Shields 1990, discussed below, suggests that local governments do the work of organizing space to suit the needs of capital. The view that municipal land use planning is a tool in that process is widely theorized and not well researched empirically. Many authors call for further research into the relations of development with a focus on those between local and state or provincial governments (Sancton 1991, Magnussen 1992, Logan and Molotch 1987 and Logan and Swanstrom 1990). Jack Layton, urban affairs scholar and former president of the Canadian Federation of Municipalities, identifies the problem that more than 95 percent of the money cities generate flows to senior governments, while less than five percent – that collected through property taxes – stays to run the city (Monsebraaten 2002). Activists and scholars alike say the consequences of economic restructuring and provincial ‘downloading’ of responsibilities to local governments are severe, and that there is no federal urban policy that would control and support local urban development and management (Andrew 1990, Lustiger-Thaler and Salee 1994). In this context of thinking on the organization of governing relations, Jacobs and Broadbent (2002) argue that cities desperately need the “authority and tools to solve their own problems...to meet the demands of modern economies.” Tools are identified as stable revenue sources and power, and further, “to be full partners, not subsidiaries” in governing relations and decision making. Layton (cited in Monsebraaten, 2002), Jacobs and Broadbent, engaged in the ongoing organization of these relations, can identify ‘why’ cities rely on land development and produce growth to produce a revenue generating tax base, but they do not aim to explicate how that goes on routinely.

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<sup>5</sup> Susan Fainstein (1990) says in the US planners training has shifted to an emphasis on business administration.

Theories of urban development and urban regimes include a notion of the politics of economic development. Scholarly studies of local urban politics have confined themselves to political frameworks that limit their explanatory power to political theories of the social. Concepts of alliances, interests, interest groups and conflicts between them, are taken to explain how urban development and 'spatial arrangements' come about. Likewise, economic explanations of what cities *do* are confined to notions of the 'institutional arrangements' cities put in place to carry out administrative and policy and economic development or to 'decisions' made by elected officials.

Not among the 'new localism' theorists, Cockburn (1977) examined how planning works as a mechanism in class struggle. She identified committee and corridor meetings after hours as part of cities' management, but more importantly for my study, Cockburn conceived the process of community action as entering into an organization of governing relations: "[T]he state's offers of participation and community development are [not] gains *in themselves* for the working class. Rather, they are what the working class *can make them*. They lead class struggle one step onward and bring new dangers and new opportunities" (1977: 103). Located in social action, she warns that the first danger in this process is *the concept of community action*. This, she says, is the form in which the state tries to enter the social group into its structure and shape their interests to fit state-capital planning. Most of these studies treat how 'acts' of 'the city' are put together in the 'institutional arrangements' thought to provide for the 'capital accumulation' that runs cities and the 'human community' in the post-Fordist city (Todd 1991). When this happens we get accounts of the city as *a space of accumulation and community life*.

Susan Clarke suggests that the theories of urban development formulated in the 1970s and 1980s cannot account for the organizational and institutional changes that are currently transforming the relations of economy and politics globally and locally (1989, 1990). She begins to analyse the *development strategy choices* available to city administrators and focuses on financing strategies. Her contention is that what happens and is possible locally is largely determined by national urban policies and funding programs for cities. She is looking at the tools that U.S. cities have taken up. That might

be useful for Jack Layton and the Canadian Federation of Municipalities as they currently lobby the federal government to revise funding to municipalities (Monsebraaten 2002).

Susan Clarke proposes that there is a ‘new local policy context’ and a ‘new terrain of local politics.’ The characteristics of this new terrain in the U.S. are deregulation, laissez faire economic policies at the national level, and the absence of federal funds to states and local governments. Both this policy context and specific local conditions influencing city choices regarding the management of their affairs have, she claims, serious political consequences and implications for urban theory. But how is her inquiry put together and how can it inform an empirical research into the organization of local practices as social forms of action? Clarke surveyed 178 mayors and administrators in American cities with populations over 100,000 about their policy choices before and after 1980, the year in which the cuts of federal funds to local governments began. She describes several policy shifts made by cities and focuses her study on the cities that have taken steps to organize their own initiatives for economic development. Clarke views this process as crucial to the structuring of what some theorize as ‘a global hierarchy of cities.’<sup>6</sup> Clarke is most interested in what happens locally when a city ‘responds’ to the new context. Margit Mayer (cited in Clarke 1991) suggests that the “institutional structure at the local level” is a field for expanding the means of city development. What Stone calls ‘institutional arrangements’ Clarke sees as relations, but constrained by a concept of formal organizations, she examines “institutional structure” as “structures and their relations to more traditional state and market organizations.” Regarding the “new interventionist structures” she finds, she concludes that they “signal the depoliticization of development processes and the displacement of planning roles” at the local level.

Scholarly focus on ‘the new localism’ is crucial for accounts of this institution. The kinds of ‘local policy coordination’ Mayer (cited in Clarke 1991) found, include land use strategies that Clarke says may mean that cities ‘get placed higher up on the economic ‘hierarchy.’ Clarke says that happens as they create a financial flexibility and become corporate developers in their own right. At the same time a “narrowing of the

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<sup>6</sup> See Christopher Leo (1990) for a description of this field of theory and description. See also Pat Burman (1991) for a very insightful analysis of global political economic reorganization.

political realm,” the sphere for hearing and responding to citizens’ concerns, takes place. She describes that as “...cloaking entrepreneurial approaches in the symbolic language of “growth,” “wealth,” and “jobs.” “[That] dissuades informed discussion or active opposition to these risk-taking activities” (22). This is interesting and heady thinking. In my experience, the current issues and processes of planning reform and urban development going on in Ontario, – “disentanglement” of provincial-municipal responsibilities and rights, municipalities’ reorganization of their tax base, ‘political restructuring’ by annexation, reform of an ‘over-regulated,’ and streamlining of a ‘cumbersome’ planning process – emerge as issues and solutions within the common discursive organization of governing and administering at all levels and sites in the institution governing land use planning. This is an institution that functionally incorporates and relies on the trade in land values. Clarke’s scholarly account enters an economic discourse from which political and environmental movements and scholarly accounts that take up issues of land development in terms of democratic participation or a ‘cultural logic of space,’ largely exclude themselves. It is one site where the economic restructuring discourse intersects with the organization of land use planning. This is a site that is not explicated in public accounts of city development that treat the city as if it can act on its own, as if its terrain is its own, rather than integral to these larger relations.

Looking at how cities then “include citizens,” Clarke finds that “the partnership model is permeating the new policy orientation.” That partnership model appears cooperative, and often seeks to include non-governmental organizations that claim to represent – and often began representing – special interest groups as “stakeholders.” Where Clarke sees discrete entities and actors within a context, Institutional Ethnography conceives of activities and inter-textual practices that enter, form and organize temporal social relations. We do not want to measure, typologize or place on a scale the extent of participation. These groups or individuals who are included on boards and consultation panels are not seen to be co-opted by the bureaucracy. Rather, their individual activities get shaped in the institutional dialogic processes, and this is the material we are interested in. The *intentionality* of the relations that people enter into is in the organizational processes, already there in the operating forms and concepts of policy and institutional reforming processes, including the concept and role of “partners” or “stakeholders.” The

discursive concept of a “policy network” (Howlett 1992, Pross 1990) or “policy community”(Schrecker 1994) for example, can only be thought within these new relations that Clarke describes as problematic.

Susan Clarke, like those engaged in the discursive relations putting together development, looks for the development of a ‘better’ system, but her hope is tempered with keen insights into ongoing organization and, while she would not use the term, its overall *intentionality*:

In the future, [community development corporations and local development corporations] may offer the organizational capacity to enter into more equal partnerships and coalitions with business and government but it is also possible that we are seeing the extension of an *institutional grid* making areas available for new investment priorities congruent with business needs but not necessarily with local concerns (23-24 my emphasis).

What is this ‘institutional grid?’ Teeple (1995) briefly explicates the organization of local government or municipal activities as part of ‘the neo liberal agenda’ and does so with descriptions of these as restructuring activities. Magnussen (1990) highlights the organization of global relations that municipalities are now entering as market competitors, but he shows a collection of legal texts constituting municipal ‘context.’ The focus on ‘localism’ and ‘local places’ shares my interest in how individuals exist and act in relations to institutions of ‘the state.’ This is often theorized as ‘citizenship’ and/or social movements (Keil *et al* 1996). Isin (1996) theorizes a *new citizenship*. Rather than foregrounding the economic and political realignment, Isin conceptualises a reconfiguration of class in modern state societies. The new class is based on ownership of knowledge and, rather than dominating other classes, it establishes hegemony in contemporary economy and society where it enters into negotiation with them, in new forms being organized. Isin draws on the concept of ‘cultural capital’ as tied to professional occupations. Professionals are seen to organize knowledge of the world and the mechanism of power is mastery of forms of expression. The ‘global city region’ is the location where this new class conflict occurs. Isin conceives of a new political space where centres of power are multiple and conflicts numerous. He comments on the present organization and concludes that we need historical research. Yet many scholars say the present ‘era’ is unlike any other in the past. In the same volume Jane Jenson (1996) says



that in the 'opened up' national economies, the institutions that formerly comprised the very organization of the state are weakened (17-19). Her question is "will we...in the midst of the massive economic and political restructuring going on around us...construct new political institutions of representation which can challenge the hegemony of market forces...?" (20). Saskia Sassen (1990) noted that it has been done: while "the translocal processes that make [global economic restructuring] up are the dominant force" that organizes local governments, "France's leftist-dominated municipalities, [U.S.] progressive cities, and ...anti-growth coalitions indicate that through [local] policies an arena for local action can be recovered" (242). Keil (1996) also locates the production of 'globalization' and the possibilities for change in local political struggles. He characterizes the "challenge of sustainability as one of local politics." He invites us to seek "a practical politics and research grounded in social activities" that depends on and remains in, 'the insightful moments of individual experience.' Keil says that "whatever happens [in...cities] has its causes in the backrooms of our own city halls and developers' offices as well as in the universalising character of global spatial restructuring that has blanketed the globe for the past two decades" (7).

With this focus on local governing practices in the context of globalizing forces, Susan Clarke's 'depoliticization' begs to be described as actual practices. Evident in the processes and changes in the organization of land use planning activities in the city in Southern Ontario where I did my work, the City's 1990 through 2002 Annual Reports increasingly report on contracts with developers and corporations; the CAO announces a cut to the time for citizens' presentations at council meetings; the planners tell me of the new 'informal process' where agency, developer and city staff work out issues and concerns prior to the public meeting and the city's guide for developers to subdivision development advertises the service city planners provide in getting an application through the process. These are observable practices of reorganization that reflect 'depoliticized' relations. The 'new terrain' being established in the discourses of economics and public management pervades several areas including healthcare, labour management and retraining, and education, adjusting public institutions to suit the deregulated economy. In Ontario, this reorganization has been most strikingly visible following the report, *Canada At The Crossroads: the reality of a new competitive environment* that Harvard Business

'guru' Michael E. Porter prepared for the Business Council on National Issues and the Government of Canada (1991) and the prescriptive of Osborne and Gaebler's (1992) *Reinventing Government. Destinations*, a report made to the provincial cabinet (cited in Mackie 1989) had recommended an open process and reorganization of government agencies with the establishment of a Council for Administrative Agencies to design and oversee changes. This did not happen. The extensive reorganization that continues to take place throughout public sector institutions with dubious consultation processes brings into question theories of policy implementation and urban policy and politics analytic frameworks that have provided the basis for understanding local governing activities prior to this time with a rather static and vacuous conception of 'institutional arrangements.' New kinds of empirical investigation that explore local processes in the ongoing changes reflecting and organizing 'a new terrain of implementation' in the "new market deregulation setting" would be useful to scholars, activists and others involved in these relations.

Simeon (1976) made a call for empirical research after his examination of the approaches to policy studies. He stated then that policy studies fall into several holes that do not allow them to be relevant to developing useful research. One of those is that policy studies limit themselves to the technical and 'rational' framework aimed to produce a 'better' policy. Policy studies do not do general studies of the institutional relations in which the policies are situated (Downey 1986) and administration operates. The commission for better policy for land development and planning in Ontario in 1991 by the NDP government and the 2002 'smart growth' campaigns for new policies by the Conservative government, go on without any significant expansion of the conception in scholarly discourses of its operation and accomplishment as local practices coordinating and organizing the institution.<sup>7</sup>

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<sup>7</sup> This kind of lack of a policy framework for current activities such as land development requires more than an Inquiry whose "key question is, what are we planning for? What are our overall goals, rather than just our immediate concerns about processing a particular rezoning or subdivision plan?" (Terms of Reference, Sewell). According to Sewell, asking this question "allows the commission to seek a wide consensus on questions such as protecting farmland; designing compact, affordable communities; planning an efficient transportation system; preserving the natural environment; and strengthening smaller communities. ..." The commissioners aim to get away from "the two classic problems which bedevil

*(continued on next page)*

**URBAN SPATIAL ARRANGEMENTS ACCORDING TO A 'CULTURAL LOGIC':  
THEORIZING LANGUAGE AND IDEOLOGY AS CAPITALISM'S POWER**

Several accounts describe the production of urban spatial arrangements based on a notion of capitalist values operating in space (Gottdeiner 1986, 1985, Reid 1990, Shields 1991, Zukin 1991, Best 1987, Herron 1987). These accounts, for the most part follow Bordieu, Foucault, de Certeau, and Lefebvre. Scholars take samples of built post-modern spatial forms and extrapolate to the cultural forms that support and motivate building them. The empirical events they investigate are cultural forms; people are seen to be activating them as they perform 'crowd behaviour' or 'mass consumption' and so on. These accounts aim to find a "theory of the social which will unite ideology and practice, culture and its expression in the built environment/space" (Shields 1990). Notions of "discourses of space" and a "cultural logic of spatial arrangements" and "social spatialisations" render human social symbolic practices observable in specific popular locations such as beaches, malls, Disney World, or Niagara Falls. Observable spatial features imply the practices, interests and relations of which the features are the product. "Capitalist relations in space" (Gottdeiner) and "the social context of cultural patronage, production and consumption" produce "disorienting liminal spaces" (54). Buildings are "cultural commodities" (Zukin) "...because of which architects mediate the levelling of local and regional distinctions by trans-national economic investment" (47 my emphasis). The superstar architect "reflects market competition" and is "the product of ... *market conditions*" (48 my emphasis). Gottdeiner shifts from such macro structural theorizing in *The Social Production of Urban Space* to social semiotics, locating the struggle between

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planning – divergent interests and surprise. The former often means that parties fight about issues secondary to what's really going on simply because they have never had the opportunity to see what they could agree on. That leads to charges of unfair changes in rules midway through the process. The first problem will be addressed by a deliberate attempt to get agreement from the major players – developers, environmentalists, naturalists, agronomists, residents – about goals and procedures, such as folding environmental concerns into land use considerations. We expect to design a process which will draw the major players together and see what kinds of agreements and tradeoffs can be made. The second problem is one of style. Good planning is clear, balanced, timely, efficient and open. The players know what is happening, have confidence in the process, and aren't surprised by the end result. We want the commission to work the same way." (John Sewell, "Urban impact on ecology high on commission list," NOW magazine, June 20-26 1991). For the commissioner, the process is just a matter of getting everyone to agree on revised goals and rules of the intrinsically "good" process.

political interests in the form and content of signs in physical ‘spatial arrangements’ and ‘motifs.’ The social semiotic project treats physical signs as areas of struggle. But signs are yanked out of their place in human activity. Empirical investigation of human activities is attended to as ‘performatives.’ The explication of the force of language derives from J.L. Austin’s (1965) theory of language. The relation between language and human activity is an assumed relation of correlation: slogans and buildings are the artefacts or representations of human activity. People activate those signs in a particular kind of mass behaviour.

The project of social semiotics offers a way of conceiving ideological elements in sign systems in which our everyday lives are enveloped. Gottdeiner offers the notion of politically produced ‘collective representations’ as an alternative to the cognitive geography’s determinant ‘mental maps.’ Socially grounded signs are unearthed artefacts; their ‘use’ explained via theory of ideological content and form. Urban space is viewed as the ‘condensation’ of contentious group interaction that involves ‘signifying practices’ as much as non-semiotic processes. “Urban space is the ‘end result’ of an economic and political process through which one among many meanings and conflicting uses has acquired hegemony.” The symbol is the space in which social interests intersect and class and sex are played out. The political struggle is defined in terms of words. Accounts of struggle are thus like that of native Canadians who described their battle with governments to protect their land as a “war of words” (Lee 1988) and residents entering a public inquiry into environmental impacts of a massive dam project in British Columbia speak about what they do as “winning back the words” (Richardson et al 1993). Language in the study of urban development and form is a tool for groups and forces battling to control space in an essentially oppositional society, rather like Hobbes state of *warre*:

The surface calm of the city image belies its constitution as the condensation of the struggle between various organized group expressions about alternate use and design. This sign is produced by economic and political forces, such as property law, as well as cultural expressions. The study of the city image, then, compels us to investigate the struggles for control of space and the manner by which certain ideological representations succeed while alternatives fail to materialize their traces. The image of the city does not float above the oppositional nature of society nor exist alone in the minds of some elite few, it belongs at the

level of group interaction and as a banner in the fight between contending social interests, as some vision of what society might be rather than what it has become. (Gottdeiner 1986: 216)

While Elkin, Molotch and Forester make “growth coalitions” central to the organization and production of urban organization, Gottdeiner makes the ‘collective images’ of development central to the political process. Images of the city, he says, are managed for use in specific forums, not fixed, but mutable and socially grounded (1986: 209ff). Like Stone’s collection of proofs of Elkin’s paradigm of *urban regimes*, his analysis of shopping malls (1986: 288-302) constitutes a proof of the semiotic model of signs in relation to human activity; that is, a model in which signs are employed to manage desire; in which, for example, individual consumption (behaviour) is mediated (organized) by mall sign systems; spaces of public social interaction have been converted to the interests of mass marketing and mall management.

Gottdeiner’s notion of “instrumental space” attempts to connect the activities of people to the organization of forms of capitalist development. *Culturally specific systems of connotation operate* behind denotative and metalinguistic systems, and *as ideologies*, link those sign systems to their social context. Making a shift to the *production of space* within the social context, Gottdeiner focuses on state intervention, which he sees as doomed to promote growth. He wants to understand the characteristics of Fordist and Late Capitalist everyday life (210) as “capitalist relations in space” (sic). “If capitalists are active in space, that is, in the transformation of the use values of social space to the exchange values of abstract space, how then can we specify the nature of the enterprise in a theoretical manner?” (219). Gottdeiner’s is a theoretical project. Most marxist political economists postulate the existence of a separate fraction of capital organized around landed interests which they call property capital (Dear, M. and A. Scott 1982). Urban development is explained as the result of activities associated with a *growth coalition* and a solid “coincidence of interest” among local politicians, bankers, and property owners or developers. Gottdeiner sees power as a:

deep level confluence of state-capital interests organized around the activities and ideology of growth at the local level...In order to grasp the essential manner in which the property sector is the leading edge of spatial production, it is necessary to consider both the structural conditions for its activities and the ways in which separate actors – potentially from any

social stratum, even the working class – coalesce into networks which then become active agents in the property sector.... The transformation of space always proceeds through the mediation of growth ideology (221)...property sector activities are the product of a complex conjuncture between institutional features of Late Capitalism and groups which come together to take advantage of spatial restructuring. Requiring ideological justification, the interests behind the property sector use the concept of boosterism and the myth of growth to legitimate their activities. On the other side, opponents of this process counter with the ideology of no growth or community control. Consequently, the uncoordinated struggle over the production of space is enjoined at the ideological level of society as well as at the political and economic levels. In short, the clash between growth and no growth represents a basic cleavage in society, involving economic, political, and ideological practices, which remains unrecognized by most analysts of urban development (221 ff.).

Here, growth networks and ideologies represent a basic order and power; struggle is both uncoordinated and deeply “social.” However, ideologies and practices determine a ‘rationality’ operating on its own.

Michel Foucault (1988) has conceptualized political reason as a mechanism of power that is implemented in the exercise of state power but that goes beyond it, producing subjects. “Political practices resemble scientific ones: it is not ‘reason in general’ that is implemented, but always a very specific type of rationality” (73). While Foucault shows the power of state as both individualizing and totalizing, he rejects ontologies of the social that privilege the subject, society or social relations as agent. His *dispositif*, translated as ‘apparatus,’ includes discourses, institutions, architectural arrangements, regulations, laws, administrative measures, scientific statements, philosophical propositions, morality, philanthropy and expertise that operate powerfully to subdue alternative modes of knowing and being. Some followers of Foucault have treated that confluence of knowledge and power as a reified ‘grid of intelligibility’ (59). While the interest is in empirically specifiable discursive practices, discourse is given its own internal structure that constitutes and imposes its order on subjects in its jurisdiction (1979, 1980). Notions of social context, institutions and communities, account for the social. Agency is given to discourse, language or culture that is operated through, not the active work and accomplishment of, individuals. Discourse is a totality or field of rules, categories, statements and texts that have agency.

Shields (1990) attempts to reframe theories of power and knowledge as determinants of space. He is critical of those (Baudrillard and Foucault) whose theories he says produce a 'radical isolation' of individuals out of deterministic theories of society. He wants to relocate the subject in concepts of knowledge, power and 'spatialization' in order to inquire into the operation of images "by subjects so that selves and structures can emerge as well as classes, communities, and relations" (267). Shields puts forward a 'conjunction' – an apparatus, ordering grid or a plan; further, 'a conjunction where knowledge is brought into the service of power.' Shields' 'practical agency' is conceived in intra- and inter-relational terms (272). Shields draws on Bakhtin's stipulation that "signs exist only in specific material processes" (272) and then he formulates the self as "a node in a field." Shields wants an active subject there, acting in relation with the state and overdeterminate discourses. However he separates a realm of non-discursive institutional action from the discursive (42). Thus, human action is conceived as *social spatialization* – a system of spatial distinctions that establishes performative codes that are 'linked,' in unexplicated ways, to settings. Shields project is "remapping the universalised and homogeneous spatialization of western modernity to reveal heterogeneous places, a cartography of fractures which emphasizes the relations between differently valorized sites and spaces sutured together under masks of unity such as the nation-state" (278). His very interesting project is mapping and making visible 'alternative truths.'

Studies that take up Foucault's conceptions to analyse land development and its politics want subjects in there but tend to do a construction of historical narrative that enters people's activities into discourse. Andrew Barry (1999) for example, describes the 'direct action' of residents and activists opposing a road bypass in Devon, England as an instance of 'demonstration.' He produces a version of political activism out of a collection of statements, newspaper reports, and theoretical and discursive categories including 'direct action,' 'the public sphere' and 'public demonstration.' He operates a generalizing and generalized version of events, of 'what is being demonstrated about' as 'the relations of people and land;' of what reporters were doing as 'witnessing' and a 'commercial activity;' of 'telling the truth about a public event' as 'the central concern.' He does not want to transform the diverse set of sites of political activity into 'a certain

political logic or social interest.’ Rather, the “success [of the protests], however limited, [was] telling the truth about what was happening to the land” and ‘success’ was “itself a product and manifestation of dispersion.” He substitutes one set of theoretical categories for another – ‘dispersion’ and ‘telling the truth’ displace ‘political logic’ and ‘social interest.’ How the ‘demonstration’ events described were organized as ‘opposition’ to an actual operating ‘regime’ is not explored. McKinlay and Starkey (eds. 1998) call for new approaches to the “power/knowledge nexus” in practices and technologies of organization and management that take up ‘knowledge practices’ as operating in both “regimes of power” and individuals who are “subjects/other-selves” (1998:11).

### CONCLUSION

These are useful and important studies, but in all do not do much for an activist ethnographer wanting to do empirical inquiry and produce an explication of how you can be drawn into and become active in a governing process, activate its “checks and balances,” public consultation, regulations and policies, and yet the apparent drive to capitalist ownership and land development is built in. How is the “coincidence of interest” of local politicians, bankers and developers put together? How are “capitalist relations in space” actually operating in what the resident or activist encounters as people putting together land development? How do we encounter “growth ideology” in action? These approaches to planning and governing, interesting as they are, are not currently theoretically or methodologically well equipped to empirically investigate planning and land development in terms of its textual practices and procedures in ongoing standardized courses of action. They seek to supply for their discipline and field a unifying language and understanding. What tends to fall out of view in the analyses is the practices activists want explicated. They are not theorized in a way that directs empirical inquiry and takes into account the actuality of texts, talk and coordination of complex work processes of those engaged in planning and they are not made an object of inquiry.

These scholars have a compatible interest with my own in the sphere of action in which state governing and politics go on and produces the phenomena of people’s lived experience – the expansion of suburban development into adjacent townships and wetlands currently referred to in local talk as ‘political restructuring’ and ‘growth,’ the



extraordinary textual character of activities one is drawn into if intervening in planning processes, fierce negotiating over land and water rights among municipalities and so on . cannot be explained by theoretical conceptions of the *advance and spatial penetration of capital* nor by a description of a particular configuration of *regime politics* and use of federal funds, nor by the conception of the city as a *space of accumulation and community life* as these studies offer it.

My study begins in people's experience of the changes in local conditions that these other scholars theorize. It is not evident within the local purview how those changes are put together and are putting together 'local responses' to national or provincial policies for what is commonly called 'economic restructuring.' Local government and city planning are often taken to be activities within the realm of local officials' control, within a sphere of local governance. The degree of control and autonomy of local governing is a matter of debate for those interested in the local state and urban politics. Although some have linked what happens locally to federal funding and state programs that target specific groups such as minorities and the poor (Stone *et al* 1990), there is no account of definite social relations that are changing and constantly being organized. This theorizing of the "context" for local planning and its politics, however, is useful to my project of an institutional ethnography of planning.

In everyday experience language is vivid social activity. Reading behaviour off of signs could not help the sociologist explicate what we do to activate, say, a notice of an application for rezoning of a nearby property that we find in our mailbox, or the talk of city planning staff, developer's agents and councillors in city council. Talk and texts in my experience observably put together the actual courses of planning and the development of malls, shopping centres and "sprawl." The social semiotic project begins to offer a way of conceiving ideological elements in sign systems in which our everyday activities are enveloped, but does not aim to explicate an actual sphere of ongoing human activities nor an institution that includes individual activities. Nor does it aim to address the problem of how to see signs *in action*. The resident/activist encounters 'categories of space' such as land use zoning categories, housing forms, engineering standards and measures having currency, operating in what people say as they do the work of development. For social semiotics, *culturally specific systems of connotation operate*

*behind* denotative and metalinguistic systems, and *as ideologies*, link those sign systems to their social context. Putting social interaction into the politics of cities' is constrained by conventional macro theorizing. The particular theory of language does not provide for observation of language as in and organizing the social. How language operates *in the action* to shape politics, planning and 'spatial restructuring' remains invisible to methods of inquiry weak on language as social action.

Shields identifies *conceptual practices* as an object of study, but does not have a conceptual frame for empirical investigation into conceptual practices in the actual settings of ruling where embodied subjects in his/her body, experiencing, feeling, speaking, writing and actively concerting the social. The commitment to a "mapping" project that makes visible "alternative truths" is appealing, but empirical inquiry into the coordinated actual activities is unsupported by the approach.

Scholars who take up Foucault to study expert knowledge as indirect authority over people and events that are geographically and temporally dispersed, tend to take up practices and locate them back into discourse categories. Theirs is a different kind of project from one that wants to see coordinative activities. Reading Barry's description, one cannot grasp a continuous or connected sequence of events as people's actual activities in any one location at any one time nor in any set of connected locations. The events and actions taken up are held together in theory rather than how they are connected in actual practices of the planning and development of the road bypass and people's intervention in it, that go on in time and space. And this is the material social world I want to explicate.

The Social Organization of Knowledge/Institutional Ethnography (SOK/IE) approach makes a shift to an ontology of the social as the coordination of people's activities in sequences of action that connect their local practices in multiple settings into the organization of governing institutions. I discuss IE in the next chapter as an approach that reformulates the sociological research project to support such an empirical inquiry.

## CHAPTER FOUR

### INSTITUTIONAL ETHNOGRAPHY: AN ALTERNATIVE METHOD OF INQUIRY INTO THE SPHERE OF PLANNING

#### INTRODUCTION TO A CONCEPTUAL FRAMEWORK FOR INQUIRY

Doing IE relies on a conceptual framework for inquiry of a different kind. Its product “writes the social” (Smith, 1999) into text, and into sociological discourse, in a way that brings into view people’s actual activities as we may experience them and also how they concert activities and coordinate institutions that come to have power over us. My work draws primarily on Dorothy Smith’s original concepts of *text-mediated social relations* and *ruling relations*, her notions of *work* and extended *work processes* and her development of Bakhtin’s conception of *speech genres*. All of Smith’s concepts make central her thinking on the significance of the operation of texts in the organization of contemporary institutions. These concepts orient ethnographic inquiry into the organization of institutions with the explicit aim to expand our knowing of what is not available directly in the settings of experience. They orient the researcher’s attention to the actual practices of people in work settings. They provide the basis for observation and descriptive analysis of people’s practices as they produce the social organization within which individual experience and institutional acts happen. I have taken up IE to explicate an institution by looking at its social organization as it goes on through local practices in which texts are embedded, and to specify *how* the texts play a part as constituents in the action in various sites. I also take up the use IE makes of Bakhtin’s *speech genres* as relatively stable forms of communicative practices that have developed over time in conjunction with a particular sphere of activities. I include the format of texts and their surface features in analyzing how the texts operate to organize what people do routinely with them in a course of action as standardized practices. The analytic use I am making and claiming of *speech genres* is as particular text-based practices that are integral to and situated in ongoing observable activities of routine work processes. This is what IE

makes central to the study of institutional organization and its *forms of action*. I bring these orienting concepts in the analyses to the examination and explication of work processes in different but connected sites in an institution. IE orients us to the work people do with texts, standardized speaking, writing, and inscription practices, that produce the processes and people's activities as institutional. It provides a way to display the routine ways people bring individual actions into view as what counts as institutional action in the setting. These practices can be seen to authorize texts and what individuals do in the setting, producing them as acts in relation to others' work and doings elsewhere and at other times, thus *as* institutional. This coordinative work is the social. It puts together the extended relations that are not visible in the setting and that people tend to disregard, speculate about, nominalize or theorize. IE orients inquiry to activities and work sequences that connect actual people's 'doings' in actual settings in time and space, so we can make visible just how 'macro' organization is put together.

#### **INSIDER STANDPOINT: KNOWING WITHIN SOCIAL RELATIONS**

Dorothy Smith's notion of *insider standpoint* as a methodological stipulation grew out of her own political project to produce a sociology useful for people to find their way around and be active in changing what she calls *ruling relations*. That stipulation says something like 'look and see the social always as arising in the work people do to produce their world.' It insists on seeing people's activities as they are, "...coordinated in actual temporally concerted sequences or courses of action" (1987: 183). People are always in and actively producing the social relations of their living. We take for granted how our world, objects, agents and activities are explained in terms such as 'the government does this or that' or 'planners or engineers think a certain way.' The forms of knowledge available to us as familiar concepts for our knowing much of our experience have been created externally to the local actualities we live. We generally accept these forms of knowing our world as describing or referring to its actualities. We do not attempt to investigate beyond them or our own experience to the social accomplishment and actual work processes that put together what is essentially unknowable from our experience. IE investigation uses observation, textual analysis, reflection and interview techniques to put together a picture of the organization of generalizing processes as it

goes on in a variety of local settings, much as sociological studies of science and conversation analysis treat the organization of settings and its local accomplishment as 'indexical of 'members' knowledge of the social order.'<sup>1</sup> Part of IE's analytic project is to describe how the work people do in connected work settings is shaped by procedures coordinating their 'work' and 'knowing' and produces a public or scientific knowledge. Institutional 'members' knowledge is organized and competent within situated practices in actual settings. The production of public forms of knowledge as well as 'expert knowledge' is heavily reliant on peculiar graphic forms of representation.<sup>2</sup> Institutional ethnography's standpoint locates the knower/inquirer within relations in locations that allow normally partial views of how the institution works. Producing ethnographic accounts of how the ruling institution is produced and works in several different connected sites thus provides the general usefulness of IE. The unique individual experience as well as the extended pervasive character of ruling can be made visible in accounts of work processes in multiple settings.

IE is also interested in displaying the power of ideologies in governing and *ruling*. As a method of inquiry IE relies on Smith's conception of ruling relations. Discourses are

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<sup>1</sup> See Suchman (1987, 1988), Weider (1974), Zimmerman (1974), Heap (1989) among others that study the embodied accomplishment of particular social activities. They examine locally produced 'constraints' for people's actions that are internal to settings, and investigate the coordination of a category of *situated* activities (planning, cognitive science knowledge development and so on) and extrapolate across same settings. Suchman's (1987) study shows us plans as *situated action*, interactional devices that people use in everyday practice to talk about and reason about their actions. They are produced as resources for working out actions in actual social contexts. Her work has been helpful in particular in conjunction with Heap's (1989) conception of the organization of 'tasks' in settings and 'enabling' texts as integral to actual unfolding situated action to provide a way to think about *plans* as involving individual practices of reading and talking in concrete settings that account for those practices and connect to the activities of others.

<sup>2</sup> Bogen and Lynch (1988) and Lynch (1983, 1985, 1988) show this beautifully in analyses of the production in a public hearing of a contemporary historical narrative (1988) and more especially in Lynch's (1983) work regarding the 'staking out' and numbering, abstracting of physical or organic nature and removing the sensuous or vivid present to 'constitute' the object in graphic space. Similarly to IE, critique takes the character of inquiry, investigation of just how powerful conceptual and knowledge devices are produced in mundane procedures. What is material, possible to be known and knowable are shown to be products of the features of the object, of the practices and what is available to record. Lynch's work has inspired my intent in making visible how the tall pine trees, the soft floor of the woods, the shrubs and flowering ground plants, the stream that runs in the spring become 'the site municipally known as 27 Chadwick Avenue' and approved for development.

a resource, as people the researcher talks to use the terms, categories and interpretive procedures of the institution to describe and account for their work. Observing how discourse categories operate currently to organize the work people do in various settings is key to IE. The concept of *ruling relations* as text based courses of action involving people's work in multiple settings allows for the inquiry into ideological practices that bring diversity and complexity into the organization of ruling. IE treats social and ruling relations as essentially ongoing, dialogic and consequential, producing a complex of effects. The active coordination of complex relations can be observed as actual local practices that people engage in to connect what they do to someone else's work somewhere else. Institutions, understood broadly as 'functional complexes,' can be made visible as they are being put together in people's actual practices, but people's work is always understood as located in multi-sited and trans-local courses of action, positioned within them and shaped by them. This notion of relations as more than two-sided and temporally organized is essential to IE's alternative ontology of institutions. The dialogic character of relations orients our inquiry to local sites of people's activities as extended social acts that go on in language and in time and in space, and coordinate what people in particular positions in those relations do in them. Standardized institutional "textual technologies" link people's work in various sites.

IE maintains *insider standpoint* throughout the inquiry focussed on how the coordination of the large-scale function goes on and how individuals' experiences of a powerful institution emerge. IE aims to investigate and know the social world as arising in individuals' actual activities and their coordination across multiple settings and times. Seeing how unique circumstances and individual experience and knowing are drawn into and become known in the terms of common organizational processes is central to IE. Part of the IE project is to produce a way of seeing how our own knowing and actions in the world are organized within forms of coordination that may originate and mostly take place elsewhere. With IE we can inquire into, see, and make visible how ruling is put together and our experience is organized, how some things come to 'exist' or some body 'acts' or 'says what they have to say, and how those come to be 'powerful.' IE's aim is to 'write the social' so we can see its organization as "what actually happens."

*Language, subject and the social*

IE provides an alternative method of inquiry that does not take language and texts for granted nor does it posit them as having power in themselves. The aim of IE is to produce different relations of knowing – in which the subject knower may inquire into the powerful relations and social processes in which she is implicated and in which her consciousness and ‘self’ emerge and are shaped and formed ongoingly in the courses of action and activities in which she is an active participant. Dorothy Smith (1999) rejects a general conception of power/knowledge, indicating that the power of knowledge emerges with the *integration of ruling social relations*, as subject positions are established within discourse. Her concern for inquiry is how concepts, categories, forms of reasoning and discourse of the social world are activated in people’s local practices so that they produce powerful organization and scripted subject positions within it. These institutionally scripted positions are subject positions from which experience can only be known externally and from within an “order of domination” that is continually recreated in actual practices (1999: 94). IE as a method of inquiry provides the basis for inquiry into the specific forms of knowing and action that are organized within particular relations and complexes of relations. Subject positions are not assumed, but are to be empirically investigated as particular subject positions that emerge within particular integrated relations. IE is distinctive in that inquiry aims to grasp *insider standpoint* as experience within and as a window into, ongoing contemporary social relations. Again, this is a methodological stipulation. *Insider standpoint* is a matter of empirical inquiry – observation, interview, reflection.<sup>3</sup> The aim is not to reveal inner experience or represent subjective states. It is rather to trace and describe analytically the connected work producing the ruling relations that shape local experience and organize particular social phenomena. We are located and implicated in relations that, as forms of governing some aspect of our lives, seem to have a power and dynamic of their own, and so are ascribed causal power. We are active, however, in multiple ways in such relations, as learners,

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<sup>3</sup> See DeVault and McCoy (2001) for a description of how a variety of alternative interviewing techniques used by IE researchers accomplish empirical inquiry into ruling relations and the “machinery” of their coordination.

novice or professional, reading, writing, talking about our world and putting it together with others. This location of the subject and inquirer *in* social relations, connected to others both visible to us and elsewhere and in other times, distinguishes IE from other methods of thinking the social and social organization, and in particular, its empirical inquiry. At the same time as Smith has developed for this method of inquiry the notions of *text-mediated social relations* and *ruling relations*, she has developed a fully social conception of the subject as active within them.

Several scholars have written about the problems of writing and remaining true to the standpoint of those people whose lives they have researched. The problem of writing standpoint into scholarly work Smith pre-empted with the concept of *insider standpoint* (1992). Smith's concept of standpoint locates the inquirer, knower or researcher in the ongoing concerting and coordinating of people's activities that go on in time and space. The inquirer is located in her body but that is not what is to be revealed. IE relies on ethnomethodology's understanding of member's practices and member's knowledge and rejects treatment of standpoint as theoretical or limited by ascribing a homogeneous standpoint to any group or individual type or category. Smith's conception of the *active subject* is central to standpoint and to IE inquiry, and is extended by how she draws on Bakhtin and Mead to formulate new thinking on social organization and discourse as social relations. Agency and power are *not* assigned to discourse, language or culture where "nothing can be known which is not already known." IE gives a subject the authority to know, based on her own experience and inquiry.

IE also draws on Mead's fully social conceptions of a dialogic and developing self, active in a course of action within social processes and of language as *inter-individual organization* – organizing the act, the individual, consciousness and 'meaning.' The self is in formation in ongoing social acts and only in language. Smith interprets Mead:

...the social...aris[es] from the mindful activity of subjects creatively engaged with others in the social process...at once differentiating and coordinating individual conduct. (Smith 1999: 110)

George Herbert Mead (1934) provides the basis for IE's approach to social acts and processes as going on in language and among people. It does not assume a self prior



to communication and language as a mechanism produced to connect them. What is already there is communication that is essential to the social.

The social act (his footnote says this is a living form – a class of acts involving more than one individual and whose object as defined by the act (Bergson) is a social object. “I mean by social object one that answers to all the parts of the complex act, though these parts are found in the conduct of different individuals. The object of the acts is then found in the life-process of the group, not in those of the separate individuals.)...is a dynamic whole – something going on – a complex organic process implied by each individual stimulus and response involved in it. (Mead 1934: 121)

It is his conception of the extended act and the self or subject within it, which IE takes up. “The act as a whole can be there determining the process” (p. 125). Thinking about just how the whole act can *be there*, is through the phenomenon of “attention” which is a selective process, an organizing process (p.138). As Mead insists “you cannot say that there is a general power of attention. You have to state it specifically, so that even when you are directing your study of the central nervous system from the point of view of psychology, the type of explanation that you are going to get will have to be in terms of paths which represent action” (p.140). He is speaking to his contemporaries, behaviourist psychologists whose project was to identify conditions in a field in which individual intelligence develops. Mead insisted that this field is social. He insists that the fundamental condition is that individuals are involved in *the same* extended social act – a complex social act in which gestures ‘call out’ the responses in others and in which what is individual and what is common to the social process, emerge. The speaker ‘hears’ what the hearer hears. Mead thus provides a way of looking at communication and social acts as they go on among people, organizing their consciousnesses through attention that orients to objects brought into view in the extended social act.

[The social process of communication] is responsible for the existence of the objects constituting the daily environment in which we live – indeed for the existence of the whole world of common-sense objects...in which it determines conditions and makes possible their abstraction from the total structure of events, as identities which are relevant for everyday social behaviour; and in that sense, or as having that meaning, they are existent only relative to that behaviour. (Mead 1934: 166)

Mead was providing to behaviourist psychology a conception of the social as the condition for individual intelligence. His focus was the social act in which the self emerges. His focus was to develop a conception of the social, of language and discourse as the specific field of action for a 'community of reasoning.' IE's aim diverges from that of Mead in that IE inquiry relies on the conception of relations of knowing, language and discourse as having existence prior to interaction and so powerful in determining local communicative interaction. This work was undertaken by Volosinov (1973) and Bakhtin (1981, 1986), language theorists who were writing at the same time as Mead.

Volosinov theorizes language as creating or organizing *an inter-individual territory* (1973: 12), that is, the named and known-in-common world. Bakhtin's *speech genres* (1986) transmit their *intentionality* into each moment a speaker is speaking or a writer writing. In this moment the speaker or writer appropriates words that are pre-given, have prior meaning, connotation and so on, to make them her own as she tries to communicate what she wants to in the setting. Smith makes visible how Mead and Bakhtin both locate language in and of the settings where people are active, organizing communication and their relations. This is also an organization of consciousnesses that is constitutive of subjects and objects in the social act that is always ongoing, a sequence or chain of connected actions.

Bakhtin conceives of *speech genres* as relatively stable forms of utterances that have developed in a *sphere of activity*. He keeps the active subject in 'a chain of speech communication' and in the local practices of speech genres that are highly developed, absorb other speech genres and have generalizing effects. Bakhtin provides the conception of language as active that is compatible with Smith's project of inquiry into the social organization of *ruling relations*. He distinguishes between primary and secondary speech genres – secondary genres "arise in more complex and comparatively highly developed and organized cultural communication" (1986: 61-2). Bakhtin's conception of discourse is as socially active language. It is what people are saying and doing and, in any given setting, in dialogic relation to the speech genre and sphere of activity with which it is associated.

IE takes up these conceptions of a thoroughly social living language to investigate forms of ongoing social organization and social relations as the ongoing concerting and

coordinating of people's activities. IE thus makes its focus what we often presuppose and assume. Institutions exist and are brought into existence as relatively stable forms of local practices organizing and coordinating individuals' activities. Knowledge, likewise, is rather the accomplishment of knowing within forms of action and relations being constantly renewed, and so possibly changed and reorganized.

Dorothy Smith takes further the conception of the social act as ongoing in language and as organizing both inner and outer activity, as having forms of already available sequential 'social grammar' of naming and identifying (1999: 117). She wants to be able to observe just how organization goes on relying on and activating the already there form of referring, the sequential grammar, to be able to observe it, and describe it. To do this, Smith takes up Mikhail Bakhtin's fully social theory of language that includes dialogic interactions where individuals do not share co-presence. Bakhtin, writing at the same time as Mead, theorized every *utterance*, both speech and text, as a 'link in a chain of speech communication.' The chain is not linear, but rather pulls in all kinds of utterances past and future into the present link. It is more complex, more like a spider weaving a web that extends into the past and the future. In the essential dialogic of a chain of utterances, objects and contexts are given presence and come to have meaning or significance and project a 'what to do next' or 'what to say next' sequential organization into any setting of speaking or writing. These utterances and this active operation of language are only ever the work of actual people as they coordinate their activities. Bakhtin conceives of *speech genres* as emerging in *spheres of activity*. The social organization of a sphere of activity takes place in language in familiar and ordinary ways:

Each separate utterance is individual, of course, but each sphere in which language is used develops its own *relatively stable type* of these utterances. These we may call *speech genres* ... each sphere of activity contains an entire repertoire of speech genres that differentiate and grow as the particular sphere develops and becomes more complex.... (Bakhtin 1986:60)

Distinctive forms of language use involving terminology, syntactic conventions, styles of speaking and writing, and so on, concert people's activities as people draw on and activate them. Subjects organized as subjects in a social act or chain of speech communication in which seeing, recognizing and speaking go on, may see things

differently. But in the moment of the ongoing act in which objects are brought into being and made present in the familiar language of an already there *speech genre*, attention is concerted and utterances coordinated in those familiar terms. We can thus see organization being put together in the terms of familiar and replicable forms of social activity.

Bakhtin understands texts and verbal oral speech as *living speech*, that is, as *utterances* in forms of the ongoing elaboration of forms of human social relations. Utterances are flexible, plastic. The ways that *forms of life* or *genres*, can develop is open to possibilities. Characteristic of social life is that there are multiple ways of speaking and writing. Texts arise as a form in a particular organization of social relations. A text reflects and expresses that organization. Via the text/utterance, dialogue is set up and goes on between different genres and emerges in and reflects the dialogic between different social groups. A *heteroglossia* of genres can be experienced and visible in any setting.

So texts/utterances are to be taken in their ongoing organization, in a sphere of activity that has *intentionality*. Texts/utterances do the work of stratifying participants in that organization of social life. This implies a 'main business' or function of any form of organization, carried on through a *functional complex of coordinated work processes and relations*. Further, the organization of *temporal* relations is the key to understanding the interaction between oral speech and written texts. The complex interaction of speech and texts Volosinov takes up as the problem of *reported speech* and the variety of forms of reporting others utterances. Utterances have not just meaning in terms of the organization of the setting, but more important for making the shift to grasping the presence of macro structures in concrete settings, utterances act to connect or link acts past and future in ongoing sequences of speech communication and activity.

*Problematizing macro organization from within social relations*

Several feminist scholars take up the problem of writing people's experience into discourse (Stacey 1988, Stanley and Wise 1983, Strathern 1987, and Burt and Code 1995, among others). Others have taken up writing sociology as part of a project to make visible people's problems within transforming social organization. Sally Hacker, for

example, located the problems for her quantitative and ethnographic work – focussed on the massive technological changes taking place in the U.S. telecommunications industry in the 1980s and the reorganizing strategies of AT&T in particular – in the accounts given by women whose working conditions and lives and work were being profoundly affected by the industry’s reorganization. Smith (1990) writes about how Sally Hacker identified the problematization process this way:

Listening to what is bothering people tells the sociologist where to move next; it means taking up the relevances arising in the lives of people around you. It meant... locating an opening into a larger problem, a space... in what people are saying that opens up problems and issues at the macro-social level of analysis – what’s happening in an industry, an economy, a political process. (Smith and Turner 1990: 5)

Sally Hacker was using ethnographic methods and quantitative analyses in the course of activism with women working at AT&T to fight for improvements in their working conditions. From this location she was seeing the organization of new forms of ‘the economy,’ a restructuring that the women working at AT&T reported was reorganizing their work processes. Hacker’s research relied on how the women talked about what was going on – the details of the routines they engaged in every day and how those standardized activities were being changed. This is how Dorothy Smith has conceived of the location of the subject inquirer and the constantly-being-organized institutions that she initially called *the ruling apparatus*:

The distinctive property of the ruling apparatus is its capacity to organize the locally and inexhaustibly various character of the actual into standard forms of organizational action (Smith 1987: 158).

#### TEXT MEDIATED RULING RELATIONS

Smith has recently (2001, 2002) developed the conception and understanding of forms of organizational action as essentially social forms of action in the institutional mode. This mode she characterizes as powerful due to an historically developed organization of social relations that separate people from positions and knowledge. *Ruling relations* are comprised of a complex of relations operated by people in local practices in this mode. They are more than technologies, however they can be oriented to as *ruling relations*:

The complex that has evolved is characterized by a capacity to replicate the same forms, courses of action, relations, etc in the varieties and multiplicity of the local settings in which they operate and which they regulate. The textual bases that objectify knowledge, organization and decision processes are essential to this ubiquity. On these bases forms of replicable organization are built that distinguish what individuals are in themselves from what they do organizationally, professionally or as participants in a discourse. Properties of formal organization, profession, or discourse are constituted that cannot be reduced to properties of individuals (Smith 1999:81).

Smith has claimed these text-based relations and their ongoing organization as the main problematic for institutional ethnography. The larger project of IE is to expand the capacity of research to produce descriptive analyses of the contemporary social organization of ruling relations:

I want a sociology capable of exploring and mapping actual relations and organization that are invisible but active in the everyday/everynight sites where people take up resistance and struggle; capable of producing a knowledge that extends and expands our grasp of how things are put together and hence our ability to organize and act effectively (Smith 1999:).

However, she has further elaborated the project of IE as changing the relations of knowing. Of course, she says, she wants to change the powerful discursive practices that produce exclusions and injustices (1999: p.10ff) and do things differently. But, Smith points out, that means first “being able to explicate them as definite and identifiable practices” (10). The method of inquiry Smith and others continue to develop provides us with several fundamental conceptual tools to orient our investigation of the definite social relations in which our living is put together, and in which we in various ways, actively participate. The focus on textual forms of work and work processes is central to the inquiry and analyses (McCoy 1998, Mykhalovskiy 1999, Pence 1997, Rankin 2001).

IE posits *ruling relations* as fundamentally mediated by texts. Ruling or institutional relations exist as a complex sphere of coordinated activities that are based on technologies of print, and increasingly computer technologies. These activity spheres are brought into being in textual practices, in forms of action in relation to and coordinated by, texts. Text mediation is key to how institutions exist and can be known other than how they are known in discourse, for example as ‘the state,’ ‘bureaucracy,’ and so on.

Smith's and IE's institutions are rather, complexes of relations put together in people's actual activities coordinated with the actual activities of others elsewhere. The materiality of texts is central to the capacity for activities to be coordinated as relations operating independently of persons, place and time – as ruling or institutional relations. The materiality and replicability of texts creates the ground for objects to appear in multiple sites and to be known in common.

Texts allow the connection between local setting and non-local generalized relations. The focus on the operation of the text and organizational capacity of the text that IE integrates with Mead's and Bakhtin's conceptions of the social and social language, allows us to look at how individuals produce their acts as institutional, as acts, for example, *of* the city or conservation agency, or residents, and in standardized ways that have recognizable practices able to be treated as doing planning. Observing talk and text *in the action* and asking about and reflecting on how people including ourselves engaged in work processes, take them up and produce our own actions, we can see and display how individuals oriented to and relying on texts, produce their individual acts in the terms of stable coordinative *institutional* processes. They thus produce individual acts *and* inter-individual activities in relatively stable forms of social action in language. Standardized texts locate a familiar format and utterance physically in a routine work process and in multiple settings. The familiar format, phrases, and syntax present in the format, allow those present in the setting to activate the text's surface features in routine ways. Observing talk and textual practices of reading in a governing public setting, for example, we can see how elected councillors in council meetings, looking at 'the same' report, can 'hear' the necessary events and evidence to warrant their response and produce 'the same' outcomes and problems of governing decision making across the province. Accounting for their actions in the terms provided in the authoritative texts at hand and the discourse on municipal government, for example, individuals located in planning and land development relations produce their acts of discussion and decision. IE produces an account of the standardized and ongoing organization of those governing relations. Just how what is treated in scholarly, activist and reform discourses as *decision making* is produced is people's actual local accomplishment. Governing relations do change. Institutional change is planned and organized and historically produced. While in

every historical situation and circumstance what happens, what is said and what is *in the texts* may appear unique, the standardized terms, textual formats and practices of the institutional process shape all these happenings. Taken for granted ways of producing texts for reading in a setting, of interpreting lines on a page or speaking about what is in the texts, of addressing in text what ‘concerns’ people and so on, shape work in the setting. How agency is given, in taken for granted practices in talk and texts, to ‘the City,’ the planning process and institution, can be brought into view as concerted text-mediated activity. Several work processes are coordinated in the inter-textual work people do routinely. Treating their situated textual practices as a window onto extended courses of action of which they are constituents, we can see governing and ‘bureaucratic’ work processes as complex coordinated activity where the material presence of the text itself is authoritative in settings. We can track the inter-textual production of an authoritative text and the setting of it into the process as an official text. Some IE research does this close examination of the negotiation and production of consequential governing documents (Eastwood 2001, McCoy 1999, Pence 1998). We can then in a setting of its use, observe the authorized text coordinating people’s consciousness, talk, and doings there (Turner 1995, 2002). We can bring into view both the coordination and what is coordinated. We can go deep into the organization of institutional relations.

#### THE ACTIVE TEXT

Texts, as they are read, taken up, talked about in a setting, are *the* organizing constituents of relations, according to IE. All persons in a setting do not have to have read the texts there. The activity going on is text-mediated. The material presence of the text as people make it present, bring it into view, take it up and orient to it in whatever way, organizes what happens. The *valuing* of text/utterance is part of what happens. This goes on within the particular forms of organization and in dialogic relation between the local practices and the speech genre and its ordering sequential grammar of the sphere of relations. Texts are not to be analysed in themselves. They are not sedimented power “rules” or institution or ideology themselves. They are not representations to be treated as sources of information. They are only to be analysed *in action*, as ‘active’ in people’s actual activities (Smith 1990b). How texts *occur*, are produced, read, and have power,



and in particular those replicated and set into multiple locations taking their *same*, standardized format, and wordings into the action, is identified by Smith (2001: 175) as occurring in the activity of *the text-reader conversation*. The text in any text-reader conversation *regulates* the course of action in which the reader reads and acts in how it organizes attention to a world, to others who act, to a temporal sequence in which it is located and, how itself, acts. This is how Smith (1990) has written of texts as *active in any conversation*, present and active *as part of* a course of action in which it plays a part. Texts bring into all settings of their use, their meanings and intentions from other settings and uses elsewhere, in their terminology, syntactic forms, images, and so on.

The conception of text-based organization in extended relations is the basis of IE's approach to the institutional modes of governing and their politics. The actual forms of words, language, speech and writing of a particular field of action or sphere of activity coordinate consciousness and project organization into what can come next. The actual practices of people engaged in local work processes they take up, read, talk about and refer to texts in the ongoing processes. These are "ways in which people are actually involved in the production of their everyday world, examined with respect to how that world is organized by and sustains the institutional process" (Smith 1987: 166). The institutional process is understood as dialogic, as what people do, orienting to institutional categories and concepts and the practices that produce what gets done in their local work processes. The practices are situated in time and space. They are visible and observable and temporally organized, so we can address the practices of reading and speaking that go on in the concrete settings of the peculiar public text-mediated discourse such as that of land use planning. In the dialogic organization of people's activities, a public governing institution is produced; a public knowledge is produced; and, in land use planning, so are concrete outcomes on the land.<sup>4</sup> Residents are drawn into the legally

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<sup>4</sup> Bogen and Lynch (1998) analyzed the setting of public hearings as a forum for producing a "master narrative" and a mechanism for the production of a public record and political account of national history. They have a keen eye and ear for the interactional devices that order *formal hearing* 'conversation' as it goes on. These devices are analyzed as those by which speakers produce and resist producing information entering into "the master narrative." Even where they recognize texts as more than sources of information, as records used in the practices of producing legitimate informants, they do not include them as *constitutive of organization* in the setting nor of large scale institutional action beyond the *formal*

*(continued on next page)*

required text based processes via standardized texts embedded in those processes. The texts operate to shape residents' strategies. People meet and talk, producing and inserting texts into 'conversation.' There is an extended inter-textual exchange, and the outcome is a powerful public knowledge and administrative 'regime.'<sup>5</sup>

Bakhtin says that written texts have delayed responses. We will examine the kind of temporal delay in any concrete and particular form of speech communication and course of action. Speech act theory and the way it has been taken up in conversation analysis identifies the locutionary meaning and illocutionary force of an utterance, but only within the context of immediate conversational interaction. The analysis of textual speech communication in this extended sense can grasp its ideological aspect i.e. in which language 'remembers' or holds and makes present the social organization of relations. Garfinkel (1967) studies the interpretive practices people use in work processes to produce a situationally rational order in the dialogic of work processes. I am interested in the vocabulary and analytic procedures as accomplishing the institutional where individual acts become, are made, and make utterances, events, facts, organizational. This is key to the work that all participants do and what the public, residents, do not see – this drawing individual acts into the 'main business' of the institution.

Textual analysis explicates how the 'main business' with its particular features gets put together via the individual acts as they bring them into relation with the institutional function and process and the tasks at hand. The main business of producing an institution like the economy, for example, brings the local into relation with its

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*hearing.* I include texts as active in the production of what people 'say' in a public discourse as the organization of the setting and what happens in it, *and* constitutive of the institutional relations and mode of governing.

<sup>5</sup> The term 'regime' in IE refers to a complex of text-mediated relations that goes beyond what is meant by 'the state' to include the mechanisms of coordination of multiple sites of local sequences of action constituting a general institutional level of organization as a field of action and governing. The term is similarly used by George Smith (1995), although he uses 'politico-administrative regime,' and by Dorothy Smith (1999). While George Smith acknowledges regulation and regime theory, IE focuses on inquiry into particular textual practices as organizers of powerful institutional forms of ruling.

organization. I want to grasp the local forms of bringing the particular and individual into the generalized and generalizing forms of governing. The notion of ‘implementation’ used in policy analysis and public administration, is a narrow conception of this work and these activities. I focus on texts in the institutional mode in particular, but also, of course, on those textual utterances of ‘the public’ and how those are brought into the institutional texts and business. The analyses might be useful for public policy making and for its analysis. As Duster (1981) began to make visible, the textual and institutional mode of ‘policy’ takes many forms, and manifests differently concretely in several sites. It always organizes the work, experience, and reality of individuals in some particular contexts.<sup>6</sup>

The *text-reader conversation* is key to understanding *the active text*, and how the *text in action* has coordinative and organizing power, of relations and institutions. In the text-reader conversation, as the reader reads, the text ‘tells’ the reader what features of a world to find and orient to. The text relies on situated and standardized formats, terminologies, images, lines, marks on its surface – the systematic and technically

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<sup>6</sup> Part of the work of this thesis is to develop methods of treating texts in order to understand and write a descriptive analysis of what they do, how they act in an overall institutional process. The treatment of texts connected to social action, if it is not to be theoretical and a matter of fitting each new local and individual experience into the confines of a theoretical concept, attempts to uncover the texts’ treatment by people as it actually occurs and is practiced in specific conditions of its reading, interpretation and use in particular settings. The inquirer into institutional and organized processes needs to know what each text is able to do in multiple connected sites in terms of what people take up and make visible as going on and having gone on there. IE treats this as a matter of empirical investigation. IE does not begin with any notion that bureaucracy operates as governed by *rules* contained in documents or a set of codes, moral standards and legal arrangements that reflect these codes. Researchers following Garfinkel (Weider, Zimmerman) and Wittgenstein’s social thought on language (Coulter, Weeks, Heap) provide a resource for IE’s thinking on texts. They point out that we can never know for certain whether someone’s behaviour can be attributed to her or his following a rule or what rule that might be; that even we ourselves cannot say for certain after doing some action or activity what rule or set of rules we were oriented to at the time of the doing. Looking for ‘rules’ and rules in texts as determinants of action is thus fruitless. Schutz’s (1967) notions of ‘in-order-to’ and ‘because-of’ motives distinguish between analytical and after-the-fact mode of description of behaviour and ‘motives’ the actor actually *acts on account of* – i.e. orients to when doing something. Schutz proposed that the actor sees ‘horizons of possible action’ for her- or himself; that the horizons are ‘there’ for her or him based on particulars of individual biography and cultural or social embeddedness. Garfinkel took up Schutz’s ontological premise of this ‘null’ position of being at the beginning of consciousness and action in a world of possible action in order to orient research itself to people’s actual co-ordering of their activities and the *organizational rationality* that people produce and display for themselves and others. IE distinguishes itself from research into social *order as organizational rationality as such*, but focussing on texts, does not collapse rules into texts and does not ascribe agency to the texts themselves. The active text, activated in work processes, is a capable organizer as (signs formatted in distinctive ways on a page, Heap) to be read, and documents which label (Geoff Wood), inscribe onto the body (Foucault) and engender specific forms of thought (Morrisson).

developed symbols of mapping for example – in order for the dialogue with the reader to take place. The ‘magic’ of the text is that the reader has to operate the symbols and locate herself in relation to the world and others mediated by the text – with the text in between. Intertextuality, likewise, is always ever only how texts are active in courses of action.

Smith has formulated relations of ruling as the complex arena of activities in which an objectified world in common is vested in texts for the purposes of coordinating and governing some aspect of the society we live. The determinate objectified forms of action, ruling or governing, are the essential coordinators of decisions, activities, policies, plans produced by actual individuals as the acts, decisions, policies and plans of institutions or organizations. Smith (1974, 1990a) follows Marx who identified the primary mode of constructing a world by the German idealists (Marx, *The German Ideology*) and identifies the primary mode of action and decision in the relations of ruling by business, government, the professions, and the scientific, professional, literary and artistic discourses, as *ideological practices* with specific properties. Central to such practices is the symbolic construction of *virtual realities* (1987: 67-68). Smith later focussed on the conventional disciplinary practices of sociology as a complex of ideological practices (1990a). The realities to which action and decision are oriented are symbolically constructed virtual realities, accomplished in distinctive practices of reading and writing, conceptual practices related to their own material surroundings. The central feature of the organization of human society is the *concerting* of people’s activities through the conceptual construction and orientation to an in-common world. Smith identifies this world as *in text*. In contemporary society we are interested in the peculiar textual mediation of social relations in the various forms which concert human activity in relation to a reality separated from the local and particular experiences of people. We are interested in how this is going on around us at present.

In “The Problem of the Text” Bakhtin makes the distinctive move to *utterance* in conceptualizing texts. For if we understand a text as any complex of signs, then we can have such objects for research as physical buildings, arrangements of space, or population figures, for example, and we rely on these as data from which we read information about human activities and characteristics. The distinction between *utterance* as living oral and written text and text understood as sign, is significant. Bakhtin’s sociological approach to

language provides for ethnography: verbal texts are the utterances of real people who constitute and are active in particular spheres of activity of life which engender particular forms of language communication. Utterances act on one another and reflect the social realities of the time. Bakhtin sees the macro taking shape and changing via the micro individual utterances in the sphere of living speech.

So, some methodological stipulations for inquiry are:

- the (active) text organizes institutional processes and relations that govern and regulate the society we produce and live
- we are constantly engaged in textually mediated forms of action and thus in ruling relations
- the operation of texts is pervasive, relatively unnoticed in people's behaviour
- text mediated social organization is observable as people's actual practices.

Though no doubt it is correct to argue that the resident generally misconceives the nature of planning, for my purposes that misconception marks a shift from one order of relations to another, from the actual organizational practices to the public textual discourse in which they become known and interpreted to 'citizens.' Here is the area of struggle of the conception of the ground for acting upon the ravine. Residents rely on locally observable facts and not on organizational sequences that are accountable to and warranted by the organization of a local political economy of development and city administration. These are different orders of relations, and the struggle for interpretation, meaning, marks the shift. My focus is on the public textual discourse in which the actual organizing practices become known to residents.

Smith's concept of *the active text* directs attention to a general phenomenon in which texts operate in accomplishing the social relations – the actual extended sequences of institutional action – in which the texts occur. Heap (1988, 1989) notes the same thing with regard to accounts and descriptions that appear to report on activities but in fact put the activities together. The organizational properties, the sequential grammar, of the course of action are built into the verbal, linguistic, symbolic practices in the text. The forms of speech depend as a condition of their meaning on the organizational process in which they are embedded and which they take part in putting together.

## TEXTS, TALK AND THE ONTOLOGY OF INSTITUTIONS

### *Work Processes*

Smith has described a problem of organizational and institutional research (2000, 2001) as that of the ontology of institutions. In most studies, the work that people do disappears. IE brings into view the practices that coordinate the social as an ongoing concerting of what people do. The concepts described above orient us to making a shift to a social ontology that includes the material presence and activation of texts as part of how people put together worlds and bring institutions into existence. The focus on texts in IE as organizers of the social is based on experience and on Smith's formulation of *ruling relations* and institutions as functional complexes that rely on for their existence forms of replicable texts that provide for a particular widespread *regulative* function. *Regulatory devices* are inscriptive practices and interpretive and language procedures that operate within and organize particular spheres of activity. Such devices are integral to work processes – standardized practices and procedures – that bring relations into being in local settings and coordinate people's activities there and across local settings. These devices, forms of standardized local practices, are, like Bakhtin's living speech, developed over time in conjunction with stable forms of activities. They enable and produce forms of coordination that are relatively stable, recurrent, replicable, repeatable, and teachable. They are identifiable as the same forms. That is, individual actions can be seen as acts *of* and *for* these forms and processes. Standardized and standardizing technologies and work organization produce through people's work practices the conditions of correspondence between events and acts that occur in settings far apart and the events of an institution that its official texts and discourses describe. Standardized practices are fundamental to the organization of large scale enterprise and institutions of governing. A fundamental tenet of IE is that these are always the local activities of people that coordinate their actions with the activities of others. IE's focus is on the social activity of producing, in people's everyday and routine actions, the large scale institutions of the state – planning, bureaucracy and other dominant forms such as corporations, but these are always only constituent in ruling relations in a particular sphere, organizing for example, particular aspects of industry, economy, market and so on. Social organization occurring in people's text-based practices is thus a central notion to the method of seeing

persisting and reproduced coordinative activities that go on in particular sites and settings in a particular sphere of relations and activities as a *functional complex* of governing.

The key to seeing the power of these forms of organization is grasping them as ‘technologically elaborated forms of agency’ (Smith, 2000: 10). That is the historically developed standardized forms of coordination of activities across multiple sites. These forms are text based. The coordination is accomplished in and through texts – the text-reader conversation (t-r) and the extended coordinated forms of conversation as a speech genre (t-r-r-r-r-etc) that includes readers in different times and places. Smith’s conception, relying on her prior conception of social relations preempts what has conventionally been understood by organizational analysts as the distinction between organizations and the environments in which they operate and the distinction between organizations and institutions. The feature of activities as extended across multiple settings or ‘trans-local’ processes that pull in a number of institutional actors and their organizational work processes, challenges us to look at texts and their peculiar inter-textual operations.

#### *Speech Genres/Discourses*

Discourse and ruling relations are ontologically spheres of socially organized activity. People enter and participate in them in their local practices. These local practices are of, and essentially in relation to, or in dialogue with, a speech genre of the sphere of activities. The speech genre does not just provide a grab bag of terms. It provides stable ways of speaking, usages of language and ways of bringing individual activity in a moment into view as of that genre and sphere. What is said and done in any local practice is dialogic. It provides the ‘hooking’ of a local sequence of action into the terms of a discourse. The terms of the sequence of local action are provided by the external and pre-given discourse. Discourse practices are local practices. A speaker or writer brings the concepts of discourse into the local work of finding and recognizing the objects of the discourse into the present, into the setting. Specific technologies include maps, plans, legal clauses, legislation, and so on that the Howitt Park residents found problematic, but that planners and politicians rely on to do their work. Discourse is not ‘jargon’ or a kind of language. It is not ‘objectification’ or ‘ideology’ that has power. Rather, discourse is

specifically the practices through which people bring a particular ‘sequential grammar’ (1999:124) into the local accomplishment of activities. The extended sequence of a social act of naming and referring Smith (1999) in “Telling the Truth After Postmodernism” identifies as essentially dialogic and bringing into being relations mediated through what is produced in people’s activities as common objects, worlds, reality. Knowledge is not contained in an isolated discursive realm. The connectedness of a statement and an event or object of the world they index is always the local accomplishment of people who participate in the social act whether physically present together at one time or not. Knowledge is always produced among people. It is always going on in time and in how people take up in what the discourse provides as present in the setting, to find what is real, relevant, appropriate action and so on. The discourse provides, in text, image, and language, a world participants can find in common that functions to coordinate dialogue sequences in which divergent consciousness are coordinated and unitary agency is produced.

The inquiry into ruling relations is central to the investigative approach of Institutional Ethnography. IE situates the inquirer in relations with others elsewhere and in other times. The inquirer, from a standpoint within social relations, takes up texts and talk alike as utterances constituent of work processes and speech genres. She or he focusses on the text’s operation in putting together institutional relations as a field of action. In this way I am talking about a relatively stable complex of text based procedures and text based extended social relations that are definable, describable and map-able. I am talking about them as they are being put together around us. The point of the focus on texts and the text’s operation in this method and formulation of IE is what it can show and what it can make visible, and, in particular, what it can make visible about how individuals are drawn into particular ongoing work processes and into the institutional action that is ongoing. At the same time this kind of approach can show how the experience of individuals emerges within those text based procedures and ongoing work processes and relations and their active strategies to participate are their *coordinative work processes*. Its sociological usefulness and significance is that IE can show us how the so-called ‘macro’ institutional relations are examinable ethnographically, at the so-called ‘micro level,’ particularly at the level of the operation of the text in social



organization. We can also begin to examine and see particular institutional forms of action, where we have the text replicated site to site to site and across sites, and through time. *Institutional forms of action rely on a temporal process.* So what I am in part interested in examining ethnographically is a text based process that goes on in time and is organized temporally, and how particular texts operate to move the temporally organized process forward in time and move institutional action forward. In other words how texts make the institutional action happen and visible, and accomplish the institutional action.

#### SUMMARY: INTO THE INSTITUTION OF PLANNING

Smith described a simple way of ‘burrowing into organization’ (July 24, 1995 email to SOCORG-K List. Subject: Re: Texts and their coordinative capacity and SCOS 2001). The approach helps us to situate texts and their operation within work processes and the overall discourse and ruling relations. Smith distinguishes three aspects of the organizing operation of texts: the text-reader conversation; the work processes and organization in which the text-reader conversation is embedded; and the discourses or discourse relations in which the work processes and texts are active constituents. There is a regulating organization here. We are encouraged to see the organization of actual practices people engage in as institutional, and to work with the methodological stipulation that organization is text-based. While visual representations within professional practice have been addressed by scholars of ‘science’ in a variety of working settings (Lynch and Woolgar 1988, Suchman 1987, Latour 1987) few scholars have analyzed and mapped the complex of social relations in which discursive and organizational forms intersect and a distinctive function, like land use planning, is produced as powerful institution (but see deMontigny 1995, Mykhalovskiy 2001, Ng 1988, Pence 2001, Rankin 2001, Turner 2001).<sup>7</sup> The whole of a complex of institutional relations cannot of course be described and analyzed in any one study.

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<sup>7</sup> Suchman acknowledges that social scientists who study the organization of the practices by which representations of phenomena are produced and reproduced, have a vested interest in the adequacy of representational accounts and in the adequate rendering of the situated practices that produce them, because there are what she calls ‘political implications.’ Suchman’s focus is on the status of representations

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The formulation and application of Dorothy Smith's method of Institutional Ethnography developed here employs a focus on texts and text-based activities. Texts are understood as key to organizational, institutional or discursive forms coordinating people's activities. Texts are understood and analyzed *in action*, as they enter into extended sequences and setting specific courses of action. The notion of 'everyday practices' in itself does not address the modes of activity in which institutions come into being as extra local and objective. In my experience, the complexity of the processes and how texts can be operated differently in different connected sites became visible. The problem for me as a sociologist then became how to consistently examine in a situated and material way *how* texts are actually involved in producing standardized institutional action and thus have 'power,' rather than rely on any kind of theory – of professional jargon, or incompetence, political corruption, or bureaucratic red tape, and so on – to account for how the texts operate *in the action*. There was no account of the text's operation. The problem was further to explicate how texts are taken up and treated authoritatively, as institutional; how what counts as 'the same' as *the plan* or *the proposal* varies, may be incorrect text to text, but operates in the setting to move the process along temporally, coordinating multiple extended sequences of action into the functional complex. Integral to coordinating devices or technologies then are the categories and concepts and ways of speaking developed in conjunction with the text-based processes. This is the social organization I am describing and explicating.

Pence (1996) shows that when people working in an institutional process jointly examine the textual forms of organization and how their own work is concerted so that it produces the outcomes it does, they can begin to find ways to *design* the process differently at its key moments, in key coordinating work activities. New procedures and

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"as the product of and resource for, situated practice" (1988: 322) she sees as "embedded in a network of activities" (321). She is concerned about the loss of any account of the situated practices that are the "foundation of scientific reasoning." She notes how scientists "bound their activities in ways that bring closure each time for this time and place" (321). This, she says, matters to how we understand what we do as social action. Dorothy Smith (2000, 2001) and these others go beyond such descriptions of practice and reasoning *of science* to explicate the large scale organization of state and other public institutions of ruling as a sphere of actively coordinated relations.

practices can be broached jointly, based on an accurate understanding of how people coordinate their activities and the processes work. This kind of approach and analysis produces an examination that focuses on texts and organization and not on individuals as problematic. It thus avoids the notions of a lack of ‘political will’ or powerful and alienating ‘jargon’ or the ‘cooptation’ of critics or activists by ‘the system,’ and so on, as causing or evidence of undesirable aspects of ‘the system.’

My inquiry into the state institution of land use planning is interested in the organization of a complex of ‘ruling’ relations that is produced in actual peoples’ individual actions *as transcendent and powerful over them* and is produced and organized in multiple sites. There are multiple sites of organization and thus multiple sites and forms of possible action for *redesign*. Smith’s conception of institutions as a *functional complex* of social relations in which the material existence and operation of texts are fundamental, and the production of a common conceptual organization coordinating diverse sites as enabling the coordinating actions, actively re-organizes our looking as sociologists and activists. It dissolves the notion of the existence of particular named and commonly known discrete entities – for example ‘the conservation agency,’ ‘the city,’ ‘the developer’ – and directs the researcher to make visible the connected inter-textual activities that, in standardized sequences, produce the unitary character and powerful forms of institutional action.<sup>8</sup>

Here are the key conceptions in summary that orient ethnographic inquiry into institutions as a functional complex of social relations. These are also fundamental to understanding theory as an organizer of research, inquiry, consciousness of a world of

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<sup>8</sup> In my work here I do not examine and map discourses that intersect with planning relations. I map local practices of a speech genre of land use planning. I have elsewhere (1990 and 1992) written about the intersection of what I call ‘reform discourses’ with planning relations, in particular the discourses of Sustainable Development and ‘reform the planning process.’ Both are professional and academic discourses that intersect in local settings with planning relations and, in my experience, fail to engage, alter, or displace the forms of activity I am describing here. There is much more work to do in this area. Lauren Eastwood (2001) has taken up my concept of ‘reform discourses’ to examine the interaction of sustainable development discourse in the negotiation of language for the UN policy on sustainable forests. My work is also distinct from other IE studies (McCoy, Mykalovskiy, Devault and McCoy etc) in its focus on publicly available information. I have not included focus groups or formal interviews as these others have. This kind of study using focus groups and interviews of planning processes in the sphere of land use planning would be most useful and would extend the work done here.

relations and of actual locations and positioning for action. For the activist as ethnographer, these are central IE conceptions:

- the social is the concerting of people's activities;
- the subject is active in concerting and producing social relations;
- language and the conceptual phenomena of language are ongoing social organization;
- social relations are extended sequences of action;
- texts and text-based work processes are fundamental to institutions understood as functional complexes of ruling or governing;
- speech genres and discourse are relatively stable forms of social action.

I use the IE approach to make visible a field or sphere of action and multiple entry points into institutional relations and to display its usefulness in producing analytic descriptions of how texts operate in their organization. I describe and analyze aspects of the operation of texts in the institutional organization of municipal governing, land development and environmental intervention in local settings of the institution.

## CHAPTER FIVE

### THE ORGANIZATION OF A 'PUBLIC' AND ITS CONCERNS IN THE PROCESS OF LAND DEVELOPMENT<sup>1</sup>

#### THE RESIDENTS' EXPERIENCE

This chapter explores the textual practices organizing public participation in municipal planning and its discourse. The process in which the assessment and approval of private land development takes place is a complex sphere of actions involving local government professional staff, clerks, lawyers, private developers and consultants, provincial government staff in several ministries, publicly elected officials and, often, local residents. It is part of the institutions of municipal government. When a landowner submits an application to change the use of land, the municipal planner must notify agencies and ministries deemed to have 'an interest,' as well as residents in the area of the proposed 'site for development.' Residents are invited to attend a formal hearing held in front of elected officials. Local news media reporters are present and routinely report on the events there. This public character of city council meetings produces accountability to the news media as a feature of a public planning discourse. What takes place publicly coordinates and characterizes individual actions as part of the institution of local government and its 'politics.'

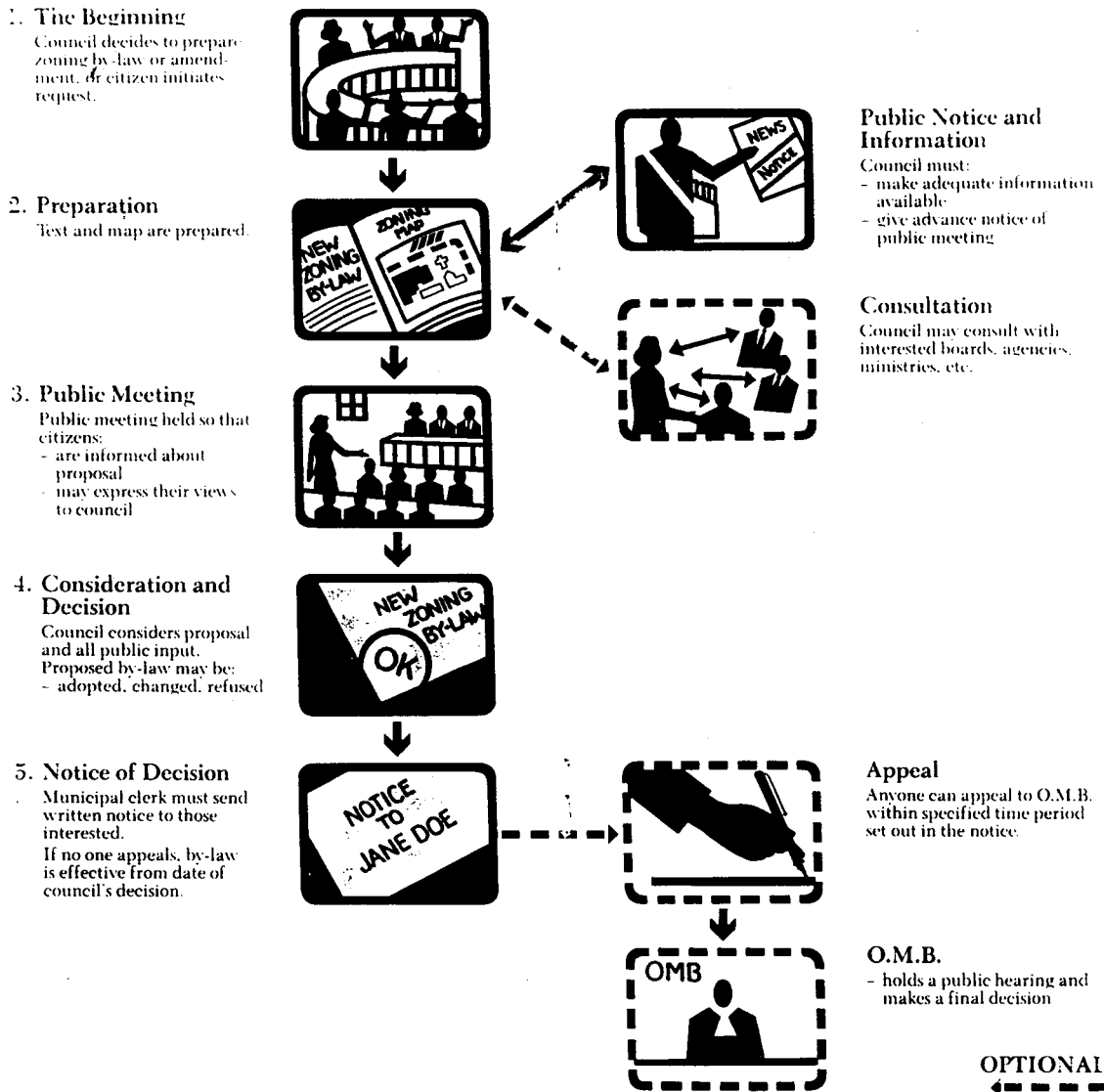
It may be commonly assumed that the residents are being consulted, that they are among those 'deemed to have an interest' in the projected development. However, as might become evident to residents drawn into these relations, and as indicated in the diagram of The Zoning By-law and Rezoning Process in the brochure published by the provincial Ministry of Municipal Affairs (Figure 1) residents are drawn into a sequence

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<sup>1</sup> An early version of this chapter was presented at the conference Social Transformation and Activism: The Application of Institutional Ethnography, Arizona State University West, Phoenix, Arizona, March 12, 1999. A version appears in *Studies in Cultures, Organizations and Societies*, 2001 Vol.7: 297-325.

**FIGURE 1: The Zoning By-law and Rezoning Process – Ministry Brochure**

**The Zoning By-law and Rezoning Process**



of activities 'Public Notice and Information' and 'Public Meeting' that are distinct from 'Consultation.' The brochure indicates the activities of the former as "Council must: make adequate information available" and "give advance notice of public meeting." The regulations for public notification, and means for doing so, are set out in the Planning Act. Of course Council as such doesn't do this. It is the work of planners and clerks in the municipal offices. That work, as the solid lines on the diagram indicate in the case of Public Notice and Information, *must* happen. In the case of Consultation, this work *may* happen as indicated by the broken lines. In the zoning by-law and rezoning process, Public Notice and Information and Consultation activities both occur along with the second step "Preparation – text and map are prepared." This is significant. What takes place as "Consult with interested boards, agencies, ministries etc" is an extended sequence (mapped in Chapter Six and analysed in Chapter Eight) that goes on outside public view. As for the residents, they are textually identified in the democratic governing discourse 'citizens,' or 'ratepayers' and the "public meeting is held so that citizens are informed about the proposal" and "may express their views to council." As set out in the Planning Act, they must be notified and receive a 'fair hearing.' As my analysis will show, a variety of practices can be brought into play to produce this boundary of the residents' scripted part and location.

The analysis in this chapter draws on as a resource my own experience of becoming active in the residents' group protesting against the projected development that would remove the wooded ravine that was part of the neighbourhood where I lived, and next to Howitt Park. The texts that came to hand immediately to the residents provided the frame for how to speak about the project and our concerns. By the time I went to the council meeting – where much of what is known as 'local politics' takes place – I was oriented to 'the process' and what happens in it. The process is represented in official government texts as a sequence of neutral, standardized discrete events and actions (Figure 1). The brochure on the zoning process of which the diagram is the centrefold, available in municipal offices across the province, is a text embedded in governing relations that represents a 'land use planning process' as a sequence of simple steps. Individual landowners get approval to legally change the use of land they own by applying to the local municipal government and 'going through' the 'steps' in the

process. There is a complex sequence of actions in which the municipality solicits agencies for comments, examines existing policies and holds public meetings where the 'plan' is presented and residents can speak. The 'council' of locally elected representatives discusses and makes a decision to 'approve,' 'amend and approve' or 'refuse' the application. The news media is present and 'the story' of the residents' protest and controversy over the proposed land development, is produced in the local news media. Popular explanations of what goes on in local politics that give agency to 'corrupt politicians' or 'bureaucratic red tape,' do not help the residents understand how the process works and how to intervene effectively in the authorized process.<sup>2</sup> The complex sequence of actions that residents are drawn into is taken for granted and usually talked about by government staff simply as 'processing developers' plans.' Those drawn into planning processes have to produce utterances in text, in public, for them to have authority in the public legislated process. I explore in this chapter how the texts of the planning process, particularly here the legally-required Notice of Public Meetings, as it is read by people living in the neighbourhood of the ravine, myself among them, operate in how people are entered into the planning process as 'the residents' and are drawn into the ongoing extended relations and public discourse of municipal planning. Inquiry using the social organization of knowledge and IE approach, with its focus on the social organization of text-based extended relations and people's actual practices within them as sequences of action, draws our attention to the dialogic character of relations and at the same time how inquiry can 'open up' a local setting into those relations. IE directs inquiry that observes, records and reflects on people's embodied practices as they actually carry out, experience and produce social phenomena, here 'public participation' as opposition to or intervention in 'local government decision-making.' I observe people's textual practices (the text-reader conversations) drawing them into the action, in

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<sup>2</sup> George Smith (1995) has called these 'speculative accounts' or explanations. He found, working with AIDS activists and gay rights activists, that there was little interest in investigating empirically how a particular 'politico-administrative regime' worked to organize their experience of lack of access to new treatments and to account for the bath house raids and arrests of occupants by police. Rather, activists tended to rely on metaphors of how the health system works and speculative accounts of 'homophobia' amongst the police.



the legislated process, in the official public council setting over time and outside of it in the local news media. By bringing into view the texts that they have in hand, that they produce and that they make present *in the action*, in moments of inter-textual dialogue, I can explore how what happens produces a link in a sequence or chain of action and part of the organization of the generalized relations that transcend the local site of reading and setting and the experience of any individual actors. I want to make visible the actual standardized forms of knowing and speaking within those relations and their extra-local organization so that, drawn into them, we can see their ongoing in-the-making character, as well as their operation within the accomplishment of the overall institutional function.

#### **THE SPEECH GENRE OF PLANNING:**

##### **LEARNING DISTINCTIVE TEXT-BASED PROCEDURES AND FORMS OF DIALOGUE**

The situated moments of dialogue that I analyze here are located within extended, trans-local sequences of action. The practices are always local practices in these sequences that extend across local settings. The sequences include the texts people read and talk about, people's activities with them and concepts and phrases embedded in the texts that we encounter as residents drawn into the process and trying to stop a projected development being built. Working within these procedures, we discovered key phrases and ways of speaking that 'worked,' that is, forms of utterance that would be heard and responded to by those in the settings where we were asking questions or speaking. We were discovering the 'speech genre' of municipal planning. Bakhtin (1986) developed this concept of a sphere of human activity organized through active communication that has developed its own relatively stable types of utterances, in which "any concrete utterance is a link in the chain of speech communication of a particular sphere" (p. 91). The series of utterances the residents fighting the "Howitt Park development" made while intervening in the planning process, led them (myself included) to produce accounts which objectified the ravine, trees, slope, land, the neighbourhood and themselves, from a standpoint within the ruling relations of municipal government. We produced our accounts in the textual formats and language that we learned would be regarded as competent interventions in the process – initially in the form of a 'delegation' to council,

a signed petition opposing the project, and later, more sophisticated presentations in the council setting and to the news media.

The judgement and valuing of people's presence and utterances in planning settings are built in to the routine forms of speaking in those settings of their ongoing discourse. Bakhtin proposes that specific spheres of language activity develop their own forms of appropriating a story or ongoing chain of utterances, another's speech and valuing it (1981: 304). Scholars who write descriptive narratives of personal experience, for example, insert the personal and primary form of speech into another, subsuming 'secondary speech genre' (Bakhtin 1986). These forms of hybrid constructions manifest and carry forward the intentionality of the whole secondary 'genre' or sphere of activities, and express its actual organization. Particular discourse features are thus not only features of the whole sphere of action. They carry out its business in charming and peculiar ways. For example, in a council meeting the developer talks about how home buyers want to have single family homes rather than condominiums because they don't want to have to paint their front doors all the same colour. City councillors talk about the residents protesting the destruction of the ravine as wanting more parkland for themselves or as afraid of change to their neighbourhood.<sup>3</sup> Elected officials routinely take up what residents have said or written and produce 'what the residents say' within their own utterances in the public discussion as something they can respond to and display their mandate as elected representatives to hear and represent residents' concerns. There are standard forms and formats in which 'what residents say' is inserted into the planning discourse. When they register with the city clerk to speak to council, and they appear on the agenda as they have so declared, residents must declare if they are speaking 'for' or 'against' the planning item being presented by a planner. What they say is already both opposition and mere comment in the speech genre of planning. I am approaching planning as involving speech genres and textual processes. I treat the organization of the dialogic in planning relations as such a secondary sphere of activities that actively organizes what people say in the institutional mode. I treat texts in action as active

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<sup>3</sup> See Turner (1995) for a discussion of council talk that takes up 'residents' concerns' and tries to address them in different readings of texts present for the discussion.

participants in the organization of planning relations and its public discourse. Representation is similarly understood as dialogic in character. Participating in these relations means entering into their routine practices, in time and in space, and becoming competent in them.

#### **READING THE NOTICE OF PUBLIC MEETINGS: THE MAGIC OF THE TEXT**

Local and individual practices of writing and reading texts and speaking are coordinated across multiple local sites and settings by the Notice of Public Meetings (Figure 2). In those settings and sites, planning discourse is activated. The reading practices I examine bring in a pre-given form of words to consciousness. These are standardized in the texts, and from reader to reader, in speech and writing. The words project an ordering, a sequential organizational syntax which is brought into the present in the text and is available as a resource for the individual reader. Taking up and using the organizational syntax to produce accounts which can be heard in public setting, render what speakers say as located within and of the ruling standpoint set out in the text.

The physical text is thus key to institutional organization. Analyses of the power of texts to coordinate large scale state institutions in local and complex sequences of action are central to my inquiry into planning relations. The Notice of Public Meetings provides an entry for inquiry into the institution of planning and its discourse. It provides the first institutional discursive resource for the novice resident. It gives a kind of basic set of codes, symbolic forms that have been the characteristic syntactic and stylistic practices of a speech genre. The novice draws on these to speak, the hearer to hear, and the reader to read. The Notice coordinates a particular 'public' delivered as it is, as legally required under the provincial Planning Act, to property owners within 400 feet or 120 metres of 'the site' proposed to be developed. The work the Notice does of constituting a particular set of property owners in being its recipients, as a group, is done by matching the regulations in the Planning Act on notification with maps of local land and taxation lists. These are routine actions of the municipal clerks and planners who draft and replicate the notices. The dialogic discourse is active and specific. Notices of Public Meetings are delivered to neighbouring property owners where the city has received an application from a landowner to alter the use of land. Sometimes these kinds

**FIGURE 2: City Notice of Public Meetings**

NOTICE

IS HEREBY GIVEN IN ACCORDANCE WITH  
SECTION 34(12) OF THE PLANNING ACT, 1983



**City of Guelph**

CITY HALL, 59 Carden Street  
Guelph, Ontario, Canada N1H 3A1  
Telephone (519) 837-5616

GUELPH PLANNING ADVISORY COMMITTEE  
DEPARTMENT OF PLANNING AND DEVELOPMENT

PUBLIC MEETINGS

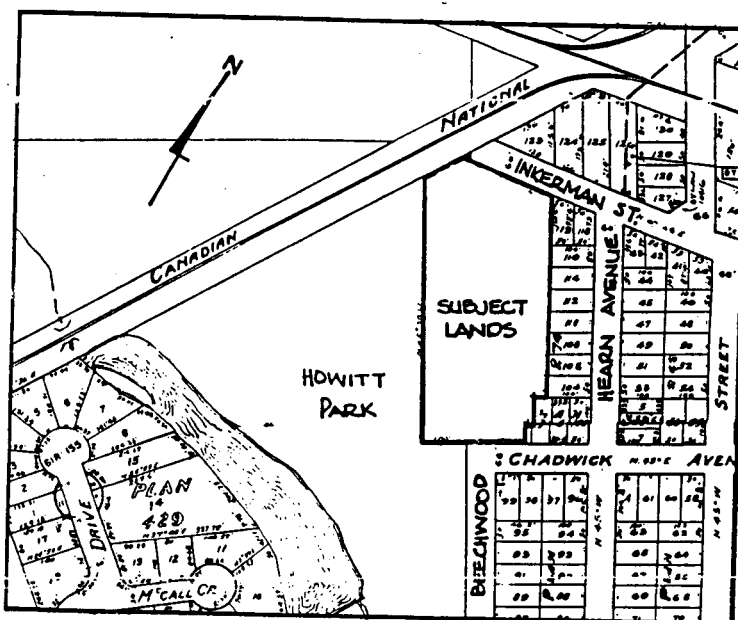
February 14th, 1986

Property Owners  
Chadwick/Beechwood/Hearn/Inkerman Area

RE: JOCIUS PROPERTY - Zoning Amendment from the Single Family Residential (R.1B) Zone, to a Specialized Townhouse (R.3) Zone to Permit Development of 34 Townhouse Units and Conversion of Existing Single Family House to Duplex Dwelling

The City has received an application to consider a zoning amendment for the lands municipally known as 27 Chadwick Avenue. This property is located at the northerly end of Beechwood Avenue and westerly edge of Chadwick Avenue. The lands also have frontage along Inkerman Street. There is presently a single family dwelling and a greenhouse building located on this 1.3 hectare (3.2 acre) parcel of land. The current zoning of this property is (R.1B) Single Family Residential.

LOCATION MAP



The immediate neighbours to this site include single family residential dwelling units to the east, along Chadwick Avenue and Hearn Avenue. To the west, the site abuts the City's Howitt Park. There are industrial type uses located to the north, along the north side of Inkerman, adjacent to the railway lands. Properties to the south, along Beechwood Avenue, include a mix of service commercial uses and single family residential.

of notices appear in the local newspaper or are posted on a building or signpost. Legally the process of notifying the public can vary, but its format and components are standardized.

Reading the Notice enters the reader into the active organization of the discourse as novice.<sup>4</sup> In the moment in people's individual homes, in front halls and doorways, as they hold a Notice of Public Meetings in their hands and scan for the details of the 'subject lands' on the diagram, try to match the marked oblong shape graphically represented in the 'location map' with a known terrain and try to picture the future state of affairs being described as what will exist on that terrain, the text works its magic. The Notice brings into this moment of their reading the forms of knowledge and action of operating in the work processes of planning. How texts organize and regulate the dialogue in governing processes can be observed here. The Notice draws the reader in and describes a world, acts, events and actors. It holds the constituted object 'the site' and its features that prior devices of surveying, municipal recording for taxation and other administrative purposes, legal phrasing, clerical entry and graphic reproduction have used to bring the terrain into municipal view. These devices constitute a textual 'site' unfamiliar to the resident. While the reader is invited by the Notice to join in the process of planning for the physical alteration of the laid out site, as a legitimate participant in planning relations, the magic of the text is in its capacity to bring into play an ordering which is not present in the immediate setting. In the moment of the 'text-reader conversation' (Smith 1999) of a Notice of Public Meetings, the organization of state institutions takes place. The reading coordinates organization of what happens in the setting in which the reading takes place and the multiple sites in which the same text is read, as well as the local settings of work connected in the ongoing process. The reading – even if the resident were to not actually read the text but to glance at it and toss it away as 'junk' mail – activates a legal moment in the legislated process, hooks the reader into the legal accomplishment of that process. She does not have to read it, or do anything in

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<sup>4</sup> This analysis of reading begins from my own experience and observation, following analytic traditions that examine how 'members' knowledge participates in social organization and is a resource. Thus the reading subject is *she*. It is *her* reading, *her* scripted part, *her* consciousness and *her* active conversation with the text. Likewise, based on experience, the developer is a male.

order for the Notice to have accomplished its required work of ‘informing the public.’ The phrase on page 2, (Figure 3) ‘NOTICE IS HEREBY GIVEN’ enacts this legal function. The reader’s lack of action, silence, is taken as a position of agreement, an utterance in itself, that the proposal described in its part 2, is ‘compatible. *Her* part in the planning process is scripted in the text, and, without any action at all by her, is played. The text does its work independent of the reader. The dialogue goes on.

The Notice has a standardized format. The text has four sections. They are titled: 1) a description of the site (including the location map and the diagram; 2) description of the proposal; 3) background documents and policies; and 4) concluding statement (an utterance that “the proposal conforms to local policies”). It includes the stable, standard format phrases that enable a next action. It “hereby notifies” the reader. The next action of public meetings can occur. It draws the reader into the ongoing action in a peculiar way. It defines *her* point of entry and positions her in governing relations. Its authorization as institutional action appears in the official logo of the city situated at the top of the text, the signature of the planner as a representative of the municipality’s course of action, and the legal “notice is hereby given.” Addressed to “property owners in the Beechwood, Chadwick, Hearn area,” the notice defines to the reader *her* relation and position in the group of property owners near the site. It produces her as thus in the large scale relations and connects the local and individual to those generalized, ruling, relations. The text tells the reader how to exclude other readings of the site and proposal. The rationale for the destruction of what the resident knows is there; the projected development conforms to the policies. The policies, background documents, other people in other locations who ‘consider’ and ‘decide,’ who validate and know (including the planner whose signature is at the bottom but who appears neutral) are in charge of the process. In order to make sense of the text the reader has to take in and operate its several forms of knowledge including legal, graphic, survey, political bodies, and governing forms of action. She has to bring forward the lines of the diagram as laid over the physical terrain she has walked. She has to read the account in her hand as authorized, and relinquish other possible accounts as inadmissible, uninformed. They have no location in the social organization the text puts together. The slopes of the ravine, the pine and maple woods, the rare species of flora including ginkgo and sequoia, the

### FIGURE 3: Notice of Public Meetings – page 2

The owner has requested that the City consider a zoning amendment on these lands which would recognize the development of a 34 unit condominium, townhouse project, plus the conversion of the existing single family house on Chadwick Avenue. The subject property is bisected by a small ravine and the project would consist of 14 townhouse units on the upper level, with access from Inkerman Street and the remaining units would be located along the lower level with access from Chadwick Avenue/Beechwood Avenue. The owner would construct 20 townhouse units along the lower level as well as renovating the existing single house to create a duplex dwelling with access from Chadwick Avenue. The units will range in square footage from 1200 to 1500 square feet and will include 2 storey and multi-level backsplits. Some homes will incorporate a walk-out basement, utilizing the small ravine and park-like setting. All townhouse units will have attached garages incorporated into the design of the unit. The existing greenhouse is to be removed.

Every effort will be made to preserve as many of the existing trees and shrubs as possible. Buildings and driveways will be located in such a way as to incorporate the existing topography and vegetation into the overall development plan for the site. A tree buffer strip of 3 metres (10 feet), minimum, in width will be maintained adjacent to the residential units along Hearn Avenue and Chadwick Avenue, as well as along that part of the property adjacent to Howitt Park. This buffer strip will be supplemented with additional trees where required to form a solid screen along the perimeter of the site. Where possible, younger trees located within construction zones will be transplanted to non-construction zones elsewhere on the property. Those trees to be preserved on the site shall be protected by a snow fence prior to construction to prevent over filling, root and trunk damage. The developer will also be required to fence the park boundary with black vinyl coated chain link fence. This fencing could be extended along the easterly boundary of the site, adjacent to the existing residential (Hearn/Chadwick) if desired by the property owners.

There is an existing right-of-way on the upper northwest corner of the subject lands. This right-of-way provides access to Howitt Park from Inkerman Street.

The 14 units along the upper portion of the site would be serviced from Inkerman Street. It is proposed that an extension of the existing City owned right-of-way, now servicing the Optimist Club and Howitt Park, would be required to service the 20 units to be located along the lower portion of the site. The intent would be to eliminate this right-of-way and to extend Chadwick Avenue a short distance to allow access to the proposed site. This section shall be dedicated as public road allowance.

This proposal conforms with the policies of the Official Plan for the Guelph Planning Area.

The Guelph Planning Advisory Committee will consider this application at its meeting to be held on Wednesday, March 5th, 1986, in the Council Chambers, City Hall, Carden Street at 7:00 p.m.. You are invited to attend this public meeting if you are interested in more details on the application or if you have any comments to offer which may aid the Guelph Planning Advisory Committee in making a recommendation to City Council. Presentation of the proposal will be made and any questions you may have will be answered. If you are unable to attend this meeting and wish to comment, please feel free to send your comments to Mario P. Venditti, Director of Planning and Development, in written form, prior to March 5th, 1986. Persons desiring a copy of the Guelph Planning Advisory Committee's recommendation may obtain a copy by contacting the Department of Planning and Development, City Hall, 837-5616, Extension 362.

NOTICE IS HEREBY GIVEN that Guelph City Council will consider this application at a public meeting to be held Monday, March 17th, 1986, in the Council Chambers, City Hall, Carden Street, at 7:00 p.m.. While there will be no official presentation of this proposal, information will be made available and you are invited to attend this meeting if you have any comments which may aid City Council in making a decision on this matter. If you wish to speak to Council on this application, would you please contact Mr. W. G. Hall, City Clerk, City Hall, 837-5603, Extension 232, no later than March 14th, 1986. If you are unable to attend the Council meeting and wish to comment, please feel free to send your comments to Mr. W. G. Hall, City Clerk, in written form, no later than March 14th, 1986.

animals, the work of the man who traveled and brought plants from around the world to put in the ravine next to his greenhouses – are not part of what the text is employed in organizing. Accounts of these are not backed up by the ‘relevant planning documents’ that are available for her to look at in the planning department. The text shuts out any possible counter argument. It organizes the reader’s consciousness in terms of housing densities, categories of uses and their compatibility. It assumes the right of the owner to develop *his* property. The assumed relation is among owners of property – the applicant and those who are notified by this text. ‘The site’ and ‘the proposal’ and its ‘compatibility’ organize the relation among property owners on Beechwood, Chadwick and Hearn Avenues, based on their (equal) right to ‘enjoy’ what they own. This relation is the core of contemporary capitalist relations and rights to property, chain of title, registration as ratepayers and as constituents of the local state. Private property and equal rights of opportunity regulate and constrain what the reader might say – ‘information which may aid City Council in its decision’ is defined as state-relevant information about the site, the boundaries, the uses, the densities and values of property beyond what is already ‘municipally known.’ The text positions the reader’s point of entry into the relations in these terms.

Here in the Notice is an official textual account of a place experienced otherwise. You may have had no name for it. It certainly does not exist as a ‘site’ in your world. ‘Municipal knowing’ appears as a distinct form of knowing, descriptive practices and action. In it, the ‘site’ is already constituted as the central object. The Notice brings that distinctive and unique discursive object to the present, to the reading moment of the recipient. Its readers are legally notified, and directed to a course of action in which ‘the site’ and people’s capacity to act in relation to it, are coordinated. That course of action, or next move, is constrained. The text regulates what the reader can see, look for – the site – and what happens as a ‘plan’ for its use. The reader may look for data to counter the notion of the place as ‘vacant’ or the statement made by the planner that the development described in the Notice will have ‘no impact.’ To counter ‘vacant’ she’ll tell what is there; to counter ‘no impact’ she’ll talk about the quiet neighbourhood, the importance of the woods and ravine to that, and the effects of increased traffic, pollution run off and so on, from the proposed development there. The Notice sets out the events,



acts and forms of questions – the dialogue with planners and elected officials. The owner is present in the Notice as activating the sequence of action, on page 2: “[t]he owner requested that the City consider a zoning amendment on these lands...” and “the owner would construct 20 townhouse units...” (Figure 3). The owner then disappears except to “be required to fence the park boundary....” Indeed, the absence of the developer is essential in the institutional work that is ‘bureau-cratic’ and ‘neutral.’ A realm of authorized actors, council, the signatory planner and ‘relevant planning documents’ is put in place (Figure 3). The reader activates in her reading thus an authorized subjectivity – ‘municipal knowing.’

The magic of the text is that the reader has to activate it. She has to think about it, engage its terms in order to make sense of it. Reading the Notice brings to the present particular social relations, settings in which she may speak, and how she might ‘say’ something. What she might say next orients to and responds to what is in this document; where and to whom she might speak is also set out for her. She phones the planner and identifies herself as living on Hearn Avenue and near ‘the site.’ The dialogue begins to take place as the reader activates the utterance and the dialogue internal to the text. She activates the surface features of the text, and in doing so, brings to the present the objects, actions, other subjects and her self, positioned in relation to them, in the terms set out in the text. She asks the planner for a copy of the Official Plan to find the policies to which this proposal is said to ‘conform.’ What she thinks, understands, how she responds, emerge in the definite set of social relations in which the text is embedded and in its local and individual practices of speaking, writing and reading. The reader may write notes in the margins, questions to ask, or underline certain words and phrases to note for some future consideration. There is the council, which ‘considers’ and ‘decides,’ the background documents, the planning department, the planner, the agencies and associations who are also sent notices; she underlines the meeting times. A sequence of actions is set out, authorized: request to look at the ‘relevant documents’ in the planning department; ask questions of the planner; send comments in written form by a certain date; go to the PAC meeting for ‘information;’ go to the City Council meeting, and possibly, then, speak to Council on this application. There is apparent closure here. The Notice does not set out a further action. The brochure (Figure 1) has revealed an option if

the reader is not happy with the outcome of the council meeting; the sequence extends to include another sequence – appeal. The authorized documents, bodies and categories are “Section 34(12) of the Planning Act 1983 (p.1), the [city’s] Official Plan, District Plans, Zoning By-law, planning reports, studies and maps etc. which apply to this application” page 3 (Figure 4). The [city] Planning Advisory committee, the Department of Planning and Development, the Director of Planning, City Council, ‘the City,’ city clerk, and ‘Nancy Shoemaker, planner’ are authorized participants already active in an ongoing course of action. The reader is among the ‘property owners,’ the ‘immediate neighbours to this site’ and ‘single family residential dwelling units’ (p.1 beneath LOCATION MAP). Authorized categories are properties, zones, use types (mixed, industrial, commercial, residential) (p.1), boundaries, right of ways and so on. The graphic representation is a vacant outline of ‘subject lands’ and the dated, numbered architect’s ‘site plan.’ They provide an account and image that is the product of complex recording, measuring and accounting procedures that combine features of the actual wooded ravine and of the material tools of their production, including the properties of the conceptual practices of surveyors, registry office clerks, real estate agents, provincial policy makers and so on. The phenomena we actively know as tall pines, slopes of wildflowers and shrubs, birds and a quiet forest that is between where we live and the gravel pit quarry and railway tracks and expressway beyond it, are here ‘subject lands’ and the ‘proposed site’ ‘municipally known.’ The Notice sets the object and the terms of its knowing. The proper reading of the ‘facts’ known by the planner and backed up by the reports that ‘apply to this application’ takes place elsewhere by others. The reader is constructed as unable to give a competent reading and outside those authorized to do so.

The Notice engages the particular readers/recipients in a common consciousness of objects and individuals and settings and a particular ongoing sequence of action in which others are already active. This textual coordinative work is done in specialized, standardized forms of language that bring and organize residents’ utterances and actions into the ‘municipal’ sphere of knowing and action. The materiality of the text is central to the understanding and production of a public social knowledge and its actual local practices of writing, speaking and reading by active individuals. We can see that people’s

**Figure 4: Notice of Public Meetings – page 3**

Further information regarding this proposal and the planning process is available to you by visiting or contacting the undersigned in the Department of Planning and Development, City Hall, 837-5616, Extension 362. Copies of all relevant planning documents including the Official Plan, District Plan, Zoning By-law, planning reports, studies and maps, etc., which apply to this proposal and area will be made available to you on request.

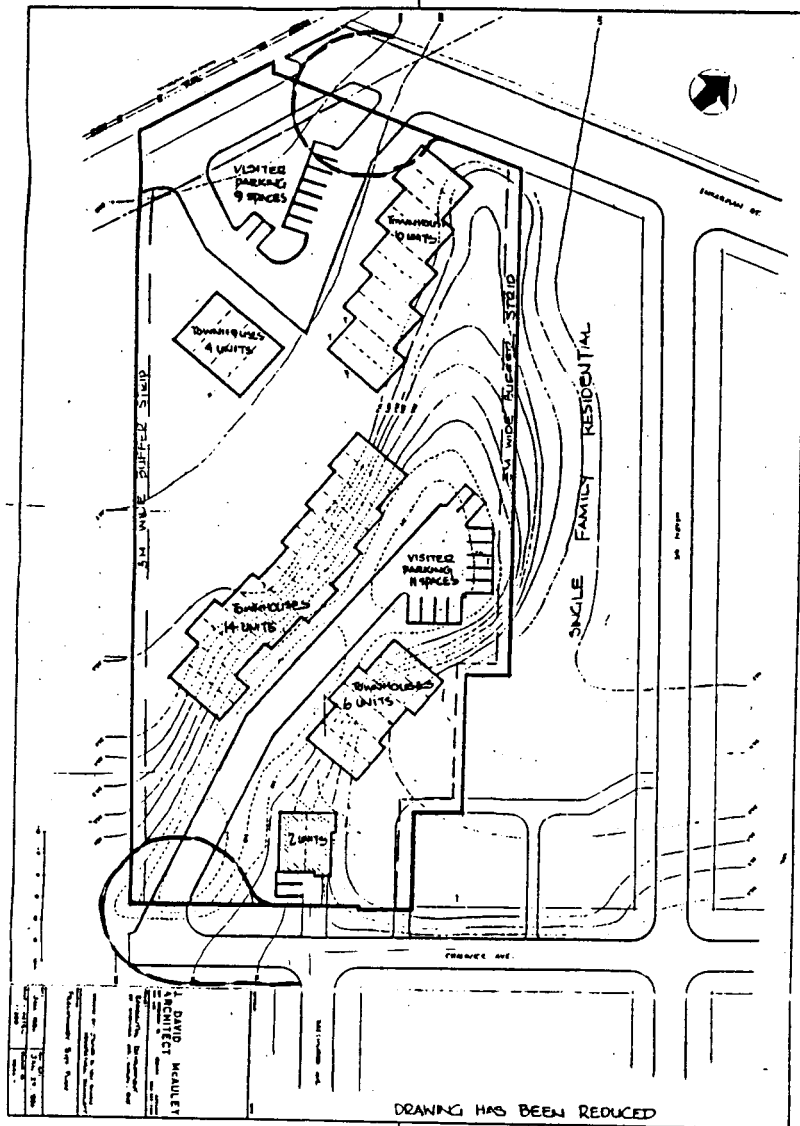
Yours very truly,

*Nancy Shoemaker*

Nancy Shoemaker, M.C.I.P.  
Planner

SITE PLAN - ENGINEERING

NS:mw



utterances are scripted and formed within the relations in which the text is embedded; 'subjectivities' and capacities to act are organized.

**INDIVIDUALS BECOME 'THE RESIDENTS' AND LEARN TO FORMULATE THEIR  
CONCERNS WITHIN THE SPEECH GENRE**

A group of 'neighbours' opposed to a land development project near where they live are constituted as a group and distinctive category within planning relations, through activities undertaken by staff in the municipal planning office, set out in regulations in provincial law. 'The residents' or 'the neighbours' appearing in public settings and in the news media only emerge, similarly, as a distinctive group within planning sequences of action. For people living near a proposed development, notices posted by the roadside or on a building may advise them of a developer's application and "Public Meetings." "Notices of Meetings" also appear in local newspapers. Individuals reading the Notice of Public Meetings talk to each other about what is in the text, what is going on and is the 'plan' of the developer as described in the text. The materiality of the text is an essential feature of this public process. Individuals read the same text as it appears in different formats and in different settings. The texts do not exert an external force on any one. Residents produce their own texts as well, intended for particular hearers and readers—planners, developers, city councillors, news media reporters, and the like. These textual utterances, produced by residents for specific settings and recipients in the legislated process and including the news media, commit the residents to the already given institutional forms of speaking and acting within planning relations. Producing their utterances within the ongoing talk like 'link[s] in a chain of speech communication' (Bakhtin 1986) residents commit to forms of syntax and phrasing to which other participants can respond, and which, as standardized forms produced within the process, hold attributes and values that are subordinate to the overall rational process being put together. What individuals say comes to be a property of the complex of relations and 'typical' of the standard forms of utterances of the speech genre of planning.

In the Howitt Park 'case' in which I was involved for five years fighting the development, the residents successfully opposed the original multi-unit luxury townhouse development, but the developer continually brought back new applications until the

ravine was finally deforested, bulldozed, and built in. Residents had to address each new text-based proposal worked out with the city planners. Along the way our arguments shifted and changed as new texts and proposals came to hand. At the beginning we were organizing and talking about and describing in detail and providing to decision makers, alternative accounts of the site. We began to talk about the trees, the aesthetics, and the environment. We had never had to do this before. Where the planners' texts indicated there would be 'no impact' on the neighbourhood, we posted signs around the streets and held a meeting addressed to 'Chadwick, Hearn, Inkerman, Beechwood Ratepayers Opposed to Townhouse Development located adjacent to Howitt Park.' The poster listed our 'Areas of Concern' as 'the park, traffic due to development, environment (aesthetics, height restrictions,) zoning and other.' At the first meeting the residents went to, we listed the 'impacts of major concern' as 'drainage to park and pond, park facilities, sale of parkland, safety at park entrance; traffic flows, parking and fire routes, the quality of life for the community, loss of tree protection to soils, parkland, wildlife, unknown other impacts on the ecology of the area, and zoning standards, physical infrastructure.' We attached a list of eight reports we wanted to have completed by 'the city' before a decision would be made by council and a petition to defer their decision with 83 signatures. We were orienting to a physical sensual world that we knew in our everyday experience. We oriented to the statements set out in the three-page Notice as 'the plan,' as 'the development' and a definite future state of affairs on the land. The Notice provided for us to talk about how there would be pollutants running off from the parking lots; how there would be the destruction of this natural buffer of trees blocking the noise from the expressway further away. We were beginning to orient to and address the others authorized in the process and the sequence of actions constituting it, constituting the relations authorized and set out in the texts. We relied on and drew in to respond to, the textual formats and language in the Notices we received. We thus produced a series of utterances committing us to a position of attachment to physical characteristics of the land and took up our location in the ongoing relations of governing.

### THE STAFF REPORT AND SEQUENTIAL PUBLIC UTTERANCES

Drawn in by the Notice of Public Meetings, the novice resident can discover that the inter-textual dialogue in the public hearing is organized by the Staff Report, by its format and its location and operation as a concrete utterance within the connected sequences of action that are visible and coordinated in it. The Staff Report is the text, assembled by planners and clerks in municipal offices, via which elected officials, present in multiple council settings across the province and in public, routinely produce 'political decisions' and the 'acts' of local government. How residents or councillors treat the public text – a numbered 'planning item' in the list of items on the agenda – is different from how the agencies' planners or developer or staff in municipal departments treat them. The disjuncture the text produces in the resident's experience is a property of its location at the intersection of different courses of action and work processes that intersect in the setting in which the text is the key constituent. While other utterances made in public and orienting to the text are treated as the political utterances of individuals, the text, assembled and produced prior to this moment in an ongoing temporal sequence, provides a stable form of utterance that is authorized, and a very powerful organizing feature of the relations into which residents are drawn and their actions shaped.

The first Staff Report that the Howitt Park residents saw was 13 pages long and on 'legal' size paper. Its format is significant, as its features provide for several 'chains' of action to be activated and made present in the council setting by people taking them up. The text's physical properties then, enable what takes place in the setting of the council meeting (addressed in Chapter Six on site plans in the council meeting) as well as how others can take up and do something with it elsewhere. In the Staff Report, where multiple courses of action and work processes intersect in the text, people experience what Bakhtin calls the *heteroglossia* of utterances of the speech genre of a sphere of activities. This is prior to seeing or conceptualizing any technique of, for example, knowledge or power. *Heteroglossia* in the text expresses and brings to the present for readers and speakers those activities. While one might think that the text's *use* is limited to the setting, the text holds within it 'enabling' properties that allow it to be activated in people's practices of reading and writing and speaking about objects, events past, present

and future (Heap 1989) and in multiple ways and in other sites and times. A whole variety of texts, acts, utterances exist in the same ontological space. My focus here is on the residents, orienting to the projected state of affairs that various clauses of the text seem to describe, as they take up particular parts of the Staff Report and other utterances, including newspaper reports, statements by public officials in conversation, other residents, what occurred in other council meetings addressing other controversial planning 'items' and so on, that are part of the complex 'chain of speech communication,' and draw on them as a resource to speak, to produce their utterances in the dialogue and thus learn the local practices of the speech genre.

The Staff Report holds a variety of accounts of 'the proposal' including legal, survey, graphic, and so on. It includes the legal wording of the by-law that council would 'pass,' plans and drawings, the planner's descriptions of the project, standard wordings of agency comments or numbered 'conditions,' and a legal wording of a recommendation that the application be approved or refused. Here is the *intentionality* in the language of the text. While it can be a misleading notion, located language carries the *intentionality* of the enterprises going forward and being put together. The text people are orienting to must be activated in local practices that are recognizably what counts as doing some aspect of the planning process appropriate to the setting.

The Staff Report format may vary in its exact details, titles, and so on, from municipality to municipality or even planner to planner, but its overall format and constituent standard wordings, provide for several sequences of action. The Staff Report text the Howitt Park residents first encountered was divided into sections with these titles:

- Summary of Application
- Location Map
- Background Information
- The Proposal
- Official Plan and District plan Designation
- Liaison Comments: (Recreation and Parks Department, Engineering Department, Fire Department, City Hydro, Canadian National Railway)
- Staff Planning Advisory Committee Recommendations

- a list of 32 “matters to be dealt with in accordance with Section 40 of the Planning Act, R.S.O. (Date) prior to the passing of the amending by-law”
- Site Plan - Engineering
- Site Plan

The first five components describe the site and the proposed development in the terms of municipal knowing first seen in the Notice. Residents may take up the accounts here in the text and attempt to provide alternative accounts of the site, its physical features, the mentioned district plans, the neighbourhood’s physical features, and so on. The so-called ‘Liaison Comments’ are assembled by the planner or department clerk from memos and notes received from various ‘circulated’ ministries, departments, agencies and boards that the planner considered to ‘have an interest’ in the development. The text of those comments that appear have come from agencies that have, at this point, submitted some form of text, a memo or letter, for example. There may be others that submit other texts during the city planner’s assembling process. The 32 “matters to be dealt with” are identified by sequential numbering. Each ‘matter’ has its own standard legal clause wording. The clause stands in for a future legal clause that any one of the 40 or so ‘circulated’ agencies, boards, commissions, or the financing bank, municipality or utility might likely provide in the future, or possibly does at this point provide in its final form. The text of these legal clauses are called ‘the conditions.’ It is not clear to novice readers of what they are conditions, at what other times and in what places, and how, they might operate in future courses of action and by whom they might be activated. The residents, focussed on the ‘decision making’ role of the local government council indicated in the Notice of Public Meetings and widely understood as the site of finality to development approvals, mistakenly try to activate sections of the text of the Staff Report to get the council in the public meeting to refuse the project entirely or to alter the clauses that stand in as ‘the conditions.’

How the Staff Report provides for textual practices constituting ‘approval’ is the Staff (PAC) Recommendations and the legal phrasing of a resolution, a mechanism by which a council may legally ‘act.’ The phrases “THAT the application...be approved and recommended to the Minister of Municipal Affairs, subject to the following conditions: ...” (underline in original) The list of conditions follows. And further “THAT...in



accordance with the following schedule:” The matters to be dealt with follows – provide the ‘enabling’ property of the text. The Site Plan, part of the Staff Report, becomes the central interactional object organizing how participants activate the Staff Report, the Site Plan and the site plan diagram as council’s ‘consideration.’ I analyze in Chapter Six how the ‘site plan’ organizes the sequence of readings and talk in the setting and constitutes ‘council’s decision.’ Readers, including residents, take up what is in the site plan and in the set of clauses in order to orient to the projected state of affairs on the land and to argue against what the text holds in it. When residents make their utterances in public, it is in the council setting or to the news media. Their utterances are addressed formally to council members who have in front of them the same text that residents can request a day before or the day of the meeting, or sometimes pick up at the meeting.

In the first months of organizing our public utterances, the Howitt Park residents and others oriented to the texts and their accounts of the site. The horticulturalist from the university arboretum addressed council and described ‘the property’:

The property can be divided into four horticulturally significant areas...

Area A: The northwest one-third is a softwood plantation of eight species of conifer trees...

Area B: Area B is the central and northeast one-third, a maturing hardwood forest dominated by Black Walnut with Red Maple, Black Cherry, Red Oak, Ironwood, and several specimens of European Larch and Douglas Fir

Area C: The ravine bottom at the south end has a very diverse population...

Area D: The grounds associated with the house and coach house contain many introduced Carolinian and Asian tree species...

Here the speaker provides an alternative account of the site, filling in scientific data, speaking as ‘expert’ in the public forum of the council meeting.

A resident then attempted to make visible the site features as fitting the city’s criteria as a ‘natural area’:

The site fits the ‘natural area’ definition of the City’s Draft Official Plan which generally includes: “significant woodlots and other areas containing rare or high quality plant and animal communities, areas of significant natural or scientific interest such as environmentally sensitive areas, or areas of significant recreational potential” (3.3.2.1. Natural Areas). ... Because this site is not on the map of Natural Areas, it is no less

environmentally sensitive, nor less significant an area and no less worthy of protection.

The resident orients to the city's Official Plan, the legal text approved by City Council and which is said to 'control' city planning. The speaker orients to the City Council's mandate to approve plans, but she is unaware of the limit to its power.<sup>5</sup>

In the extended sequence of inter-textual dialogue we, the residents, changed how we talked. We changed how we described what our concerns were to concerns that were couched in terms of the plan not complying to the current official plan and the proposal not conforming to the district plans that were in place. We gradually stopped speaking publicly about our attachment to the physical site, to the place and its sensual features that were part of our livingthere and a way that we had known it. The language that we had to represent that relation had no currency in the planning process. It does not. These were our arguments in the public meeting a few months later:

"The zone change does not comply with the ... Official Plan policy as implemented through the ... District 3 Plan, (citing Residential Policy Statements in the District 3 Plan);

The zone change is contrary to the draft Official Plan for the City...city policies that provide criteria for permitting multiple unit residential buildings; (the speaker cites policies regarding storm water management and hazard land.)

The proposed zone change and site plan is contrary to good planning principles, (the speaker cites compatibility as a development criterion and compares densities of housing units in the area); is contrary to the provincial criteria of suitability, (the speaker cites the steep slope), amenities such as proximity of schools; fairness (the speaker cites changing the zoning from low to medium density).

Here the speaker draws solely on the legal texts and their specialized discursive categories, matching them with the features of the land and the proposal.

A year later, after months of public meetings at council, at the Ontario Municipal Board provincial tribunal, and facing a new 'conforming' plan of condominium with several single houses, a resident claims in public at a council meeting:

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<sup>5</sup> I describe the limits to city council's power in my article in Campbell and Manicom (1995) and in Chapter Six.

We have no objections to the number of units, the general location of the buildings on the northwest section, and the overall form of development. However, our concerns for the good development of these lands remain those about the drainage, siltation, stability of the slope and effects of loss of vegetation to the ravine.

The resident orients again to the physical features of the site and the inevitable placement of the units, thus locating the residents with other participants in the business of 'good' development. And the lawyer/resident two weeks later makes the utterance:

I am here to represent area neighbours and to express our concerns. This development addresses many of our concerns about density, drainage, siltation and the effects of loss of vegetation to the ravine. ... we ask that council implement the following conditions so as to offer some necessary protection: (council approval be conditional on [provincial] approval; that no construction take place below the 326' contour line; that special zoning be applied to the commonlands in the ravine).

The lawyer resident orients to a mandate council does not have. Hearing that the development addresses many of the residents' concerns, and noting that they cannot do the work of zoning or approving conditional on provincial approval, allows the councillors there to carry out their task of approving with conditions, the destruction of the slopes of the ravine for the condominium project.

Another year later, and facing another Staff Report on a new proposal in the form of a 'plan of subdivision,' a resident speaks to council:

The developer's move from a condominium to subdivision means the interior 66' wide municipal road will set lots back into the ravine. Even with reduced setback, this move means extensive cut and fill. The city engineer's requirements that the developer build all houses to gravity feed to sewer terminus at 324.7 in the cul de sac and rear slopes no steeper than 4:1 means there will retaining walls at the rear of lots 3-7. I present cross section diagrams I have done with the assistance of an engineer to show the extent of cut and fill in the ravine...

After two and one half years of 'being involved' in the process, the residents have learned to read the texts and consult and decipher so-called technical devices located in the Staff Report for councillors to consider, and display a competent grasp of the consequent alterations to the land they want the councillors to understand. However, the residents did not anticipate the boundary to their part in the process and setting. At this

point the mayor asked the resident, myself, “Is this your area of expertise? How many citizens do you represent?”

The mayor’s utterance effectively closed the resident’s qualification to speak about the technical requirements set out by the staff engineer, and drew on a prior built in constraining notion of number of constituents the resident stood in for in the setting. At that point in the council discussion, councillors began to discuss their own options for building the houses with ‘walkout’ basements or other forms of building to suit the site, and approved the ‘plan of subdivision.’ A planner later told the resident “the feeling was the developer had done enough.”

The mayor’s question allows the resident’s utterance to be heard as frivolous, individual, and unprofessional as opposed to based on expert knowledge, and going beyond the limit in time and jurisdiction of council, and the process itself, for ‘resolving concerns.’ By this time the developer had changed ‘the plan’ to large single family homes which conformed to Official Plan policies. Where the developer had ‘done enough,’ the residents had done too much. ‘The neighbours’ are an already constructed object, body, speaking subject within the ongoing discourse. Particular residents in the flesh are drawn into the ongoing practices for the required public meeting, to ask questions, express their concerns and have them resolved in the process. They are not responded to in the conversation when what they say falls outside the typical utterances scripted for them in the speech genre. The co-construction of the public discourse residents are drawn into has boundaries. Being drawn in, and remaining in the conversation, is on the terms pre-existing and ongoing, which include mechanisms and devices – relatively stable forms – for entering and speaking within, the speech genre. The mayor’s “Is this your area of expertise?” is an illustration of a boundary made visible publicly in local practice. The further question from the mayor “How many citizens do you represent?” indicates the notion of representation operating within a democratic process. ‘Representation’ in organizational and planning processes is a conceptual category that can hold a variety of possible situated practices. Based on procedures that provide for the legitimacy of constituents in terms of numbers, here the prior necessity for one to stand in for many in organizing ‘representation’ of ‘the neighbours’ by selecting a ‘spokesperson,’ becomes the ground for de-valuing the resident’s utterance. One speaking also allows the

possibility for one to be counted as *only* one in the routine ongoing public decision making practices that require fair hearing but rely on this other built in notion of *democratic* representation. Not simply a matter of governing discursive speech genres allowing subject positions, but local practices of the speech genre can actively authorize, value, devalue and prohibit individual utterances as forms of utterance that do not practice the terms of the discourse.

Prior to being drawn into planning and governing processes, the residents had likely never talked with each other about ‘the site’ or even ‘the trees’ or ‘the ravine.’ There was no reason to be doing that in our lives. Coming home from a walk, I might have described to my husband the slope covered with small white winter aconite flowers poking through the snow in late March. But there was no actual routine social situation in which primary talk of that place emerged. The object ‘the site’ and the way that we come to know it and talk about it emerges in the planning process, and in the terms of the practices of municipally knowing and administering. In the process of learning how to speak, our arguments were constrained and constructed in the terms of having to say our concern was the ‘incompatibility’ of this development of townhouses with our ‘single family residential’ neighbourhood. We had to construct our concern in the terms of one land use category opposed to another. These terms with which we would be seen as competent and possibly be successful. To say that ‘the plan’ did not conform to the existing Official Plan and it was not compatible with an adjacent use and to provide the reasons for that in the terms of policy statements embedded in texts, were the established forms of intertextual dialogue. This is a set of local practices of a speech genre that can be mapped as they are put together. In Chapter Six I show how this can be done. As we residents began to speak and enter the public discourse, however, there were consequences with political significance, and this is my point here.

#### **PUBLIC UTTERANCES AND THE NEWS MEDIA IN THE DISCOURSE ON LOCAL GOVERNMENT**

The news media is an active participant in the extended social relations of municipal government, planning and land development, routinely producing tantalizing public accounts of local activities and their politics. As soon as we make an utterance in a

public planning setting, we are also pulled into a media discourse on planning that represents our utterances in a particular way. The news media speech genre is a secondary and subsuming genre. The format of 'letters to the editor' in the local newspaper appears primary, but the letters are subsumed by titles, and what residents say is set within a supposedly neutral zone such as 'Citizens Forum' (sic). In the sample letter, the resident is construed by the title given her letter as expressing "Zone change objections." The letter claims to want to 'clear up some misconceptions' that appeared in an article in the same newspaper earlier. The letter refers to and responds to specific utterances in the prior article, and attempts to provide alternate accounts of what 'ordinary citizens' have to contribute to planning and development, and what 'the residents' position' is. The resident's letter orients to the upcoming council meeting, pulls in the city's zoning by law and draws on a conception of the proper behaviour that constitutes 'good planning.'

There is already in existence in the media a format for representing groups and actors in planning relations. The news media constructs residents in the planning process as having particular kinds of concerns and characteristics. So whatever someone has to say gets slotted into that format of the story. So you can see that when news broadcasters say, "here are some of the stories developing" the skeletal frame is in place that will hold whatever is yet to be provided as the facts of the story. The story is in some sense, pre-told. The format is already in place for the telling. Headlines read, "Neighbours, business conflict" "Residents fight and beat city hall" "Planners okay bid to build" and "Neighbourhood groups create piecemeal planning." The last article extensively displays the kind of public utterance that instructs readers to find NIMBY (Not in My Backyard) in what residents are reported as saying in other news media reports:

...professor at the school of urban and regional planning at the University of Waterloo, says there is a trend today towards less tolerance for zoning variances. "The major purpose of neighborhood associations is to make certain there are no variances," he says. These groups tend to have a lot of clout at city hall, he says, often representing upscale neighborhoods and using their political power to ensure no alternate land uses are allowed in their areas – "no group homes, no high-capacity roads, no affordable housing." [He] says all neighborhoods "have to bear their fair share of the less-attractive land uses." He says neighborhood associations tend to be successful by mobilizing and using their political leverage to promote their

own values and insist that city councils enforce regulation allowing only narrowly-defined residential use of properties. (Stead 1993)

Readers of local newspapers will be familiar with the story of the resident or group of residents who are opposing the destruction or alteration of some piece of land. The news media sets up the opposition so it is produced in the reports that appear to be what is happening in the settings reported on. Newspapers in North America and Britain all share this story format. There is often a photograph of the site and the person who is leading the opposition to the development of this site standing in front of the site. So the story gets told in a way that features the resident opposing a particular development project, and the story is told so that the residents can be seen to fit into the standard oppositional category understood to be irrational, unreasonable, resisting change and progress sometimes called NIMBY. NIMBY refers to a simple statement or utterance “not in my backyard.” The resident can be seen to be making this utterance when staying in the process and making a series of more sophisticated statements of opposition about one project. NIMBY as a category emerged in the 70s and was first used by local groups as a position taken in relation to a specific development or kind of development – usually dumps, toxic waste, incinerators, chemical polluters. This occurred in Ontario after the planning process had been restructured to include notification of residents in the process to comment on Section 40, site plan approval. The term NIMBY was later taken up by developers and commentators to describe the character of the groups opposing any project. The theory of a utilitarian self-interested citizen (Olsen 1965) is built into the media and planning discourses. It is activated in situations in land use controversy to operate on residents’ accounts of their experience so that they can be seen or read as expression of that theory – as NIMBY or a “special interest.” The local practices of “hearing” – the mandate of councils and other bodies authorized to provide “fair hearing” – are coupled with the legislated process organized to produce the site as it is municipally known as “suitable for development.” Those opposing the plan step into the story format. The story format is now standardized and characterizes the resident opponents as making this standard utterance. So the residents are represented as saying certain things that would characterize them as being selfish. Because “the Howitt Park neighbourhood residents” were opposing a development that happened to be a townhouse project and did

so over a number of years, we discovered that some of the things that we could say to be effective in the public settings, that the proposal was not compatible with the neighbourhood, was not suitable for the site, did not conform to the city's policies – began to be treated as an elitist and selfish position by other activists across the city. “The problem for affordable housing in the city, “ it was reported said by advocates at the city's Open Forum on Affordable Housing, was “neighbourhood groups and their ‘hired planners’ who opposed multi unit residential developments in their neighbourhoods.” Our utterances along the way were thus able to be gathered up into the category of NIMBY utterances. Their connotation in the public discourse is uninformed, unreasonable and irrational. Where the city is understood as acting ‘in the public interest,’ residents are positioned within the political governing discourse as having a ‘special interest’ and thus their utterances can be treated as those of a category ‘special interest group.’ The myth or ‘ideological code’ (Smith, 1995) NIMBY is publicly available and operates to also conceal the documentary and legal forms of economy that make affordable housing unprofitable for developers to build.

The statements I have cited were reported in the local news media as made by affordable housing activists who were our friends. We had worked together and shared a common political location on many issues. This is what can happen when residents are taken up into these legislated processes that have space built in to them for the public to participate and to make comments, and other residents make statements, which statements will work in what is essentially a dialogic process.

I am not showing how the residents are excluded from participating in such legislated governing processes as the land use planning process. Rather, I am showing how they are included and how the way that they are included is constrained and shaped in particular ways so that their utterances have this effect of dividing them from each other, dividing activists and dividing us on the basis of how they are stating their interests and concerns. Further, active discourse is always ongoing local practices of a speech genre the writer or speaker enters. The material, physical text, replicable and located in multiple settings, provides the situated connection text-to-text and to people doing things with texts and orienting to them in actual sequences, via procedures that are known in common and visible, and recognizable. In the speech genre people are producing and



reading texts and utterances for those sequences and among active participants. The individual takes up the words, phrases, of discursive and ‘appropriates’ it to make it hers and to express her own intention in her own utterance. Learning local practices of, and speaking within, a speech genre is active ongoing organization, and standardized discursive frames that intersect in these relations regulate how utterances are shaped.

The news media are regular participants in the land use planning and municipal government discourse. In the legislated process, the city council meetings are accessible to anyone. The frame of the ‘newsworthy story’ a reporter carries into that setting, for example, creates the ‘beginning’ and ‘end’ of planning events as news items in local news media. A ‘decision’ by the local city council, appears final, as if that is the end of the planning process and the council has all the power. The ‘story’ disappears from the newspaper, while the action goes on. Another ‘local politics’ story appears in the paper. The ‘land use planning story’ frame focuses on the residents and their opposition to the development. The particular way that residents’ utterances are shaped and residents are constrained in what they can say, however, is text-based. What is said enters the news media story as well as the particular setting.

#### CONCLUSION

I have focused on particular textual formats – forms of texts such as the Notice of Public Meetings, Staff Report and media accounts – that are standard in planning processes, in order to show how they operate in organizing and shaping what residents know, orient to, say in council meetings, in the news media, and thus how they play a part in organizing local politics. These are standard texts that draw residents into the ongoing processes of planning and into the ongoing discourse of planning and governing that operates in municipalities throughout the province. Here we see how what the individual residents say comes to be a property of the complex of planning relations they are drawn into and typical of NIMBY or ‘we do not want change.’ The formulation of residents’ utterances in the terms of the texts and ongoing discourse practices of municipal planning, is a concerting of their individual and diverse knowledge and judgement into the institutional forms of inter-textual dialogue. Texts can be seen to also shape the character of local politics so as to produce what are treated as problems in the

sphere of land use planning. Looking at local practices of reading texts and speaking in public settings as mediated by standard texts, we can see the active production of state institutions. The standardized and authoritative features of state institutions, and what has been addressed by scholars as ‘social movements’ or ‘citizen’ actions separate from institutions of governing, come to view as continuously constituted and valued in those coordinated governing activities involving the municipality and the media. Rather than adapt our view to theories of citizens opposing ‘state’ activities, we see the coordinative power of texts in organizing institutional action, including residents’ utterances, in the inter-textual dialogue of routine processes.

We can see how, in spite of being ‘notified and informed’ as part of the steps in the public process, residents’ part in the dialogue is scripted and truncated within the social relations of planning. Residents are not consulted. They are notified and given ‘fair hearing.’ Their utterances are valued in the pre-given terms of the ongoing relations and *speech genre* within which they actively construct their utterances. We can also see how inquiry into the texts and local practices of a speech genre and their location within extended relations, can open up into these extended relations and their connected activities in connected settings and provide a way to make them problematic and then visible to further inquiry.

## CHAPTER SIX

### SITE PLANS AND THE COORDINATION OF CITY COUNCIL AND ITS DECISIONS <sup>1</sup>

#### POLITICAL DECISIONS

In this chapter I focus on the site plan. I continue my investigation of text-reader conversations as the local practices of participants in a public city council meeting in order to show how the text is a powerful coordinator of 'political' decision making actions. Here the site plan can be seen to organize divergent consciousnesses into a common knowing of the object – the site and its features. Reading the site plan, 'council's discussion' and 'council's decision' go forward as inter-individual activities. Rather than single events, these are shown to be dialogic extended sequences of action in which the text operates to concert people's activities. In the council meeting, the physical features of the site are offered up in the graphic surface features of a diagram, part of the Staff Report to council, in the standard categories and terms characteristic of the objectified mode of planning and governing. The tacit knowledge of how the text operates in the regulative processes that participants are engaged in, and in which their reading activates the properties of the text in distributing rights of land use, is available as a feature of such local settings. The analyses of individual readings displays the organizing capacity of the texts to produce certain readings as institutional, that is, which reconceptualize for decision makers a world, a site and a future state of affairs which is graphically available and amenable to the present routine task, which is only one moment within the complex main business of land development.

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<sup>1</sup> A shorter version of this chapter appears in Campbell and Manicom, (eds.), 1995, as *Rendering the Site Developable: Texts and Local Government Decision Making in Land Use Planning*, 234-248.

Politicians' practices are a matter of concern for policy makers, analysts and the public, and for which councils, as elected bodies, are held accountable.<sup>2</sup> Sociological theories of the local state and what it can do, whether conceived as an extension of the central state's powers or as relatively powerless administrative functions, treat local governance as face to face relations where things are happening and where evidence for their theories exists. How face to face relations are powerful and produce the commonly known character of local politics, 'political' decisions, public policy and the local state, is a feature of actual human practices. This chapter is concerned with how these practices go on in public hearings and forums where what individuals say and do comes to be known as how local governments make policy and planning decisions.

Within land use planning processes, the council meeting is the setting where having members of the public comment on plans and councils visibly consider and make decisions about them is supposed to contravene theories of interest and to 'balance' the private and public interests in land development. I am arguing that the so-called 'political' decisions made in such forums are embedded in ongoing and extended courses of action mediated by texts and involving people located in various settings and moments in time reading and talking about texts. I show that those courses of action are various yet governable by the use of standardized texts and textual technologies. Further I aim to make visible that the decision-making practices of local councils comprise just one moment in the organization of the overall zone of 'political' activities of policy, planning and decision making regarding land use.

In the account in this chapter I show that the texts and textual practices people engage in together produce the particular organization of the council setting and what happens in it. In particular, the analyses display how the diagram participants look at holds in it the features that mark and allow the councillors and other participants to produce what *counts as* doing planning in the setting – that is, doing a socially competent reading and discussion of 'the plan.' Reading and discussing the plan, participants will be

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<sup>2</sup> See, for example, Sypnowich 1991, on changes to the Ontario Municipal Conflict of Interest Act to address local "political corruption" practices regarding land development.

shown to produce the routine, ongoing coordination of a setting and its public features, planning action and the broader relations within which the setting is located. The analyses together will show how the discussion proceeds and its organization is accomplished in the participants' orientation to and talk about the site plan. Participants speak from very different locations in planning relations and from different orders of relations in which 'the site' figures. While the samples of readings shown here take place in a single setting, it is argued that in this and multiple settings elsewhere, the site plan is a powerful coordinator of, and through its features a constraint on, how the 'planning' talk and discussion goes forward. Here is the actual area of struggle in the politics of decision making regarding land – the graphic and conceptual practices determining the grounds for knowing and acting upon the site and the power of the text in regulating what happens in 'decision-making' settings.

#### **PLANNING TEXTS IN LOCAL GOVERNMENT DECISION MAKING**

In land use planning courses of action, visual texts stand in for the actual site. In particular settings, participants look at a text – a map or diagram – and talk about what's in it. The lines on the diagram or map play a part in shaping what people say which has consequences for what happens in the setting, what will happen next in the process, and will happen to the actual physical site. I am examining the maps and diagrams representing the site in a particular zoning by-law approval process and what people do with them in a city council meeting. The public decision making practices I examine legally change the restrictions concerning what can be done on a piece of land to develop it. How the documents people use in the local setting coordinate, produce and authorize planning practices and decisions is a feature of people's local experience and a practical problem for anyone participating in the planning process. Understanding 'how the texts work' seems to require a technical expertise not equally available to everyone in public decision making. However, the production of an understanding of the so-called technical aspects of plans is part of what goes on in decision making settings where people talk about specific plans. How technical information is transmitted and used in decision making is not simply done by visual texts or site plans. Rather, the diagrams provide evidence of a plan and a site and its features that people have to take up, look at and

discuss and make a decision about. In doing so they reproduce in the setting the properties of the plan and their own actions as constituting “council’s” decision so it can be referred to as a distinct moment, event by others in the planning process.

Integral to plans, the diagram adds theoretical information which could not be found in say, a photograph or a walk around the site. It provides a document of phenomena as features of the site which cannot be fully represented by other means. It integrates and assembles the operating conceptual procedures of diverse professional and technical work processes such as land surveying, law, and engineering. Further, and most important for a sociology of planning and policy, the diagram does this assembling of diverse work products for the public administrative process governing local planning and development activities. What it makes present to participants in the planning process as features of the site, are crucial components in the coordination and management of the municipality’s role in land development.

If we were to look at diagrams another way, examining the series of renderings of the site (Appendix A: Figures 5-13) could show us that the ravine locally experienced, accessible to my senses, becomes an increasingly ‘docile’ physical object compliant to the numerous devices which work together to display it as developable. But even as the diagrams seem to represent a process, we cannot take them to display the actual decision making practices, nor any inherent power or political interest at work. A feature of site plans is that they are replicated, read and activated in many settings. They act to realize the same course of action in multiple local settings and to construct a ‘consciousness’ and decision making distinct from properties of individuals. The power of the texts cannot be found wholly in the texts themselves. Their power to produce certain outcomes is in how their features present what is there in common for people with diverse interests in multiple settings so that they are able to treat them as representing the ‘same’ site and talk about their surface features as features *of the site* and as present to everyone in the same way. An accurate account of how the texts work in producing decisions – here in the council meeting – can only come from embedding them back into the settings in which participants talk about their features and observing how the texts operate in the organization of decision making.

### THE SITE PLAN

A site plan is the key text that figures in the processes of land development. In the planning process, the site plan is the 'knowledge device' that provides material about the object of the planning profession's knowledge. It is embedded in and integral to forms of organization where direct contact with the aspect of the world being processed is not the responsibility of those who make decisions.<sup>3</sup> In the preparation of site plans, special conceptual and graphic procedures operate to order and select particulars for the textual account so they can be manipulated and treated as relevant to the work of people in numerous settings. Mapping is such a specialized procedure for going from local historical settings of living to the in-text construction of an archimedean positionless space. Early radial mapping would have involved the mapper walking, carrying equipment, scaling distances and drawing lines between chosen 'markers' to get the shape and boundaries of his map (Greenhood 1951: 222). Now, the dominant form of land surveying worldwide (cadastral) is associated with what is already on the public land register of property used to value land for taxation:

Cadastral surveying provides the basis for land registration. It has the task to acquire numeric information about location, form and content of land parcels and real estates, to visualize it on plans and registers to administer and maintain them. Cadastral surveying therefore serves the securing of land property assets and related rights and responsibilities. The data of cadastral surveying are public. The products of cadastral surveying at the same time provided the basis for all administrative, economic and scientific domains that have relations with land property or land in general. Although cadastral surveying is part of a legal cadastre, it is in practice a so-called multi-purpose cadastre. The data of cadastral surveys have to provide the basis for the establishment and operation of any land

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<sup>3</sup> Much of the physical production and transference of plans is carried on by clerks and secretaries in the offices of lawyers, planners, developers, city hall departments, land registry offices, intermediate level governing agencies and provincial ministry offices. This work is generally not visible or accessible to anyone outside its specialized work processes. Often the documents comprising a plan are the product of preparatory work by consultants hired by the developer (land surveyors, lawyers and the like) and are considered privately owned and therefore not "public" documents. (Under the Municipal Freedom of Information and Privacy Act (1990) however, all documents pertaining to a matter brought in any way to public attention are legally accessible. As far as I am aware, this has yet to be tested in the planning process in Ontario.) Latour (1987) gives us such a view of productive processes in his notion of *inscriptions* as images that operate in scientific texts and discourse. They are the *end result* of a lengthy process in the laboratory involving instruments and practices of extracting, cleaning up, redrawing and displaying. These images he calls "hybrids" produced at the interface of the two different worlds (p.65).

information systems for public and private purposes. (Swiss Federal office of Topography, 2002: [www.swisstopo.ch/en/vd/zweckAV.htm](http://www.swisstopo.ch/en/vd/zweckAV.htm))

In Ontario, cadastral applications include plans of subdivision, condominium plans, 'real property reports,' site plans and topographic surveys among others for use in administrative processes that are required by the Planning Act RSO 1990 and regulated by sections of the Surveyors Act RSO 1990. Only licensed cadastral surveyors can provide expert opinion on the location of property boundaries. Their work is heavily based on an analysis of documentary research as well as on field measurements. The AOLS claims that "everything constructed on or below ground has been methodically measured and accurately represented on maps, drawings and in reports" and that their work practices as a professional service "facilitate the purchase and financing of residential and commercial real estate." (Professional Association of Ontario Land Surveyors 2000: [www.aols.org./home.html](http://www.aols.org./home.html))

These are local practices that increasingly use digital technologies of 'geomatics,' the new science of measurement and management of 'spatial data,' and work with data separated from the primary intersubjective experience of land, natural world. These practices work from an externalized object of knowledge that is available to anyone positioned to read and who has mastered the particular interpretive procedures the map intends and relies on. The procedures produce 'virtual realities,' facts secured in a stable relationship of a discourse. That the map 'represents' some piece of the natural physical world is its referential authority within the discourse. The procedures are always local, historical practices – the mapper 'reproduces' on the ground the abstract relations (distance, area, shape, etc.) of the textual. Where once siting points and connecting them with lines would 'get' the mapper the map, now the digital technologies that are advertised by professional associations and private firms on the internet do the work. As a map the points and lines come to represent the substance and essential features of 'the land.' But the 'technical' features of the map or diagram are not wholly the product of a 'proto-mapper' or even of the current body of knowledge, technologies and assumptions of the planning profession. In multiple settings and at any time in the evaluation and



approval of site plans, their technical and authoritative account of the site is also a social and organizational accomplishment of individuals' practices.<sup>4</sup>

The diagram, map or site plan abstracts from the local particularities of the land properties held relevant to planning – such as property lines, park boundary, contours, streets, railway lines, and streams, and makes present to multiple settings and readers in them those planning relevant features. Wood describes it:

The world we take for granted – the real world – is made like this, out of the accumulated thought and labor of the past. It is presented to us on the platter of the map, presented, that is made present, so that whatever invisible, unattainable, erasable past or future can become part of our living ... now .... here. An example: I am one of a group of Raleigh citizens who have banded together to oppose a road the City of Raleigh wants to build across the grounds of a hospital listed on the National Register of Historic Places. In the process – of our living here and now – we compare a map of the proposed route for the road – that is, a map of a potential future – with a map of the historic site – that is, with a map displaying a determination made in the past about the extent of the historic site. Past and future – neither accessible to my senses on the ground (the road does not yet exist, there is nothing to see, the boundaries of the historic district are not yet inscribed in the dirt, there is not even a marker) – come together in my present through the grace of the map. (Dennis Wood with John Fels, 1992:7)

A site plan is the product of extensive constitutive procedures, including mapping. The productive work of land surveyors, planners, lawyers, engineers, clerks and secretaries is coordinated around a site and 'the plan' is brought through a public political process. These activities are administered through the Province's Planning Act. While the Act is often seen simply as regulating or guiding behaviour, it holds in it sets of instructions for producing many texts as well as for their reading, discussion and review by people in multiple locations and at certain times. The Act includes specific

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<sup>4</sup> Michael Lynch talks about scientific practices which produce a "consensual seeing and knowing" of objects. Lynch (1985), (1988) and Law and Lynch (1988), provide beautiful analyses of a variety of procedures for producing and "upgrading" the "scientific visibility" of phenomena so the textual products both visually display and analyze what they reveal. Lynch focuses on the representational procedures for producing "good" objects as data for subsequent sites of analysis where those practices are taken for granted. I am looking more closely at those subsequent practices for referencing and constituting features that appear in-text and which concert individuals' practices into institutional action further to "knowing" an object.

instructions for producing the plans, drawings and conditions to approval that must accompany a zoning by-law.<sup>5</sup> The Act instructs the selecting out procedures for going from the local historical land that is within people's experiencing to the proper graphic representation of planning-relevant features on the site plan. It instructs the planner what to make visible and present – for 'showing' – on plans what is not available to the senses of someone walking by the site: the location and details of "buildings and structures to be erected" which do not exist; the "facilities and works to be provided in conjunction therewith" which cannot be seen and are not marked on the ground but which are relevant to planning. The Act also instructs that drawings likewise are to 'display' the "relationship of the proposed building to adjacent buildings, streets and exterior areas to which members of the public have access." The plan assembles the planning relevant particulars and reconstructs as a holistic entity the site features of a future proposed state of affairs in compatible relation to its surrounding like entities – structures, streets, sewers, boundaries, etc. The plan assembles as surface features of the site plan the planning relevant information. Drawings bring to the present those assembled features of the plan or diagram as essential features of the site.. The features the Planning Act requires to be inscribed on plans and drawings are crucial to the practices of people in multiple sites of evaluating and commenting on plans.

Specific planning procedures vary from city to city, but they have in common a reliance on these standardized textual practices in sequences of action throughout which people in multiple local settings take up and address site plans. The city council meeting

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<sup>5</sup> Section 40, in Part V of the Planning Act, 1983, Land Use Controls and Related Administration, requires particular local municipal practices in passing a zoning by-law. Section 40(4) says "no development can take place without the approval of one or both, as the council may determine, of the following: 1. *Plans* showing location of all buildings and structures to be erected and showing the location of all facilities and works to be provided in conjunction therewith and of all facilities and works required under clause (7)(a). 2. *drawings*, showing plan, elevation and cross-section views for each building to be erected...which drawings are sufficient to display, (a) the massing and conceptual design of the proposed building; (b) the relationship of the proposed building to adjacent buildings, streets, and exterior areas to which members of the public have access; and (c) the provision of interior walkways..." etc., and clause "(7)(a) as *conditions* to the approval of the plans and drawings referred to in (4) the municipality may require the owner to undertake, provide, complete, payments for works, other plans etc. (Section 41 of the Planning Act, R.S.O 1990, amended 2001)

is just one of the settings where participants orient to the textual features in a diagram in order to “see” and “know” the site and make a decision about the plan.<sup>6</sup>

### THE ZONING PROCESS

Zoning is a method of describing, municipally knowing and doing something with land that is a feature of site plans. It is central to how urban development gets done. All land is zoned by categories that determine what can be built on it. If an owner wants to do something with private property different from what its present zoning allows, he must apply to the local government to change the zoning. Usually the property owner or developer brings a proposal to the city planning department where he pays a fee and what he wants to do gets worked up with city planners into a formal application. The application activates the particular zoning by-law approval process<sup>7</sup> (Chapter Five, Figure 1). The application documents – the plans, drawings, and a description of the proposal – are duplicated and circulated for comments to city departments, external boards, commissions, agencies and owners of properties surrounding the site. Agencies’ comments may be written into the verbal description or conditions as part of the Staff Report that goes to council, or drawn on the diagram, the latter usually by the city’s Engineering Department (Appendix A, Figure 6). By the time the plan gets to city council

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<sup>6</sup> The plan councillors have in front of them is part of an application for a zone change. While council is to approve a rezoning, and the diagram is not a site plan as such, (a point councillor P tries to make), participants in the process must engage with the particulars of the plans presented in the texts made public and available to decision making procedures. In 1986 the chairman of the Ontario Municipal Board at a hearing on the Howitt Park development chastised the Director of Planning for the city’s procedures of “approving intent and not actual site plans” (field notes November 1986). The decision making process, treated sometimes in the literature as a unified and homogeneous phenomenon, is obviously not ‘the same’ in its everyday particulars and events. Individual planning departments may construct their files and approvals somewhat differently from other cities. But practices considered institutional by those who do them make ‘what counts’ as planning observable and accountable in concrete settings. How the textual particulars and people’s actions surrounding them make them institutional practices and organize a rational and accountable planning moment is what I to explicate in this chapter.

<sup>7</sup> The municipal council passes a zoning by-law to legally enact the zone change. The zoning by-law itself is considered the major tool for municipal councils to regulate and control land use and is central to the management of municipal affairs locally. cf Ministry of Municipal Affairs (1989) *Municipal Councillor’s Manual*; Ministry of Municipal Affairs (1985) *Zoning By-laws: a Citizen’s Guide*; Jack Layton (1990) *City Politics in Canada*, in Whittington and Williams, eds.; Nigel Richardson (1989) *Land Use Planning and Sustainable Development in Canada*; Susan Fainstein (1990). Zone changes are usually made in order to increase the density and value of the land use on a site.

there is a set of well-worked up texts – plans, diagrams and conditions for approval – that come to the meeting. At least one public meeting of the city council is held, where the developer or his hired lawyer or planner describes the plan and is questioned by councillors. Citizens may attend and can present information and comments to the councillors. Council can amend conditions before approving them but it must make a decision to approve, refuse or defer making a decision on the application.

#### **THE SPOKEN LANGUAGE-TEXT RELATION IN CITY COUNCIL**

I am explicating the work of the text in concerting political decision making as it goes forward in talk. (The transcribed section of council meeting talk I analyse here comprises Appendix B.) The site plan is the authoritative text here in the setting. The site is already created, already constituted. At this point in the process, people who have not been involved in its technical preparation, talk about the plan and are making a decision about it. They make their decision on the basis of the plan's textual features that stand in for the actual site, and they rely on what they see and the verbal statements of the developer's lawyer, planners, and citizens as a resource for 'knowing' what they are seeing and making a decision about. The 'facts' of the case are textually represented and are made present thus to everyone in the setting. The texts are already authorized accounts of the plan, but council must approve the accounts and pass a resolution approving a by-law in public. As the people in this setting take up the documents and attend to what is in them, they bring about a relation between the actual physical land worked up as "the site" in the texts, their own and other individual action, other texts and prescriptive legal texts, and the production of the routine, formalized features of planning. In order to do what counts as planning in this public setting, participants must engage with the technical details in the texts and what is said, and do something with them. In this particular approval process, a developer wants a zone change to build luxury homes in a wooded ravine. A group of residents has come together to oppose the development and protect the ravine, which has value to them as a natural area and buffer of trees for the neighborhood, and is asking that the plan be amended to prevent development down into the ravine. They suggest that houses be built on the high, flat area surrounding the ravine, and the ravine itself be left untouched. In order to enter this

request textually into the proceedings, to make it something that can appear as a measurable and enforceable restriction, the residents refer to the site plan, which contains graphic features meant to represent topological features of the site. These take the form of wavy lines that are known as contour lines and which are to be read as showing changes in height or depth relative to other areas on the two-dimensional image. This is a way of representing three-dimensional features on a two-dimensional surface that can be reproduced and entered into multiple sites for discussion. On their copy, the residents have indicated a contour line which they understand represents the “top” of the ravine. It is labelled “326” on the diagram. They have submitted a copy of the site plan with this 326 contour line highlighted in yellow marker.

What happens at the city council meeting is an experience that will be familiar to people who have been involved in public decision making processes. Residents, having lobbied planners and councillors for a year to preserve the site and the small wooded ravine, have made their presentation and, sitting in the gallery of the council chambers, watch and hear the councillors ‘get it wrong.’ Residents hear their own statements reported and inserted into the discussion in ways that take it off in the wrong direction. Councillors appear to read the diagram ‘wrong.’ The Planning Director instructs them in how to read its surface features. Residents watch councillors become unable to read the contour lines on the diagram as meaningful to their decision. It is the experience of seeing and hearing speakers go from the local historical that is within someone’s experiencing to an out-of-body (Smith 1992) in-text world. While residents and the developer’s lawyer orient to the actual physical ravine site to argue about what should be developable there, councillors and the Planning Director operate the site plan at a purely textual level. All have before them the same text. It can be treated by any one of them as present to the others in the same way it is to her or him. Speakers can refer to features of it, point them out to one another, ask questions about them. The text ‘regulates’ in this way: that its features are what is there in common for participants to refer to as present for everyone in the same way.

Further, the disjuncture between reading practices in the council meeting reflects and expresses the intersection in this setting of social relations of fundamentally different kinds, in which ‘the site’ and its features are known and figure differently. How

individuals are able to operate the diagram's features, and do so differently, concert their discussion and reveals their location in these different relations.

**SITE PLANS IN COUNCIL DISCUSSION: CONCERTING INDIVIDUALS'  
PRACTICES INTO INSTITUTIONAL ACTION**

While citizens assume that the physicalness of the ravine represented in the contour lines on the diagram could be seen and treated as a basis for council altering the plan, the following look at council's discussion makes it clear that the diagram's features as a plan are powerful in coordinating 'political' decisions. Councillors work back and forth between the textual realities presented in the plan and the legal course of action they are putting together. They take up the diagram's surface features and orient to an in-common in-text world. Its features present evidence of the site and "the plan" which participants then can operate to warrant their discussion, consideration and decision.

In the council meeting, councillors have in front of them the texts required for development approval under the Planning Act – a description by planning staff of the rezoning proposal, a diagram labeled "proposed site plan" (Appendix A, Figure 8) and a list of conditions of approval (Appendix A, Figure 14). In this case they also have a submission from the citizens – a set of four recommendations and a duplicate of the diagram with the 326 contour line highlighted with yellow marker (Appendix A, Figure 9). The diagram shows the ravine by contour lines. The line marked in yellow on the residents' submission of the "Proposed Site Plan" intends to foreground the particular physical features of the ravine. The citizens are trying to express through the diagram their local perspective and experience of the ravine. Mapping however, is a procedure for moving from local historical settings of living to the in-text construction of an archimedean positionless space. That planners and councillors can speak competently about diagrams and plans in the council setting relies on the ability to read and reproduce the plan from a subject position outside the local and particular and in an archimedean point.<sup>8</sup> My point is that the diagram presents standard planning relevant

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<sup>8</sup> There are other texts here that participants orient to in the discussion, including the texts of the citizens' recommendations. In the council meeting the developer's lawyer disagrees with two recommendations the citizens make: 1. to write into the conditions that no development take place below  
(continued on next page)

features that can be treated as there for everyone in the same way and participants' orienting to those features coordinates how the discussion goes forward. How standard features of the text are operated in the talk is how the text "regulates" and is powerful in multiple settings. How the text coordinates the talk in a setting as authoritative, impenetrable, is part of how it operates to produce participants' – here council's evaluative – task regarding it *as a plan*.<sup>9</sup>

*Councillor Y*

Councillor Y is addressing the developer's lawyer, who has made his presentation to the council and is being asked questions by councillors. When councillor Y is talking he is looking at the diagram (Appendix A, Figure 8). He reads the surface features of the diagram as a fully external object/display that is accessible in the same way to anyone. Given the marks on the diagram he is "confused" about the properties of the plan and the neighbours' response to it:

Councillor Y: Mr H I don't know if you're familiar with what is termed the proposed site plan? ...that Mr M [resident] are you [developer's lawyer: yes] the 326 foot contour line that runs through two of the homes as I see this, possibly three, touches on a third one, ...this yellow line on the single sheet ...what I don't understand Mr H is if the neighbours are in general agreement, uh I don't see how they can be, and I'm confused with this because they're saying they're in general agreement but they want the

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the 326' contour line (representing a feature of the site on the diagram) and 2. to delete the clause the developer's lawyer added to condition 10 two weeks earlier at the public Planning Advisory Committee meeting. Condition 10 would restrict the development to approval as a Plan of Condominium. The new clause adds "or such other binding arrangement satisfactory to the City Solicitor." The future that would be represented on the map could be very different from that represented in the present diagram. My focus on the diagram is to isolate and identify the coordinative procedures that operate it in the council setting. Councillors discuss the features of the diagram and the plan for 1 \_ hours. They then unanimously approve the zoning by-law with only slight amendment to the condition 10 clause recommended by the developer's lawyer – to "satisfactory to city council" rather than to "the city solicitor."

<sup>9</sup> Volosinov suggests that we can identify particular "authoritative" forms of reporting which express the active dialogic of the social relations in which they are situated constituents. They are well worked out forms for assimilating various aspects of reality in words (1973: 320-321). In the analysis of historically concrete and living language we must, he says, attend to the way speakers formulate in everyday speech an interpretive frame for reconceptualization, and to the ways the assimilation of another's discourse does not just provide information, directions, rules, or models, but rather determines the basis of our ideological interrelations with the world it performs as authoritative discourse. A feature of authoritative discourse is that it is impenetrable. It cannot be shifted or changed. This is accomplished in active utterances and forms of reporting as I am showing here.

development to leave the land below the 326 foot line free, and yet it's not just the 326 foot line that I see here, you've got a dotted line on this diagram that seems to come alongside the ends of the properties as I look at it. I may be incorrect in looking at it but that's what I see. In other words the park area that is shown here is quite a bit less than what is below the 326 foot line.(1.58-72)

Councillor Y picks out features, not confounding map with actuality, but operating the diagram as a kind of virtual reality constituting the site and its features – contour lines, homes, etc. – as shared objects of reference in the present. Lines do things in the present-for-everyone pure text moment: “the 326 foot contour line... runs through two of the homes (he can read the rectangles as substantial objects); the “dotted line [comes] alongside the ends of the properties.” This talk differs from talk that addresses the textuality of the citizens' diagram – “this yellow line on the single sheet.” The yellow line is not a feature of the site plan as are the contour and dotted lines, it is a line that is drawn. On the other hand, councillor Y's “You've got a dotted line on this diagram...I may be incorrect in looking at it but that's what I see” displays the ambiguous status of the dotted line on the diagram, but its availability as a feature of the site plan. Councillor Y talks about what is “shown here” and he can “see here” using the deictic “here” to reference features appearing in-text that are equally available to him and others. Here is the significance of multiple identical copies of the diagram/site plan in constituting a common reference among speakers. Speakers can evaluate what proponents and opponents of the plan have to say in terms of the lines on the diagram as giving the properly constituted properties of the site and the plan for development.<sup>10</sup>

#### *The Developer's Lawyer*

In his response to councillor Y's quasi-question regarding the dotted lines, the developer's lawyer gives a legal description of a future that would be if this were to

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<sup>10</sup> See Roweis (1988) for a view that the technologies of planning and design professions are processes that “manipulate messy ground surfaces to fit to human projects.” Rather, I am making the distinction between the local historical that is necessarily always from within someone's experiencing (in an ongoing course of living) and the abstracted, textually-inscribed relations that position the subject outside the local and particular and in an archimedean point.



proceed another way than it is right now. The lawyer orients to the peculiarity of the site plan as Wood describes such a map above, that it establishes a present onto which a future state is projected. What is represented as already there is given, but the future is open to negotiation. Negotiation is what the lawyer is doing throughout, negotiation that will enable his client to go ahead with the development in some form or another that will enable him to make a profit on his investment. The lawyer orients to the deadlines within which the future projected on the plan or some other future to be determined at that meeting must be dealt with within 30 days; if it isn't accepted, both non-decision and refusal can be appealed.<sup>11</sup> The lawyer's course of action orients to the planful character of the deliberations; that some future favourable to his client should be a product of these deliberations. He does not here attend to the features of the site plan, but to its relating of a present to a projected future. With this text before them, Mr. H puts forward the possibility of a modified future that also attends to features of the site plan, but "not always the 326 line." He orients to the site plan and the residents' yellow line but he introduces into the discussion what is beyond and not represented in the site plan, namely the developer's (his client's) practical problems with developing the real ravine in all its local historical messiness:

Developer's lawyer: Oh quite so. Quite so. The dotted lines, if...if this is to proceed under ...[plan of subdivision the lots would be] 50 by 100 feet. If we can work out a method without putting it under the Condominium Act, then the, those would all be parts 1 through 3-4 through 12 on a reference plan and each of those parts would then be conveyed to separate people. Instead of the condominium corporation owning that, individual people would own that. Now, my client is quite happy, or quite willing to settle on a line below which no construction will go, but it may be not necessarily always the 326 line. At some points it could be the 326, but when you get up to number 1 it may have to switch to the 324, 323, that house may be farther down the hill. That's all. But to arbitrarily pick out

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<sup>11</sup> The appeal is to the Ontario Municipal Board for a hearing *de nova* in which the documents are brought in and reviewed by the Board and the Board's decision is final (Section 40 (12)). This deadline, combined with the working out of plans in the 'informal process' before they become 'public,' produce this quite routine feature of planning that plans are still being negotiated informally, out of the public view, and are being pushed through the public process. What has been called the "Let's Make a Deal" character of planning in Ontario (See a series of articles by Ferguson in *The Globe and Mail* and its *Report On Business Magazine* April 1991) is merely a routine feature of its textual organization. Here, in how the lawyer for the developer orients to the diagram, he can be seen to be involved in this routine course of action and negotiation.

of the air 326 and put a yellow line on it and say we don't want anything below that is a a bit difficult to deal with, because you can't necessarily site all, all, all your houses.

Councillor Y: Right, I understand that. In effect are you saying that the dividing line between the parkland and the development is the dotted line?

Developer's lawyer: Yes...the bottom...(1.73-93).

Here is the coordinative effect. Councillor Y is still trying to establish the representational status of the dotted line, hence its character as a *feature*, as against merely being a dotted line. The developer's lawyer orients to his client's job to "site all...your houses" somewhere on "the hill," and to the neighbours' interference in that business, not to site features. But he capitulates to councillor Y's insistence on establishing the dotted line as a feature of the site plan.<sup>12</sup>

#### *The Planning Director*

The Planning Director is looking at the diagram with the yellow line on it (Figure 9), but when he speaks of its features he uses legitimate zoning categories and descriptive terms – "units," "exclusive use areas," "open space" – features of the site plan that have already been assigned a determinate representational value. "Ravine" is not a standard category or feature. Councillor Y's phrase "ravine or passive parkland" in his question to the Planning Director, marks the lack of diagrammatic conventions in planning for "showing" the ravine as a proper category that would provide for its reference as an object

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<sup>12</sup> In conversation the city's planner told me the dotted line "doesn't mean anything. It just shows what it would look like, what the lotlines would be," if the plan was for standard homes on lots in a subdivision rather than a condominium, which it is at present. Technically, the dotted line has no legal status on this diagram which accompanies an application for a zone change to allow a condominium development. But notice that the developer is looking to "work out a method without putting it under the Condominium Act" (1.75-76). The problem of siting all the houses can be resolved on the plan for the moment. Whether to use the dotted lines to indicate parts on a *reference plan* would be part of the negotiative work done with the city's planners. It would also unhook the plan from the Condominium process and hook it up with the subdivision approval process, with a different unknown at present outcomes in the ravine. The subdivision process is attractive in terms of its investment value to the developer; it has fewer restrictions, does not require public participation, involves fewer "up front" finances for the developer and produces a reference plan through which individual lots can be sold and the burden of financing borne gradually by future home builders and buyers.

and a feature of a plan. Councillor Y is still trying to establish the planful status of the dotted line:

Councillor Y: I'd like to pursue the question with Mr. V [the Director of Planning] about this dotted line and if what is below that does provide about 1.1 acres of ravine or passive parkland, or is it a lot less than that and in which case how much less?

Planning Director: (inaudible)...drops down, so that's the beginning of the ravine. The 326 contour line uh, represents that. If you look at the plan and you look at the units that have been designed on the plan as exclusive use areas, those areas extend further south or further down from the yellow line and those exclusive use areas would be exclusively used for the units, for the occupants, so therefore the backs of those dotted line areas would not form part and parcel of the open space. So and I if...just by taking a look at what's left over, and just eyeballing it it looks like it'd probably be an acre even if that, that would be open space. (1.128-143)

The Planning Director tells councillor Y that the 326 contour line represents the beginning of the ravine. He deals with the problem of the lack of diagrammatic convention to represent ravines by attaching it to the 326 contour line. But he is almost exclusively oriented to the site plan as a plan. The Planning Director, in contrast to the developer's lawyer and the residents, is operating the site plan in an exclusively textual mode, at the surface of the text. The developer's lawyer references the site as it is outside the text where the development work would go on, but the Planning Director does not.

The Planning Director produces the textual orientation to the site plan for those present. He takes the text and tells how to see the features of the text and how they should be seen: "If you look at the plan and you look at the units that have been designed on the plan as exclusive use areas, those areas extend further south or further down from the yellow line..."<sup>13</sup> The lines representing "exclusive use areas" carry in them an economic

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<sup>13</sup> His phrase "*designed on the plan*" relies on and refers back to the extensive work processes that have put this plan together before it arrived in this setting. He is not talking about the real site, but past and future together in the present as the plan. The categories of "exclusive use area" and "open space" are standard devices for categorizing land and for distributing private and public rights to land use. With regard to their mandate to mediate the social use of land, council must rely on the technical and professional competence of the staff it has hired. That competence is also embodied in the texts. In this way the issue of individuals' competence in doing planning arises, but not the text-concerted organization of the process itself.

analytic construct, “future occupants.” It is an important construct the development industry relies on. In the text-mediated public discourses of development, various participants describe people as having needs that the industry is meeting. Descriptions of future homebuyers, owners and occupants and their lifestyles are a textual feature and active constituents of development discourse and the organization of research, marketing, real estate promotion and sales, as well as planning. These other work processes produce resources (statistics, etc.) that in planning settings and in the news media, representatives of the development industry can routinely draw on to speak for “future homebuyers” and “future homeowners and occupants.” Here, the Director pulls them and their needs out of the lines on the site plan and introduces them as legitimate interests, into the deliberations in the council meeting..

Most councillors then get stuck in operating the diagram in this purely textual mode. The diagram, supplying the graphic features required under the Planning Act, provides the evidence necessary to councillors in order for them to evaluate if the site is “suitable for the proposed use.” This is their task in “considering” development applications and proposals that come before them. (Government of Ontario, Municipal Councillors’ Manual 1989:77).

*Councillor L*

Councillor L takes for granted the plan’s property of bringing the site’s “given” features and a future proposed state together, making them present for her so she can formulate the problem for council as “we have development below the 326 foot line” (l.255). Here too is the coordinative function of the text; treating the 326 contour line as a constituent feature of the plan as the residents suggest, would undermine the diagram’s character as a ‘good’ plan that council could deal with in the present deliberations – “Our site plan [would be] no good... So...we have to pick another number” (l.254-257):

Councillor L: There’s only one problem with that. If we say no development below the 326 foot contour line our site plan is no good because we have development below the 326 foot line. So we have to change that number. We have to pick another number. 320 or something a little bit further down. Maybe (inaudible) can comment on that.

Mr V: Your worship through you, Alderman L has raised a very good point. If we take the plan as presented, and uh, we’re assuming fairly large

units here in this development, and we're also assuming a fairly large exclusive use area. These are not your standard townhouses or your standard townhouse lots these are single family condominium developments and they will equal a fairly large single family house on a fairly large single family lot. I don't see how we can accommodate a plan of twelve units picking the 326 contour line because that line goes into three units and also the recommendation was that no patios or anything else be constructed within that and if you look at unit number 3 and 4 and 5 and 6 and that would preclude them having any patio or anything else in that area and that would make it very difficult for this plan to proceed. (1.253-272)

For councillor L the immediate present of the site plan as a text seems to operate as a reality – changing the number is the way to go. The pure in-text possibility of her orientation – “pick another number” is in direct contrast with the developer's lawyer who, orienting to the real ravine, wants some flexibility vis a vis the contour lines on the plan.

The Planning Director operates the text at the purely textual level to reiterate councillor L's “very good point”: “...that line [that the citizens' want in as a feature of the plan] goes into three units. ...That would make it very difficult for this plan to proceed.” Here we can see the power of the plan. It is a feature of the coordinative work of planning texts that planners are in a position to be able to defend, and advocate in the in-text mode, in public settings, plans they have worked up for developers. Councillors too, can operate in the same pure in-text world. In other accounts of what goes on in the business of land use planning and decision making, this has generally been seen in terms of the “dilemma” of the planner's “role” individual planners experience (Forester, Richardson, Roweis) or the political “alliances” bureaucrats form with business interests in the “informal process” (Elkin, Webb) or “systematic corruption” (Jock Ferguson). This coordinative and concerting business of planning has also been a subject of activists' theories.<sup>14</sup>

#### *The Mayor's Intervention*

Here is the coordinative function of the plan again. Later in the discussion, councillor Y tries to get the Planning Director to suggest how to operate the surface features of the text by writing something into the conditions. This is just what the

residents wanted to do using the contour line. Councillor Y tries to operate the dotted line as a constituent feature of the plan through a condition to “allow the development ... [and] ... safeguard the ravine which remains” – literally whatever land is left over below and after “whatever line there has to be” [the dotted] is picked. But the plan is impenetrable:

Councillor Y: Well your worship I was gonna ask [the Planning Director] a question somewhat along the same lines but somewhat different. Mr V what could we write into the conditions... what could we write into the conditions to safeguard the ravine, below whatever line there has to be...in order to allow the condominium development? and the line that has to be is this dotted line that I asked [the developer’s lawyer] about. What can we write into the conditions to safeguard the ravine which remains? (3.1 seconds pause)

Mr V: The only thing we could do would be uh to pick a contour line an/and – put it in as a condition – an agreed to contour line...um and I’m having difficulty try’na pick one, because the contours “hhh are not uh that straight, they do curve over as you get further over to Inkerman Street and they really drop off there. So w-hh it’s...

Mayor: The trouble is we’re trying to redraw the thing tonight in the council meeting.

Mr V: That’s correct – (1.274-292).

Councillor Y treats the conditions as they seem to reference the site plan as if it holds in it physical features the conditions could act on, to “safeguard” them. The Planning Director’s hesitation to “pick a line” (1.305-309,313) marks the disjuncture between two orders of relations in which the physical site is linked to the text. The residents try to express their concerns through the contour lines, and the text-mediated relations of planning are organized through other surface features of the diagram marked “proposed site plan.” Graphic marks on the diagram are not treated equally as constituent features of a ‘good’ plan. Different readings which link the text to the site produce differing, conflicting, outcomes, one giving the ‘natural’ contours as present features and prefiguring them as future states, the other, prefiguring the properties, units, exclusive use areas etc.

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<sup>14</sup> Speculative theories is a concept formulated and developed by George Smith 1990.

The councillors' textual mode of reading emerges in the course of action which 'implements' the City's land use policies and manages the relations between private land owners, the development industry and a general 'public interest.' The readings I have examined here rely on the individual's ability to recognize the planning-relevant marks on the page as a plan's features as a future state of affairs and on an understanding of how the diagram 'works' in processes of regulation and distribution of rights regarding uses of land.<sup>15</sup> It is these reading procedures which produce the site-text link authorizing and representing various activities connected to the visual text. The mayor's "The trouble is we're trying to redraw the thing..." refers to and makes present for others in the setting the proper separation and coordination of activities regarding the production and readings of the diagram in an ideal and legally defined planning process, where the text's features are given and read in the textual mode. The real ravine the residents and developer's lawyer orient to is unavailable in this institutional mode.

*Councillor P*

Councillor P is the only councillor who sees the difference in how people are operating the text. He wants to operate the text to express the features of the real ravine, and literally does not have the words. Here, Councillor P is saying "We should not be talking about the diagram here in front of us as a site plan." Site plans should only exist as objects for our attention in sequences of action that occur later on in the process.. If we treat the dotted line as a feature of a site plan, "we are then going into development." Councillor P is pointing out that councillors are thus considering the lines on the diagram standing in the houses as things they are not. His reading of the text is opposite that of Councillor L who called it "our site plan." The text is not a site plan as such, therefore "we should be talking about altitude or the sea level."

Councillor P: I was happy with the wording when it was the 326 contour line, but now we've gone into the dotted line. I'm not happy with the wording "below" because we are dealing with a site plan, and when we

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<sup>15</sup> Liza McCoy's (1995) explication of the organization of identity through photographs embedded in different discourses is especially insightful on the matter of photographs as the interactional object in a series of procedures which produce the body-text link authorizing and representing various activities connected to the visual text.

look at the plan and when we're talking about the word "below" the dotted line, we are then going into development. We should be talking about the altitude or the sea level or... it should be reworded. We're directly into development if we're talking about a site plan.

Mayor: Alderman L?

Councillor L: Just a comment further on Alderman W's point. (1.411-421)

Councillor P is talking about two different texts. He is switching and displaying an ability to switch between two different representations and to locate those representations in different courses of action or different moments in the same course of action. He's able to identify the kind of language that you use to work those representations and he's showing what happens if you mix them up. This is what he is trying to make visible when he says "I was happy with the wording when it was the 326 contour line." Text 1 is a kind of geographical map in which the relevant markings to-be-operated-in-multiple-settings are contour lines, sea levels etc.; "but now we've gone into the dotted line" this is a different kind of text, Text 2, in which dotted lines show and display the features of buildings and structures, facilities and works. Councillor P is trying to show how language operates and how the text is organizing the council's discussion; how people are talking about the lines on the diagram in a way that their discussion is "directly into development." Councillor P does not know how to talk about the problem of language and texts in the council meeting. He does know he is "not happy" about it. No one takes it up. Rather, the mayor directs discussion back to Councillor L and her textual mode of reading.

In attending to how texts in front of councillors produce an orientation to a future state which is "development," Councillor P can be seen to want to change how councillors orient to the text and in turn to change how the discussion goes forward. He



makes visible, but not hearable by other councillors in the flow of their talk, the temporal disjuncture between relational sequences and their objects that collide in this setting<sup>16</sup>.

### CONCLUSIONS

Councils in Ontario are given the “statutory authority to plan,” yet the documentary work required under the Planning Act (section 40, site plan control) is done by staff in municipal departments. In order to do what a council is authorized and mandated to do – determine “if the site is suitable for development” – it is required to have before it and consider, certain kinds of information. What is also required is a knowledge of the documentary organization of the planning processes. There seems to be a fairly usual practice of staff supplying councils with the standard technical information as it is required by the Act. It has an effect that people start talking about a site plan and considering approval in terms of the “facts” the site plan presents.

In planning relations, the diagram is the interactional object of a series of procedures. In numerous settings individuals talk about, mark, and write on the diagram to represent their concerns or interest in the process and its outcomes. The “final” registered subdivision plan’s surface features (Appendix A, Figure 13) include the Land Registrar’s “certificate,” the Owner’s “certificate,” the Surveyor’s “certificate” and the Plans Administration Branch of the Ministry of Municipal Affairs’ “approved” stamp, and the signatures of the registrar, president of the development corporation, the surveyor and the manager of the Plans Administration Branch of the Ministry, which produce the body-text link authorizing and representing their activities connected to the plan. A chart of “curve data” represents the measure of lot and road locations. These engineering data need no formal authorization. No contour lines appear. The contour lines required on the diagrams submitted with the developer’s application which activated the planning process, have offered up these “essential” physical features to the work processes of

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<sup>16</sup> Why this came to council in the form of a site plan and a proposal for development is that the developer brings an application forward and backs it up on the basis of a documentary display of his intent. This is a key feature of the textual organization of how ‘consideration’ of plans goes forward. People get fixed on details of the diagram the developer is not bound by. That these details are *not binding* on the developer is key to what is going on in the council meeting.

architects, engineers, clerks and so on and to a series of playful activities which render them invisible.

Here I have looked at the 'facts' presented in the plan as powerful in the social organization of institutional action in municipal planning, and I have conceived the activities in council as routine planning practices which incorporate texts in standard discursive sequences.<sup>17</sup> The focus on individual practices of reading lines on the diagram then allows us to observe their part in the organization of council's decision making. Councillors' operation of the diagram at a purely textual level enables them to approve the plans and pass the by-law legally changing the zoning to allow 12 luxury houses on the site.

In the council meeting, councillors can manipulate the conditions; they cannot "redraw" the diagram. Councillors' amendment to condition 10 to bring "any other arrangement" the developer negotiates with city staff "back to council," satisfies council regarding their "control" (l. 360-375). In terms of consequent actions, this wording unhooks the plan from the Condominium Act and allows it to proceed as a plan of subdivision under the Planning Act (Appendix A, Figure 10). This shifts the legislative framework and the ownership and maintenance of the internal road to the City, thus requiring meeting several engineering standards including a 66 foot wide road that pushes the lots back into the ravine. In conjunction with drainage and backyard standards, this results in a 3-5 metre high retaining wall along the shifted dotted line, and the destruction of the ravine.<sup>18</sup> On the diagrams on file at City Hall, the dotted line now marks the

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<sup>17</sup> Volosinov (1973) suggests a feature of authoritative discourse is that it is impenetrable; it can't be shifted or changed. This feature has been noted by some investigators of large organizations and bureaucracies. See especially the work of Sally Hacker (Smith and Turner eds. 1988) in which Hacker discusses the variations in accessibility of powerful organizations to "critical" research according to the varying complexity of management forms and the specific textual forms that operate in organizational "resistance" to inquiry. How the feature of impenetrability is accomplished in active utterances and forms of reporting has not been analysed.

<sup>18</sup> What is not suitable for development however is a yet-to-be-worked-out series of practices based on engineering criteria and standards for producing reliable building conditions. The underlying relations operate on deployment of the appropriate engineering technologies for producing reliable structures. In 1990 and 1991 the methods of construction of a 3 to 5 metre retaining wall to create properly engineered backyards on the lots was a contentious issue at council and between the City Engineering Department and the developer. When the City Engineer had a plan stamped by a reputable engineering

*(continued on next page)*

location of this 3-5 metre high concrete retaining wall. The events have entered city mythology as a successful “case” of citizen participation, and the 12 “estate lots” being sold are advertised as “in a ravine setting.”

The readings examined are organized by their reader’s location in different orders of relations, and the struggle for interpretation and the meaning of what’s in the texts, marks the shift between the residents’ lived experience and the in-text institutional order. Residents’ readings of the “proposed site plan” rely on locally observable facts and not on sequences of action accountable to and warranted by the organization of municipal economic development and administration. Residents’ attempts to bring in to the discussion features of the site from people’s lived experience of trees, slopes, or a ravine, cannot have cogency in the setting or text. Residents themselves suspend their experience to argue their case on the basis of how the text represents the site’s physical features. They themselves orient to the conditions as having an in-text ability to exert “control” over what will happen on the land. The observed practices are part of institutional activities that rely on a conception of texts as holding and transmitting information, and of what is done with them as pure (policy guided) decision making.<sup>19</sup> When we look differently we can see the power of the text in rendering the site developable.

The information available in the lines on the diagram and the set of standard condition clauses can be seen to concert individuals’ practices in the setting and produce the character of local historical moments of municipal government decision making. The text, replicated for multiple settings, coordinates participants’ practices across those

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firm in his file, he claimed he was satisfied. Liability for any future damage to person or property was established in that stamped, certified plan as belonging to the consulting engineering firm and taken out of the city engineer’s responsibility.

<sup>19</sup> The concept of “development control” and the institution of “site plan control” in planning provides for a mandated course of action with peculiar effects: a) the reliance on “site plan” control as the bottom line mechanism for municipal “control” of development, and b) the inclusion of the public in exercising that mechanism. Current attempts by municipalities to load design guidelines into the “site plan control” process may undermine attempts to “streamline” planning processes, except where municipalities might claim substantial public input occurred on formulating the guidelines to justify excluding the public from the process. It is in fact the mandated course of action and how it accomplishes the distribution of rights and responsibilities over land which is at issue in the disjuncture between the citizens’ accounts and the planner’s accounts of what is on “the plan.”

multiple settings, thus carries the social organization of land development decision making into those settings and gives it its impenetrable character.

## CHAPTER SEVEN

### MAPPING TEXT-BASED WORK PROCESSES: A FORMULATION AND APPLICATION OF INSTITUTIONAL ETHNOGRAPHY<sup>1</sup>

#### INTRODUCTION: THE DESCRIPTIVE ANALYTIC OF MAPPING

This chapter explicates the method of mapping a sphere of action as work and texts.<sup>2</sup> This is the ongoing ‘extra-local’ organization in which residents’ experience described in the previous chapters is produced. The map makes visible the work processes bringing into existence an institution that transcends local observable activities such as individuals’ readings and talk in concrete settings. The city councillors’ activities and difficulties described in Chapter Six are also organized extra-locally. I have diagrammed the fundamental complex of text-based work processes in which people actively put together land use planning, in which people’s experience is located and they bring their activities into relation. IE orients us to examine text-based work in sequences of action and to display inter-textual activity. Even those who do the work badly or with different intentions or motives, must reproduce the textually standardized outcomes and operate in the same text-based work processes that I map here. Good and bad planning, so-called ‘green,’ sustainable and otherwise, all must produce the textually standardized outcomes and sequences of action that I have mapped. The standardized texts mapped are the essential regulatory devices that bring into existence the multi-site institution of land

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<sup>1</sup> An earlier version of this chapter was presented as a plenary talk “Mapping an Institutional Field of Action” at the Mapping Social Relations Institutional Ethnography Conference, June 1-3, 2001, Maxwell School of Citizenship and Public Affairs, Syracuse University, Syracuse, New York, USA.

<sup>2</sup> The text in some figures I do not intend for you, the reader, to read. I sometimes am making a point about the larger organization or sphere of activities, and I make it in verbal written text. I am not opening up all of the sites I have mapped to describe all practices with texts in all sequences of work processes. I open up moments and sequences of action that were problematic for residents involved in the Howitt Park case. I point out in the verbal text what I want the reader to look at in the figure, what I analyze and want you to see.

use planning. They organize standardized forms of action and procedures of an institution that transcends the local activities of individuals. The key to making *institution* visible is making visible the operation of particular replicated texts that connect the setting of reading, speaking and writing to the organizing complex of texts that coordinates the multiple sites of individuals' work. Mapping institutional sequences and work processes thus builds the visibility of the institution as a complex of social relations, institutional actors, texts they work with, and public discursive forms of organization that operate there. The discursive forms that I am particularly interested in here include those that produce the institutional features 'the neighbours' concerns,' 'council's decision,' 'consultation with agencies' and 'the conditions of development approval.'

I have wanted to produce a map of institutional organization that includes something like the contour lines that stand in for the topographical physical features that were dropped out of the text as it became *the site plan* – the features of a ravine the Howitt Park residents wanted *in* the text, the features dropped out of maps when they are produced to indicate a future state of affairs of roads and built objects. I wanted a map that could assist the novice in getting in and around *in the actual activities*.<sup>3</sup> Residents are included in the planning process, but their view of the complex of activities and their participation are limited and shaped within it. I map the extended relations into which they are drawn. I also want to make visible the inscribing practices and textual forms associated with the competent uses of the texts as situated and organized within and in the terms of these relations. This mapping work situates the particular discursive devices that are developed within a speech genre and sphere of activity in courses of action. The discursive devices mediate an organizational sequence of action and bridge sequences of

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<sup>3</sup> Smith (1999) uses the metaphor of the map and gives a detailed account (p.125ff) of how a road map organizes the relation of driver and navigator to each other, and to the actualities they are moving through in their accomplishment of the task of getting to a particular destination. I make the distinction between what Smith is doing here, providing a demonstration of a significant point about the nature of the active subject in the organization of the objects in the sequential extended social act, what she has claimed as a general project of IE analogous to cartography, and what I do here. I am not extending the metaphor of the map beyond what it orients the inquirer to find and to develop the tool for IE analysis. Texts themselves are continually revised and replaced in institutional reorganization. The reader of my figures will have to do different work in particular situations of inquiry employing the orienting concepts outlined in Chapter Four and here. My work provides a preliminary mapping of the 'contours' of the 'terrain' of land use planning.

talk and text between different participants at different times. The key to this mapping is locating the texts in action, in actual work processes that connect multiple sites of institutional organization.

**PROCESSING DEVELOPMENT APPLICATIONS: INSTITUTIONAL ACTION AS WORK AND  
TEXTS FIGURE 15**

I began my mapping work from an initial text that drew me into a particular zoning process for a particular piece of land. That text – the Notice of Public Meetings – occurs prior to the council meeting. It does not occur in the process until some time after the developer, planners, engineers and agencies work through the procedures of working up and submitting the application. The application is an actual text, a form that occurs prior to the public notice. It formally activates pulling into relation all these institutional actors, and the complex of work procedures constituting ‘the public process’ flows from it. Figure 15 “Processing Development Applications: a sequence of institutional action as work and texts,” illustrates the actual extended work processes that constitute or accomplish the six steps that are represented in an official provincial Ministry of Municipal Affairs brochure *The Subdivision Process* that speaks about ‘before applying,’ ‘the application,’ ‘consideration-consultation,’ ‘draft approval/refusal,’ ‘final approval and registration,’ and ‘sale of lots’ (Figure 16). The mapped complex of people’s active text based work processes operates to produce the phenomena people come to treat as the fixed *structure* of the six steps. The longer I was involved in the Howitt Park ‘case’ activities described in Chapter Two, the further I got into planning relations and the more complicated I saw ‘the process’ actually to be.<sup>4</sup>

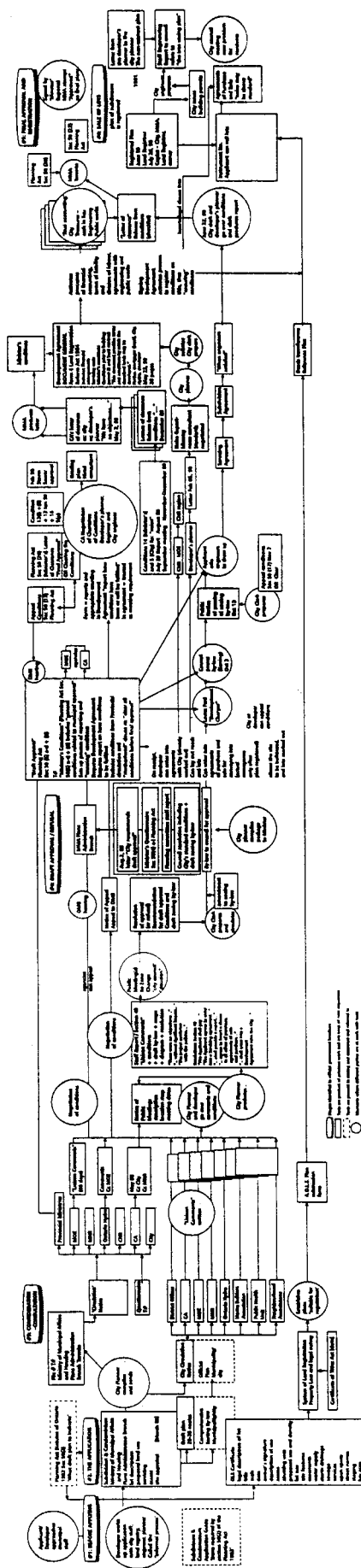
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<sup>4</sup> Howitt Park residents were first notified of a zone change condominium application. The land was not going to be subdivided. As Chapter Two describes, the developer submitted an application for subdivision after the condominium was approved. This changed the consequences for the land and residents had to learn the text-based processes involved in order to participate. Where subdivision application occurs and a zone change is necessary, residents are notified. If land is appropriately zoned, notification is not required.

Figure 15: Processing Development Applications: a sequence of institutional action as work and texts

### Processing Development Applications: a sequence of institutional action as work and texts

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**FIGURE 16: The Subdivision Process – Ministry Brochure**

The Subdivision Process

**1. Before Applying**  
Consult with municipal staff.



**2. The Application**  
Submit application to Minister of Municipal Affairs or delegated authority.



**Consultation**  
Comments on proposal obtained from agencies, boards and ministries.

**3. Consideration**  
Application is reviewed against local, regional and provincial criteria.



**Plan Appeal** Anyone can ask for referral to O.M.B. by writing to Minister or delegate, before draft approval.  
If plan refused, applicant can ask for referral.

**4. Draft Approval/Refusal**  
Application may be draft approved with conditions or refused.



**Conditions Appealed**



**O.M.B.**  
If appealed, O.M.B. holds public hearing and decides.

**5. Final Approval and Registration**  
Subdivider must fulfill all conditions before plan given final approval.



Only applicant or municipality can appeal conditions to O.M.B. after draft approval.

**6. Sale of Lots**  
Plan of subdivision is registered, lots can be sold.



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I began to diagram or map the location of the texts I encountered and the different actors who worked with them. Where I wanted to understand just how something happened textually, like the shift of authority over the steep slope of the ravine from the conservation agency to the city engineer and the developer's consultant, I included the bits of texts people activated. I wanted to answer my own questions about 'what happens next,' 'where,' and 'who does 'it' and to see just what 'it' was they would be doing and did. I also wanted to see just how and what texts could be activated to produce the characteristic power in these relations, and move 'the process' along so inevitably.

I originally did the mapping work by hand. The map was approximately twelve feet long by five feet high. I taped together large sheets from 18" x 24" Bienfang Studio Series Rough Surface newsprint drawing pads I had bought for my children. I taped them to the wall in my living room. I added texts, activities, syntactical moves and phrases as I encountered them. I included texts people talked about, produced, read and wrote. This diagram is of course not exhaustive. There is always more that goes on than we can see and make visible in this kind of textual representation. The computer inscribed versions of the diagrams I include here were produced for presentation and for the development of IE's analysis.

IE orients the researcher/inquirer to open up sites in which she is located into those extended relations within which experience happens. Experience is always located in particular ways within social relations and dialogically organized. Beginning from a location within institutional relations, such as reading the text of the Notice of Public Meetings or the Staff Report to council analyzed in the previous chapters, the problematic ongoingly organized relations can be accessed. A standardized text enters us into the standardized, text-based activities that extend across settings. The problem of the text and how it organizes what happens in settings of people's work can be tracked from those sites of reading and inter-textual dialogue. What some scholars call 'context' or the 'environment' in which organizations act, can be mapped as standardized text based work processes in which people coordinate their work. What analyses of governance pose as forms of regulation by certain authorities – that is inscription and calculation processes that render objects in forms that authorize particular forms of intervention – can be made visible as active 'living' institutional organization in multiple sites – as texts coordinate

people's activities, as different people in different sites activate their standardized formats at the same time and at different times. Mapping emphasizes the capacity of texts to organize standardized institutional action and its outcomes. Beyond the work process, the complex of institutional relations can thus be entered from the sites of people's experience. Competent city planners collect particulars and compile and produce texts and files for several settings; competent readers of the Notice get on the council agenda to speak 'against' the proposal; competent agency staff send memos embedding in them a wording of concern or standard phrases indicating some future action that would make possible their form of 'approval.' Competent practitioners coordinate their work processes with the work products of others including surveyors, land registry clerks, provincial ministry staffers and so on. Those working within the functional complex of relations as specialists and professionals would not be afforded the kind of view the mapping produces of extended processes. Indeed, the public and professional discourse allows people to gloss what others' work practices are.

I have 'mapped' the complex of work processes with an analytic focus on the text's operation in putting together a public institution that seems to have power over us. Orienting to *the active text's* location and operation in a *functional complex* of relations, provides for making visible the significance of particular and standardized texts and text-based procedures in the organizing of people's work in a variety of sites in governing processes and on the stable forms of institutional action in terms of *speech genres*. The preceding chapters on the residents' experience in planning relations show how readers of a text replicated and delivered to multiple recipients in different locations or the same setting, are drawn in and their utterances shaped in inter-textual dialogue in the terms of the speech genre of those relations. The text is the medium of access to what goes on beyond the local practices observable in the setting. Mapping extended text-based sequences beyond the face-to-text and face-to-face settings, allows us to locate specific moments, such as the public meeting and what happens there, treated in political discourses as powerful *political* decision-making, within the larger social relations and institutional organization of which it is one moment. The method of mapping similarly allows us to delineate the actual limits of the residents', and city council's, participation in the complex of ongoing sequences of action. Thirdly, what are sometimes treated as

discrete 'environmental' decisions of agencies are made visible as sequential local practices of relatively stable forms of negotiating and producing standardized texts, coordinated in planning work processes. I map those standardized texts that bring the terms of the governing discourse into settings and people's work, as the local textual practices of the speech genre of the trans-local planning relations. Not only can we see the power of texts in a particular work process. The significance of the texts is how, replicated in multiple sites, they coordinate 'the same' activity.

#### **INSTITUTIONAL TEXTS AND THE SOCIAL RELATIONS OF PLANNING: FIGURE 17**

Based on the work of mapping work and texts that produced Figures 15 and 18 through 22 "Processing Development Applications: a sequence of institutional action as work and texts", I have been able to see land use planning as an institutional field of action organized by texts and work processes, illustrated by Figure 17 "Institutional Texts and the Social Relations of Planning." The kinds of analyses that can be done with this kind of diagramming include moments where texts operate outside public settings and outside public view. Governing and ruling relations come into view as extended trans-local sequences of action involving multiple actors in multiple settings sometimes unknown to each other. How the work processes of diverse actors with diverse interests are coordinated is through and in the practices and textual products of their work. Sometimes this particular sphere of activities is called a 'state,' a 'system,' 'growth machine' or 'regime' that is 'pro-development.' As a sphere of activities governing land development, it is carried out primarily at the municipal level, local governing bodies having been given the responsibility for planning land use within their boundaries and for 'balancing interests' in land. In Figure 17 "Institutional Texts and the Social Relations of Planning" the larger clear oval indicates schematically the extensive complex of institutional relations I have explored as a complex of text-based sequences of work with texts involving multiple actors in multiple sites. Others have treated these institutional relations as the local state with its limitations and problems. The shaded smaller oval indicates the public process that draws in provincial government ministries, agencies, boards and residents among many other actors into these relations as part of a democratic

governing. The work of provincial ministries plays a part and legislation is a participant in these relations.

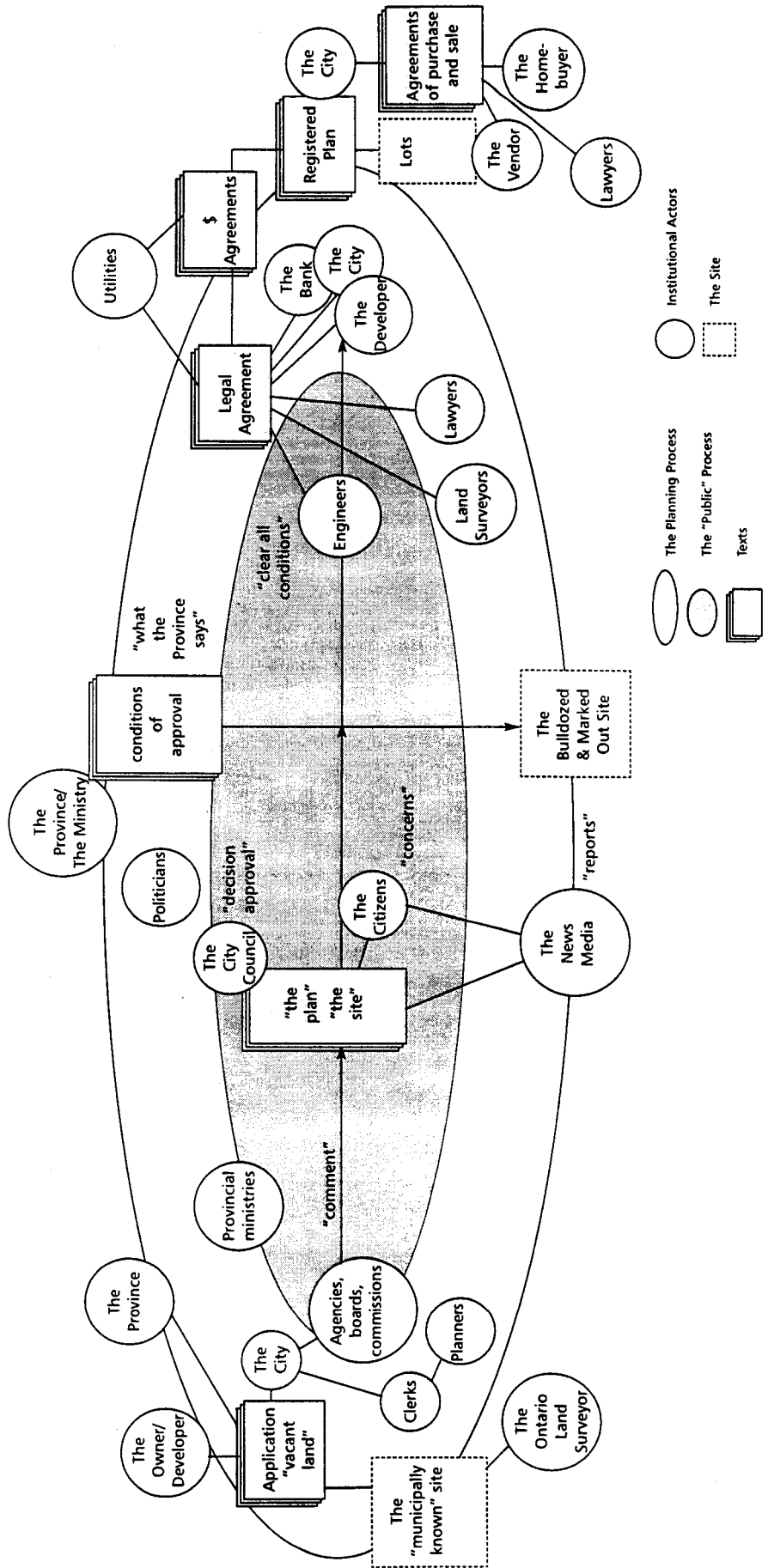
Figure 17 illustrates the relations as organized by particular texts. In my discussion I highlight texts, textual work and other content of figures in boldface type. The grey tinted, layered oblong shapes indicate key texts that draw in particular institutional actors. They are produced in people's activities in the process. They are titled in the terms they are spoken about *by practitioners in the process*. Small clear circles in the figure indicate institutional actors who are doing something with the texts. Reading from the left to the right, the owner/developer works with city employees who act as 'the city,' clerks, engineers and planners to work up the text that activates the temporal, legislated process. The application draws in the prior work procedures of others including land surveyors, the land registry and municipal clerks, and constitutes the physical land as the 'site' as it is 'municipally known' for the process that follows. In the relations of planning, the textual site stands in for the physical land. The physical land is described in the application as 'vacant land.' The forms of 'municipal knowing' already exist, are already constituted and have their peculiar textual technologies. That form of knowing the land is described in language, by numbers and mathematically drawn lines standing in for the size and shape and contours of the land. It hooks in the work of the licensed Ontario land surveyor who measures and makes visible the property with its boundaries. The application is a standard form, numbered and produced by 'The Province' and operating to standardize the activities of application and data collection procedures provincially.

In general in Figure 17 I am attempting to make visible the sphere of relations in which key texts operate to pull in certain individuals to do certain kinds of work with texts and to standardize the activities. There is a temporal sequence of activities that is coordinated, recognizable and reproducible as 'the planning process.' A variety of texts stand in for the objectified 'site.' Institutional actors, rather than individuals, are *positions* that are produced in the action as separate from the individuals that occupy them. It is a powerful form of governing, and it is not to be thought of as simply 'local government.' Nor should it be thought of as a specialized professional activity. Multiple standardized texts bring what is treated as the plan or site into particular settings for something to

Figure 17: Institutional Texts and the Social Relations of Planning

Institutional Texts and the Social Relations of Planning

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happen there. The content or the format of those texts may vary, but they are treated in a number of settings as 'the plan' and they are activated in those settings. The application pulls in the owner, staff for the city, clerks, surveyor, ministry officials and planners and engineers in agencies and boards, among others. The Staff Report, a text standing in for 'the plan' and 'the site,' hooks participants including the news media into the public setting of the city council meeting. 'What The Province/The Ministry says' in the process about a particular application is produced in the text called 'the Minister's' **conditions of approval** that relies on prior work in several sites and compiled by the city planner. The letter of conditions of approval allows the site to be bulldozed and marked.

The '**legal agreement**' required by legislation and called the development agreement is on the right in the figure. Practitioners talk about legal agreements as 'ensuring the conditions.' The notion is they act as a constraint on activities that might exceed the limits on the private interest to profit through use of land. The legal agreement signed and filed in the Land Registry Office registers the plan and conditions on title, '**Registered Plan**,' and allows building permits to be issued to the developer for each of the lots. One of its clauses requires further agreements with the city, utilities, banks, and activates work processes of building contractors, accountants, solicitors and so on. The development agreement is the prospective text to which experienced participants orient. Since agreements are a standard textual product, reproduced across the province by the hundreds in each municipality, standard wordings of clauses are produced and kept on file and inserted into agreements routinely by clerks in municipal offices. Descriptive particulars are inserted at the planner's request. The legal agreement pre-authorizes prior particular courses of action in which it is constituted, and not others. It pre-authorizes for example, the negotiation of legal condition clauses with agencies, of **agreements** with banks and not with residents. The standardized legal development agreement is the operative prescriptive text, routinizing the production of its legal clauses as what gets done and is being put together in the planning process. The text's format organizes planners' and agency representatives' work, and the work of Ontario land surveyors, lawyers and Land Registry Office clerks to produce the **Registered Plan**, in order that the function of the process is realized. It thus coordinates, shapes and puts together *institutional relations* in the processes and procedures for building up the text.

The text based moments of action identified within the **shaded oval area** in this figure hook institutional actors into other forms of institution as well, including the development of a local economy. The legal ‘development agreement’ is a textual product of the work of the city planner primarily, but it involves the coordinated work of lawyers, clerks and consultants in numerous sites and includes the work of several people in a public process prior to that of the signatories standing in for banks, developer, utilities, and land surveyor that comprises ‘private’ business. Tracking the operation of texts in specific moments of textual activity and how they organize ongoing actual relations between people can make visible the private processes that put together institutional work activities not seen in the public process. Numerous texts accomplish legal moments and enable legal activities that occur at the end of the temporally organized public process. They rely on the extensive institutional work that has gone on prior to it. The texts indicated here, **financial agreements, the registered plan, agreements of purchase and sale**, hook in institutional actors including the banks, lawyers, real estate agents and vendor, as well as a category of actors projected into prior public settings to support the project – the vendor and future homebuyer.

The **broken lined boxes** indicate what is happening to the land known as ‘the site’ in these relations. At application we see the municipally known site made visible and in the process various outcomes on the land. There is a temporal sequence of coordinated activities. An institutional functional complex of relations is put together that is standard, perpetuated and reproduced in people’s activities in the routines of ‘the planning process.’ It is these relations and this field of action I have investigated ethnographically.

#### THE TEXT BASED MAPPING: FIGURES 18-22

Figure 15 “Processing Development Applications: a sequence of institutional action as work and texts,” is a map of a complex of coordinated work processes, a sequence of institutional action as work and texts. It brings into view the text-based local sequences of action that produce the ‘steps in the process’ of official accounts, their actual location embedded in ongoing relations and their text-based work *as* institution.

Figures 18 through 22 “Processing Development Applications: a sequence of institutional action as work and texts,” reproduces Figure 15 in five parts. This series of



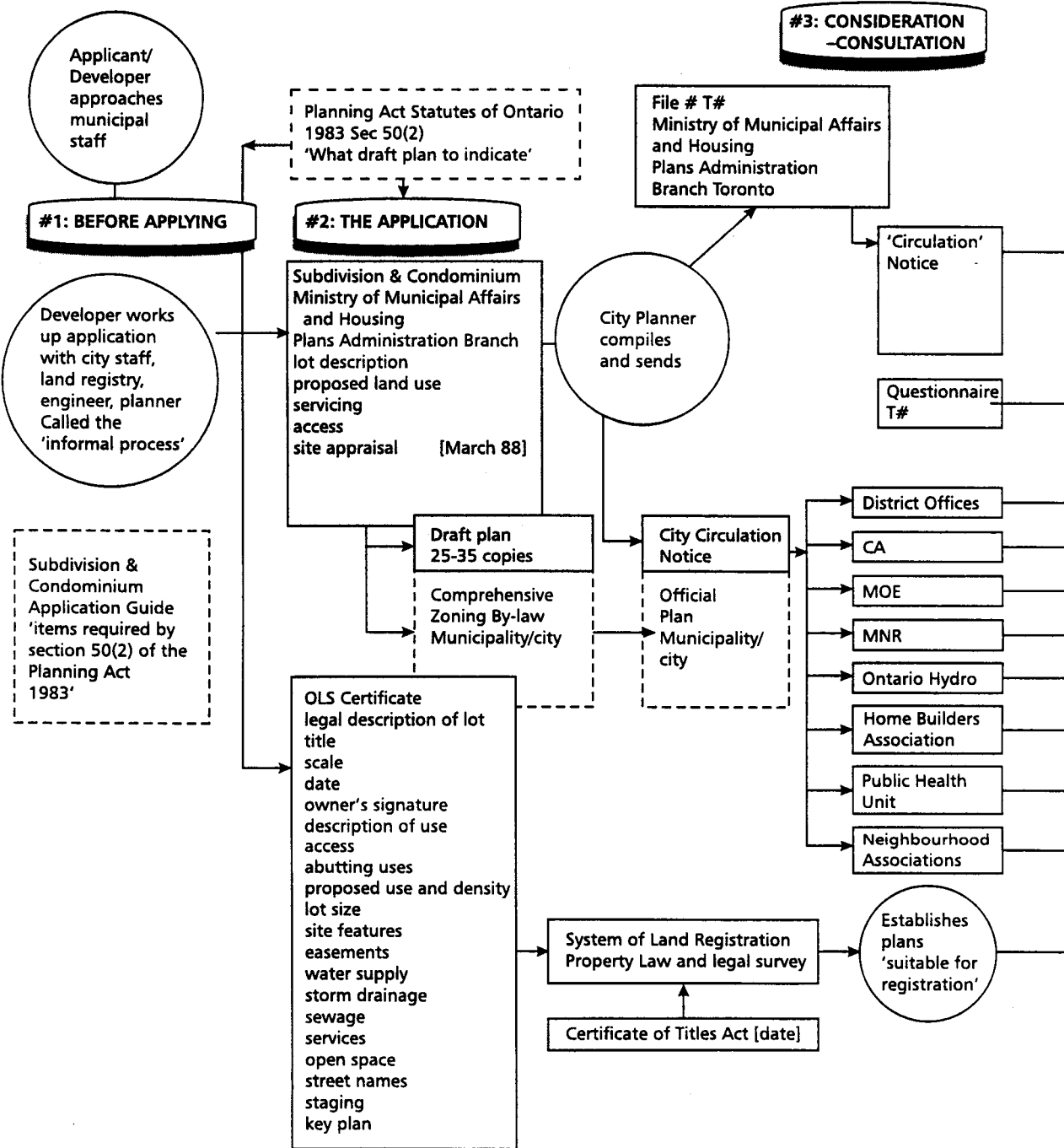
figures reproduces the original newsprint map that is twelve feet long, in five parts – a *cinque-tych* of the Figure 15 diagram. How I have indicated different aspects of standardized textual organization appears at the bottom of Figure 19.

- Solid lines indicate a direct connection of activity. The lines generally indicate a chronological and temporal sequence and organized relation left to right. Where texts and circles of activity stack vertically they occur relatively at the same time in different locations.
- Curved, horizontal oblong shapes with bottom shadow indicate the numbered steps identified in the official government brochure. Step #1 ‘before applying’ is an instruction to the developer, ‘Consult with municipal staff.’ It glosses the extensive work that the developer does with the city staff, agencies and ministries, surveyors, consulting planners and engineers, and with the clerks in several offices. Step #2 is called in the official brochure description ‘the application,’ also an instruction ‘Submit application to Minister of Municipal Affairs or delegated Authority.’ It is an actual text embedded within sequences of extensive activity that draw on a known section of the Planning Act, among other texts.
- Tinted boxes indicate texts that are produced in the action, are the product of previous work, are present in the setting, present for the work to be done as part of the process and are the basis of the next sequences.
- Broken line boxes indicate texts that are activated, talked about, oriented to by speakers, writers and readers in their work activities. They are not physically present in the local work settings I focus on. They are made present by the work that people do in talk and texts as individuals refer to them or sections of them. They include legislation, policy texts, sections of official plans and so on.
- Clear circles indicate the activity performed as people take up and do something with texts is represented in the circles. These are moments where different parties are at work with the texts.

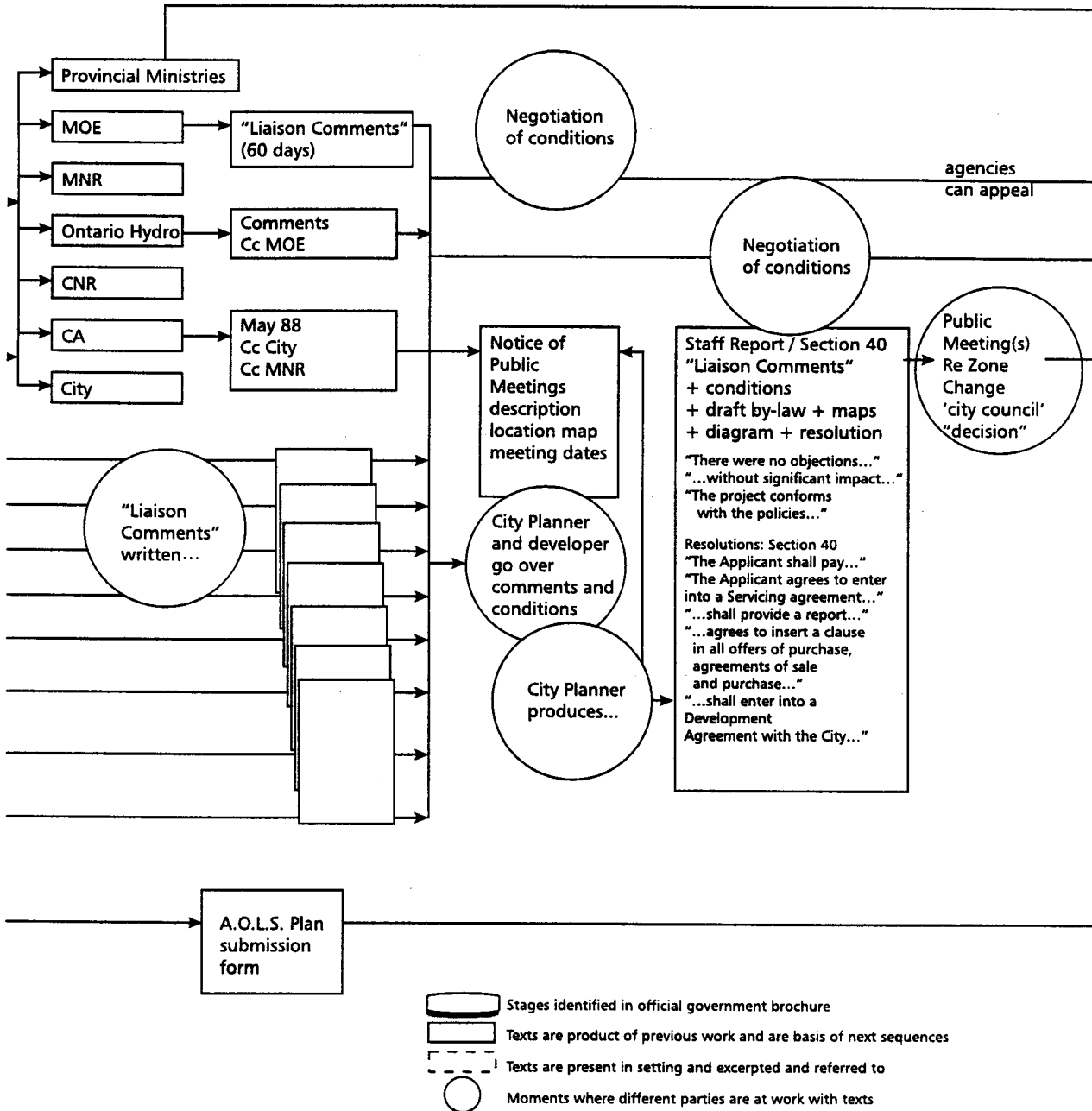
FIGURE 18: Processing Development Applications: a sequence of institutional action as work and texts

Processing Development Applications: a sequence of institutional action as work and texts

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**FIGURE 19: Processing Development Applications (continued)**



The sequence of institutional action begins before the public process. The land has already been pulled into the system of land registration, property law and legal survey techniques that identify it. These are activated in a work process standardized under the Certificate of Titles Act and ratified by the Association of Ontario Land Surveyors (AOLS) that establishes the developer's **draft plan** as 'suitable for registration' similar to the process that is establishing the **site** 'suitable for development.' The application that involves so much prior work is two pages, standard 8 by 11 inches, numbered and titled **Subdivision & Condominium, Ministry of Municipal Affairs and Housing**. It has standard sections to be filled in: lot description, proposed land use, servicing, access, and site appraisal. With it, the developer submits 25 to 35 copies of a draft plan. The formal public process begins when the application is received and registered by the approval authority (At the time of Howitt Park, this was the Plans Administration Branch of the Ministry of Municipal Affairs office in Toronto). A file is created and a 'T' number assigned to it. The ministry planner sends ministries, city and agencies a '**Circulation Notice**,' a standard questionnaire.

Multiple work processes are activated by the text produced by the city planner – the **City Circulation Notice**. The circulation notice compiled by the city planner draws on particulars from the city's Comprehensive Zoning By-law and Official Plan, among other texts. When an agency receives the official notice, a planner or individual opens a file and some process of 'plan review' within the agency takes place that would draw on multiple texts as 'background documents.' The planner is then producing an account of his or her activities in the terms of the agency's process. That individual may respond in writing with a text then treated as 'the agency's comments.' A lot of action goes on and other texts are produced and talked about before the application is filled in and submitted. Sequences of talk and text coordinate work processes of the city planner, agency planner and individuals with agency and city departments and developer's consultants. Municipalities in Ontario may circulate *forty or more* agencies, boards, regional ministry offices "deemed to have an interest" in the application. They include real estate boards, homebuilders' associations, developers' associations, as well as public health and school boards. The design and format of the text intends the readers whose work to produce 'comments' is required by law.

**'Liaison Comments'** (Figure 19 and refer to Figure 18 for transition) are texts worked up by people in agencies, boards, city departments, and provincial ministries. Their texts vary in form and format. **'Liaison Comments written'** is a sequence internal to an agency, ministry, city department or other circulated body. **'Negotiation of conditions'** is a sequence of activities that produces both 'comments' and 'conditions' for the process. Negotiation with agencies is not public. It goes on in memos, phone calls, faxes and the like. The sequence to produce a set of clauses – a legal agreement – is pre-authorized by the requirement in the Planning Act. The professional successful performance of individuals in agencies is in smoothly negotiating the interface and coordination of textual procedures of different participants in the sequence. The texts produced are sent to the city planner. The city planner reviews the comments and candidate clauses with the developer or his/her lawyer. When there is 'agreement in principle' with the proposed clauses as conditions the city planner prepares the **Notice of Public Meetings** and gathers all the response texts, edits and compiles them as a list, inserting it into the **Staff Report** under a section titled 'Liaison Comments.' The clauses are intended for insertion into the public setting and next step – city councils' 'consideration.' They are candidate clauses for a future legal agreement council must approve. The City Clerk or someone in that office distributes the Staff Report to councillors at a pre-council meeting, places copies on seats in the chamber prior to the start of the evening council meeting, and holds copies for pick up for those who request a copy the day of or before the meeting.

The **Notice of Public Meetings**, delivered to houses within 400 feet or 120 metres of the site, draws owners of property near the 'site' into the process. Residents may or may not end up in the public meeting that the notice advertises, where, the notice says, 'a decision will be made.' I have analyzed a novice reading of the Notice and multiple readings of the Staff Report as situated and local practices – a text-reader conversation that is embedded in a sequence or work process. I have mapped the field bringing into view the different aspects of textual organization identified for analysis in Chapter Four – text-reader conversations, work processes in which the texts are embedded and organizing, and extended sequences of discourse and social relations put together by those work processes. In Figure 19 we see the **Notice of Public Meetings** with its

standardized features **description, location map, meeting dates**, is situated in the ongoing work of the city planner who is compiling and producing multiple texts. The text and text-reader conversation occur temporally, after several texts including the **application, draft plan** are produced and **liaison comments are written** and condition clauses agreed on. The planner coordinates the work he/she does with that prior work by the Ministry of Municipal Affairs and Housing (MMAH) staff, sections of legislation produced in provincial policy sequences of action, by surveyors, land registry clerks, and others.

If they go to the public meeting, or to city hall the afternoon before the meeting and ask the city clerk, the residents may be able to get a copy of the Staff Report that the planner has produced about this development proposal. This text, numbered as a 'planning item' so significant in 'council's decision,' is not mentioned in the notice. It is a much larger document than the notice, several pages long. The diagram in it may be different from that attached to the Notice of Public Meetings, as more work has been done by city staff in various departments since the Notice to the residents was issued. More than the Notice, it contains the legal clauses that are the textual product coordinating work of the city planner, agencies, departments, utilities and many others. It has a standard legal format. It is present in the public meeting and organizes the extended sequence of action that takes place as part of what participants call 'consideration' and 'council's decision.'

City staff does not normally work with members of the public, with residents who make presentations to council regarding planning items. Using transcript analysis, I examined the public discussion in the city council meeting, thus opening up the 'consideration and decision' step in the government brochure. I show the standard and legal format of the 'discussion' residents are not prepared for, and make visible its organization in the terms of its sequential 'grammar:' the presentation by the developer or his lawyer or planner orienting to the texts and the properly carried out process; then the councillors ask questions of the developer; the developer responds, then there are any utterances in opposition. When you get on the agenda to speak, you must say if you are 'for' or 'against' the planning item on the agenda. Getting on the agenda is also a textual procedure; it is not spontaneous. You have to speak to the city clerk well in advance of

the meeting or by letter in order to be put on the agenda, literally, so your name appears there next to the words 'speaking against the application.' After the utterances 'against' the proposal, the mayor announces that council moves into 'general discussion.' At this point, councillors ask questions of the developer and staff but not of the residents. Staff and developers' representatives operate the texts quite differently. Multiple and diverse practices for activating the texts are visible in the council setting.

There is a 'discourse format' or sequential grammar for producing the council and its act of decision. It includes, in conversation analysis terms, side sequences (with developer and staff talk) and then a motion by a councillor, discussion of the specific motion by councillors, and then the formally called vote. The procedure is to raise hands that are then counted by the city clerk, or in a 'recorded vote,' a 'round the table' verbal statement by each councillor who individually calls out 'for' or 'against' and that is recorded by the clerk. That moment of voting concludes the extended sequence, closes it. But the 'act' of council is made officially visible institutionally by the work of the city clerk or someone in her office who produces the record of 'the passing of the resolution' to approve the application. What happens next with that record of the vote is what interests me as an Institutional Ethnographer. What is the next text produced? Who produces it? Where does it go? Who reads it and what gets done with it?<sup>5</sup>

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<sup>5</sup> Scholars and activists alike are often interested in what actually happens within the given and limiting structure in the public forum. Even though the residents have access to the public meeting, as opposed to those settings we don't have access to, residents seem from all accounts to have to have some kind of 'blockbuster' objection that can't be ignored in the decision making. I analyze in Chapter Five (and in *Studies in Cultures and Organizations in Society* 2001) how the residents' arguments are shaped in the process. In my experience as we entered into the process and learned the speech genre, we learned what to say to be 'successful in the setting' and, as we played our part and made the 'right' arguments, we began to say things like 'it doesn't conform to the official plan,' 'the plan is unsuitable,' 'the density is too high,' 'it doesn't fit with the existing density in the neighbourhood,' and so on. We drew on and pulled into the setting for our arguments, the policies and documents that the council had set in place as its own guidelines and that the province required to be in place 'to guide' the process. And then we then found ourselves on ground where we were saying – or rather could be seen to be saying NIMBY 'not in my backyard' to the particular proposed housing form – to townhouse development itself. And then we found ourselves being called elitist by affordable housing activists. Shaping and strengthening our utterances made in public, we drew on the texts at hand and other governing documents. Early on we had constructed our own figures and comparisons and statements. Later on, we formulated our particular version of 'the planning argument.' It had a particular, and limited 'force.'

*(continued on next page)*

The overall, organizing institutional conceptual framework and mode is powerful. The parts people have to play in the institutional mode are already scripted. A view that embeds *intentionality* in the texts themselves, and what people do with them as aligning with *their* motives, however, preempts the analysis of an ongoing sphere of activity and a specific *genre* of speech as being activated by people in it. It reduces what is in the texts to a sort of ‘political will’ or ‘motives’ that exist in a way one would have to target in order to change how things go on. Rather, I understand the particular *local practices of the speech genre* as putting together the institutional. The texts’ formats operate in the local practices of the speech genre. How the councillors can hear what residents say and take it up to do something about it is limited. Elected councils have a narrow range of grounds on which they can refuse an application and have it stick. ‘Motive’ and ‘will’ are not in the text. Social organization is. We focused our activism largely on the publicly elected representatives and the municipal council and their work. In fact it is very narrowly constrained, as the analysis in Chapter Six shows. The information that is in the council setting for them to make their decisions is very limited at that point in the process. Transcript analysis that attends to the texts and how people are taking them up and what they are doing with them, can show this constraint, the boundaries and limits that in the local practices individuals make present. Transcript analysis and mapping situated activity can also show the location of texts in people’s utterances within an extended work process, and how individuals, in the local practices of the speech genre in a setting, also link their own text-based acts to those of others elsewhere and in other times.

**The Staff Report, Liaison comments + conditions + draft by-law + maps + figures + resolution**, produced for the setting and councillors’ task, has a standardized format that enables the elected representatives around the council chambers to do their

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We might say that planning texts produced within that field have a built in ‘intentionality’ and drawing on them aligns us with the intentions of the institution. Our utterances however, were in conversation with others active in the process. We displayed how planners and elected representatives could activate existing documents differently in their public decision making work. But we did not anticipate the ongoing sequences of action that follow the public setting in the ongoing institutional organization. The mapping makes these visible. This is what IE is interested to display.



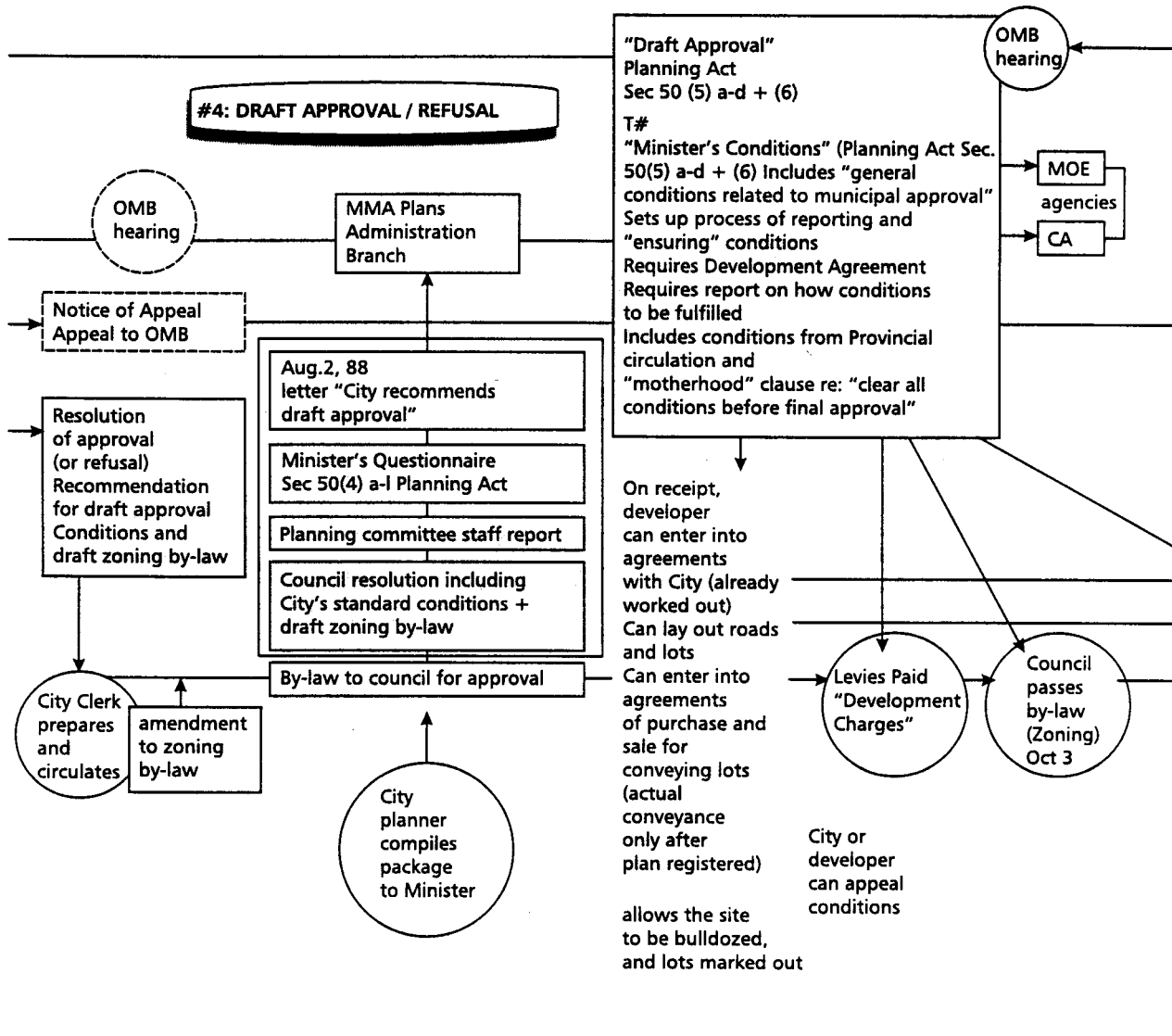
collective work with it routinely. Often treated as a single moment of decision-making, the work done with this text is public, observable and analyzable as an extended text based sequence of action. It is depicted in my Figure 19 by a **circle**, “Public Meeting(s) re zone change [and] ‘city council’ ‘decision.’” It is a *moment* where different parties are at work with texts that can be ‘opened up’ to examine its social organization. Several other forms of texts may be present in this public setting. The figure depicts ‘letters’ that residents may have sent to the city clerk and councillors. The figure indicates an oblong shape coming out of this setting called ‘news media accounts.’ Texts may be produced for the local news media by reporters who sit in assigned seats around the council chamber ‘horseshoe.’

After the council meeting (Figure 20) the city clerk produces a text that embeds in a standardized format the Resolution of approval (or refusal) and Recommendation for draft approval, Conditions and draft zoning by-law. It contains the draft of the amendment to the zoning by-law that would enable the developer to change what is done on the land, plus the recommendation, condition clauses, and resolution wordings all excerpted from the Staff Report. The city clerk sends this notice of council’s resolution to the city planner, commenting agencies, residents and others who requested it, and the developer. This text can be taken up at any future time as ‘the city’s approval.’

At this point the city planner compiles a package of texts and sends it to the appropriate staff person in the MMAH. That person has the file with the T#. That package is crucial. It contains the **planner’s letter with the statement “The city recommends draft approval.”** It includes the filled in ‘**Minister’s Questionnaire**’ with its boxes checked and signature of the city clerk, the **staff report**, the **council resolution including the city’s standard condition clauses and the draft zoning by-law**, amended to allow the development. The package of texts intends the next step in the sequence Step#4 Draft Approval/Refusal.

The MMAH planner with the file compiles conditions submitted by the city planner, agencies and ministry branches into a simple list. Thus the MMAH office produces ‘the Minister’s conditions’ and sends the text to city, developer, and agencies. The text has a number 23T-88003. There is a list of clauses numbered 1 through 18. This

**FIGURE 20: Processing Development Applications (continued)**

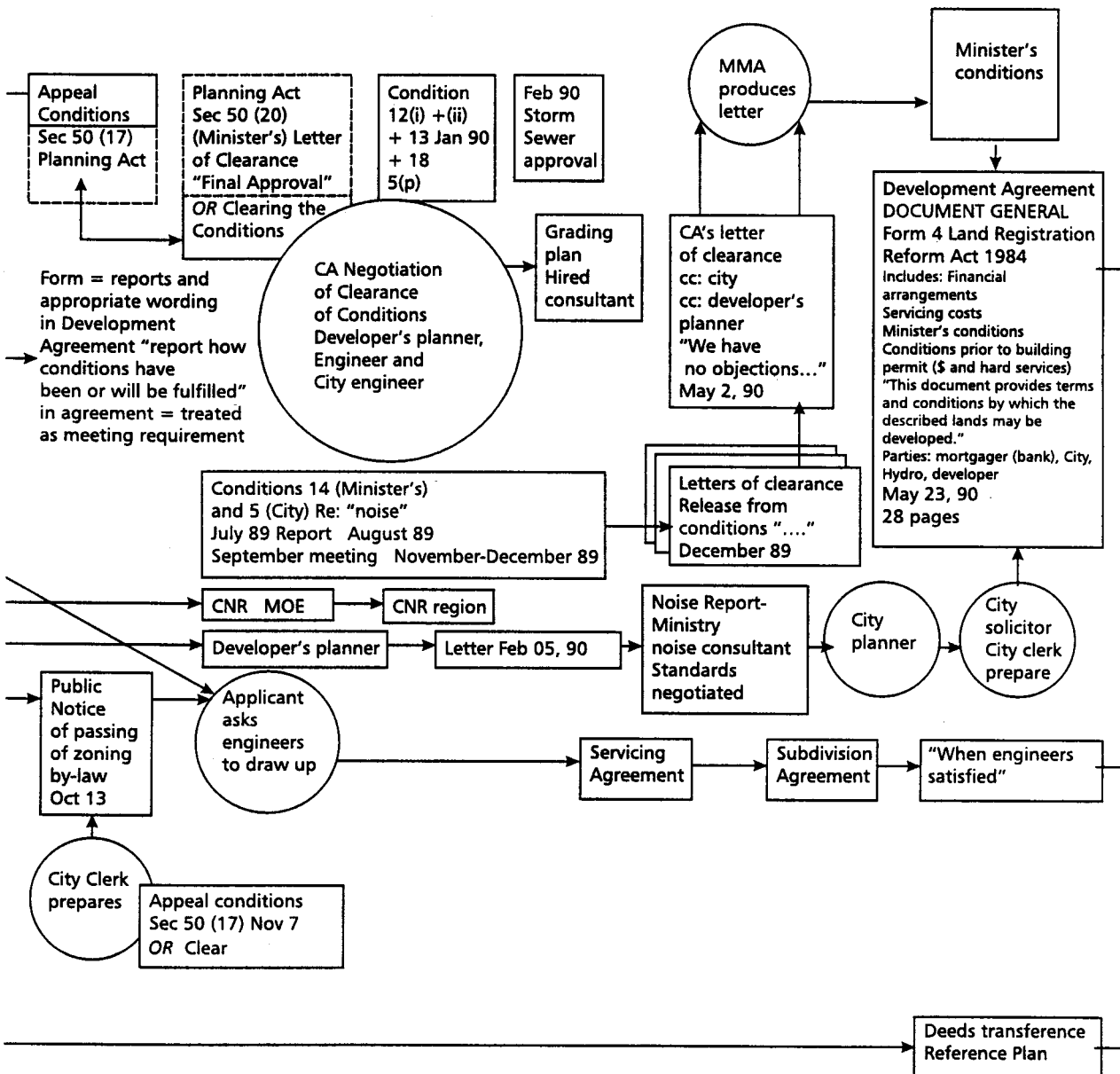


constitutes 'draft approval.' These conditions are standard clauses too. They have been required under a section of the Planning Act. They include the required 'general conditions related to municipal approval' as well as conditions that legally bind the conditions in a development agreement, that require reports on how conditions will be fulfilled, conditions from provincial ministries and a final clause "clear all conditions before final approval." Planners I talked to call this the 'motherhood' clause. City planner, solicitor and clerk assemble a document called **the General Subdivision Agreement or Document General**. This is the development agreement. The text requires other agreements and these are already being assembled at the same time with staff in engineering, finance, and works departments of the municipality with the developer or his consultants.

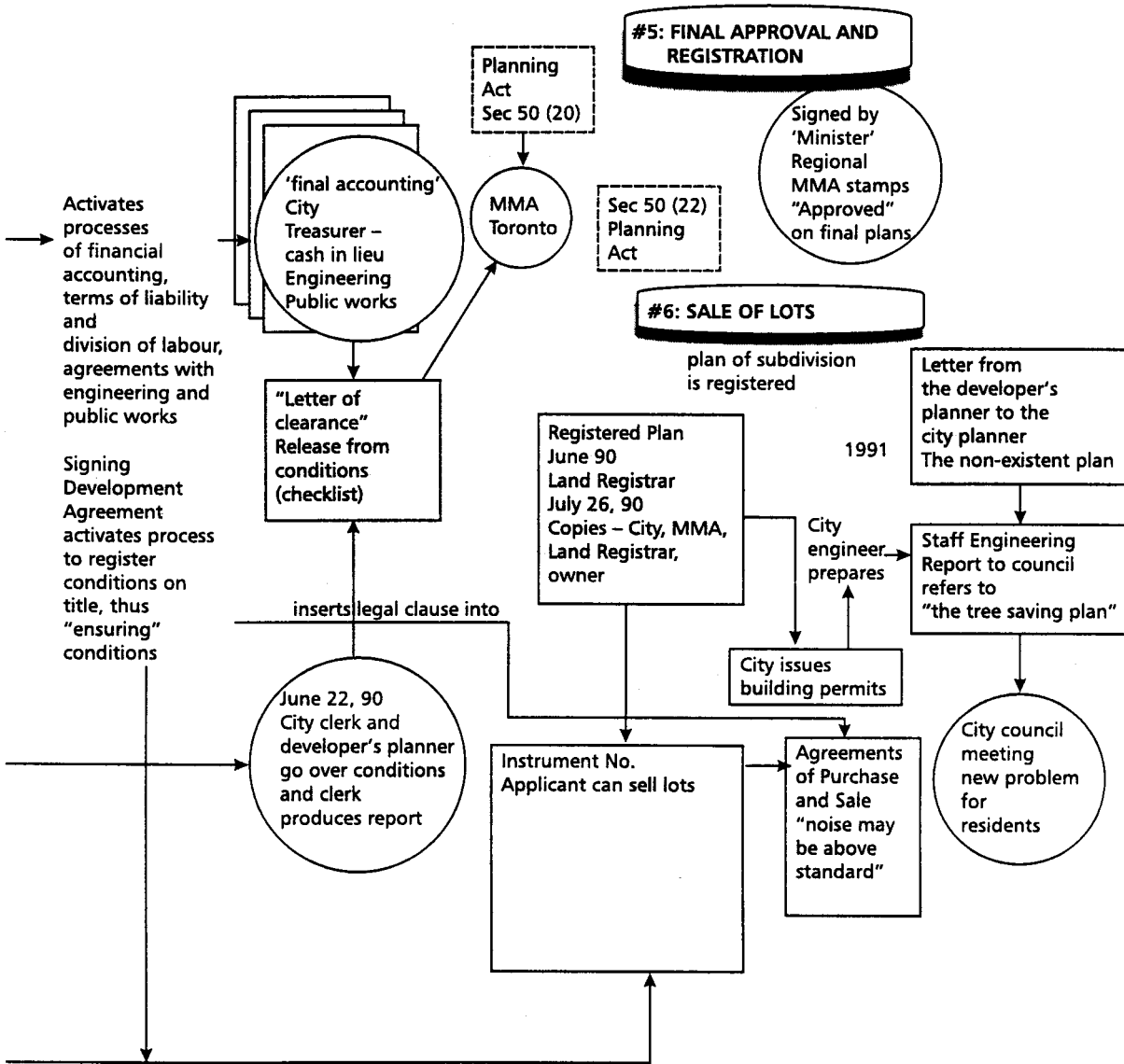
While the text standing in for Draft Approval initiates multiple sequences of activity, it has other significant consequences. Now the developer can enter into agreements with the City, lay out roads and lots, enter into agreements of purchase and sale for conveying lots, (conveyance cannot take place until conditions are 'met' and the plan is registered). This allows the site to be bulldozed.

**Negotiation of clearance of conditions** (The large circle in Figure 21) has already been going on in multiple textual and private sequences of activities. Figure 21 indicates the involvement of multiple actors and texts with detail from the Howitt Park case. The city clerk has prepared and sent the **Public Notice of passing of by-law** so at this point the developer can appeal conditions or begin to 'clear' them. Negotiating the clearance of conditions is a sequence involving the developer's consulting lawyer and planners. It is similar to that of negotiating wordings of conditions examined in Chapter eight. **Letters of clearance** have to come from each agency or department whose conditions were included in the Minister's list. The ultimate text, the **Letter of Clearance** (Figure 22), that 'releases' the developer from conditions occurs after the developer has signed agreements of 'final accounting' with the city treasurer. It is a textual product of a situated sequence of reading the list and checking them off as having been met by other texts, plans, reports, signed agreements with the city treasury, engineering, and public works departments. This activity is undertaken by the city clerk or solicitor and the developer or lawyer. Agreements are being drawn up. When the city

FIGURE 21: Processing Development Applications (continued)



**FIGURE 22: Processing Development Applications (continued)**



clerk's letter of clearance is received by the MMAH, the final plans are stamped "Approved" and the plan can be registered. This text and textual act hooks the provincial, municipal and land registry systems and sequences. The Registered plan is a plan of subdivision lodged in the Land Registry Office that allows the city to issue building permits and the developer as 'vendor' to 'convey' lots through agreements of purchase and sale.

In the Howitt Park case 'the process' continued, with the residents objecting to the lack of a tree saving plan for clearing the site, and the Canadian National Railway requiring a clause in agreements that "noise may be above standard" absolving the railway of any liability regarding its operations north of the site. The final **circle City council meeting new problem for residents** (Figure 22) indicates the beginning of multiple work sequences activated by the residents and others to involve the city and the developer in a tree replacement project. There was no way for residents or city officials to insert the tree replacement arrangements into the standard institutional procedures and text based work processes mapped here, for them to be recorded and replicated.

The overall map allows us to see a complex of coordinated text based work processes.

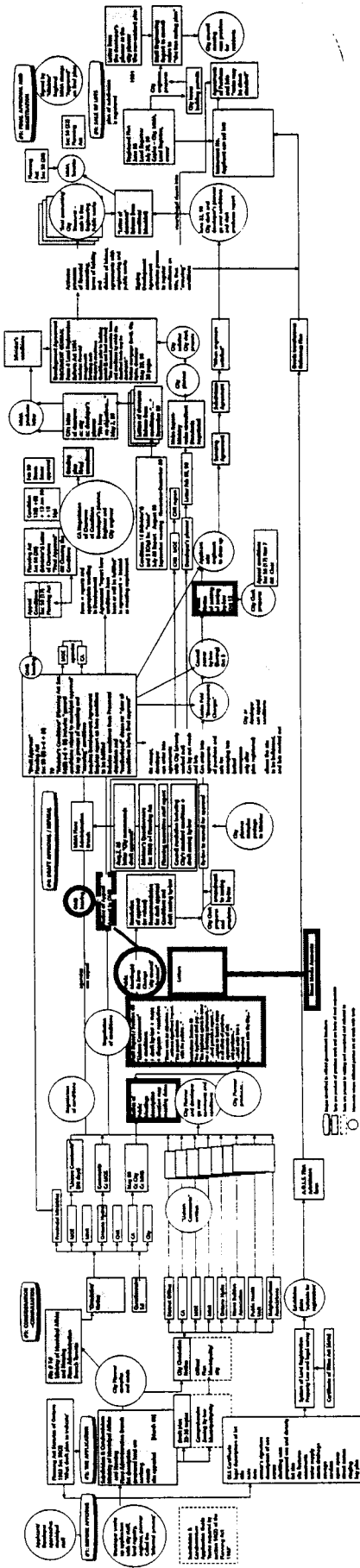
### RESIDENTS' PARTICIPATION: FIGURE 23

I have not so much been interested in how residents are excluded from these processes, as in just how they are included and texts operate to shape their utterances in public settings. One thing that is visible in this kind of diagramming of the institutional action appears as a tinted outline. There are very few texts residents can produce and insert in the process. They have access to the Notice of Public Meetings, the Staff Report in the city council meeting; can write letters or petitions and present to council; can read news media accounts and enter letters to the editor into the public conversation; and can receive the clerk's Notice of passing of the zoning by-law. If residents want to file an appeal of the decision made by city council, they must pay \$100 or more, and submit a text through a solicitor. The appeal must not be 'frivolous or vexatious.' It goes to the Ontario Municipal Board (OMB) and a hearing takes place. It is a provincial board of appeal with a stable of lawyers and planners who hear cases. Residents may end up in a

Figure 23: Processing Development Applications: The Residents' Participation

### Processing Development Applications: The Residents' Participation

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hearing after several months and would have to hire a planner or lawyer to argue their case. These sites that are tinted constitute the *access*, and its standardized limits, that residents have to this institutional process. Much more goes on outside the formal public council meeting and the ‘public participation’ on which so much of activist, professional and scholarly discourse is focused.

News media accounts provide and reiterate the terms of an ongoing public discourse. I have indicated news media accounts under the council meeting and residents’ letters. The news media reporters are present in the city council public setting and they consequently produce accounts of what takes place in the setting and this whole process. They are participants in producing a local politics and local public knowledge and discourse of planning and city governing. Much of what critics, scholars and writers about urban politics and local government take up and rely on is these accounts in the news media that produce the public knowledge and ongoing discourses. The trouble is that the news media take up the ruling standpoint to produce accounts of controversy, individual neighbours’ concerns and the city’s ‘resolution’ of those concerns. The media framework participates in the discourse of what is institutional action, reproducing the standpoint of ruling relations. So much of scholarly description is also based on what happens in the formal public setting and process. In contrast, we can see here that that public council setting is a very small part of what happens in this complex of text based procedures. Mapping these relations as extended and ongoing and standardized text based procedures we can begin to see for example, exactly what it is to be drawn into the ongoing complex of work processes that are already going on. A participant can see how his or her participation is an already scripted part in this complex of ongoing routine work and any utterance provides a *link in a complex chain of speech communication*.

#### THE DEVELOPER’S WORK AND TEXTS: FIGURE 24

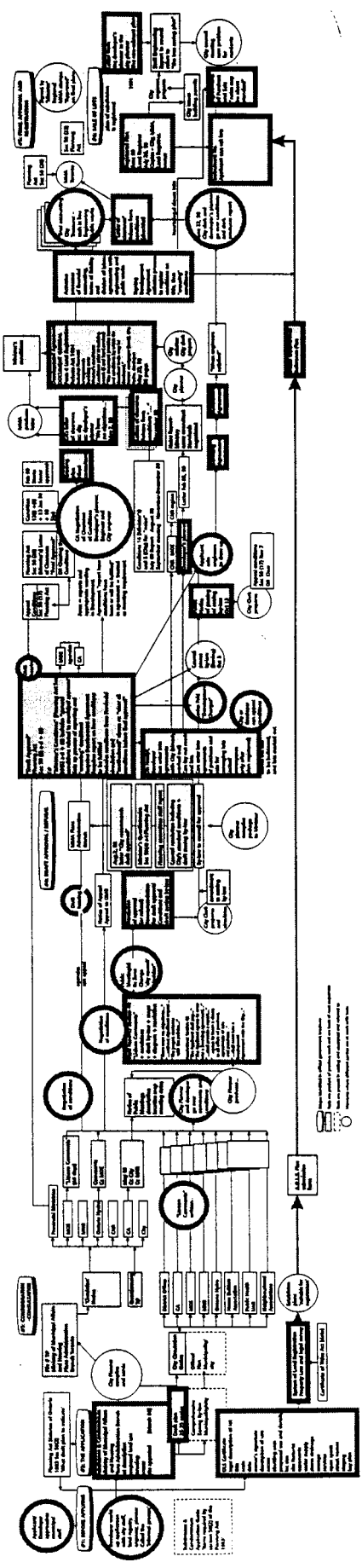
Here are highlighted the texts that are produced by, or that the developer and his hired consultants have access to. It is not a work process as such, although I have relied on conversations with developers and others to produce this illustration. The developer is working with others in the process and these are the settings and texts where he or his representatives are at work. There are a huge number of texts. Some scholars would ask if



Figure 24: Processing Development Applications: The Developer's work and texts

Processing Development Applications: The Developer's works and texts

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the developer's texts have a 'dominating effect.' Is there more textual power to those texts? The tinted texts are texts the developer and his hired consultants have access to, work on, produce and so on. I look at this rather differently than the way some scholars do as some texts having certain kinds or measures of power. Rather, it is clear from the descriptive analyses in Chapters Two, Five and Six that the residents' texts – the letters or submissions to the public meeting that are the formal and invited form of participation – however they are produced and submitted, have no way to get taken up and inserted into the ongoing text based institutional action. Residents put their texts into the public setting in person, in body, or write letters to the city clerk to be circulated in the package councillors get before the meeting. The elected representatives read them and may refer to them in the public setting. The city planners may be interested in them, and certainly the residents' texts will appear in the local news media accounts and their letters will be published there and contribute to the story about local planning and politics. But the difference is that in the legislated process the developer is required to produce texts for the process, for other institutional actors to read and take up and do something. The developer is *required* to fill in the standardized forms, draw up the diagrams and plans and submit 35 copies or more *for* multiple readers in authorized settings in the process. So we can say the process is 'biased for' the developer. It is visible. You can see the process is organized for the production of development agreements. However, making this kind of statement closes inquiry, reduces power to the texts themselves. Rather than make that kind of statement or conclusion, however, that closes inquiry, I produce an account that can map for anyone wanting to intervene in and make change in, the speech genres and the institutional forms of action that put together this field of action so it comes to appear as if it has a power and a force all its own, over us, over its participants. Beginning with a single text and an analysis of the situated text-reader conversation, the researcher can move into the complex of settings and extended work processes in which texts are located and operate to produce its 'pro-development' character and inevitability.

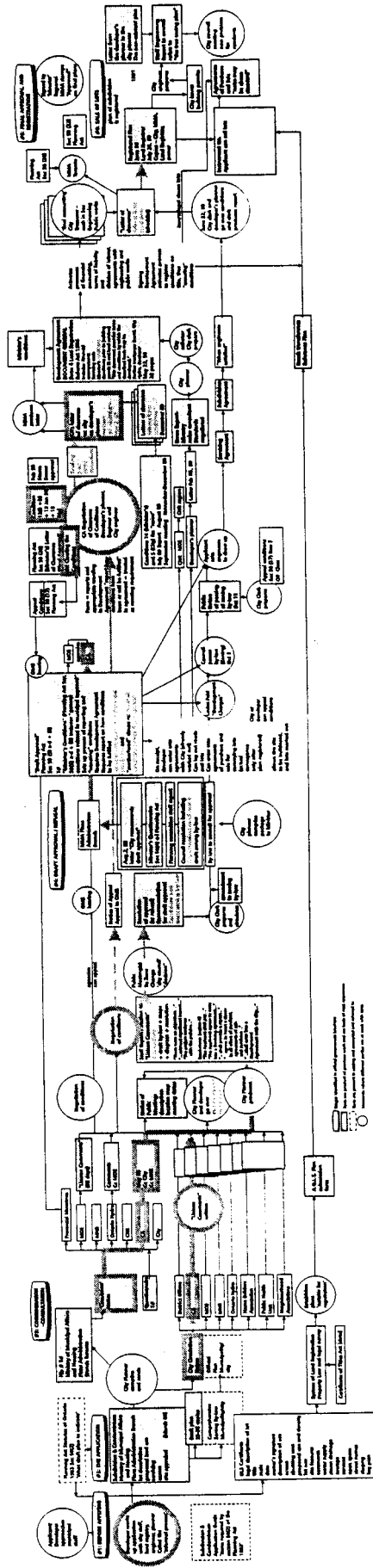
#### THE CONSERVATION AGENCY'S WORK AND TEXTS: FIGURE 25

The consultation process involves agencies and boards. A concern is how I can indicate that 'external' work is a part of the institution of planning. I am using the term

Figure 25: Processing Development Applications: The Conservation Agency's work and texts

### Processing Development Applications: The Conservation's Agencies work and texts

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institutional of course to speak about the coordination of multiple sequences of action into a functional complex (Smith 1987: 160). I have described simply the particular text based sequences of action that are replicated across the province. Mapping the sequences that comprise consultation and commenting relations in planning reveals a wide range of standardized governing activities that go on in and across multiple sites in regional offices or branches of agencies and ministries and so on. Here I trace through in detail one work sequence that pulls in the conservation agency.

I do not intend you to read the text in this figure. Where I have indicated bits of tinted text that moves box to box to box, that is text to text to text. What I am mapping here is the production of texts that stand in as comments from agencies in particular settings in a sequence. Here, in tinted copy, is the activity of the production of initial 'liaison comments' from the conservation agency, through to the final 'conditions' of the agency embedded in the legal development agreement. This is one sample of textual work in the planning process that produces a commenting and/or regulatory agency's conditions. There are several of these sequences going on at once as a dozen or so agencies may 'comment,' and the textual outcome is thirty or more 'conditions.' Figure 18 indicates some of the commenting agencies. "Liaison comments written" is indicated in Figure 19 with a circle – as an activity that can be opened up to examination. Next is a box, a text, where a letter written by the agency planner goes to the municipality, to the city planner. The city planner takes up what the agency planner has sent and inserts a section of it – following the line – into the text that goes into the public city council meeting, the Staff Report. Here the elected representatives take up the Staff Report, read it, talk about it make a decision about 'the plan.' They may not speak about or activate the conservation or any agency's bit of submitted text, but it is there. In the Howitt Park case, the residents activated 'the agency's 'concern' specifically in the public setting, so that 'what the agency has said' is absorbed and drawn into other text-based utterances. The city planner has also inserted a set of standard legal clauses – condition clauses – in another section of the Report. In the Howitt Park case, the standard clause 'covering' the conservation agency's concern is activated by councillors and planning director. The city clerk produces 'what the city has decided' in a text that includes the resolution passed by council. That incorporates the bit of text standing in for 'what the agency says.' The

agency's 'concern' is taken to be 'covered' by the clause. What can be shown in this kind of procedure is not only the actual production of a text but how a text is taken up and talked about and moves the process to the conclusion of such a consultation sequence, where the conservation agency sends the final letter to the municipality saying that it has a grading plan on file, thus 'clearing' all of its conditions. This letter, with its wording regarding what is 'on file,' thereby allows the city clerk to check off her copy of the list of 'minister's conditions' and send a further text to the ministry, copied to the developer and land registry office that allows the next step of building permits for the individual lots, for the development to proceed, and the conservation agency has played its part.

**CONCLUSION: THE ORGANIZING CAPACITIES OF TEXTS IN ACTION IN WORK  
PROCESSES AND EXTENDED RELATIONS**

The diagrams in this chapter show work processes that organize extended planning relations and their speech genre. Chapter Eight delves into a particular 'micro' or local form of dialogue embedded in and linking local practices and processes to, and organizing, the institutional form of 'consultation' in planning. Figure 15 maps the planning process as a sequence of institutional organization comprised of various work processes. Its public discourse produces these as acts of 'the City,' 'the conservation agency,' 'the developer,' and 'the residents' whose activities are pulled into its production of the overall institutional action. The colour maps display the location and connection of work that is generally considered either private or public within the institution's continuous work sequences and extended relations. As extended relations, the lines between public and private blur. The maps bring into view the location of residents in the public setting and thus make visible the limit of occasions for residents to act within the routine institutional process. Thus the organization of residents' experience that they cannot insert their concerns into the text based ongoing action in the complex of relations of planning, is visible. Likewise visible is the limit of the involvement of the elected council in this complex of work processes.

The regulatory character of texts, that is their actual capacity to organize people's actions in institutional settings, is discoverable in how they provide the stable physical presence of a set of words or images as 'the same' in multiple sites, so that governing

processes are coordinated as institutional action. This coordination relies on practices that are observable in settings and make visible how a text operates in the action. Diagramming connected text-based work processes can make visible how people's everyday lives and aspects of their lived environments can be shaped, changed, ignored, brought into both specific and general acts and shifts in governing processes. The mapped complex of ruling relations constituting an institutional function like land use planning – generally thought of as a powerful 'system' – can be the basis for showing how the macro social organization is actually occurring in time and space, coordinated in people's local practices. We can, by mapping text-based sequences of action in the functional complex of planning relations, begin to see how 'the city as growth machine' could be conceived, and how the problems of 'planning and the public interest' emerge, such as for groups wanting something like an improved 'environmental management.'

The mass and variety of textual formats can be specified using this mapping approach. How a specific text's format constrains and enables, site to site and across multiple sites, what gets said and done in the setting, can also be observed, investigated and specified. Replicated texts, with standardized formats, produce one side of the 'text-reader conversation' in formal and informal settings within sequences of action. Located in the action in which they operate, texts can be observed doing their coordinating work. My work provides a close look at the Notice of Public Meetings in the resident's hands in her home; the site plan figure embedded in the Staff Report in the public council meeting and discussion there; and one agency's 'liaison comments' and standard condition clauses in the Staff Report and in the chain of memos and letters between the agency's planner, developer's planner, city planner and Ministry planner. These are significant moments in the overall planning process and, mapped, able to be seen and understood for their work coordinating a complex of ruling relations.<sup>6</sup> Further, we can see how local

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<sup>6</sup> Pence (1996, 2001) describes 'processing interchanges' which provide links in a chain of activities processing a 911 call and how they sequentially fail to take into account the experience of danger of the woman who is being threatened, beaten, even as they draw her into relation with the justice system in Minnesota. I am similarly interested in sequences of work with texts, and moments where people do specific activities with texts and something gets left out in the sequence of interchanges. I am further interested in the practices coordinating these sequences as institution.

practices link to and operate in dialogue with the speech genre of planning. These are put together and occur as specific work processes that are also scripted and how people whose work is connected and who may or may not be known to each other, connect their work to that of others in the process.

Text-based work processes and how they are coordinated by individual actions as institutional, can be made visible by mapping. I make the additional move to map 'micro' level speech genre practices. It is the local speech genre practices that have consequences for how people at work in the process collectively produce outcomes that are institutional action – for example, 'decisions' made in a consultative and rational process that do not protect specific features of land like wooded ravines, but are produced as 'good planning' and 'how the process works.' It is in the 'micro' or local practices of the stable forms of conversation – the local speech genre practices – that the outcomes of the institution get put together. Looking at these closely through mapping makes visible the 'layers' of the local practices and the local work process or procedure as well as the extended and standardized text-based sequences of the complex function.

I worked at diagramming 'the planning process' as sequences of action and the texts embedded in them that organize how people participate in them. These sequences and texts were not visible in the official accounts of the process including how planners, or politicians or the news media talked about and described what went on and how official texts represented it. I wanted to produce an account that was useful to anyone who wanted to grasp the actual things people do routinely when 'doing planning' and that would make visible how those kinds of activities were part of an overall 'planning system' as people talked about it. I began to map what came to hand as I was involved with other residents in protesting a developer's proposal to build in the ravine next to Howitt Park near where I lived. At first I focused on the Notice of Public Meetings and how it presented another world and organized how the reader could think to act next, how it was active in an ongoing course of action with seemingly inevitable results. I then focused on the Staff Report – a 13 page document that elected members of municipal councils read when they make decisions to approve or refuse a developer's proposal. Then, as I appeared in council year after year, I knew councillors who were supportive of residents and wanted to make good decisions for the city. The attention of scholars and

activists alike is focussed on the decisions of local governments. The local politics of urban development and environment is generally understood as produced in the decisions of governments. The limits and problems of looking at one setting and what happens there as the political event, emerged clearly. A close look at the texts and what goes on with them in the setting, showed more. As Chapters Five and Six show, the Notice of Public Meetings or the Staff Report is taken up and activated in a setting in ways peculiar to the organization of social activity in it. There is a formal procedure for decision-making by elected people sitting around a 'horseshoe' in a peculiar setting 'council chambers' in which the Staff Report and the site plan are constituents. At the same time, the readings of site plan and the next moves made by readers present in face-to-face relation, are embedded in the organization of a sequence of action that extends beyond the public council setting to activities of others elsewhere and at other times. Local talk and textual practices of councilors, city hall staff and others in the setting are visibly organized by the routine forms of action that link the local practices to the institutional action and speech genre in which the local course of action of 'decision' is embedded.

Events like 'decisions' include the reading and writing of texts produced in other settings constituting 'discussion' and 'consideration.' All practices extend in time and space, coordinating mind, text and talk, and include the writing of a document or record of the event as institutional. The view of the social act as extended dialogic sequence takes analysis outside of and across connected settings and sites of work so that several aspects of organization come into view as extended work processes. I began to draw out the connections of the textual components of the Notice and the Staff Report to other local procedures and their courses of action. I wanted to produce an accurate map of the local sequences and their coordinating texts as part of the whole of the institution. My focus was on displaying the text based sequences of action that 'lay behind' the numbered 'steps' of a sequence represented in official brochures as 'the planning process' and talked about by planners, politicians, analysts and activists alike as 'the planning system.'

The diagram of an extended complex of work processes stands in contrast to the unitary character of planning and 'the planning process' as it is officially represented. The focus is on its *institutional* character, that is, the complex of coordinated work



processes having a distinctive function. Figure 15 shifts perspective so the replicated complex of relations reproduced in more than one site and somehow as 'the same' are brought into view. In land use planning, in multiple sequences, the orientation and focus of actions of participants, the developer, city planner, municipal councillors, can be seen to be actively orienting to the work of others. Texts can be seen to coordinate how people bring their activities into relation with particular others elsewhere. The 'institutional' character is accomplished in individual activities. These activities are text based moves and forms of writing and speaking that produce both local and powerful forms of organization such as a municipal council's 'decision,' the conservation agency's 'comments' and the resident's 'concerns.' These activities form a complex of social relations as a distinctive function where state agencies are tied in with professional forms of organization such that, for example, the city councillors, the conservation authority planner and the developer's planning consultants and lawyers are active in discourse relations that provide the peculiar categories and concepts expressing the relation of local courses of action to the institutional function. The currencies of the discourse are these locally used expressions that, as a common conceptual stock, enable the interaction of diverse specialized parts of the complex of relations and the coordination of their local acts in diverse sites *as* institutional action. (This paraphrases Smith 2000). Standardized formats provide for the replication and *standardization* of social relations and organization across local sites and through time. So an individual developer's planner can talk about just when the grading plan has to be in the conservation agency's file; the elected officials can agree that the text of the 'condition' clauses their city planner has inserted into the Staff Report can 'cover' what the conservation agency might say; and a City can be said to have legally met the legislated requirement for informing 'the public' when the text of the Notice of Public Meetings is reproduced with standardized components and phrases and put into the mailboxes of houses within 400 feet or 120 meters of the borders of the 'site' proposed for development. Texts are embedded in and organize and regulate local work sequences of action. 'Text-reader conversations' as Smith elaborates the concept as actual physically embodied work processes, are embedded in and organize local settings of work. They coordinate the work organization in the setting and connect what goes on in the setting to work in other settings. The

'work' involves text-reader conversations and the production of texts and how as work processes they are regulated and how they coordinate and regulate work across multiple sites. This is how institutions can, and do, exist.

## CHAPTER EIGHT

### CONSULTATION AND THE PRODUCTION OF THE 'CONDITIONS' OF DEVELOPMENT APPROVAL

#### CONDITIONS

When agencies 'deemed to have an interest' are asked to 'comment' on developers' plans, the process that produces the legal conditions of a land development project goes on in written exchanges involving agency and municipal staff, developers and their hired consultants and provincial ministries. Once the 'approval authority' approves the conditions and a draft plan, the developer can take the environmentally irreversible step of bulldozing the land. The activities that produce the approval of these conditions are not public, but are known to experienced participants and intended by them as they carry out the more public aspects of planning. 'Comments' can initiate negotiations in multiple settings. While many legal clauses recognized as 'conditions' are standard and known, where comments express 'concerns,' the conditions must be negotiated. Members of the development industry and its associations complain that this process is 'cumbersome' and reformers that the system is 'fragmented.' Several sequences go on at once; a dozen or more agencies meant to represent 'the public interest' may comment and the textual outcome can be thirty or more conditions. The inter-textual work people do in dispersed local settings produces the authoritative texts that are treated as accomplishing 'what the commenting agencies say,' 'the city's and agencies' conditions,' the institutional act 'resolving concerns through conditions' and the significant moment 'Minister's draft approval with conditions' (Figure 26).

This complex interchange is coordinated into unitary institutional action. 'The conditions,' approved according to public policies in a public process, inserted into legal agreements and registered 'on title' to the property in a Land Registry Office, are generally understood to fix and 'control' the use of land. These are complex work sequences. Their ordering is standardized and authorized in provincial legislation. In them the discourses, practices and jurisdictions of planning, engineering, surveying, law



and public management and administration intersect. In each site specialized textual practices connect to others elsewhere and move the temporal planning process along.

This chapter describes the work involved in transforming 'comments' introduced by the conservation agency into 'conditions' that the development must meet. This is the type of consultation sequence that would allow a site to be bulldozed, surveyed and to have lots marked out. The data used here is the actual sequence that resulted in the Howitt Park ravine being bulldozed. After fighting the developer's two proposals for a condominium development in the Howitt Park ravine and seeing the second plan approved by council (Chapter Six), residents received notice of the developer's third proposal, this time for a subdivision that would bisect the ravine with a 3-5 meter high concrete retaining wall and create 12 lots. In the text for the first public meeting at which the plans for a subdivision development were discussed, the conservation agency "recommend[s] that this plan not receive draft approval until..." grading plans *to their satisfaction* are submitted. Residents cited the agency's 'comment' in the public meeting in an attempt to halt the process. Residents tried to get an agency representative to attend the council meeting but an agency planner said they had 'properly commented.' In the council meeting, city councillors were assured by the city engineer that any grading plans would be to *his* satisfaction. While residents thought there was a process going on to produce conditions of approval that could protect the physical terrain, the site was bulldozed. How 'comments' became approved 'conditions' was mysterious. There is no official account of how these conditions are worked out. Their negotiation and approval is not public. They are like occasional 'side sequences' that run parallel to but outside the order of the main conversation that conversation analysts examine in a setting. These side sequences cross multiple settings and go on in multiple textual formats and practices (Figure 25).

### THE SEQUENCE: EARLY CONSULTATION TO DRAFT APPROVAL OF SUBDIVISION<sup>1</sup>

When a developer starts to plan a development, he talks to a municipal planner and begins to establish the conditions his project will have to meet. Together they look at the property as it is identified in the municipality's comprehensive zoning by-law and official plan, and the planner determines the likely conditions.<sup>2</sup> The planner looks at the proposal in the terms of the municipality's zoning categories that authorize certain uses of land. When the project is a subdivision, often a developer does not yet own the property. Before he even buys and invests in the property, he hires consultants with experience who will do feasibility, engineering and other studies, and who will talk to municipal staff and negotiate with agencies' staff on conditions.<sup>3</sup> The developer does this work up front because he borrows the money to invest in and buy the property. When he buys the property, he becomes 'the owner' who then wants to activate the formal process and get the application through quickly so that the return on his investment occurs as soon as possible. In particular, the developer wants to get to the 'draft approval' stage in the formal process, because at this point he can bulldoze, survey the site and offer lots for sale. Some planners say that after draft approval "the developer is in charge."

The developer starts the process by bringing in maps, sketches, and other data to the municipal planning, engineering and building departments. Discussions take place by

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<sup>1</sup> The Ontario government's 1998 changes to the Planning Act and other legislation continue to alter the timing of planning processes and their organization of work. Planners I talk to agree that while 'streamlined,' the procedures and textual practices that produce 'the conditions of approval' and legal clauses for a development agreement remain "essentially the same." I identify some current changes in 'consultation' practices.

<sup>2</sup> Developers know most conditions in advance. They will know the city or region's Official Plan, Zoning By-law, and Commercial Policies. They know the planners in the municipal planning department, as well as the numerous conditions that comprise the legal agreements essential to doing business in the particular municipality or region. Any specific conditions an agency asks for will just 'refine' those known conditions. Predictability is part of doing good business. If any 'surprises' occur in conditions, they will come from 'the process,' even the public meetings. Whereas I was told prior to 1996 "the Minister sets the conditions," now in 2002 in Ontario the Ministry of Municipal Affairs and Housing is rapidly delegating its approval authority to city, regional and county councils.

<sup>3</sup> A planner explained that the consultants really do take the bureaucrats out for lunches, golf and baseball games and so on. Part of consultants' expertise is their knowledge of what individual bureaucrats need to "motivate them to expedite things" for the development. This has been made a matter of public record in hearings in Toronto (Rusk 2002, Mackie 2001).

phone and in the municipal offices. The owner or his consulting planner also meets with municipal staff in other departments to work out *their* conditions, the engineering and works department for sewers, roads and water supply, and the financial department for fees and other payments.

The municipal planner opens a file. The proposal and its legislated approval process – rezoning, subdivision and so on – organizes the file. The filing system in the municipality is not organized by the property. Rather, the data a planner compiles and has at hand builds a case for the current proposal and process, not for the physical land as a natural feature of the environment. In the Howitt Park case, for example, when the developer applied to sever the existing house and a lot from the property, a separate process and file was initiated that went to the Committee of Adjustment. Those committee members knew nothing of the subdivision application that was before the city council and would change the whole rest of the ravine property. Information about the land itself is not accumulated. The information at the Committee of Adjustment meeting contained a map and description depicting the house and lot as a square marked off section of a pristine ‘vacant’ property. When the planner gets the information from the developer, he makes notes to file of any potential problems with conditions. As he does this routine act, he brings into relation the land as the ‘site’ with specific regulations in the Planning Act and Provincial Policy Statements related to land use planning and development. He identifies to the developer what the legislation requires he submit with an application, conditions that have to each be worked out and timelines.<sup>4</sup>

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<sup>4</sup> Each municipality may have its own guide to the process. My city has produced a new guide ‘Procedures for Approval of a Plan of Subdivision/Condominium Application.’ It explains the Planning Act, RSO 1990, fees, required signs, lists six provincial requirements for information and six city requirements. Procedures are: 1) preconsultation (optional but encouraged) in which “the Planning Division will take the lead role in quickly arranging a meeting with representatives of departments and organizations;” 2) Preliminary submission (optional but encouraged) with the Planning Division providing a “quick review” and assistance if the developer meets with residents; 3) Formal Submission; 4) Prepare Notice of Application; 5) Circulation of Application (if significant opposition in writing the Planning Division will schedule an information meeting) and “As comments from the circulated agencies are received, the Planner will review the replies to determine any problems raised and work with the developer to take appropriate actions to remedy apparent problems prior to receipt of all outstanding responses. The Planner will attempt to resolve any outstanding problems prior to taking the application forward to a formal public meeting and decision by City Council;” 6) Prepare notice of Public Meeting; 7) Notice of Public Meeting; 8) Prepare Planning Report that “will contain the recommendation of the Department of Planning and Business Development”; 9) Statutory Public Meeting (the city Planner assigned to the project makes  
(continued on next page)

The developer and/or planner talks to agencies 'deemed to have an interest' that have authority to 'comment' on and/or regulate some aspect of the physical land and here the planner anticipates potential problematic outcomes of the project under the agency's jurisdiction. They are referred to as 'commenting agencies.' The conservation authorities in Ontario are just one such agency.<sup>5</sup> The conservation agency has regulatory jurisdiction over wetlands, floodplains, steep slopes and watercourses within a watershed. Agency planners look at a proposal in terms of the regulations that they are authorized in legislation to administer, namely the *Fill, construction and alteration to waterways regulations* established under the Conservation Authorities Act RSO. At the agency's head office you can sometimes see a planner with maps spread out on the large tables in the lobby talking with an applicant. The conservation agency planner looks at detailed maps of floodplain and fill lines. The agency has hundreds of maps and computerized GIS mapping. He or she makes notes to file, inserts a sketch, site plan, identifies the file with the agency's checklist, and perhaps selects from the agency's bank of standard conditions. The planner will write and send 'comments' to the MMAH and municipality.

The files in the agency and the city planning offices are private. Their substance is only available to municipal staff, the developer and his consultants, the agency planner and engineer. The activities that happen in numerous municipal and agency offices at this

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the presentation; 10) Decision ("In most cases this decision will occur at the next Council meeting."); 11) Notice of Decision; 12) Appeal Period; 13) Draft Plan Approval. In the guide the future legal agreement and its conditions clauses are presumed. There is no mention of conditions in the 13-step guide until (12) Appeal Period: "the Planning Act requires that there be a thirty (30) day appeal period in which interested parties may appeal the decision of City Council with respect to the plan of subdivision or any of the conditions imposed." The promise of service and "lead role" of the city planner fits with the city's reorganization that merged the planning and economic development departments into the Department of Planning and Business Development and the city's new slogan "Open for Business."

<sup>5</sup> I use the term 'conservation agency' rather than conservation authority in order to indicate a more generic process in which an agency with a regulatory jurisdiction has authority to comment and produce conditions of approval in the municipal land use planning process. My focus here is the consultation process rather than the 36 Ontario conservation authorities, their slashed budgets and severely reduced functions under the conservative government. Among others are Public Health Units, school boards, public utilities and so on.



point are not part of a formal public process.<sup>6</sup> Developers in Ontario have always worked out conditions in what participants called the 'informal process.' Agency staff read the maps, diagrams and descriptions of the property, match the physical features represented in them with the developer's proposal and specific criteria of their jurisdiction, orient to the provincial legislation 'what matters to be considered,' Provincial Policy Statement and deadlines, and select just what is relevant to the work of producing conditions and the texts that carry them into the next steps in the process. The developer's planner or lawyer contests conditions that require investment of time and money including studies and plans that require hiring other professional consultants.

When the municipal planner has compiled all the relevant material, he helps the developer fill in the application form and 'the owner' now has the formal status of 'applicant.' The approval authority – MMAH or the council of a county, regional or district municipality, or town or city – can refuse to accept or to further consider the application if the prescribed information is not contained in/with the application,<sup>7</sup> but this rarely happens. Many of the conditions of approval are already worked out. Staff in several departments are committed to the project to the extent that they have compiled the provincially prescribed information for the application, submitted written 'comments,' and anticipated any conditions that would be a problem in draft or final approval. The application is submitted, activating the formal public process.

A 90-day deadline legislated in 1996 for a decision means municipal and agency staff must produce comments and conditions quickly. Several clauses are standard. Agencies have 'commented.' Prior to the new legislation, it was at the planner's discretion to meet to work out conditions with any agency expressing concerns about the

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<sup>6</sup> Since 1996 changes under Bill 20, the MMAH encourages developers to do 'early consultation' ... 'to ensure a timely consideration of your application,' 'ensure that the approval authority has all the information required to make an appropriate decision without unnecessary delays' and 'ensure...early dispute resolution' (Citizens Guide #9 The Plan Review and Approval Process, [www.mah.gov.ca/business/plansys/chap-03-e.asp](http://www.mah.gov.ca/business/plansys/chap-03-e.asp)). This activity is private. Years after the Howitt Park case was 'closed' and the development completed I was given access to the files in the municipal and agency offices that construct, report on and document these work activities and procedures.

<sup>7</sup> Planning Act (RSO 1998, Section 51 (17), (18), (19)). This is a new addition to the Act.

project. Formerly the municipal planner could refer the developer to the agency's planner and/or engineer to meet to negotiate conditions. The meetings might just involve the developer and/or his consultants and the agency representatives. Now the municipal planner is likely to 'take a lead role' and these meetings are to be part of a municipality's 'service.'<sup>8</sup> Similarly, if the council does not make a decision within 90 days of the application, the developer can appeal to the OMB.

The municipal planner or his/her secretary compiles a Notice of Application and a Notice of Public Meetings, 'circulates' forty or more agencies, boards, associations and neighbourhood associations and 'notifies' property owners within 120 metres of the site. Content of the Notice of Public Meetings is determined in regulations under the Planning Act. The Notice, (analyzed in Chapter Five) does not mention comments or conditions that have been and are being worked out.

The municipal planner or his/her secretary compiles a Staff Report to go to municipal councillors and to the public meetings. The Staff Report has these components: a) identification of planning item; b) location map; c) site plan; d) background description of proposal; e) the city's conditions and standard conditions standing in for agencies and 'municipal requirements' such as fees, financing, agreements with utilities, engineering, roads; f) resolution; and g) recommendation by planning staff or an individual planner.

The approval authority makes a decision and "may" impose conditions. In my city, until 1996, the MMA was the approval authority. The city council made a decision based on the Staff Report that included municipal conditions and standard or specific agency conditions. Upon council approval the municipal planner prepared and sent a package of documents with a letter to a Ministry official who had a file, had consulted with other provincial ministries and then produced '*Minister's* Draft Approval with

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<sup>8</sup> See above, footnote 4. The MMAH website explicitly encourages municipalities to use fax machines to speed up this work. A 1996 revision to the Planning Act eliminated ministries other than MMAH as authorized to deal with land development. Called "One Window" and followed up with province wide sessions for planners it has effectively "streamlined" processes to service developers. Municipal planners, downloaded the work of finding "efficiencies" after provincial budget cuts and being trained in the language and service techniques of "new public management" say they are relieved to see streamlining.

conditions.<sup>9</sup> ‘Draft Approval with Conditions’ is now typically the elected council’s decision in the public meeting. Councillors have the Staff Report in hand. They will have discussed the planning item in a pre-council meeting, if not at lunches and in hallways. At the public council meeting the municipal planner presents the proposal and evidence of how it meets the legislated requirements and complies with city policies. The developer or consultant is present. Anyone has the right to speak to the council. However municipalities may make regulations that limit the time and process for speaking. In my city, speakers must contact the city clerk the week prior to the meeting, declare if they are speaking for or against the application and be put on the agenda. The council can approve, approve with amendments, or refuse the application. It can also defer its decision based on something someone says, perhaps about the public information or the impact of the proposed development, but a decision must be made within 14 days of the public meeting.<sup>10</sup> Residents may comment on condition clauses in the public meeting, but it is unlikely that a council will make changes or add clauses when there is a recommendation by municipal staff to approve the application with conditions as presented. The municipal clerk takes minutes of the meeting, and notes the passing of resolutions and by-laws – two ways a council ‘decides’ something.

Within a week the municipal clerk sends a Notice of council’s decision to the developer, planner and residents who requested in writing to be notified. Prior to 1996 the municipal planner prepared a package of information and sent it to the MMA official with the file. That individual would compile and review all documentation from the

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<sup>9</sup> Since 1996, 79 percent of Ontario’s municipalities and planning boards have become exempt from provincial approval. Seventeen percent will be exempted in a next phase. Only four percent (non-planning counties and northern municipalities) will not be exempted. The language to justify this downloading of work is “the municipalities will do what they do best.” (<http://www.mah.gov.on.ca/business/plansys/chap-03-e.asp>)

<sup>10</sup> (Planning Act Section 51(20)). The current MMAH Citizens Guide for Subdivisions says “Draft approval amounts to a commitment to go ahead with the subdivision, once all the conditions of draft approval have been met. Lots may be offered for sale after draft approval, but can be sold only after the plan of subdivision has been registered...Conditions of draft approval may include: road widenings, the naming of streets, parkland requirements, rezoning of the area to reflect the new uses in the subdivision, and any other municipal requirements...”

provincial ministries, agencies and municipality. Now, given the provincial downloading of approval authority to councils, the *council's decision* will constitute this review and 'draft approval.' The legislation states the "approval authority may change conditions" within 15 days and Notice of change of conditions must be sent. Conditions are still being worked out that can be added by the municipality, but draft approval has already been given publicly and the developer and the municipality have committed so much to the project at this point. Prior to 1996 a Ministry official sent a list, 'Minister's Conditions,' to the municipal planner, other ministries, agencies and developer, signalling Draft Approval. Residents were not informed of this significant moment, and conditions going into the legal development agreement are private. The developer or a public body can appeal any conditions to the OMB at this point and can now have a hearing within 15 days of written appeal. An OMB hearing would take place in the municipal council chambers. A record of the chair's decision only is made. The OMB hearing can produce Draft Approval with different conditions.

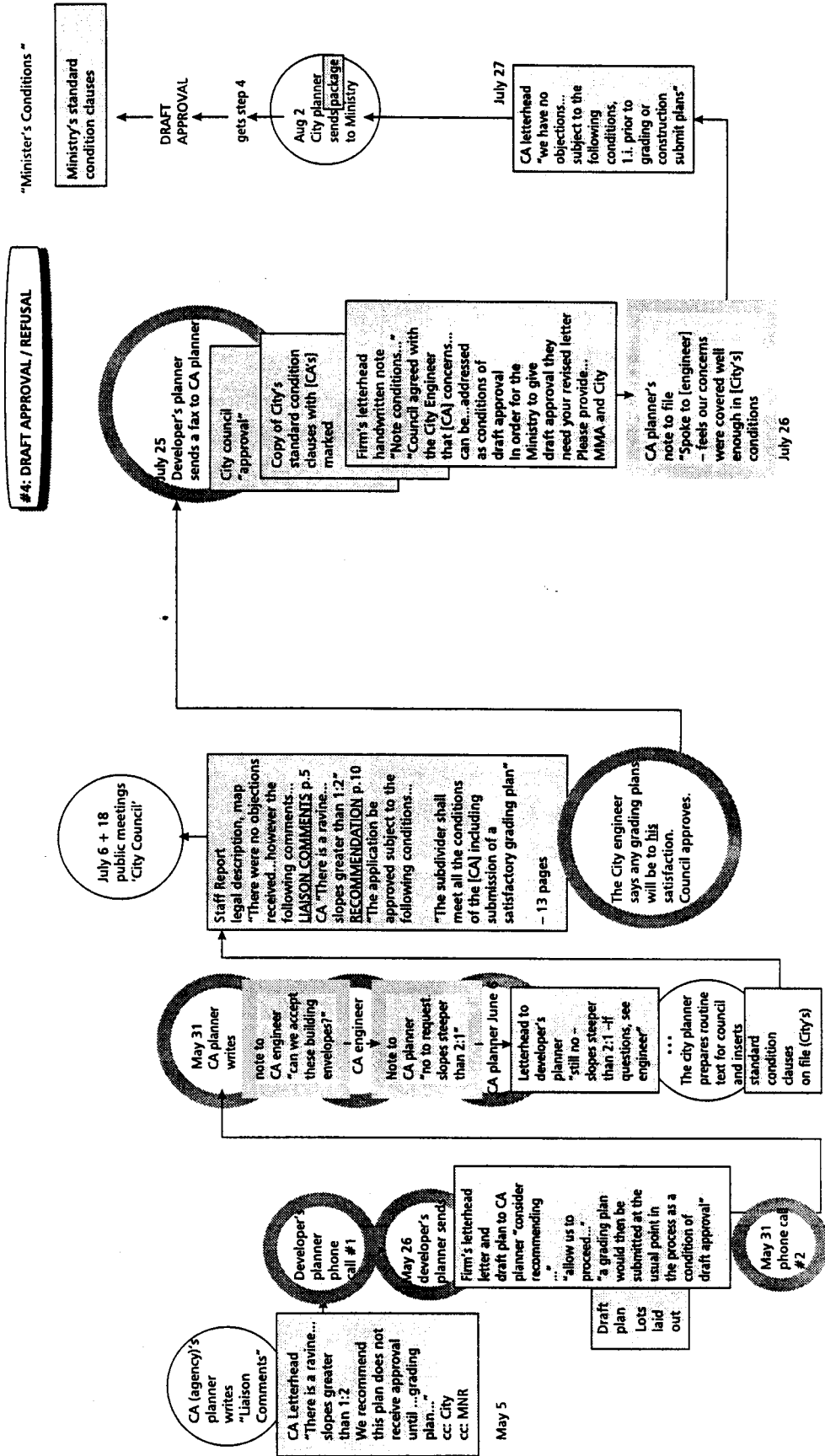
#### THE TRANSFORMATION OF CONSERVATION AGENCY 'COMMENTS' INTO 'CONDITIONS'

The above is a general description of the consultation sequence that builds the conditions of development approval. The work of individuals in multiple sites puts together relatively stable relations. The work is done in this less visible unofficial realm of memos, faxes and notes to file. In each setting specific textual formats initiate a particular form of situated 'text-reader conversation.' Someone takes up the text and does something with it. The text exists and operates as an utterance in itself, a standardized "link in a chain of speech communication." In the following illustration of inter-textual dialogue, participants eventually produce what are treated as official texts *of the sequence* (Figure 27). Different participants can activate an official text at different times. Operation of the official text enables it to bridge sequences of action in other sites and settings and times. Here local textual and speech practices project the *resolution* of the conservation agency's "concerns" and suppress any actual act of 'regulation' by the agency through conditions or any actual 'objection' to the proposed development. 'Draft approval with conditions' is a significant textual moment in the process for planners,

Figure 27: The Consultation Sequence, Layer 2: Textual Formats and the Transformation of 'Comments' into 'Conditions'

The Consultation Sequence, Layer 2:  
textual formats and the transformation of 'comments' into 'conditions'

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developers, agencies, activists and residents. The conservation agency has not had its conditions met; the project is not finally approved, and the developer can bulldoze, survey the land and offer lots for sale. Land development can go ahead even though conditions that might have been able to preserve some physical features of the site are still being worked out with agencies that are supposed to be producing ‘conditions of development approval.’ The destruction of ecosystems, farmland, forests and wetlands and the ‘urban sprawl’ so widely criticized and the target of planning reforms, happens at this point in the planning process. Development *goes ahead* prior to meeting conditions or final approval.<sup>11</sup> And the ‘neutral’ and ‘rational’ process is accounted for.

*The Agency’s Comments – File No. 23T-88003*

The municipal planner’s ‘liaison circulation’ regarding the proposed subdivision in the ravine next to Howitt Park sent to agencies, boards and commissions initiates this text-based sequence.

**May 4. The agency planner handwrites a note to file** (Appendix C, Figure 28). It makes the agency planner’s action visible internal to the agency. The preface “Spoke to [engineer]” under the date authorizes what follows. The numbered statement “(1)[Lots] 4-7 inclusive have slopes greater 2:1” inserts to text the measure ratio distance-to-height that stands in for slopes and authorizes the wording of what appears to be a draft comment:

“[symbol indicating *therefore*] we would not recommend draft app.[roval] until such time as the app.[licant] [“prepares” is crossed out and “submits” written above it] a satisfactory grading plan showing building env[elopes], proposed slopes & ero.[sion] control.”

The note to file builds the agency’s account of its work and the individual actions as proper procedure in the agency’s organizational sequence for producing comments. A

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<sup>11</sup> Lapsing of Draft Approval (51(32)) is a section in the Act rarely invoked. It allows the municipality to rescind its approval after a time period – in Ontario, three years. In my city, one large developer has several draft approvals for subdivisions granted by the city and Ministry in the late 1980s, still active. Fees and costs were low in the economic boom and developers were rushing plans through the process with the threat of review and reform of the planning process. The director of planning told me in the early 1990s that the city had approved subdivisions to 2014. The new legislation allows the developer to appeal to the OMB if the municipality lapses its draft approval.

“(2)” indicates *the agency’s* next anticipated action: “when we get sat[isfactory] grading plan we will ask for SWM [storm water management]” The note to file relies on a prior communication from the municipal planner regarding the developer’s plan or application, knowledge of the organization of relations and work processes that legislation such as the Planning Act, Statutory Powers and Procedures Act, Municipal Act and Conservation Authorities Act authorize, and the textual routines of the consultation process including the planner’s act as producing this particular act *of the agency*.

**May 5. The agency planner writes a letter on agency letterhead** to an individual in the Ministry of Municipal Affairs (Appendix C, Figure 29). Subject is “File No. 23T- 88003, Inherman Street, [city, province].” The MMA individual is addressed by first name. This is a formal version of the planner’s note to file wording and will constitute the official “comment.”

There is a ravine running along the rear of the Lots 1 through 7, and lots 4 through 7 (inclusive) have slopes greater than 1:2.

Based on the above we would recommend that this plan not receive draft approval until such time as the applicant submit a satisfactory grading plan which shows the proposed building envelopes, proposed slopes and methods of controlling erosion on these slopes.

Upon receipt of satisfactory plans, we may be in the position to recommend draft approval subject to certain conditions.

The letter is copied to the city planner and an individual in the Ministry of Natural Resources to which conservation authorities in Ontario report. It can be treated as ‘official’ by those whose work with it reproduces these commenting and reporting relations. The street name spelling is incorrect; the ratio numbers standing in for the slope are reversed. Nevertheless the text is inserted into the formal sequence. It actively links the agency’s, city’s and provincial ministries’ work processes. The paragraphs embedded in text on agency letterhead are recognizable as ‘comments’ and can be taken up and reproduced as those *of the agency* in other settings and texts.

The city planner discusses the ‘comments’ sent by departments and agencies with the developer. The conservation agency planner’s letter activates a negotiating sequence.

**May 26. The developer’s planner sends letter and draft plan to the agency planner on company letterhead** (Appendix C, Figure 30). It addresses the agency

planner by first name, includes provincial “T- number” and [company] reference number, and refers to a prior phone conversation. The result is that developer’s planner has:

“prepared a draft plan of the proposed subdivision showing the approximate building envelopes and front yard setbacks.”

That text provides the basis for his urging:

give consideration to recommending this subdivision plan be given draft approval. This would allow us to proceed with the project. A grading plan would then be submitted at the usual point in the process as a condition of draft approval.

Copied to city planner and developer, the letter hooks both in the business dialogue and accounts for the private consultant’s work. It constructs the insertion of conditions *in the process* differently. Just *when* the grading plan is required to be produced, submitted and agency-approved is at issue. The agency says submission *prior to* draft approval. The agency wants the grading plan now. The developer’s consultant constructs the phrase “as a condition of draft approval” to mean *a clause in the text that constitutes Minister’s* draft approval, and that point as “the usual point in the process.” This would move actual submission of a grading plan to a point much later in time. The developer’s planner orients to “Minister’s approval” as subsuming councils’ or any other approvals, and the operating notion that “the Minister sets the conditions” (See footnote 2 above.) But further, the shift is made from “ravine...and slopes greater than 1:2” and the agency’s requirement for a grading plan to a text – a draft plan – that shows “approximate building envelopes and front yard setbacks.”

**May 31. A note in the agency file indicates there was a phone call from the developer’s planner. May 31. The agency planner handwrites a note to the agency engineer and the engineer’s responds** (Appendix C, Figure 31). The note indicates the planner left the note with the letter and draft plan from the developer’s planner on the engineer’s desk:

“I need a quick answer...Can we accept these building envelopes?”

The agency engineer writes on the same sheet:

No (to letter request.)

Lots 4-7 still have slopes steeper than 2:1 and building envelopes encroach into slopes. Still need grading plans and method whereby erosion would be controlled on slope prior to draft plan approval.



Here the engineer restates the original measure for slope and rationale for the agency's official comment based on their legislated jurisdiction and regulations. The engineer directly states they want plans "prior to draft approval." The agency planner works at the interface of the developer's work and the internal agency processes and is orienting to building envelopes.

**June 6. The agency planner sends a letter on agency letterhead letter to developer's planner** (Appendix C, Figure 32). It accounts for the planner's work "reviewed the plans" and involvement of "engineering." The planner excerpts from the engineer's handwritten note "slopes are steeper than 2:1 and the building envelopes encroach into them," re-inserts the [engineering] rationale for the official comment, but softens the engineer's "need grading plans [etc] prior to draft approval:"

we will still require preliminary grading plans and the methods you are proposing...

The agency planner pulls in "engineering" by inserting the agency engineer's name for reply by the developer and by "cc'ing" the agency engineer (emphasis mine).

**A meeting of city planning, engineering and parks staff, the developer and his two private planners takes place. The developer's planner writes a summary and sends it to the others for their files.** The meeting took place days before public notification, two weeks before the first public meeting and a month before the council meeting. The developer's planner argued that the conservation agency should give its approval in advance of any plans.

"There was talk of moving some of the road into the park so the building envelopes could be shifted [away from the ravine]."

Written by one of the developer's planners, the summary indicates there would be a further meeting of city and agency planners:

The [conservation agency's] requirement of a preliminary grading plan has yet to be resolved. [City] planners will discuss this at a meeting with [agency]...and advise our [developer's consulting planning] office of the outcomes. (emphasis mine)

The developer's planner has written the summary and likely pressured the city planner to deal with the conservation agency. And agency staff were not present.

The developer's planner was pressuring the agency planner. His question "Can you accept these building envelopes?" operates between professionals to gain a general

approval to go ahead where there is no agreement. Here it relies on and presumes the technical measures of slope, but orients to the envelope for built structures and the agency's technical expertise in this matter. It disregards other aspects of their jurisdiction. While conservation agencies have regulatory jurisdiction over waterways and steep slopes, in land use planning a slope is constituted in preauthorised terms of a given ground's ability to support the structures whose construction the process is organized to allow. The developer's planner's insertion of 'building envelopes' as in-common object in the negotiations *stands in for* the agency's concern. We might think that the agency's concern is about the conservation of slopes and drainage patterns *per se*, but it is not. Here in consultation in the planning process, the agency's *interest* is constrained to terms of physical stability of the slope, that is, whether the ground will stand up, slide or fall down under or around the structures – homes already well established entities in text. Speaking of 'envelopes' intends a graphic representational form of a plan that no longer requires representation of the terrain's physical features (the ravine's steep slopes) by contour lines. That textual shift intends the future act of laying out *lots* that can happen upon the Minister's act, 'draft approval.' The *draft plan of subdivision*, whose rectangular shapes stand in for those lots, prefigures a final registered plan that the whole process intends (Appendix A, Figures 11,12,13). The conservation agency enters into the consultation already oriented to 'building envelopes' and engineering methods of 'erosion control.' It does not express concern in terms of the integrity of the slope as a feature of the natural environment or the conservation of physical land as residents think of it.

*The Staff Report and the City's conditions – [City] Planning Advisory Committee NINTH REPORT*

**July 6 and 18. The municipal/city planner compiles the Staff Report for the public meetings for these dates.** The report brings together several technical evaluations relying on codes, standards and formulas that measure and stand in for the physical land and ongoing procedures assessing and dividing labour and costs among parties to the process. The Staff Report enters *the plan, a draft plan of subdivision drawing, conditions of its approval* and a staff recommendation into the public process for officials to approve in public. The title renders what is in it the product not of the individual planner, but of

the *city's planning advisory committee*. In the text appearing in the first public meeting regarding this subdivision next to Howitt Park, three pages of 'comments' are separate from 'conditions' set out in another section of the report. Under the title LIAISON COMMENTS the statement "There were no objections...however the following comments were submitted" prefaces diversely formatted statements (Appendix C, Figure 33). Different kinds of textual entities are treated as comments. The municipal planner in this case received letters, memos and lists from different public agencies and city departments. Recreation and Parks' and Hydro company's lists were numbered 1,2,3,4; the CNR submitted A,B,C,D; the Engineering Department detailed, lengthy paragraphs and the conservation agency, a few short statements. The municipal planner has taken up the conservation agency planner's May 5 letter to MMA and selected and inserted into the staff report, three statements from it, beginning:

"There is a ravine running along the rear of the Lots 1 through 7..."  
(Appendix C, Figure 33).

This textual selection and insertion takes up the statements as the official 'agency's comments' authorizing them and allowing them to be treated as such in future texts and settings. He will have done the same kind of selection and insertion with the others.

Three pages later, the title STAFF PLANNING ADVISORY COMMITTEE RECOMMENDATION and statement "the [staff committee] submits the following resolutions for your consideration" preface legal clauses that are authorized here as 'conditions' by their being embedded in the resolution. These are the textual bits that officials can take up to produce a legal act of 'decision':

**'That it be recommended** to City Council that the application...[several lines follow including the description "being vacant lands located between Inkerman Street and Chadwick Avenue, immediately east of Howitt Park " and "(Ministry File No. 23T-88003(1))]. ...be approved and recommended to the Minister of Municipal Affairs, subject to the following conditions:" There are listed clauses numbered 1 through 6, 5 listing (a) through (u) required conditions of a Subdivision Agreement "and any other conditions that may be determined by the Council..."

"AND

**"THAT City Staff be instructed** to prepare the necessary Zoning By-law [several lines follow indicating changes to zoning categories creating Lots 1 to 12, and three Blocks, one of them "if necessary"] ..." (emphasis in original)

The blocks of land are not fixed; the legal format of the text is not consistent; and the comments include one of ‘concern’ from the conservation agency and one from the CNR formally requesting referral to the OMB if its conditions are not “imposed by the Minister in his approval.” But the text holds the legal phrases and *resolution* format with embedded condition clauses that officials here and elected councillors in the second meeting can publicly approve. The text’s format and clauses are sufficiently standardized and recognizable for them, as its authorized addressees, to act.

**July 18. The city/municipal planner prepares a Staff Report for the second public meeting** (Appendix C, Figure 34). It is three pages plus a “plan of subdivision” that looks just like the pictogram ‘registered plan of subdivision’ in the Subdivision Process brochure. “(SUBMISSION)” is handwritten next to the title. The Staff Report to council has none of the background description and rationale for the development that was in the first report. Its typeface is uniform. It holds the legal format and resolution for council to approve:

“THAT the application...be approved and recommended...subject to the following conditions: ... (emphasis in original)

Condition clauses 1 through 6 include the city’s required Subdivision Agreement clauses 5 (a) through (u). The resolution enables councils to *act* and *recommend* that ‘the city’ enter into multiple legal agreements with the developer, thus activating sequences of negotiations involving staff in several municipal departments. There are several clauses that are requirements “to pay: The subdivider shall pay to construct...,” “shall provide services...,” “shall pay the actual cost of installing...,” “shall pay the actual cost to construct...,” “shall pay the cost of erecting...,” “shall pay the city a flat rate charge...” and so on, are all anticipated by the developer. These clauses activate further negotiations in which “actual costs” are the central negotiated item. These are routine matters. They link the developer’s investment and the internal financial management of the city. The developer arranges a line of credit with the city; they do exchanges of land and money.<sup>12</sup>

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<sup>12</sup> Here the city and developer finally got the appraisal on the value of the land the city would purchase or swap. They wanted to give the developer a tax credit for the appraised value, but found out that the city could not legally make that kind of arrangement, so they had to have meetings and discuss how much the city would pay for the land and how. What they paid was based on the real estate appraiser’s

(continued on next page)

These financial dealings establish ongoing working relations. Planning ties developers' business into municipal financial management via the procedures of entering these conditions into legal development agreements.

The conservation agency's comments have disappeared. Slopes are addressed by *the city's* standard condition clauses. Those clauses make present aspects of *the subdivision and its lots* that participants can take up and orient to:

5. (i) The Subdivider *shall grade* the subdivision to the satisfaction of the city Engineer and shall ensure that sideyard slopes on each lot do not exceed 2 to 1 and that rear yard slopes do not exceed 4 to 1, to the satisfaction of the City Engineer.

(j) The Subdivider *shall retain* a Professional Engineer to design and supervise the construction of any retaining wall deemed necessary by the City Engineer, and shall build any required retaining wall in the subdivision, to the satisfaction of the City Engineer, prior to the issuance of any building permits for any of the lots in the plan.

Clauses 5 (i) and (j) (Appendix C, Figure 35) are already setting out the terms of construction and grading of slopes and building a retaining wall that are the business dealings between the city and the developer and carried on in subsequent legal agreements and contracts with private building companies. The phrases "deemed necessary by" and "to the satisfaction of" in clauses (i) and (j) shift ensuring, design, supervision and approval of grading and building of a retaining wall to the individual evaluations and competences of the city engineer. The phrase "prior to" in (j) shifts the conditions of approval to a point in time further in the future, to the building permit stage, a stage when "the developer is in charge" of private contracting and building relations.

Clause 5(p) appears to take the agency's concern and requirement into account.

(p) The Subdivider *shall meet all requirements of the [title] Conservation Authority* including submission of a satisfactory grading plan which shows the proposed slopes and methods of controlling erosion on the slopes and ravine, and shall receive a full clearance for these requirements from the [agency], prior to registration of the plan.

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valuing of the land and that was \$10,000. This is what was going on behind the public setting of the city council meeting examined in Chapter Six, where the insertion of the 'land negotiation' going on between the developer and the city levers out any condition to 'protect' the ravine lands.

“Submission of a satisfactory grading plan which shows the proposed slopes and methods of controlling erosion on the slopes” is “the same” phrase in the agency planner's letter, but this is not *their* condition. Clause (p) is almost an afterthought. “[A]nd ravine” has been added, possibly as the subdivision ‘estates’ are to be advertised as “in a ravine setting.” The phrase “prior to the registration of the plan” would shift the timing of the agency's approval to the end of the process, after much more has happened.

Clauses (i), (j) and (p) are embedded in the Staff Report that councillors have in front of them and have to take up. They are standard clauses pulled from the 65 or so clauses the city has on file. Planners or clerks in municipalities, agencies, ministries will all have standard formats – letters, memos, notes to file and legal documents – and clauses on file to draw from when writing and compiling routine texts. They are produced in order to accomplish standardization and accountability.

In the public meeting residents submitted evidence that the agency had “concerns” and no grading plan on file. A councillor’s motion supporting residents’ request to wait for the plan and agency’s recommendation was not seconded. When residents raised the issue of environmental consequences and danger of slope instability with the engineer’s proposed 3-5 meter retaining wall and the lack of agency approval, council passed the resolution based on the verbal assurances of the city engineer that all future plans would be to his satisfaction. The verbal ‘ok’ of the city engineer can thus override any interest or regulatory authority. In text, clause (j) shifts authority for grading requirements to future sequences in which the developer's engineering consultant and the city engineer negotiate a text and the latter’s approval. In these relations, current engineering standards operate as points of agreement on which assessment of impacts of development and of methods to control them are produced.<sup>13</sup>

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<sup>13</sup> A year later, the developer's consulting engineer informed a different conservation agency engineer of the consulting firm’s plans. Meanwhile the city's application to construct a storm sewer for the subdivision through the park to outlet directly into Howitt creek was discussed by agency and city engineers, and approved along with other engineering works including the extension of public sanitary sewers, sidewalks, etc. for the development.

The city's standard clauses seem to attend to the entities 'slopes' and 'ravine.' However there is nothing that attends to their protection as physical terrain intrinsically. Even in situations where councillors agree that 'guaranteeing' protection of the physical land is a valid concern, (Chapter Six), 'guaranteeing' environmental protection gains cogency not in terms of the actual physical features of land residents orient to, but in the terms of these other sequences and relations which go on outside public view and in which we see the conservation agency's intervention is limited and diverted. The terms of these sequences produce negotiation reduced to those aspects of legal authority the agency has, and in planning's terms. The agency's intervention, as produced condition clauses, is incorporated into the business of building structures, not environmental protection. The shift made in the text from steep ravine slopes with contours to "sideyard slopes" and "rear yard slopes" held up by a professionally designed retaining wall, is not just a shift from informal memos and notes to a different order of logic. The text provides a sufficiently standardized format and wording of *conditions* that makes further organizational action possible. Here, it allows *councils* to make decisions, passing a resolution enfolding clauses that provide them a semblance of 'control.' The transformation of an agency's 'comment' to a 'condition' in a council's approved resolution happens only in part through an 'act of council.' What is generally referred to as 'council's resolution' lifts the decision and authority out of council's public hands, literally out of the council meeting settings where elected officials, hired staff and residents of a community can interact, and inserts it into what is preserved in governing discourse as a private relation. The standardized text shifts the action outside of public scrutiny. It and its standardized clauses can be reinserted into others settings and times. Participants can take them up and treat them as 'the same' interactional object – as 'the council's decision,' 'the agency's conditions' and 'the city's conditions.'

**July 22. The municipal clerk records and produces minutes and a letter of decision.** (Appendix C, Figure 36). The letter – Resolution of approval or refusal and Recommendation for draft approval, conditions and draft zoning by-law – is sent to the developer, his lawyer and the municipal planner informing the developer "the following resolution was passed." This letter hooks the developer, planner and 'city' in relations that commenting agencies and residents may be parties to. However it activates no

particular action by agencies or residents. If the textual transformation of comments to conditions is in part accomplished in the work of compiling and composing of the Staff Report, the city clerk's letter contributes to the transformation. The clerk's letter on city letterhead produces in text "the city's approval" and "the city's conditions," inserting them into settings where they can be activated. They can be treated as institutional entities, recognizable acts *of the city and of the process* that can be taken up, in particular, by the developer to get on with the business. In public the *city's conditions* stand in for whatever the agency produces in the future. The city engineer is given responsibility for what happens to the slopes of the ravine. At the same time *the agencies' conditions* are still being negotiated.

*The Agency's Conditions – File No. 23T-88003*

**July 25. The developer's planner sent a FAX to the agency's planner, a handwritten note on firm's letterhead and a copy of the council's resolution including the conditions** (Appendix C, Figure 37 and 38).

Enclosed is the approval by [city] council [date].

Note conditions 5(i)(j) and (p).

It is clear that the City Engineer wants engineering plans for the retaining wall, where required and he also has set a max. slope for the rear yard areas. We have also discussed the option of moving the road bulb further into the park in order to create larger lots for 5, 6 and 7.

[City] council discussed this matter and agreed with the City Engineer that the [conservation agency] concerns and the city engineers concerns can be addressed as a condition of draft approval. In order that the Ministry of Municipal Affairs may give draft plan approval they need your revised letter agreeing to the conditions as set out in 5(j). Please give this your earliest consideration and provide a letter to the Ministry and to the City.

The city clerk's text with the standard clauses allows the developer's planner to mark specific clauses; fax them; marshal them as evidence of an authoritative step – "approval by [city] council" – along with his private discussions with the city engineer, to produce and claim "what the city engineer wants" and what happened "council...agreed with the city engineer" and "what the MMA wants" from the conservation agency. "They need your revised letter agreeing to the conditions as set out in 5(j)." He re-frames the agency's 'concerns' in the operating terms of engineering slopes and in terms of the development project, narrowing what is required to 'cover' these concerns to the wording



of the 5(j) clause. He equates ‘agency concerns’ and ‘city engineer’s concerns’ in terms of how and when they get addressed in the process. This textual move inserts the developer’s standpoint and location in work processes that hook his business to that of municipal engineering staff. His focus on 5(j) indicates how: 5(j) locates authority for determining physical outcomes on the slope with an engineer the developer hires. This re-framing of the conservation agency’s concern operates like the city engineer’s assurance in council. It achieves the situated task of getting *public* agreement and at the same time shifts responsibility for slopes from the public agency to the city engineer and “a Professional Engineer” hired by the developer. It inserts a schema of professional relations and competence into the setting. The public task is reduced to ‘balancing interests’ within the planning process.

The developer’s consultant makes his case from the standpoint within and negotiating the particular local relations of development understood to involve *the developer* and *the city*. The developer’s lawyer in a prior council meeting (Chapter Six) could say “where there are agreements with the City...” as his argument for getting on with what is going on outside the council setting. The agency’s regulatory standpoint and authority is shifted from the external regulatory relations and subsumed to those municipal development relations. In them, participants work out legal agreements that divide costs and liability of the development and engineer the site. Critics sometimes focus on the city ‘making deals’ with industry, corporations and developers. We can see that making legal agreements and setting out the conditions for private courses of action is the function of this complex institution. The ‘deal making’ is required in legislation.<sup>14</sup> How effective environmental conditions can be in the action, however, is my point here.

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<sup>14</sup> Sancton (1991) explains how development agreements work as a mechanism through which the Province and municipalities find a ‘meshing’ of interest in private development. Conditions in agreements provide a commodity the government has that it can ‘exchange’ for its approvals. But who can write conditions into the private agreements? How are they constructed? Howitt Park residents tried to add conditions in the council meeting and could not. Even councillors cannot do much to conditions. See Chapter Six where the mayor says “the problem is we’re trying to redraw the thing here” and councillors spend an hour and a half trying to get a wording for a condition to protect the ravine and end up adding the phrase “subject to council approval” to an existing condition that the developer added to provide flexibility to the form of the development. Councillors show in their talk that they do not know how the text operates in future settings and have a mystical notion of the ability of conditions to give them ‘control’ over what happens on the land.

Here we see the operation of the notion that *the city's standard engineering conditions* can “cover the *agency's* concerns well enough.” Part of the discourse, this notion accompanies and achieves the clauses' organizational force in multiple connected sites. The faxed text containing the clauses 5 (i), (j) and (p) is in fact the text approved by the pre-council committee, not the text that was approved by council. The texts are sufficiently standardized that this does not matter to the task and consequences in the sequence of action in other settings.

**July 26. A handwritten ‘note to file’ in the agency’s file** (Appendix C, Figure 39) written by the planner states:

Discussed this with [engineer] and she felt that our concerns were covered well enough in [city] conditions.  
We will recommend draft app[roval] with cond[ition]s.

**July 27. The planner sends a letter on agency letterhead to MMA with a cc to the developer’s planner.** (Appendix C, Figure 40)

While there is a steep ravine... we have had a number of discussions with the developer’s consultant (name). ... there may be an option of relocating the bulb of the cul-de-sac, moving the lots further from the top of the bank. This may become necessary if a satisfactory slope stability proposal is not forthcoming.

Based on the above, we would have no objection to the plan receiving draft approval subject to the following conditions: ...

- 1) Prior to any grading or construction on the site and prior to registration of the plan...”
- 2) [the SWM standard clause is included]

This official text, recognizable format and wordings, accomplishes the ‘resolution’ of the agency’s concern. The texts connect the conceptual and textual work of the professionals within planning relations: “While there is a steep ravine...” their “discussions” produce “options.” The agency planner’s official letter, copied to the developer’s planner, coordinates their work processes.<sup>15</sup> The properly worded text

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<sup>15</sup> The latter responds “Thank you for your letter in which you modify the comments of the Authority...Thank you ...for your reconsideration of your original position.” The cc to the developer and cc to the developer’s lawyer reports his successful work to his employer and his co-professional consultant. The lawyer’s work to prepare the submission for registration of the final plan to the Land Registry Office, another significant textual sequence that hooks into this one and into the overall process, can now be activated.

embedding the utterances under the agency's letterhead, affirms what is written as an official act of the agency. Bearing the statements "We would have no objection..." and *its set of conditions*, it is set into the formal process and settings where it can be taken up and provide for the next step.

*The Minister's conditions of draft approval*

While the agency is being pressured by the developer's consultant in the exchange after the council meeting, a key move is made. The city planner again can be seen to be doing routinely the ongoing negotiating and "resolving" work for the developer, via the textual construction of legal and actionable agreements and here via documents reporting to the MMA. The city planner uses preset provincial forms and standard formats to do this work so it can get done quickly and be standardized across the province.<sup>16</sup>

**August 2. The city planner compiles and sends a package to the individual with the 23T-88003 file in MMA.** It includes:

- a) **letter from the city planner** stating "the City recommends draft approval."
- b) **Subdivision Questionnaire**, March 22 signed by the city clerk July 29 (Appendix C, Figure 41 and 42)
- c) **The Staff Report** from the first public meeting dated July 6
- d) **The council's resolution** produced by the city clerk dated July 22 including the city's standard condition clauses and draft zoning by-law.

The package connects the municipality's administrative work with that of provincial governing. It provides the 'oversight' of the municipality's activities by the ministry responsible for it on behalf of "the Province." **The Subdivision Questionnaire** is an MMAH form comprised of boxes the planner or developer fills in simply by putting 'x' in a box under 'yes' or 'no.' Here, beside number 18 "Does your council recommend this plan?" the 'x' is in the 'yes' box. By 17, "In the opinion of your Council, is this plan in the public interest? That is, will it contribute to the health, safety, convenience and welfare of the inhabitants of your municipality, present and future?" the 'x' is in the 'yes'

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<sup>16</sup> Here is the institutional mode substituting managerial, administrative techniques for the exercise of professional expertise. The journal of the Canadian Institute of Planners, *Plan Canada* has for years had editorials on the diminished role of planners in these land use processes and procedures across Canada.

box. 7. Has the applicant paid his taxes to date? 'yes.' 9. What other affected local authorities have you consulted about this plan? Your school boards, Your overall planning board (if any), Your engineer, Your medical Officer of Health. All 'yes.' 10. Who is to pay for the grading and gravelling of the roads and the installation of the services (if any)? My favourite: 12. Does the layout of the subdivision fit the ground and surroundings? 'yes.' And 13. In the opinion of your Council, are the streets on this plan in the right places? This form stands in for concerns of the Minister of Municipal Affairs. It is a standard device providing municipal accountability in the planning process. The city planner brings together the city's approval, conditions and concerns of agencies being "covered" by conditions with the 'provincial interest' and its review as he fills in the form called "the Minister's Questionnaire" While the Minister is to "regard," under Section 50 (4)(a), "matters of provincial interest" including 50 (2)(g) natural and artificial features such as ...watercourses, drainage ditches, swamps and wooded areas within or adjacent to the land...;" 50 (4)(d) "the suitability of the land for the purposes for which it is to be subdivided;" and 50 (4)(h) "conservation of natural resources and flood control," it can be seen that agencies' regulatory jurisdiction and interest in these matters is sidelined by this standard textual device of municipal reporting.

**August 31. Someone acting as the Minister of Municipal Affairs assembles this and letters like the conservation agency planner's letter into the file, and revises and compiles clauses into four standard letter size pages. These are sent with a covering sheet indicating the property, date-stamped and stating "draft approved" and FILE 23T-88003 (Appendix C, Figure 43 and 44). A perfunctory statement titles this text "The Minister's conditions and amendments to final plan approval for registration of this subdivision file no: 23T-88003 are as follows." There are 18 standard ministry conditions. Two seem to address the agency's conditions:**

12. That prior to final approval the owner shall prepare a detailed report, drawings and site plans acceptable to the municipality and the conservation [agency] which will show:
  - i) the location of all buildings to be erected and structures on the site and all final grades and vegetation,
  - ii) the means whereby storm drainage will be accommodated, and the means whereby erosion and siltation will be contained and minimized, both during and after the construction period.

13. The subdivision agreement shall provide for the works recommended in the reports described in condition 12 above, to be carried out to the satisfaction of the municipality and the conservation [agency].

These “agency conditions” are altered by the person in MMA and shift action on grading plans to “final approval,” also a future act by someone in MMA. There is still no grading plan. The Minister’s clauses *require* that plans be made, “works” recommended in those plans be “provided for” in the local subdivision agreement, and the “works” be “carried out.” The city and developer “must enter into agreements.” This includes financing agreements, servicing agreements and so on. There are significant consequences here. The business does go ahead. Agreements already being worked out can be signed; the developer can bulldoze, survey, lay out roads and lots, and enter into agreements of purchase and sale, all on receiving ‘the Minister’s conditions.’ The city planner or city solicitor and clerk assemble conditions into the General Subdivision Agreement (Appendix C, Figure 45). That document activates work sequences involving staff in engineering, finance and works departments of the municipality, the developer’s lawyer and planning consultants, Land Registry Office, banks, utilities, real estate agency, among others. This is the business the developer wants to carry out. While he must “clear all conditions” these are also textual events – plans on file while the ravine is bulldozed and the engineers tried to come up with a “satisfactory plan” on file. A clause requires the conservation agency to advise the MMA directly “in writing how conditions 12 and 13 have been satisfied.” While it looks like a ‘role’ for the agency, the instruction in the official text activates another inter-textual sequence. In it, what gets to be treated as ‘meeting’ the conservation agency’s conditions is contested by the developer. The developer’s planner and city clerk get together and, with a formulated checklist, compose a letter to MMA that is treated as ‘clearing’ the conditions.

#### SUMMARY AND CONCLUSIONS

In Ontario sub-provincial conservation agencies are given regulatory jurisdiction over features of physical land and may comment on developers’ land development plans. Here we see how the official texts in the process of agency consultation regulate the agency’s intervention. How the conservation agencies intervene in land development processes is usually not visible. Here we have seen this is a complex inter-textual

exchange. Authoritative texts are produced in and for multiple settings of work coordinated by the exchange sequence that is legislated. In each setting specific textual practices make present a “virtual reality” that stands in for the physical land and its features, and enables the work of others in connected settings. The transformation of the conservation agency’s “comment” on the ravine to “conditions” takes place in the routine textual practices of planning’s speech genre that link these “virtual realities” setting-to-setting, text-to-text. Here the “ravine” with “steep slopes” in “comments” is transformed in the textual format of “condition clauses” into a retaining wall that holds up “sideyard slopes” and “rear yard slopes”:

**Agency:** (to Ministry and City) There is a ravine ...slopes greater than 1:2. We do not recommend until there is a plan showing proposed building envelopes, proposed slopes and methods to control erosion.

**Developer:** (to agency) Here are approximate building envelopes and front yard setbacks... (minimum 3.75 metres). Can you accept these? We will do plans later. That is usual.

**Agency:** (to developer) No, give us the plans. Steep slopes on Lot 4-7... (steeper than 2:1) and the building envelopes encroach in them.

**City planner:** (to council) There were no objections. There were these comments. Here are conditions: the subdivider shall grade the subdivision...shall ensure that sideyard slopes on each lot...2 to 1...and that rear yard slopes...4 to 1...the developer will hire his own engineer to design and supervise the construction...and build ...a retaining wall. (city engineer assures, council approves).

**Developer:** (to agency) The city council approved. Developer’s engineer will design slopes, so send a new letter.

**Agency:** (to MMA) While there is a steep ravine...options. We have no objections. Here are our conditions. On-site ...all phases of grading and construction. Developer’s engineer has to show us proposed building envelopes, proposed slopes and methods of controlling erosion on these slopes.

Here the agency planner is talking about constructed slopes of subdivision lots. The ravine slopes have disappeared from the text of conditions.

**City planner:** (To MMA) The city approved. The developer has paid taxes, this is in the public interest, agencies were consulted and here is an account of the process.

**MMA:** Draft approved. Bulldoze, survey and offer lots for sale but get legal agreements in place before selling.

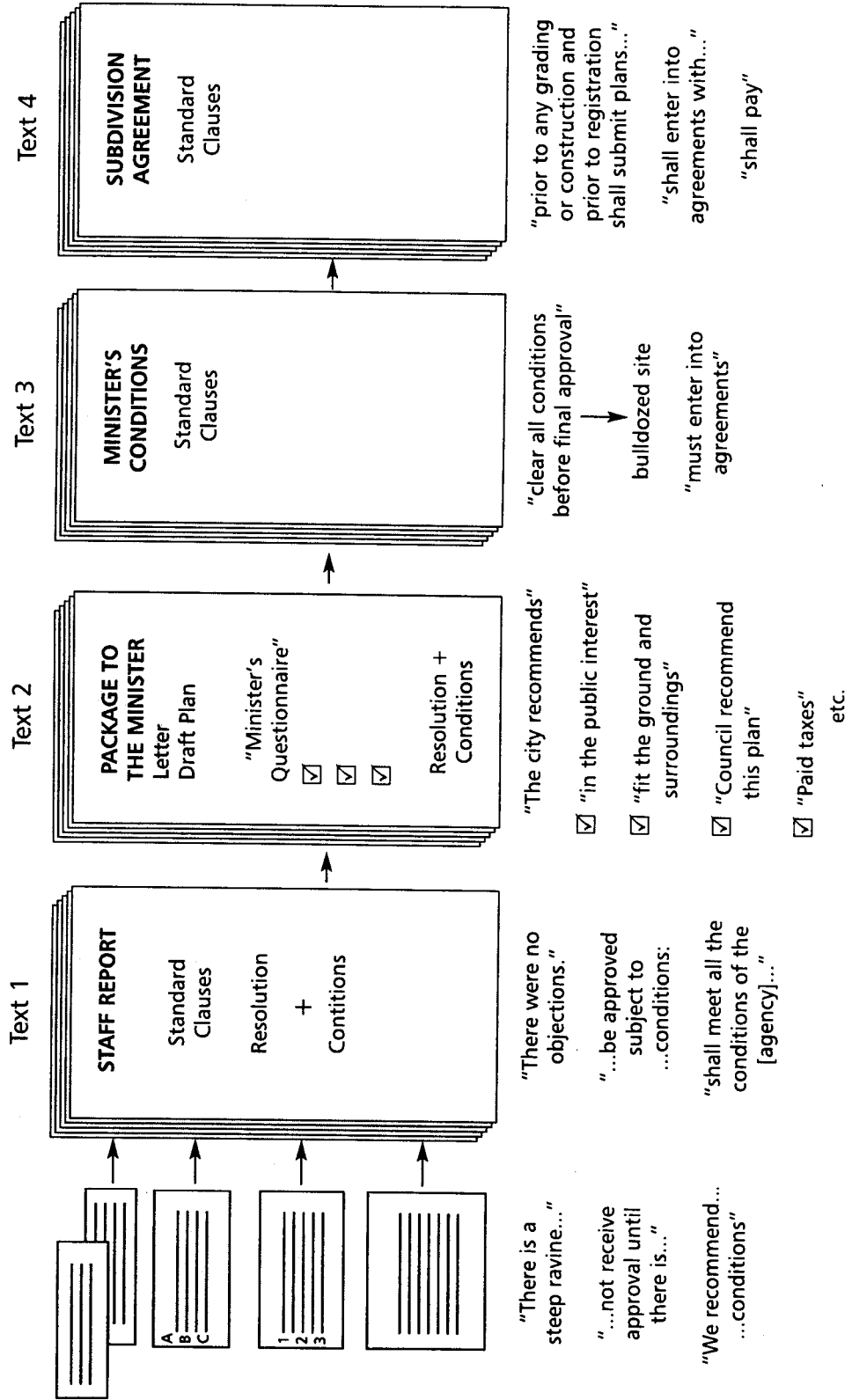
This is a standard consultation process. In it, the agency is constrained in the terms in which it can intervene. The format of the text treated as the agency's "comment" holds in the balance "a ravine" and "proposed building envelopes and proposed slopes." Standard texts produced in municipal planning departments "cover" agencies' actual concerns for the land or conditions in the public decision-making settings of councils. In private conversations years after the Howitt Park development, planners acknowledged that the development in the ravine damaged the environment, woods, ravine, and was costly. But the textual process in every public setting produced individuals' actions as planning actions in conformity with the requirements of the process. What goes on outside public view is also produced as 'good planning.' Specific texts, syntax, forms of utterance produce the formal appearance of the consultative aspect of the system as legal and neutral. There will be variation in how actual consultation activities go on. But in the text-based sequence, memos, phone calls, faxes, notes to file and letters do the work outside public scrutiny. The sequence produces standardized dialogic practices. The currencies of the discourse are locally used expressions of categories and concepts that account for what people are doing as organizational and institutional action. What people do routinely with the texts connects what goes on in one work setting to another.

These embodied work processes are embedded in and link individual local practices to the discursive entities and institutional form of consultation and of the overall process of land use planning (Figure 46 "An Institutional form of Action and Speech Genre.") In these local practices, the private and public aspects of the institutional function are linked and environmental intervention sidelined. In standard texts and routine speech genre practices that people can learn and reproduce, the complex 'system' is brought into existence. The sequence gathers diverse 'comments' from public bodies into the standardized formats that build text-to-text the legal development agreement, its condition clauses treated as 'controlling' private developers' activities. Liaison comments can say essentially, "given our jurisdiction, this development can go ahead if you cover

Figure 46: An Institutional Form of Action and Speech Genre, Layer 3

An Institutional Form of Action and Speech Genre, Layer 3

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off our concerns.” The proposal gets a green light, and a condition. Conditions are not changes to the plan. “The plan” is ephemeral. There is rather a textual building up of candidate diagrams and legal clauses on the way to documents that can be treated as ‘final,’ be ‘finally’ approved and registered. And there is an official account of the process. The activities have this peculiar dialogic form. Dialogic ‘consultation’ is standardized. Forms of ‘concern’ are built in. Objections require a whole other legal process. The ongoing cut and paste character of texts being built up, constructed for a task in a next setting, is a feature of the speech genre of a consultative process. As ‘comments’ get worked up in texts as ‘conditions,’ a text that says “Stop” does not happen. What is being put together in the consultation, review and commenting procedures is this linking of the developer’s private business and the city’s business. The process is technically constituted and monitored by the Minister of Municipal Affairs. However, the developer works up the application and conditions with the municipal staff. The required texts bring the land and its features into development business activities. The terms for speaking of the slopes of the ravine are already in place; are of their development into building envelopes. The sequence, replicated across the province, coordinates diverse ‘public’ activities into that main business and sidelines any intervention that would protect the physical land in the way residents, reformers and activists expect is possible. Physical terrain cannot possibly present a ‘constraint’ to development where this business can be put together in these textually coordinated practices that can be accounted for in the terms of the legislated process as ‘consultation’ and *institutional action*.

## CHAPTER NINE

### CONCLUDING COMMENTS

#### SUMMARY AND CONTRIBUTIONS OF THE ETHNOGRAPHY

This institutional ethnography of municipal planning starts with a text-reader conversation. The reader, a novice, is drawn through reading a Notice of a Public Meeting into the complex of relations of the municipal planning process (Chapter Five). Through their reading I and other residents living near Howitt Park entered a ‘municipally known’ world laid out, in our first reading, as the projected development of a ravine in our area. The first step of my ethnography examines how residents took up the categories and concepts of planning, and, in our own utterances reproduced them. As we acquired and read background documents, talked to planners and read the official texts being produced in the process, we became ‘well-informed’ and active participants in the powerful relations we had hoped we might divert from their projected course.

Adopting the categories and concepts of the municipal planning process, constructing our strategies and arguments first in terms of ‘the natural physical features of the site’ then ‘the un-suitability of the site for development’ due to ‘incompatibility’ of the proposed ‘use’ with the character of the existing neighbourhood, and taking up the courses of action available to us as ‘residents’ to produce accounts in public settings, meant that our own actions were subsumed under its institutionalized procedures. The text-mediated organization of the relations in which we became participants is encountered in this first step. The novice ‘resident’ reading a notice of public meetings is drawn into institutional processes through individual practices of a peculiar ‘text-reader conversation.’ Subsequent strategies for ‘participation’ are shaped by particular texts in this dialogic mode of action. This is so for *all participants* in the process, including the developer and professionals such as engineers and lawyers. Moments of reading, writing and speaking are organized by the texts that routinely provide a kind of sequential

grammar to organizational activities. Such moments organize diverse and individual actions and utterances into the pre-given sequence of action.

The objective of this institutional ethnography was to create an expanded view of an institution as a coordination of text-based work processes that routinely assemble a 'functional governing complex' (Smith 1999, 2001). Some scholars of organizations and institutions would conceive of this complex as the 'environment' or 'context' of organizational behaviour. To grasp and explicate this complex, I worked out a method of mapping (Chapter Seven) the text-based and text-coordinated institutional work processes as a temporally-organized sequence of action that made up the process enabling the developer to go ahead with the project of building housing in and around the ravine which residents in the area had known and treasured in its wild state. The resulting map shows the actual standardized coordinated work processes whose textual products and concerted activities produce the land-development planning institutions of municipal governing.

The map traces the various intersections and interventions of different actors at different levels of government in the overall sequence and identifies the very limited points at which residents can intervene. The interventions of residents or environmental organisations – that might take the form of descriptions of the site features, claims about the value of the physical land or the character of the 'neighbourhood,' requests for inclusion of different 'conditions' of development approval to try to protect the ravine features, for firmer status for 'the public' in the decision-making and so on – occur at a point in the temporal sequence that already marginalizes them.

The analysis shows the active inter-textual practices with multi-purpose texts as those texts are activated in setting-specific ways by different actors in different settings and times. It explicates these aspects of the organization of municipal planning: how 'the public' is constituted in texts and how texts operate to shape the 'behaviour' and utterances and to 'resolve the concerns' of residents and agencies who participate; how a text and its graphic format and routine activation concert diverse standpoints and readings in a public council meeting into an in-common reading of a site plan, so that text features present the ground 'suitable for development' enabling elected officials to produce a decision that has taken 'the residents' and agencies' concerns' into account; how those

elected officials, in the activities of talking about 'the site' and 'the site plan,' come to be 'the council' and produce an 'act' of council in public that is also a text-based extended sequence; and how informal texts such as memos, handwritten faxes and notes to file operate in multiple intertextual exchanges to produce official texts, authorizing and setting them into place in a sequence producing formal institutional action. The intertextual work of the residents, and of the city planner and councillors, developer's consultants and agency engineer and planner, coordinates peoples' actions so they produce from their dispersed but connected sites, the legislated public process that links and requires public municipal staff to make deals and legal agreements with private land developers. The standardized, routine and replicable features of the planning process are made visible in this work of multiple actors and how they produce their actions as accountable in textual practices.

These textual practices are the actual activities that are essential to the organization of the sequence of action – the zoning process and the subdivision process for a particular site – as well as to the standardized and generalized character of the institution itself. The text-based work processes of the sequence of action leading to approval of the development of the ravine site are described and 'mapped' in diagrams that display the complex of texts, actors and work producing the planning process and moments of its intersections with the larger political and economic complex of relations within which it is embedded. These are the actual 'decision-making' processes and sequences that routinely produce developers' freedom to go ahead with development. These are the sequences that are essential to a knowledge of 'the planning process' and 'system.'

Decision making that is normally ascribed to elected and public officials clearly cannot be identified as a single event. The analyses presented here demonstrate rather a complex sequence of action that is accountable in its formal conclusion as a decision. What are generally thought of as governing entities such as 'the City,' 'the council,' 'the agency' and so on are visible as trans-organizational and trans-local sequences of action and not as units in themselves. In a public setting 'closure' is represented as an 'act' of the council. That is, the municipal council's 'decision' is produced formally and in public; that seems to be the end of it. But the resulting text produced by the city clerk

provides for 'the city's decision' to be taken up at a later time and in particular connected sites and work sequences and entered into a different textual activity.

The organization of the 'decision' itself is also an extended sequence. What happens in the council setting is produced in a text-based sequence of talk and then, in texts produced in the city clerk's administrative office, taken up as the 'decision' so that a subsequent official text recording the 'council's decision' may be produced. How that text allows 'it' as a 'fact' or 'event' to operate in settings subsequent to it and elsewhere – including the planning department and the developer's consultant's office and then in the conservation agency – reveals the limits to city council's part in planning land development. Whereas councillors, residents and the common public discourse of planning states that we read the texts as containing 'rules' or statements that will control what happens in future settings, this generally accepted view is overturned by closer ethnographic analysis. Tracking and mapping the action of the institutional process at a deeper 'micro' level of intertextual exchange shows how standardized textual formats and discursive practices that include the city planning department's routine accounting for its action to the Province, the 'approval authority' in this case, have built into them the act of approval that allows the land to be surveyed and bulldozed and the production of legal agreements between the city and developer to begin, even as the process of the production of the 'conditions of development approval' that comprise those agreements, is still going on in sites external to the city council. In those external sites and activities the 'control' of the development process is being handed over to the developer and private engineering consultants. Although the public version of land development is that the council has some form of 'control' in its decision making, it is clear that the council's 'conditions of approval' do not 'control' what happens next or what happens on the land.

Various bodies and levels of government are required to be consulted in the course of the procedure. Municipal planning departments must 'consult' with a variety of government agencies at different levels. 'Consultation' in the peculiar form of translocal inter-textual transactions that coordinate individuals' work in the dispersed sites of urban and regional government, means submitting development plans and proposals, at various stages, for their scrutiny and comment. A notice sent to forty or so agencies, boards, commissions and associations activates work in dispersed settings. Internal to their 'shop'

individuals in these various bodies produce memos, letters and lists that can be treated as 'liaison comments.' Those 'consulted' may set conditions to be met by modifications of the development plans and so on. Standard words or phrases embedded in a specific textual format complete the standardized sequence of action that adds up to a process of 'consultation' with the appropriate agency or ministry. Each consultation deals with particular aspects of the land to be developed that comes under the jurisdiction of the body consulted; the completion of each consultation marks a shift forward in the overall sequence, and in the particular consultation sequence shown, enlarges the scope of control of the developer's engineers. The process of consultation and how the physical features of the ravine figure in it is examined in some detail in the case of the provincial Conservation Agency (Chapter Eight) in order to explicate both the organization of the process and the way in which the completion of the consultation process moves the process forward and opens up a further step in the freedom of the developer to carry forward the planned development. We have seen that the process is already advanced by the time the possibility of development becomes a matter for public discussion. Completion of the crucial consultation with the Conservation Agency, with all the constraints laid on it by the provincially determined terms that confine the jurisdiction of the Conservation Agency to issues that are peripheral to those concerns of residents for the preservation of the ravine, opens the way for the developer to make irrevocable changes to the land on which development is planned *before final and 'official' approval for the development plans has been given.*

In my inquiry into planning during the Howitt Park planning processes, I came to see the 'planning process' with its approval of individual sites and projects, as a large complex of routine activities that brings land into the trans-local realm of text-based processes and procedures that are understood to constitute 'the planning system.' Here, forms of being and action are properties of, and determined in, the particular institutional mode. I have conceptualized the social organization of planning, relying on Dorothy Smith's conception of relations of ruling and the specialization of organization of a 'functional complex' – an institution based in and mediated by texts (Smith 1987, 1990a, 1990b, 1999, 2001). In the institutional mode, the functions of knowledge and judgment are built into a specialized complex of forms of organization and relationship. They are

properties of organization, not of individuals; they are constituted as actual forms of concerting and concerted activities and can be investigated as such. They go on in language, and are observable.

As I developed the institutional ethnography originating in my experience of organizing with other residents to intervene in the Howitt Park development process, this field became visible as the actual means, circumstances, conditions and possibilities, within which we and others acted. Learning how to know, and to act, and to speak within planning relations took place as coming to be oriented to and to rely on the materiality of the planning texts and their complex technologies. It became also strikingly evident as I explored how the Howitt Park residents became involved in the planning process that proposals for change or reform based on the production of 'Green Plans' and the principles of 'Sustainable Development,' for example, could not engage effectively with the business of planning land development. The organization of social movements around the conservation and protection of the environment and particular pieces of it aim at establishing a 'voice' in decision making and producing new plans, as if they could guide or organize what would happen on the land. The mapping of the sequence concluding with the approval of a development plan for the ravine shows a set of procedures that is not accessible to initiatives of this kind.

#### **IMPLICATIONS FOR FURTHER RESEARCH**

Changes introduced by the Conservative government have begun to deeply reorganize municipal planning and land development activities and work processes throughout Ontario. The institutionalization of advisory groups, citizen boards and committees, 'stakeholder' panels and professionally facilitated consultation for such provincial processes as 'Smart Growth' take place within a broader reorganization strategy begun with legislation that reorganized governing structures and allowed the current introduction of market oriented local governing 'technologies.' Municipalities are now required to produce new forms of service provision, their own 'performance indicators' and accounts of their 'best practices' in the terms of the Province's streamlined economic development. They are not being required to produce mechanisms for responding positively to public pressures for maintaining people's social or

environmental health. The actual conditions of municipal planning and development are downloaded responsibilities for service provision and maintenance without mechanisms for revenue generation (although 'user fees' are being introduced in recreation services etc); reduced timeframes for planning processes and councils' 'decisions' for developers; funding cuts to environmental ministries and agencies and reduction of their authority in land use planning processes where the Ministry of Municipal Affairs and Housing (MMAH) provides 'One Window' service; and elimination of more than half of the province's municipalities and elected councillors and their staff. This provincial reorganization was initiated in multiple sites, using, modifying and inserting new sections into several pieces of existing legislation. While legislation is one form of text that can be targeted by advocates and reformers to activate change in governing institutions, bringing to view the actual operation of legislation in the decision making processes I have mapped requires knowing the actual sequences that produce such decisions. The incorporation, and containment, of 'public consultation' in separate policy development processes gives the appearance of influential intervention but in fact allows these actual 'decision making' processes to go on unchanged with even greater celerity.

The kind of investigating and mapping I have done would refocus the direction of intervention. The map I have made of the institutional sequence shows a process operating at the intersection of government and economy and that the changes to its organization introduced by the Conservative government bring its connections with the workings of a globalized economy more clearly into view. These changes continue to be broached and organized outside public scrutiny. They are aspects of municipal reorganization currently going on and being put together that radically transform work processes and practices. My findings about how the process goes on in this way as the organization of governing work sequences outside of public view have implications for activists and scholars. The mapping and analyses of intertextual exchanges make visible what other approaches have not seen. It is these processes that those concerned with governing and environmental issues must examine in order to organize their strategies and ensure their interventions become more effective.

The problem for those wanting to intervene in and change how "the system" works is that to locate the needed changes requires a prior knowledge of how planning



and its peculiar features get put together as a set of actual social and text-mediated practices. It is this that I have investigated and 'mapped' in this thesis. Lacking such a map, government introduced changes to devolve planning decisions to municipalities and to involve "stakeholders" in the process must be seen as necessarily qualified by processes that are the unseen work organization, that, mediated by regulatory texts, produces outcomes that turn out to be outside the control of those such as residents and environmental organizations whose interests are peripheral to those of economic development. This kind of mapping can be usefully extended to other areas of public institutions and political process.

**APPENDIX A**  
**SEQUENCE OF SITE PLANS**

Figure 5: Site Plan 1 – Untitled

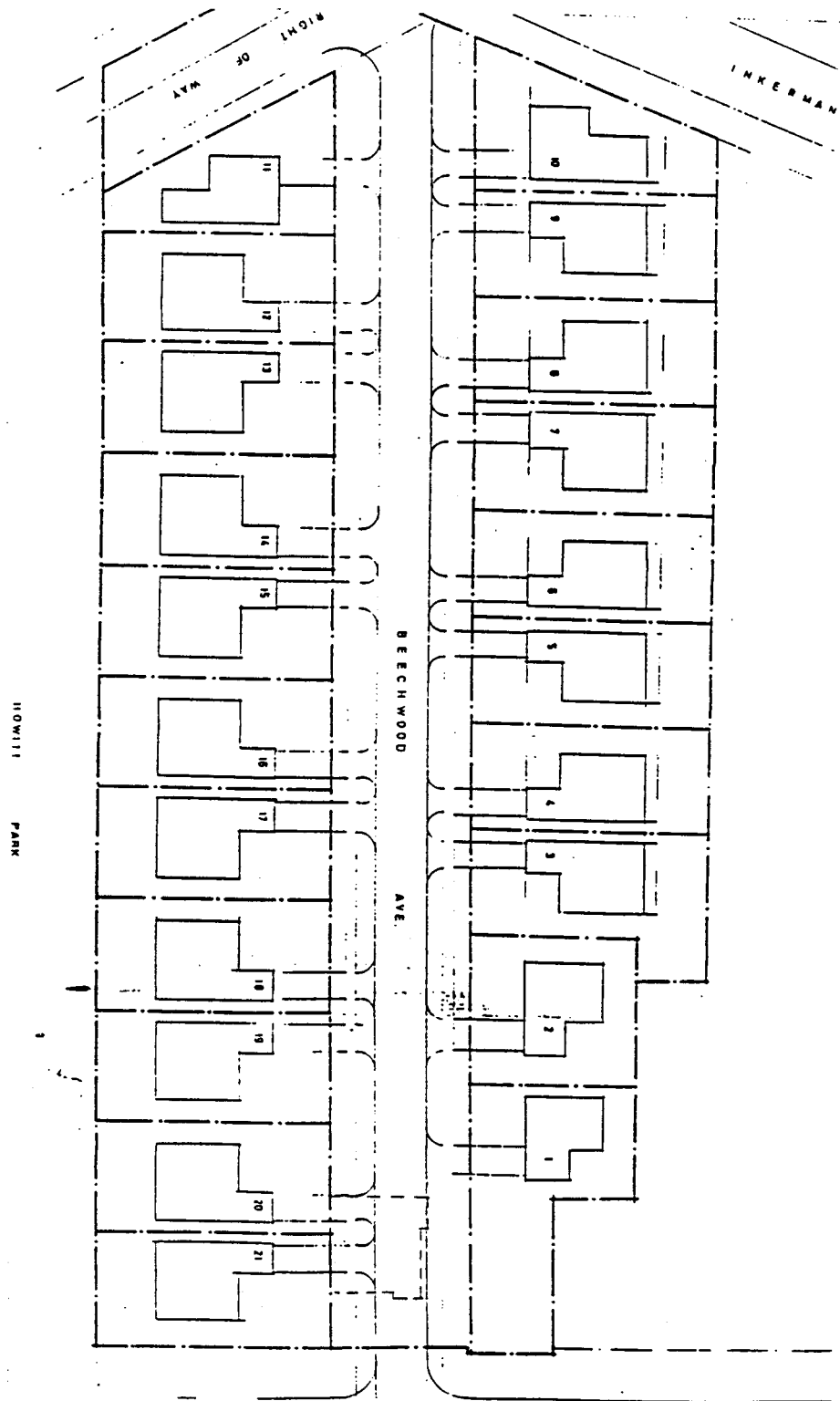


Figure 6: Site Plan - Engineering

V

SITE PLAN - ENGINEERING

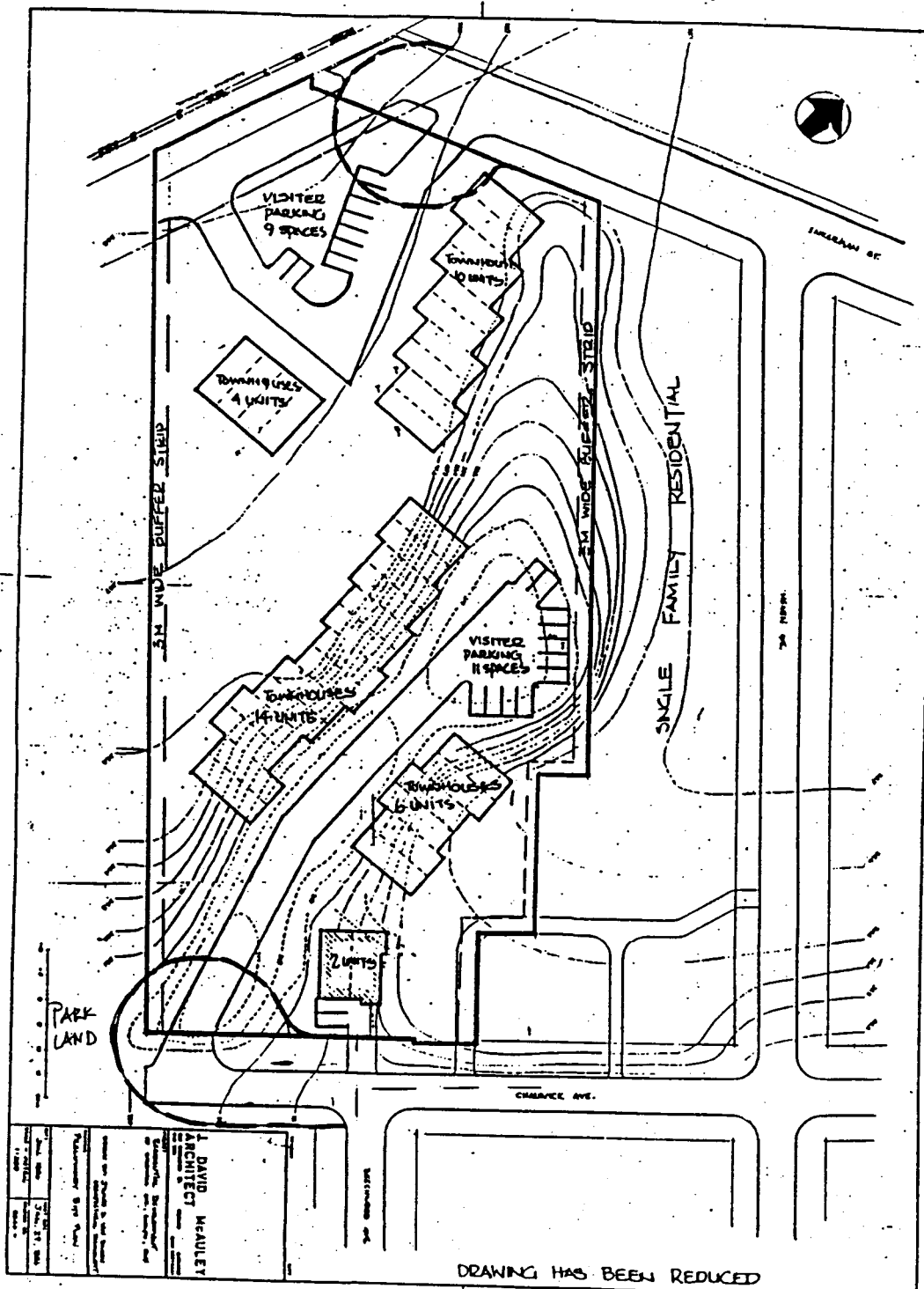




Figure 8: Proposed Site Plan – City Planning Report

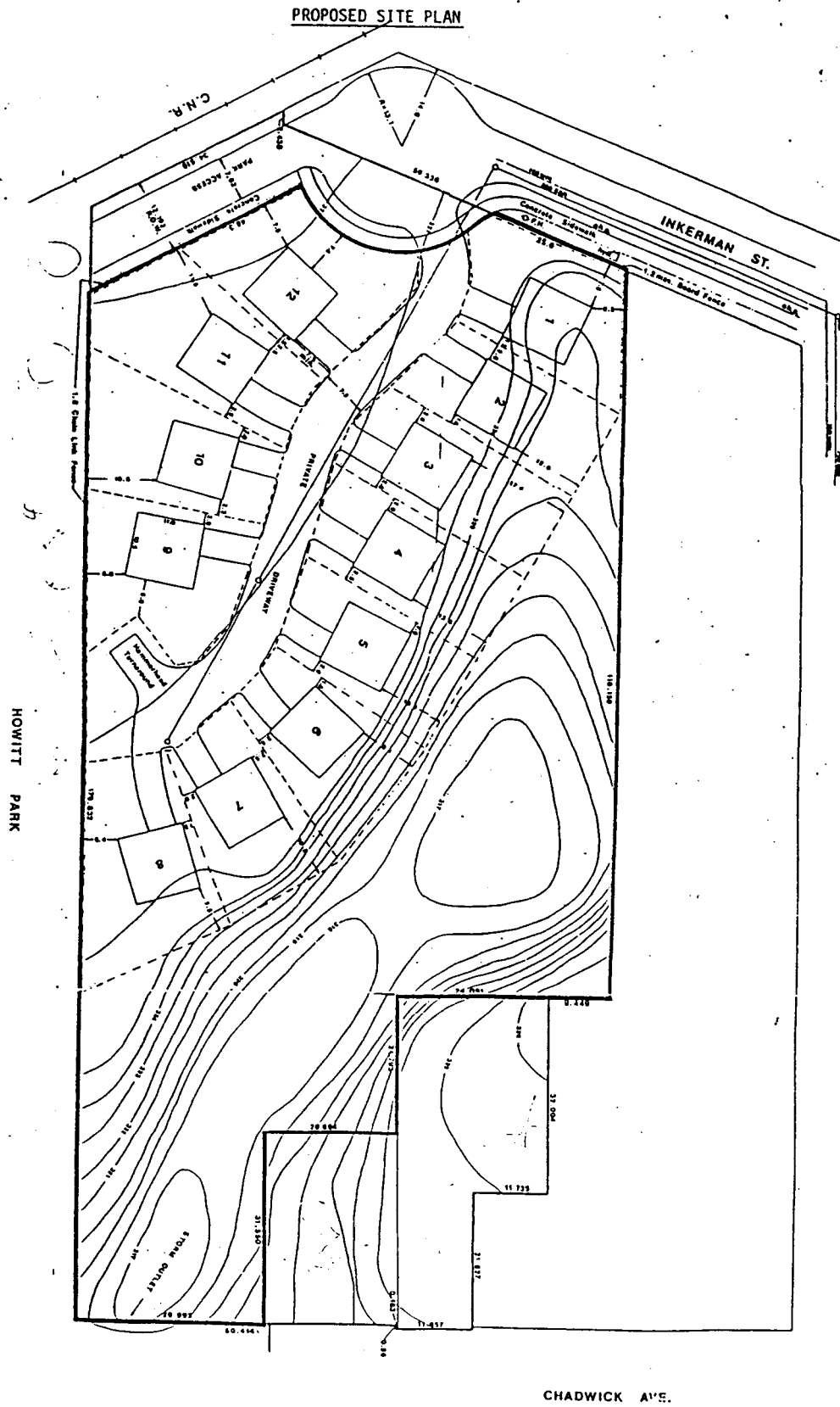


Figure 9: Residents' Proposed Site Plan with 326 Contour Line Highlighted

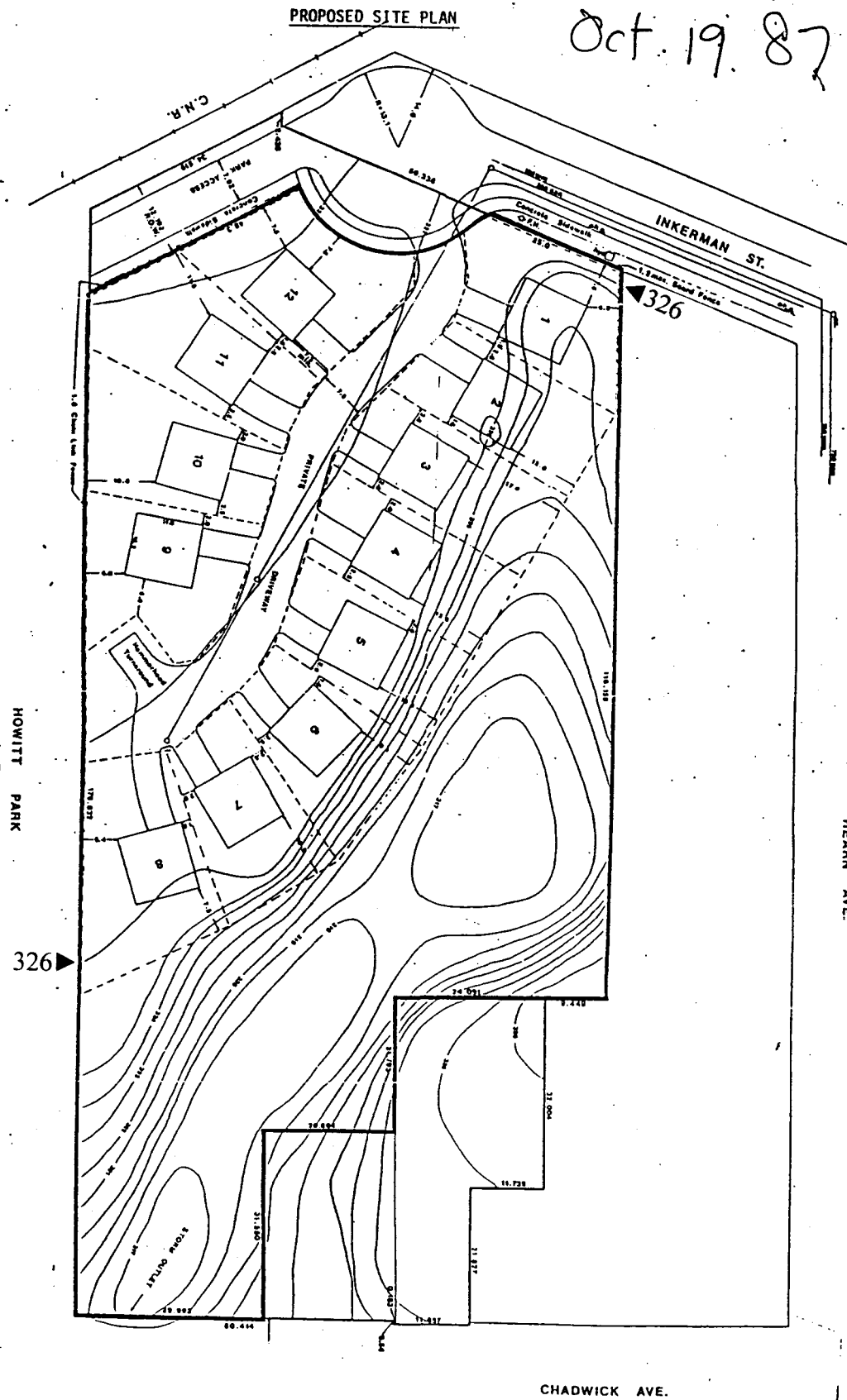


Figure 10: The Maple's Inn Limited Plan of Subdivision (Submission)

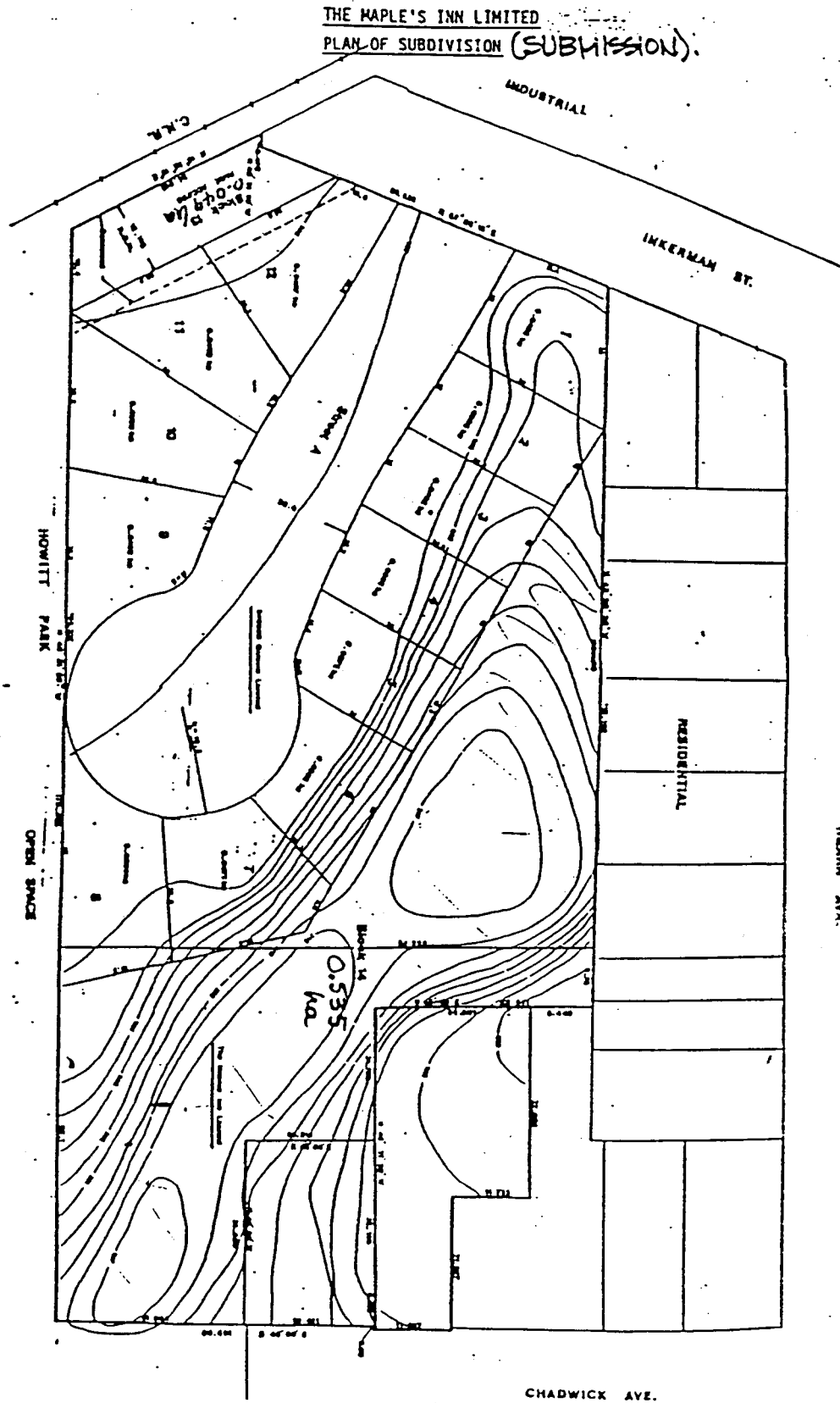




Figure 11: Registered Plan

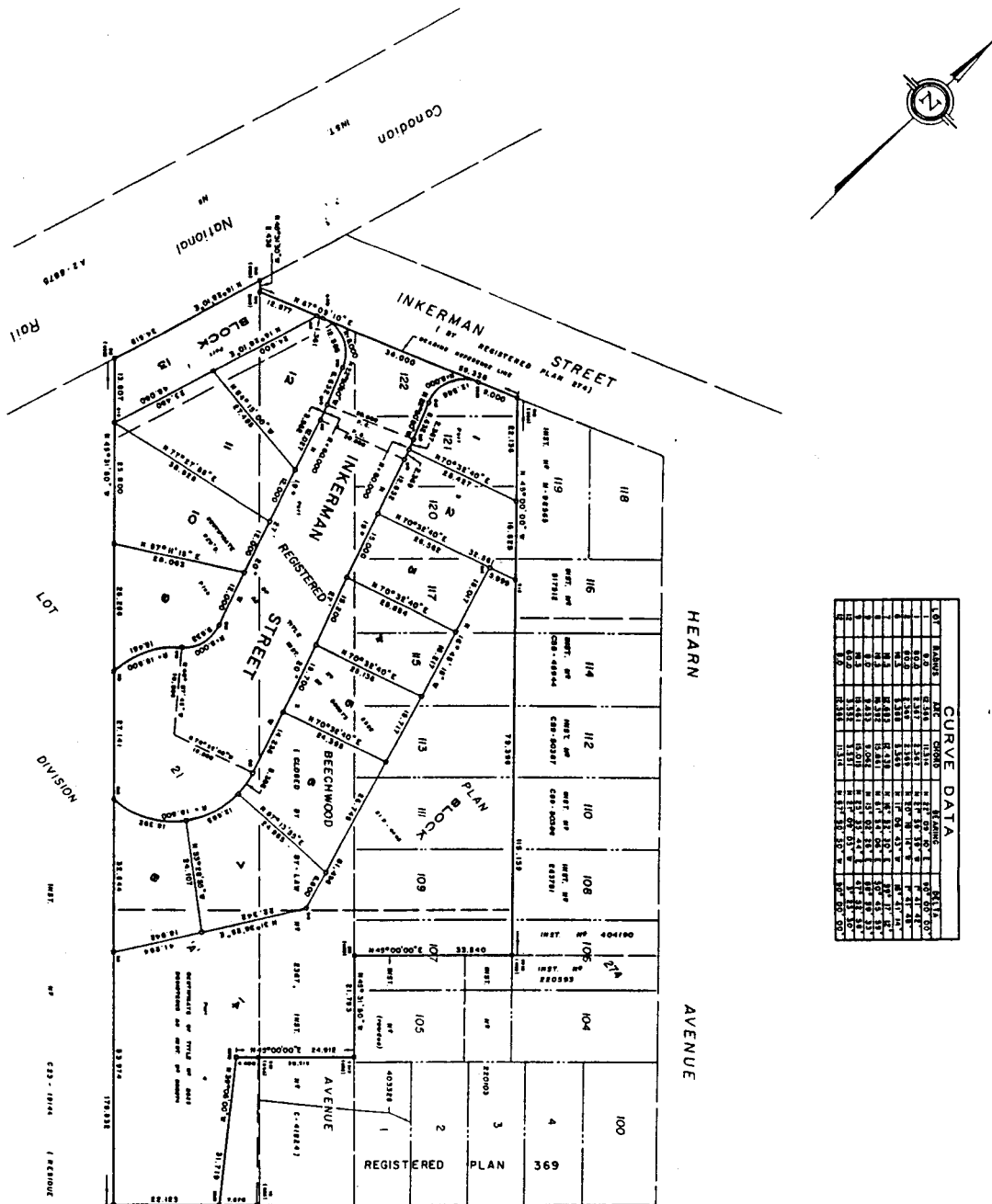


Figure 12: Schedule 'B' – Subdivision Agreement Plan – Curve Data

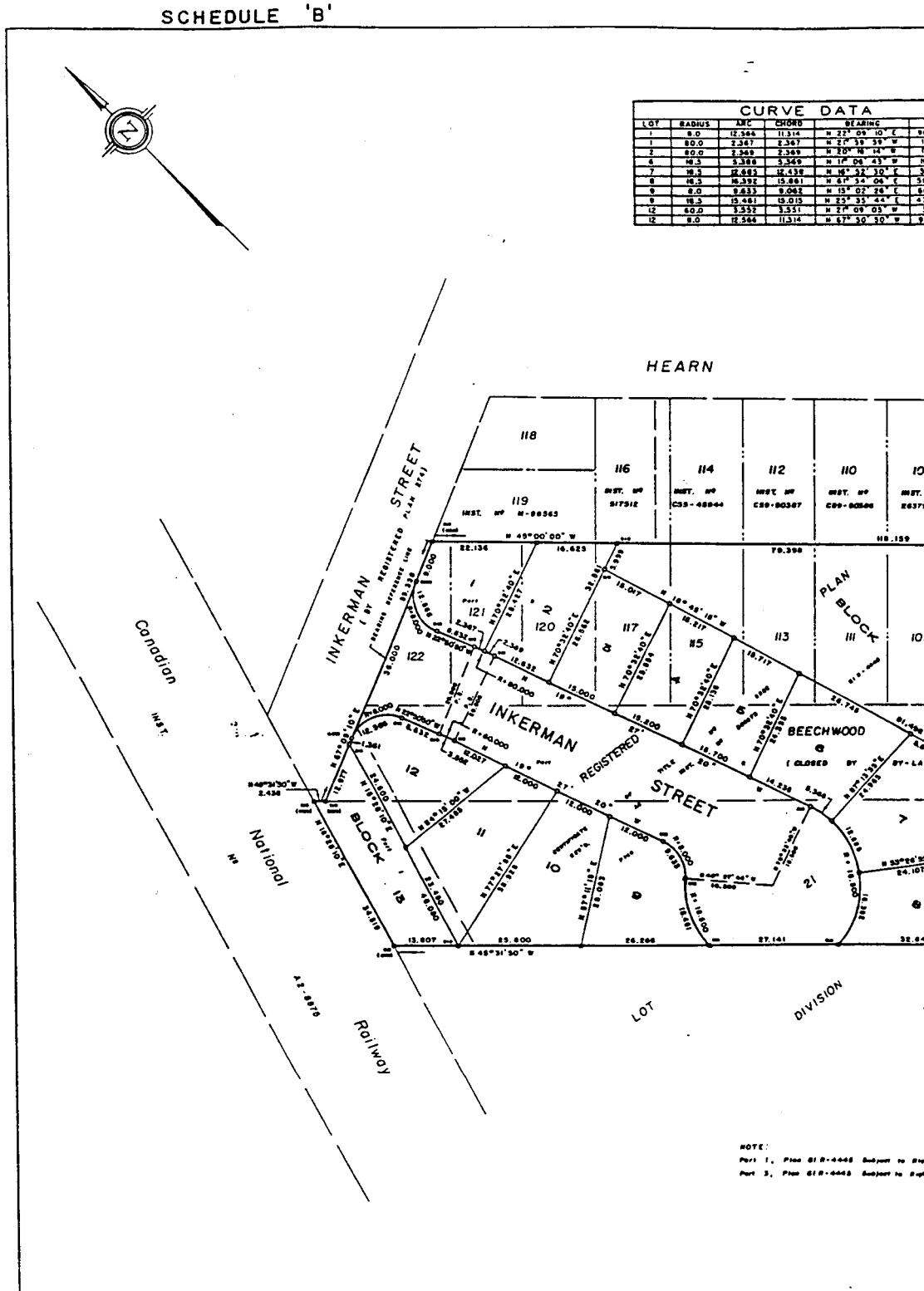
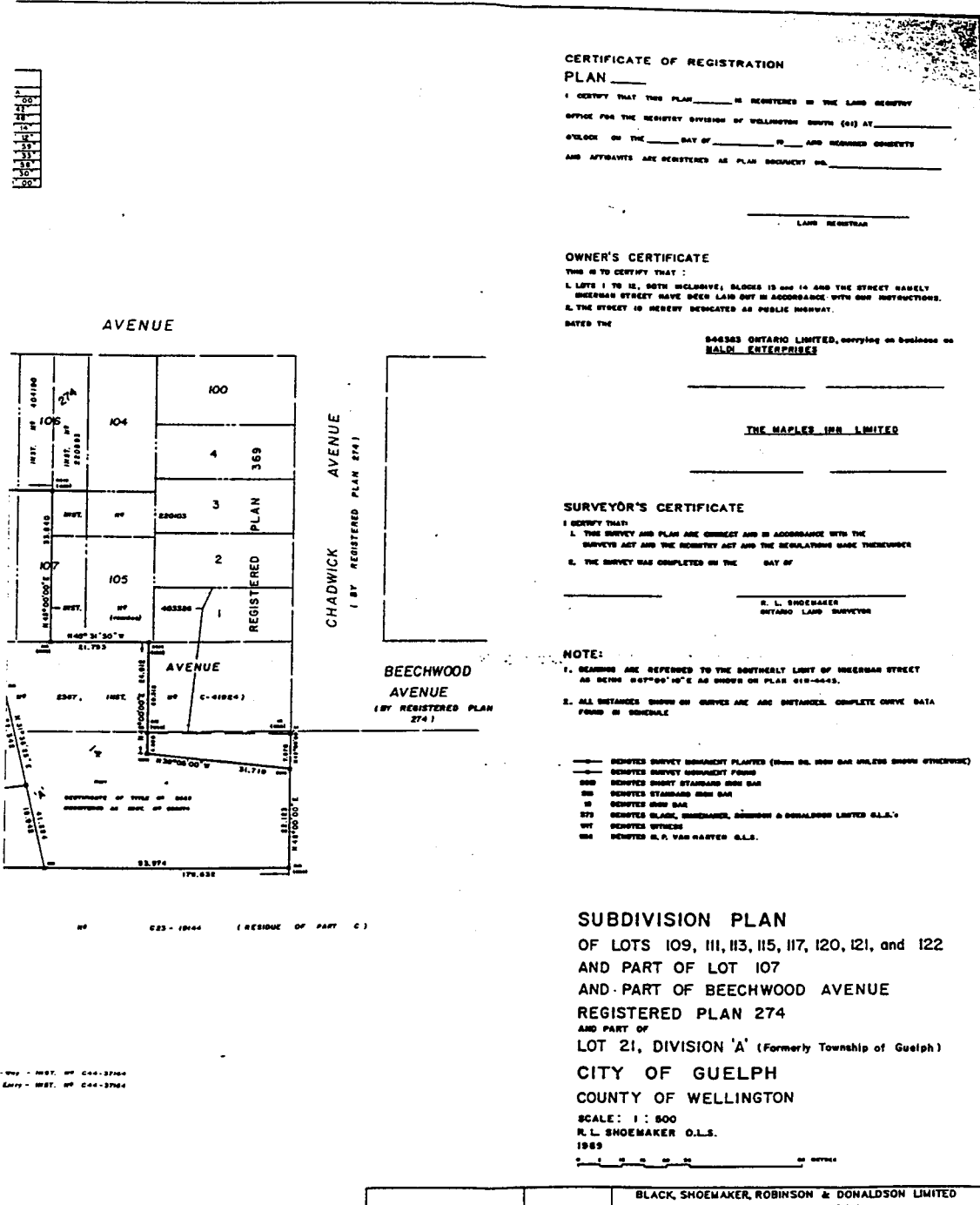


Figure 13: Subdivision Plan – Certificate of Registration



**CERTIFICATE OF REGISTRATION  
PLAN \_\_\_\_\_**

I CERTIFY THAT THIS PLAN \_\_\_\_\_ IS REGISTERED IN THE LAND REGISTRY OFFICE FOR THE REGISTRY DIVISION OF WELLINGTON SOUTH (S1) AT \_\_\_\_\_ OFFICE ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 19\_\_\_\_ AND RECORDED CORRECTIONS AND ATTACHMENTS ARE REGISTERED AS PLAN DOCUMENT NO. \_\_\_\_\_

LAND REGISTRAR

**OWNER'S CERTIFICATE**

THIS IS TO CERTIFY THAT:  
 1. LOTS 1 TO 12, BOTH INCLUSIVE; BLOCKS 10 and 10 AND THE STREET NAMELY BEECHWOOD STREET HAVE BEEN LAID OUT IN ACCORDANCE WITH OUR INSTRUCTIONS.  
 2. THE STREET IS HEREBY DEDICATED AS PUBLIC HIGHWAY.  
 DATED THE \_\_\_\_\_

**846583 ONTARIO LIMITED, carrying on business as  
MALD ENTERPRISES**

**THE MAPLES INN LIMITED**

**SURVEYOR'S CERTIFICATE**

I CERTIFY THAT:  
 1. THE SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT AND THE REGISTRY ACT AND THE REGULATIONS MADE THEREUNDER.  
 2. THE SURVEY WAS COMPLETED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_

**R. L. SHOEMAKER  
ONTARIO LAND SURVEYOR**

**NOTE:**

1. BEARINGS ARE REFERRED TO THE SOUTHWESTLY LIMB OF BEECHWOOD STREET AS BEING S67°00'10"E AS SHOWN ON PLAN 610-8445.
  2. ALL DISTANCES SHOWN ON CURVES ARE ARE DISTANCES. COMPLETE CURVE DATA FOUND IN SCHEDULE
- DENOTES SURVEY MONUMENT PLANTED (SHOW OR. DIM. OR. UNLESS SHOWN OTHERWISE)
  - DENOTES SURVEY MONUMENT FOUND
  - DENOTES SHORT STANDARD IRON BAR
  - DENOTES STANDARD IRON BAR
  - DENOTES IRON BAR
  - DENOTES BRASS, BRONZE, ALUMINUM, STEEL OR GALVANIZED LIMITED S.L.S.
  - DENOTES WYTHESS
  - DENOTES S.P. VAN HARTEN S.L.S.

**SUBDIVISION PLAN  
OF LOTS 109, 111, 113, 115, 117, 120, 121, and 122  
AND PART OF LOT 107  
AND PART OF BEECHWOOD AVENUE  
REGISTERED PLAN 274  
AND PART OF**

**LOT 21, DIVISION 'A' (Formerly Township of Guelph)  
CITY OF GUELPH  
COUNTY OF WELLINGTON  
SCALE: 1 : 500  
R. L. SHOEMAKER D.L.S.  
1989**

**BLACK, SHOEMAKER, ROBINSON & DONALDSON LIMITED  
ONTARIO LAND SURVEYORS**

**Figure 14: The Conditions of Approval – City Planning Report**

8

- g) Construction of a park access road that will be a minimum of 7.5 metres wide, satisfactory to the City Engineer and Director of Recreation and Parks.
- 2. Land dedication from the subject property in order to accommodate an adequate cul-de-sac where the private road meets Inkerman Street, satisfactory to the City Engineer.
- 3. Land dedication of 12 metres for the purposes of access to Howitt Park at the southwest end of Inkerman Street, satisfactory to the Director of Recreation and Parks.
- 4. Payment of impost charges for all dwelling units, prior to the issuance of building permits for each of those units, at the rate current at the time of building permit application.
- 5. Agreement to provide a site plan, drainage and grading plan and building drawings for approval of the Director of Planning and Development and the City Engineer, under the terms of the Development Agreement.
- 6. Provision of any easements, conclusion of a servicing agreement and other required arrangements with Guelph Hydro.
- 7. The applicant designate 5% of the subject property as parkland, satisfactory to the Director of Recreation and Parks, and consider selling land on the subject property not suitable for development to the City for the purpose of establishing a passive wooded area.
- 8. Construction of a fence along the boundary of the subject property with the adjacent parkland, in keeping with the policy of the City on fencing parks.
- 9. The private driveway shall be designed and designated as a fire route and be designed to withstand the weight of fire fighting vehicles, have an overhead clearance of 5 metres and have an adequate turn-around facility at the end.
- 10. The development of the site shall be subject to Plan of Condominium approved by the Minister of Municipal Affairs as recommended by City Council.
- 11. Agreement to complete a tree survey on the property, accurately locating, identifying and assessing the health and condition of the significant coniferous and deciduous trees on the site prior to seeking site plan approval for building permit purposes.
- 12. Agreement to make every effort to design the development around existing healthy, significant trees.
- 13. The applicant agrees to meet all the conditions of the Canadian National Railway, prior to the issuance of any building permits. These conditions shall include the following items.
  - a) Berm, or combination berm and noise attenuation fence, adjoining and parallel to the railway right-of-way and having returns at the ends;
    - (i) Minimum total height 4.0 metres above top-of-rail.
    - (ii) Berm minimum height 2.0 metres and slide slopes not steeper than 2.5 to 1.
    - (iii) Fence to be constructed without openings and of a durable material weighing not less than 20 kg. per square metre (4 lbs/sq. ft.) of surface area.

**APPENDIX B**

**TRANSCRIPT OF CITY COUNCIL DISCUSSION**

This sequence of talk is excerpted from the discussion in a city council meeting regarding a developer's proposal for a zone change. A previous plan to allow 34 luxury townhouses was opposed by citizens and refused at council a year earlier, then appealed by the developer and dismissed 'without prejudice' at an Ontario Municipal Board hearing. In the following talk, speakers focus on the plan to rezone the property to allow 12 houses on the site, designed by staff and presented in a Planning Report. The text councillors have in front of them is the Staff Report. It includes a description of the site, current and proposed zoning, diagrams or plans, and a resolution approving a draft zoning by-law and a set of conditions to approval of the plan.

The citizens' representative, Mr M, has spoken first. Mr M has made four recommendations to add to and amend the 13 conditions in an attempt to 'guarantee' protection of the physical features of the ravine. In the following sequence, the lawyer for the developer, Mr H, who has spoken, is responding to questions from councillors (called aldermen in this city until 1992). The sequence begins with Mr H setting the frame in which the putting together of plans for development gets done, that within the context of agreements between landowners and the city "nothing gets sterilized forever" (1). It concludes with councillors' agreement with Alderman H that "nothing can happen to those ravine lands until it is approved by this council" (502-503), so "the only motion or amendment should be on [condition] 10, which should read "satisfactory to city council." (514-515)

- 1 Mr H: ....Nothing gets sterilized forever, whether you got site plan
- 2 agreements, or they're part of a condominium, where
- 3 there's agreements with the city, if the city council in their
- 4 wisdom decides some other use should be made of this
- 5 land, then they can so decide, at the council of the day. So
- 6 uh, I've no objection to a site plan and in fact feel that the
- 7 site plan, the drainage plan and so on should all be brought
- 8 in and approved and I'm sure will be required to be
- 9 approved. Now, ...
- 10 Mayor: Questions of Mr. H?...Alderman J?
- 11 Ald J: Mr. H. do you have any objections specifically then
- 12 to any of the 4 recommendations here then?
- 13 Mr. H: Only number one, that would restrict it to being under the
- 14 Condominium Act, because we would like to explore other
- 15 ways of doing it...to the satisfaction of the city solicitor,

- 16 and he'll take his direction from you.
- 17 Mayor: Any other questions? Alderman G?
- 18 Ald G: Yes, uh, Mr. H. it has been made abundantly clear by the  
19 neighbours that they are concerned that your client may in  
20 the future either sell, uh or attempt to develop, uh the land  
21 below the existing 320 feet contour line, and thereby  
22 interfere or damage the remaining trees including the slope,  
23 ah, and the vegetation. Would you therefore agree that uh,  
24 your client, or possibly I could raise the question this way,  
25 does your client have any plans to develop or sell the land  
26 as described by the neighbours below that 320 contour line  
27 in the future?
- 28 Mr. H: Well. Through you your worship, I...before the Planning advisory  
29 Committee Ms Turner referred to the 326 metre line and  
30 when asked about that she said that it was a line that a  
31 planner they used in the last application had considered a  
32 suitable line above which they could put 17 condominium  
33 units. The actual fact according to our calculation is that it  
34 runs through about three of the houses we're proposing to  
35 build. Now, it may be the 324 or you're saying the 320 but  
36 ...there may be a line below which we would not build...
- 37 Ald G: 326
- 38 Mr. H: Yah, well the 326 runs right through some of the houses. I don't  
39 know where they pulled that out except that she explained  
40 that their planner pulled it out, what would that be, nine  
41 months ago or a year ago when the hubub was last going  
42 on. But certainly the plans of my client are to build the  
43 twelve houses that are shown on the present application in  
44 front of you and he has no plans to build anything down in  
45 the bottom of the ravine.
- 46 Ald G: No plans for the future whatsoever?
- 47 Mr. H: None. It would be like the, the, the common areas or the green,  
48 or the park areas would go with... the owners collectively,  
49 the twelve owners would own that collectively down  
50 below. Now if at some point they wanted to build a gazebo  
51 in it then maybe they would have to come and apply...
- 52 Ald G: The individual owner...
- 53 Mr. H: Well the twelve of them collectively would have to come to  
54 city council.
- 55 Ald G: But your client...
- 56 Mr. H: Not my people they don't no. No. No.
- 57 Mayor: Any other Questions. Alderman Y.
- 58 Ald Y: Mr. H. I don't know if you're familiar with what is termed the  
59 proposed site plan?...that Mr. M. are you [Mr. H. Yes] the  
60 326 foot contour line that runs through two of the homes as  
61 I see this, possibly three, touches on a third one, ...this

- 62 yellow line on the single sheet ...what I don't understand  
63 Mr. H is if the neighbours are in general agreement, uh I  
64 don't see how they can be, and I'm confused with this  
65 because they're saying they're in general agreement but  
66 they want the development to leave the land below the 326  
67 foot line free, and yet it's not just the 326 foot line that I  
68 see here, you've got a dotted line on this diagram that  
69 seems to come alongside the ends of the properties as I  
70 look at it. I may be incorrect in looking at it but that's what  
71 I see. In other words the park area that is shown here is  
72 quite a bit less than what is below the 326 foot line.
- 73 Mr. H: Oh quite so. Quite so. The dotted lines, if...if this is to proceed  
74 under ... [plan of subdivision the lots would be] 50 by 100 feet.  
75 If we can work out a method without putting it under  
76 the Condominium Act, then the, those would all be parts  
77 one through three-four through twelve on a reference plan  
78 and each of those parts would then be conveyed to separate  
79 people. Instead of the condominium corporation owning  
80 that, individual people would own that. Now, my client is  
81 quite happy, or quite willing to settle on a line below which  
82 no construction will go, but it may be not necessarily  
83 always the 326 line. At some points it could be the 326, but  
84 when you get up to number one it may have to switch to the  
85 324, 323, that house may be farther down the hill. That's  
86 all. But to arbitrarily pick out of the air 326 and put a  
87 yellow line on it and say we don't want anything below that  
88 is a a bit difficult to deal with, because you can't  
89 necessarily site all all all your houses.
- 90 Ald Y: Right, I understand that. In effect are you saying that the dividing  
91 line between the parkland and the development  
92 is the dotted line?
- 93 Mr. H: Yes, the bottom...
- 94 Ald Y: O.K. if that is the case, below the dotted line are we still talking  
95 about the 1.1 acres that would be left as a ravine or a  
96 passive park area? Is it still 1.1 acres or a lot less?
- 97 Mr. H: Well it started out the whole thing at three point something and if  
98 we allow some for that cul de sac at the top, or that  
99 roundabout, and that looks about a third of the site so I'd  
100 have to say it looks about one or 1.1 acres 'cause it seems  
101 to be we've gotten down to around 3.4 acres on the whole  
102 site by the time we'd lost that uh roundabout. And an at one  
103 point the Parks Department had indicated would we  
104 consider selling this, and we have indicated that yes we  
105 would but then again we would want to discuss with them  
106 whether it would run right up in that triangle or we wanted  
107 to leave some better amenity area generally for these



- 108 people and not sell the whole thing to the Parks  
109 Department, but have not really entered into any  
110 negotiation...
- 111 Ald Y: One point I'm making Mr. H, judging by what I see on this plan,  
112 is that the neighbours are not getting the parkland that they  
113 think they're getting. That's the point I'm making. It's a lot  
114 less than what they have coloured in here in yellow as  
115 being the dividing line between parkland and the  
116 development.
- 117 Mr. H: Right, well I don't know what they thought they were getting,  
118 they mentioned this 326 line at the Planning Advisory  
119 Committee meeting that's the first I'd heard of  
120 that...Clearly though, the dotted line would represent either  
121 the back line of the lots that were sold or the back line of  
122 the exclusive use areas, the common area would be more or  
123 less the bottom of the ravine.
- 124 Ald Y: O.K. Thank you.
- 125 Mayor: Any questions? Thank you very much.
- 126 Mr. H: Thank you your worship.
- 127 Mayor: We go into general discussion.....Alderman Y?
- 128 Ald Y: I'd like to pursue the question with Mr. V [the Director of  
129 Planning] about this dotted line and if what is below that  
130 does provide about 1.1 acres of ravine or passive parkland,  
131 or is it a lot less than that and in which case how much  
132 less?
- 133 Mr. V: (inaudible) ...drops down, so that's the beginning of the ravine.  
134 The 326 contour line uh, represents that. If you look at the  
135 plan and you look at the units that have been designed on  
136 the plan as exclusive use areas, those areas extend further  
137 south or further down from the yellow line and those  
138 exclusive use areas would be exclusively used for the units,  
139 for the occupants, so therefore the backs of those dotted  
140 line areas would not form part and parcel of the open space.  
141 So and I if .. just by taking a look at what's left over, and  
142 just eyeballing it it looks line it'd probably be an acre even  
143 if that, that would be open space.
- 144 Ald Y: Alright thank you.
- 145 Mayor: Alderman G?
- 146 Ald G: Through you your worship to Mr V, you will note in Mr M's  
147 or the neighbours' request in number one of this memo  
148 dated October the 19th, that the zoning by-law amendment  
149 be conditional upon condominium plan approval and more  
150 specifically the neighbours ask that the phrase "or such  
151 other binding agreement satisfactory to the city solicitor" in  
152 condition number ten of the proposed development  
153 agreement be deleted. Uh, you will recall Mr V that Mr H

154 agreed with 2, 3 and 4 of the neighbours'  
 155 recommendations. Um but he did not agree with this one.  
 156 Would you in fact be in agreement or disagree with this  
 157 request?

158 Mayor: Mr V?

159 Mr. V: Staff recommendation was that this development proceed by way  
 160 of plan of condominium because that's what we're  
 161 normally...that's what the application was originally for and  
 162 that's what we're normally used to processing. Uhm, this  
 163 clause was added, as Mr H said at his urging at Planning  
 164 [Advisory] Committee. But we don't know of any other  
 165 agreements or arrangements that are available because we  
 166 haven't seen any. Uh, he is telling us that uh, other  
 167 municipalities have such agreements and considerations  
 168 and he's prepared table them with the city solicitor. And  
 169 the way I read it, the condition would be that the city  
 170 solicitor would have to agree to it before any other form of  
 171 agreement was put forward. Other than that we'd simply  
 172 stay with the condominium route. But staff did not  
 173 recommend the additional sentence being added.

174 Ald G: Secondly your worship is it correct for me to uh, request that it be  
 175 tabled that the developer has agreed not to have any future  
 176 consideration with regard to the sale or the disturbance of  
 177 the slope and or the vegetation below the 326 ...

178 Mayor: I think the resolution as we pass it will cover what will happen  
 179 here. We either go for these clauses or amend them or whatever.

180 Ald G: I know your worship but I'm concerned for the sake of the  
 181 neighbours uh and to disperse of future worry which we  
 182 must understand that they are I think justifiably concerned  
 183 with the maintenance of the remaining.. they had a very  
 184 disappointing experience with many of those fine trees  
 185 there being cut down uh and uh we've heard this evening in  
 186 open council the solicitor for the developer state  
 187 categorically that the developer...which happens to be as I  
 188 understand it the primary concern of these neighbours...  
 189 that no development uh, is attempted or sale of this land is  
 190 attempted by this developer in the future, below 326  
 191 contour line and I'm asking therefore that this be recorded,  
 192 and I call on you your worship...

193 Mayor: I'll call on Alderman L first of all, just to speak to that...  
 194 [Alderman G: Thank you] you wanted to say  
 195 something on that score?

196 Ald L: Just, what I heard the solicitor for the applicant say was that his  
 197 client did not intend any development on the ravine lands  
 198 but Alderman G seems to be asking that we say that there  
 199 cannot be any sale. We can't do that if it's going to be a

- 200 condominium owning it. If the condominium chooses to  
201 sell it in the future we can't do anything about it. We could  
202 record that the current client's intentions are...
- 203 Ald G: I agree however, we would would we not, if, would it not  
204 come to council again. We'd also have the prerogative to  
205 deal with it then would we not?
- 206 Mayor: Well I think we'd have to ask Mr. V.
- 207 Mr. V: ...Your worship, uh, through you, the zoning only permits a  
208 development of 12 units. Anything beyond that would have  
209 to go through zoning process again and through council.
- 210 Ald G: May I have it recorded then in the minutes, everything the  
211 developer has stated according to the potential  
212 use by the developer?
- 213 Mayor: Alderman K?
- 214 Ald K: Your worship you'd have to make it part of the conditions and  
215 then we could vote on it. I don't think you can write  
216 somebody's comments into the minutes. I've never seen  
217 that done since I've been in council.
- 218 Mayor: See the clauses cover the entire situation. You're saying  
219 something a little unusual to what we're used to... normally  
220 uh.
- 221 Ald G: Your worship it's quite obvious that the neighbours are  
222 concerned and I personally believe that their concerns are  
223 justified and it seems obvious again that their primary  
224 concern is with what could potentially happen in the future  
225 below this 326 foot contour line and here we heard that the  
226 developer has no intention to do anything further with this  
227 land and therefore I'm asking that...it be recorded as  
228 pointed out by the solicitor. And if it takes a motion I'm  
229 prepared to make that motion.
- 230 Mayor: Alderman J, Alderman W.
- 231 Ald J: Just a comment Mr Mayor just the fact that the intention of the  
232 developer is recorded in the minutes is in no way legally  
233 binding as I would see it. I'm not a solicitor but unless as  
234 Alderman K says it becomes a part of approval of council  
235 and it becomes a condition, that makes it legal, but just to  
236 record someone's comments in the minutes I don't think  
237 will hold any legal weight at all.
- 238 Mayor: Alderman W.
- 239 Ald W: Your worship I would like to ask the City Clerk if that is legally  
240 possible for us to record something in the minutes. I think  
241 we can record aldermen's objections or conflicts of  
242 interests or those types of things but I'd like to know...if we  
243 could...
- 244 Clerk: We usually stick to requests, but as Alderman J pointed out,  
245 we could, but it's not legally binding on anyone.

- 246 Ald G: Alderman L has suggested and I concur that we make this  
247 condition number 14 on the conditions for the  
248 development. Is that feasible or do I require a motion? ...As  
249 you can understand your worship my purpose involves only  
250 the neighbours' concerns.
- 251 Mayor: Is there a seconder for that? Alderman L? Do you want to  
252 speak to that Alderman L?
- 253 Ald L: There's only one problem with that. If we say no development  
254 below the 326 foot contour line our site plan is no good  
255 because we have development below the 326 foot line. So  
256 we have to change that number. We have to pick another  
257 number...320 or something a little bit further down. Maybe  
258 (inaudible) can comment on that.
- 259 Mr. V: Your worship through you, Alderman L has raised a very good  
260 point. If we take the plan as presented, and uh, we're  
261 assuming a fairly large exclusive use area. These are not  
262 your standard townhouses on your standard townhouse lots.  
263 These are single family condominium developments and  
264 they will equal a fairly large single family house on a fairly  
265 large single family lot. I don't see how we can  
266 accommodate a plan of twelve units picking the 326  
267 contour line because that line goes into three units and also  
268 the recommendation was that no patios or anything else be  
269 constructed within that and if you look at unit number 3  
270 and 4 and 5 and 6 and that would preclude them having any  
271 patio or anything else in that area and that would make it  
272 very difficult for this plan to proceed.
- 273 Mayor: Alderman Y's next?
- 274 Ald Y: Well your worship I was gonna ask Mr V a question somewhat  
275 along the same lines but somewhat different. Mr V, what  
276 could we write into the conditions - this is really what Mr  
277 G, Alderman G was getting at - what could we write into  
278 the conditions to safeguard the ravine, below whatever line  
279 there has to be..in order to allow the condominium  
280 development? - and the line that has to be is this dotted line  
281 that I asked Mr H about. What can we write into- the  
282 conditions to safeguard the, the ravine which remains.  
283 (3.1)
- 284 Mr. V: hh The only thing we could do would be uh to-pick a contour  
285 line an, and- put it in as a condition...an agreed to contour  
286 line...um and I'm having difficulty try'na pick one, because  
287 the, contours 'hhh are not uh that straight; they do curve  
288 over as you get further over to- Inkerman street and they  
289 really drop off there. So w-hh it's...
- 290 Mayor: The trouble is we're trying to redraw the thing tonight in the  
291 council meeting.

- 292 Mr. V: That's correct-
- 293 Mayor: S'very - difficult- I- h alderman M?
- 294 Ald Y: I'm s...wa...
- 295 Mayor: Alderman Y you're s... still questions? O.k. carry- on.
- 296 Ald Y: Actually uh, following what Mr V has just
- 297 Mayor: Sorr-y-
- 298 Ald Y: sai:d. I agree. I don't think y' can draw it by a contour line,
- 299 but what is to prevent us from ... identifying location of the
- 300 dotted line ...very specifically... an saying anything below
- 301 that dotted line ...is not to be touched. ... What is wrong
- 302 with doing that? and putting that in as a condition, and later
- 303 spelling out the exact location of that line? That seems
- 304 pretty straight forward?
- 305 Mr. V: hmhmm Yes, your worship through you yes you
- 306 could make that determination? pick the line that's th- sorta
- 307 the dotted lines an' say that, uh that's the line, uh that you
- 308 allow development up to; and that's it - no further than
- 309 that-
- 310 Ald Y: Wa' you worship uh, one other thing tch I'm gonna move an
- 311 amendment and the first part of the amendment would be
- 312 that very item that I've just discussed with Mr V... wherein
- 313 this line would be drawn an'it would be put in as a
- 314 condition wherein nothing below that line was to be
- 315 touched but also as a second item to the amendment, it's
- 316 item number ten on the conditions where Mr M was
- 317 referring to deleting the last part of the sentence which
- 318 makes reference as follows - it says "or such other binding
- 319 arrangement satisfactory to the city solicitor.." I prefer to
- 320 actually delete that as has been recommened by Mr M. It
- 321 places the recommendation on th- the: site plan in the hands
- 322 of city council. And the reason I'm recommending that to
- 323 this council as part of the amendment is because this is a
- 324 very sensitive matter as I see it. An I think not only to set
- 325 the neighbours' minds at ease, but I think to help safeguard
- 326 that what we're getting is what we really want in there and
- 327 what we see here-. So that's the other part of the
- 328 amendment - to stop after th- the words city council on
- 329 condition number ten.
- 330 Mayor: So actually we have a motion on the floor which is adding item
- 331 14 ... and then ... you're eh amending the- that a motion to
- 332 em change number ten stopping at city council an...
- 333 Ald Y: Yes.
- 334 Mayor: omitting the words that follow.
- 335 Ald Y: Yes.
- 336 Mayor: Is there a seconder for that amendment? Is there a

337           seconder on th- amendment? ... Then the th-amendment's  
338           lost.

339 Alderman H then.

340 Ald Ha: Your worship I may want t- second that eh, but I wonder if uh,  
341           alderman Y, rather than satisfactory to the city solicitor uh  
342           might consider satisfactory to the city council. That still  
343           leaves control in the council. And why I think that we  
344           should leave that in is there may be some other method -  
345           which we can maintain control or come up with a more  
346           exciting or even a development that is more appropriate for  
347           that area and I don't think we should rule that out at this  
348           time so I, I might ask alderman Y: then if he wouldn't,  
349           rather than city solicitor, let's leave that council in, "or such  
350           other binding arrangement satisfactory to the city council?"

351 Ald Y: I don't disagree with that; it was the word um or or that has me  
352           bothered in this item ten. It says that we can get involved  
353           as a city? council? Or such other binding arrangement  
354           satisfactory to the city solicitor. If it said and that's fine, or  
355           the words that you had used alderman H that is fine. I have  
356           no objection to that and I'd suggest...

357 Mayor: 'cause we are city council? Th' part yah mm

358 Ald Y: Ye..s. Y's...

359 Mayor: uhm. Could I have alderman M here?

360 Ald M: I don't know whether alderman H was or Ha was going  
361           to second the amendment to clause fourteen? but- that was  
362           going to be uhm my query - that we would use the dotted  
363           line which is obviously very irregular but- I would be  
364           prepared to second that as an amendment- to fourteen

365 Mayor: The way uh alderman Ha spoke

366 Ald M: Uh

367 Mayor: on the matter?

368 Ald M: Well hh he he was talking about hh

369 Mayor: which is already

370 Ald Ha:           (     )

371 Ald M: He was talking about ten, alright? So... we could- cite line  
372           without giving any numbers. Is that what that one is about?

373 Mayor: mm hmm?

374 Ald M: alright

375 Mayor: Now uh Alderman P is next...

376 (30+ minutes of talk which ends with the city clerk asking for a  
377 clarification of the motions for amending condition 10 and for adding  
378 condition 14 and amending condition 14)

379 Ald Y: Can I ask Mr. V what is the best wording...

380 Mayor: Mr. V.

381 Mr. V: Your worship to assist if you went with condition 14 it should

382 possibly read that no development be permitted beyond the  
383 dotted line which indicates the end of the exclusive use  
384 areas of the units.

385 Mayor: Alderman W.

386 Ald W: Your worship I wanna be really clear on this question of parkland.

387 This is not in fact parkland. This is in private hands  
388 [Mayor:uh hmm] and uh item 7 says consider selling land  
389 on that property to make it into parkland, essentially, so it  
390 becomes publically owned land and therefore parkland.  
391 And how can we now say we're going to prevent any  
392 development when we're in negotiations for for uh buying  
393 a piece of land. I think we're into a real legal problem with  
394 that if we do take that sort of action. And I know we don't  
395 have a solicitor here, but maybe the planner can clarify that.

396 Mayor: Complication is we're interested in purchasing that...uh...

397 Have you got thoughts on that Mr. V?

398 Mr. V: Well your worship knowing how uh land negotiations  
399 take place, this condition says there should be no  
400 development within this area, and I'm assuming that's with  
401 the present zoning we're going to be putting in place. The  
402 solicitor for the owner says his client intends no  
403 development there and hopefully there's some time to  
404 negotiate whether the city can afford these lands or not.  
405 Irregardless, however, the appraisers that would be looking  
406 at this land to put a value on it, they would be looking at  
407 what the land could be used for and they would put a price  
408 on it based on what they felt the land could be used for.

409 Mayor: Alderman W?

410 Ald W: (inaudible) ...

411 Ald P: I was happy with the wording when it was the 326 contour  
412 line, but now we've gone into the dotted line. I'm not  
413 happy with the wording "below" because we are dealing  
414 with a site plan, and when we look at the plan and when  
415 we're talking about the word "below" the dotted line, we  
416 are then going into development. We should be talking  
417 about the altitude or the sea level or...it should be reworded.  
418 We're directly into development if we're talking about a  
419 site plan.

420 Mayor: Alderman L?

421 Ald L: Just a comment further on Alderman W's point. In #7 it says  
422 "consider selling land on subject property not suitable for  
423 development." I think it's already been established that the  
424 ravine land is not suitable for development. I don't think us  
425 passing a motion does anything further to that, it's already  
426 been decided that development should not occur on that  
427 portion.

428 Mayor: Alderman H.  
429 Ald H: I concur with what Alderman G is attempting to do and I think  
430 that meets with the concurrence of the total council.  
431 However, my understanding is that nothing can happen to  
432 those ravine lands until it is approved by this council – no  
433 site plan or no activity can take place [Mayor: Uh hmm]  
434 there without the approval of this council. In the meantime  
435 under clause 7 the city is directed to attempt to purchase  
436 that property. I would suggest we get a report from the  
437 Recreation Department that we either proceed or not  
438 proceed with the purchase of that property. In the meantime  
439 no development can take place without the prior approval  
440 of this council. So I see no need for clause 14. I would  
441 suggest to this council that the only motion or amendment  
442 should be on 10, which should read ‘satisfactory to city  
443 council.’ We’re still meeting what Alderman G was  
444 attempting to do.  
445 (Alderman G withdraws his motion to add condition 14.  
446 The motion to amend condition 10 wording to “satisfactory  
447 to city council” and approve the application, is carried  
448 unanimously.)



**APPENDIX C**

**SEQUENCE OF TEXTS PRODUCING CONSERVATION AGENCY'S  
COMMENTS AND CONDITIONS**


Figure 28: May 4 Agency Planner's Note to File

May 4/88

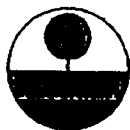
Spoke to Steve

① 4 - 7 inclusive  
 have slopes greater 2:1  
 so ~~we~~ we would not  
 recommend draft app.  
 until such time as the  
 app. ~~presents~~ <sup>submits</sup> a satisfactory  
 grading plan showing  
 building ~~env.~~, proposed  
 slopes & ~~no.~~ control.

② when we get sat.  
 grading plan we  
 will ask for SWOT

	THE GRAND RIVER CONSERVATION AUTHORITY	File No.	Date
Project		Calculated by:	Page _____ of _____

**Figure 29: May 5 Agency Planner's Letter to Ministry of Municipal Affairs**



**Grand River Conservation Authority**

*Administration Office:  
400 Clyde Road  
Box 729 Cambridge Ontario  
N1R 5W6  
Telephone 621-2761  
Area Code 519*

Fax: (519) 621-4844

May 5, 1988

Mr. Noam Saldenberg  
Ministry of Municipal Affairs  
777 Bay Street,  
Toronto, Ontario  
M5G 2E5

Re: File No. 23T-88003  
Inherman Street, Guelph, Ontario.

Dear Noam:

We have now had the opportunity to review the above noted plan.

There is a ravine running along the rear of the Lots 1 through 7, and Lots 4 through 7 (inclusive) have slopes greater than 1:2.

Based on the above we would recommend that this plan not receive draft approval until such time as the applicant submit a satisfactory grading plan which shows the proposed building envelopes, proposed slopes and methods of controlling erosion on these slopes.

Upon receipt of satisfactory plans, we may be in the position to recommend draft approval subject to certain conditions.

Hope this information is of assistance and if you should have any further questions, please do not hesitate to contact me.

Yours very truly,

Paul Emerson  
Municipal Planning Manager  
Policy and Planning Division

PE/kr

Attch.

c.c. City of Guelph, Planning Department - Att. A. Hearne  
Ministry of Natural Resources, Cambridge - Att. T. Harvey.

**Figure 30: May 26 Developer's Planner's Letter to Agency Planner**

**Mark L. Dorfman, Planner INC.**

145 Columbia Street West, Waterloo, Ontario, Canada N2L 3L2  
519-888-6570

May 26, 1988

Paul Emerson  
Municipal Planning Manager  
Policy and Planning Division  
Grand River Conservation Authority  
400 Clyde Road  
Cambridge, Ontario  
N1R 5W6

Dear Paul:

RE: FILE NO. 23T-88003  
INKERMAN STREET, GUELPH, ONT.  
REF.: C161638

As per our telephone conversation May 25, 1988 I have prepared a draft plan of the proposed subdivision showing the approximate building envelopes and front yard setbacks.

The reduced front yard setbacks (minimum 3.75 metres as opposed to 7.5 metres) approved by Guelph Council allow the buildings to be set closer to the street line, and therefore further from the ravine in the rear of lots 1 through 7.

I would request that you review this plan and give consideration to recommending this subdivision plan be given draft approval. This would allow us to proceed with the project. A grading plan would then be submitted at the usual point in the process as a condition of draft approval.

I hope this plan is of assistance to you. If there are any further questions with regard to this plan, please do not hesitate to contact me.

Yours truly,



Bruce W. Anderson, M.A.  
Planner

BWA:jt  
Encl.  
c.c. Al Hearne  
Arnold Bolliger



Figure 31: May 31 Agency Planner's Note to Engineer and Reply

May 31/88

Louie

I know this is breaking the rule by leaving this but I need a quick answer & couldn't find you.


Can we accept these building envelopes?

Thanks  
Paul

No (to letter request)

Site 4-7 still have slope steepen that will not building conditions - no enough soil slope. Still need grading plans and method whereby erosion will be controlled on slope prior to final plan approval.

Paul

 THE GRAND RIVER CONSERVATION AUTHORITY	File No.	Date
	Project	Calculated by:

## Figure 32: Agency Planner's Letter to Developer's Planner



Grand River Conservation Authority

Administration Office.  
400 Clyde Road  
Box 729 Cambridge Ontario  
N1R 5W6  
Telephone 621-2761  
Area Code 519

Fax: (519) 621-4844

June 6, 1988.

Mark Dorfman Planning Inc.,  
145 Columbia Street, West,  
Waterloo, Ontario.  
N2L 3L2

Attention: Bruce Anderson, M.A.

Re: File No. 23T-88003  
Inherman Street, Guelph

---

Dear Bruce:

We have reviewed the plans you submitted for the above property showing the proposed building envelopes.

I showed this plan to our engineering section and there is still concern about the steep slopes on Lot 4-7. These slopes are steeper than 2:1 and the building envelopes encroach into them.

Before we can recommend draft approval we will still require preliminary grading plans and the methods you are proposing to control erosion on these slopes.

If you should have any questions, please contact Lorrie Minshall, P. Eng., or myself.

Yours very truly,

Paul Emerson  
Municipal Planning Manager  
Policy and Planning Division

PE/kr

c.c. Lorrie Minshall

### Figure 33: July 6 and 18 Staff Report

- 5 -

In summary, the subdivision would be broken down as follows:

Road	0.185 hectares (.457 acres) - to be dedicated to the City
Block 13	0.049 hectares (.123 acres) - to be acquired by the City
Block 14	0.535 hectares (1.32 acres) - to be acquired by the City
Lots 1-12	0.547 hectares (1.35 acres) - maximum 12 dwelling units
Total Area	
Subdivision	1.3 hectares (3.25 acres)
Total Area to be Acquired or Dedicated	0.769 hectares (1.9 acres) = 58.5% of total holding
Total Area to be Developed	.547 hectares (1.35 acres) = 41.5% of total holding

#### OFFICIAL PLAN AND DISTRICT PLAN DESIGNATIONS

The Official Plan (1987) for the City of Guelph designates the subject property General Residential. The policies of the Official Plan recognize this proposed infill project as being an acceptable density of these lands.

The Official Plan (1970) for the Guelph Planning Area designates these lands as Policy Area 2 - Residential. All forms and types of living accommodation are recognized within this designation. The density of the proposed project is low and conforms with the policies of the plan.

The proposed project conforms to the Residential designation of these lands in the Edinburgh District Plan. The policy statement established that development within this designation would be of a low density type housing which is a characteristic of the proposed development.

This application for single family residential subdivision and associated zone change, therefore, would conform to both Official Plan and District Plan landuse policy.

#### LIAISON COMMENTS

There were no objections received through the liaison circulation, however, the following comments were submitted:

##### Grand River Conservation Authority

There is a ravine running along the rear of the Lots 1 through 7, and Lots 4 through 7 (inclusive) have slopes greater than 1:2.

Based on the above, we would recommend that this plan not receive draft approval until such time as the applicant submits a satisfactory grading plan which shows the proposed building envelopes, proposed slopes and methods of controlling erosion of these slopes.

Upon receipt of satisfactory plans, we may be in the position to recommend draft approval subject to certain conditions.

##### Recreation and Parks Department

1. This plan of subdivision should be developed in accordance with By-laws (1986)-12313 Conveyance of Land for Park Purposes and (1987)-12465 Official Plan By-law (when approved by the Minister of Municipal Affairs).
2. Block 13 is the access road to enter Howitt Park and is to be constructed by the developer to replace the existing access road. The standards for this access road will be established by the Engineering Department.
3. Block 14 will include the 5% conveyance of land for park purposes.
4. Trees that can be saved from construction need to be protected by snow fence erected at the drip lines to prevent damage to roots, trunk and limbs.

. . . . . 6

## Figure 34: July 18 Staff Report – page 1

July 18th, 1988

His Worship the Mayor and  
Aldermen for the City of Guelph

RE: Guelph Planning Advisory Committee  
July 6th, 1988 - NINTH REPORT

A) I beg leave to report the following recommendations of the Guelph Planning Advisory Committee for adoption by City Council.

\* Clause 1 - MAPLES INN LIMITED - Draft Plan of Subdivision and Associated Zone Change to Permit 12 Single Family Lots and 2 Park Blocks on lands located between Inkerman Street and Chadwick Avenue

---

"THAT the application of Mark L. Dorfman, Planner Inc., for a Draft Plan of Subdivision on Part Lot 107 and Lots 109, 111, 113, 115, 117, 120, 121, 122 and Part of Beechwood Avenue, R. P. 274 and Part Lot 21, Division A, being vacant lands located between Inkerman Street and Chadwick Avenue, immediately east of Howitt Park in the City of Guelph (Ministry File No. 23T-88003(1)), consisting of 12 single family lots on a proposed extension of Inkerman Street, including 2 Park Blocks, be approved and recommended to the Minister of Municipal Affairs, subject to the following conditions:

1. That the draft plan dated March 1, 1988, be modified as shown in red to the Ministry to include:
  - (a) revised road geometrics and subsequent relotting of subdivision.
  - (b) required easements, rights-of-way, dedications and 1.0 foot reserves, where required, both internal and external to subdivision.
  - (c) Block 15 to be added as a walkway entrance to park, if required by City.
  - (d) small triangle of land at north end of Block 14 to become part of Lot 2.
2. The registration of the plan, or any part thereof, shall require approval of the City and the Ministry of Environment with respect to adequate sewage treatment capacity being available prior to the registration of the plan.
3. The Subdivider shall enter into negotiations with the City to ensure that Blocks 13, 14 and 15 (if required) shall be dedicated to or acquired by the City for park purposes and be developed and fenced by the Subdivider, according to City standards as part of the standard 5% park dedication requested by the City, prior to registration of the plan.
4. That the subdivider agrees to pay any outstanding debts owed to the City prior to the registration of the proposed plan of subdivision.
5. That a Subdivision Agreement is completed between the Subdivider, Guelph Hydro and the City of Guelph providing for the following conditions and any other conditions that may be determined by the Council for the City of Guelph, prior to the registration of the plan or any part thereof:
  - (a) That all easements, rights-of-way, dedications or reserves required within the proposed subdivision be granted to the satisfaction of the City of Guelph and other Guelph utilities.



## Figure 35: July 18 Staff Report – page 2

-2-

- (b) That all impost levies are paid in accordance with the Impost By-law and the City of Guelph subdivision policy in effect at the time of registration.
- (c) That the Subdivider is responsible for the total cost of the design and construction of any roadwork, including sidewalks, boulevards and curbs within or surrounding the plan of subdivision.
- (d) That the Subdivider is responsible for the costs of any reconstruction, restoration or upgrading of Inkerman Street made necessary by the servicing of the plan of subdivision, to the satisfaction of the City Engineer.
- (e) That the Subdivider is responsible for the total cost of the design and construction of all services required to serve all lands within the subdivision including sanitary, storm and water facilities, the distance and alignment to be determined by the City of Guelph. These costs shall also include services required to service the subdivision which are located outside the limits of the subdivision, and deemed necessary by the City Engineer.
- (f) The Subdivider shall pay to construct a sidewalk on the south side of Inkerman Street, from the existing sidewalk on Hearn Avenue to the access road to Howitt Park, satisfactory to the City Engineer.
- (g) The Subdivider shall pay to construct a park access road that will be a minimum of 7.5 metres wide, satisfactory to the City Engineer and the Director of Recreation and Parks, on Block 13.
- (h) The Subdivider shall build all houses in the plan, at such an elevation that the lowest level, including basement floor or cellar floor, is serviced by a gravity sanitary sewer connection, to the satisfaction of the City Engineer.
- (i) The Subdivider shall grade the subdivision to the satisfaction of the City Engineer and shall ensure that sideyard slopes on each lot do not exceed 2 to 1 and that rear yard slopes do not exceed 4 to 1, to the satisfaction of the City Engineer.
- (j) The Subdivider shall retain a Professional Engineer to design and supervise the construction of any retaining wall deemed necessary by the City Engineer, and shall build any required retaining wall in the subdivision, to the satisfaction of the City Engineer, prior to the issuance of any building permits for any of the lots in the plan.
- (k) That street lighting and underground wiring be provided throughout the subdivision, at the Subdivider's expense, in accordance with the policies of the City of Guelph and Guelph Hydro.
- (l) The Subdivider shall provide all hydro services underground on the subject lands, with the exception of transformers which should be pad-mounted. The Subdivider shall provide Guelph Hydro with 3.0 m x 3.0 m easements for all low-profile, pad-mounted transformers, and where driveways are placed on the same side of the lots as the transformer, the Subdivider agrees to pay for construction of concrete barrier walls, enclosing the transformers, to the satisfaction of Guelph Hydro.
- (m) The Subdivider shall complete a tree survey on the property, accurately locating, identifying and assessing the health and condition of the significant coniferous and deciduous trees on the site prior to the registration of the plan.

Figure 36: City Clerk's Letter to Developer's Planner



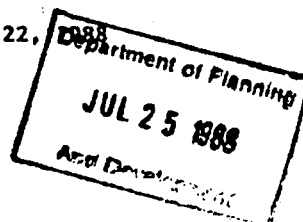
## City of Guelph

CITY HALL, 59 Carden Street  
Guelph, Ontario, Canada N1H 3A1

OFFICE OF CITY CLERK

Telephone (519) 837-5603

July 22, 1988



Mr. M. Dorfman  
145 Columbia Street West  
Waterloo, Ontario  
N2L 3L2

Dear Sir:

At the meeting of Guelph City Council held on Monday, July 18th, 1988, the following resolution was passed:

"THAT the application of Mark L. Dorfman, Planner Inc., for a Draft Plan of Subdivision on Part Lot 107 and Lots 109, 111, 113, 115, 117, 120, 121, 122 and Part of Beechwood Avenue, R. P. 274 and Part Lot 21, Division A, being vacant lands located between Inkerman Street and Chadwick Avenue, immediately east of Howitt Park in the City of Guelph (Ministry File No. 23T-88003(1)), consisting of 12 single family lots on a proposed extension of Inkerman Street, including 2 Park Blocks, be approved and recommended to the Minister of Municipal Affairs, subject to the following conditions:

1. That the draft plan dated March 1, 1988, be modified as shown in red to the Ministry to include:
  - (a) revised road geometries and subsequent relotting of subdivision.
  - (b) required easements, rights-of-way, dedications and 1.0 foot reserves, where required, both internal and external to subdivision.
  - (c) Block 15 to be added as a walkway entrance to park, if required by City.
  - (d) small triangle of land at north end of Block 14 to become part of Lot 2.



Cosmopolitan for Business. Countryside for Families.

**Figure 37: Developer's Planner's Handwritten Faxed Letter to Agency Planner**

David L. Hoffman Planner Inc.

Dear [Name]

Enclosed is the approval by Council of July 18, 1988.

Note conditions 5 (i), (j) and (p).

It is clear that the City Engineer wants engineering plans for the retaining wall, where required and he has also set a maximum slope for the rear yard areas. We discussed the option of moving the [Name] into the park in order to create [Name] and 7.

Council discussed this matter and agreed with the City Engineer that the ERCA concerns and the City Engineer's concerns can be addressed as a condition of draft approval.

In order that the Ministry of Municipal Affairs may give [Name] approval, they need your revised letter agreeing to the condition as set out in 5 (j).

Please give this your earliest consideration and provide a letter to the Ministry and to the City.

David L. Hoffman

2

### Figure 38: Developer's Planner's Faxed (City) Conditions

07 25/88

11:53


SNIDER, RICHARD, MARLA ARCHITECTS

000

- 10 -

- (g) The Subdivider shall pay to construct a park access road that will be a minimum of 7.5 metres wide, satisfactory to the City Engineer and the Director of Recreation and Parks, on Block 13.
- (h) The Subdivider shall build all houses in the plan, at such an elevation that the lowest level, including basement floor or cellar floor, is serviced by a gravity sanitary sewer connection, to the satisfaction of the City Engineer.
- (i) The Subdivider shall grade the subdivision to the satisfaction of the City Engineer and shall ensure that sideyard slopes on each lot do not exceed 2 to 1 and that rear yard slopes do not exceed 4 to 1, to the satisfaction of the City Engineer.
- (j) The Subdivider shall retain a Professional Engineer to design and supervise the construction of any retaining wall deemed necessary by the City Engineer, and shall build any required retaining wall in the subdivision, to the satisfaction of the City Engineer, prior to the issuance of any building permits for any of the lots in the plan.
- (k) That street lighting and underground wiring be provided throughout the subdivision, at the Subdivider's expense, in accordance with the policies of the City of Guelph and Guelph Hydro.
- (l) The Subdivider shall provide all hydro services underground on the subject lands, with the exception of transformers which should be pad-mounted. The Subdivider shall provide Guelph Hydro with 3.0 m x 3.0 m easements for all low-profile, pad-mounted transformers, and where driveways are placed on the same side of the lots as the transformer, the Subdivider agrees to pay for construction of concrete barrier walls, enclosing the transformers, to the satisfaction of Guelph Hydro.
- (m) The Subdivider shall complete a tree survey on the property, accurately locating, identifying and assessing the health and condition of the significant coniferous and deciduous trees on the site prior to the registration of the plan.
- (n) The Subdivider shall make every reasonable effort to design the development around existing healthy significant trees and to use snow fence, erected at the drip lines, to prevent damage to roots, trunk and limbs, during construction.
- (o) The Subdivider shall meet all of the conditions of the Canadian National Railway, regarding noise and vibration attenuation, and shall receive full clearance of all the requirements from the CNR, prior to registration of the plan.
- (p) The Subdivider shall meet all requirements of the Grand River Conservation Authority including submission of a satisfactory grading plan which shows the proposed slopes and methods of controlling erosion on the slopes and ravine, and shall receive a full clearance for these requirements from the GRCA, prior to registration of the plan.
- (q) The Subdivider shall pay the actual cost of installing black vinyl, 6 gauge fencing, according to City policy, on all lots that are adjacent to Park Blocks 13 and 14 and the existing Howitt Park.
- (r) The Subdivider shall receive site plan approval from the City Engineer, for Lots 1 and 12, prior to the issuance of a building permit.

Figure 39: July 26 Agency Planner's Note to File

 THE GRAND RIVER CONSERVATION AUTHORITY		File No.	Date
		Calculated by:	Page _____ of _____
Project			

July 26/88

Discussed this with Louie  
and she felt that our concerns  
were covered well  
enough in ~~the~~ cond. cond.

We will recommend draft  
app. with cond.

**Figure 40: Agency Planner's Letter to Ministry of Municipal Affairs**



**Grand River Conservation Authority**

*Administration Office:  
400 Clyde Road  
Box 729 Cambridge Ontario  
N1R 5W6  
Telephone 621-2761  
Area Code 519*

Fax: (519) 621-4844

July 27, 1988.

Mr. Noam Saidenberg  
Ministry of Municipal Affairs,  
777 Bay Street,  
14th Floor,  
Toronto, Ontario.  
M5G 2E5

Re: File No. 23T-88003  
Inherman Street, Guelph

Dear Mr. Saidenberg:

We have now had the opportunity to further review this plan. While there is a steep ravine running along the rear of Lots 1 through 7, we have had a number of discussions with the developer's consultant (Mark Dorfman Planning Inc.).

It is our understanding that there may be an option of relocating the bulb of the cul-de-sac, moving the lots further from the top-of-bank. This may become necessary if a satisfactory slope stability proposal is not forthcoming.

Based on the above, we would have no objection to the plan receiving draft plan approval subject to the following conditions:

- 1) Prior to any grading or construction on the site and prior to registration of the plan, the owners or their agents submit the following plans and reports to the satisfaction of the Grand River Conservation Authority.
  - a) An erosion and siltation control plan indicating the means whereby erosion will be minimized and silt maintained on-site throughout all phases of grading and construction.
  - b) A satisfactory grading plan which shows the proposed building envelopes, proposed slopes and methods of controlling erosion on these slopes.

..../2

### Figure 41: The Subdivision Questionnaire



Ministry of  
Municipal Affairs  
Plans  
Administration  
Branch

777 Bay Street  
Toronto, Ontario  
M5G 2E5

Questionnaire to be completed and returned to the above address.

File Number <u>231-88003</u>	Municipality <u>City of Guelph</u>	Owner <u>546</u>
Surveyor <u>M. R. Van Harten</u>	Location <u>R. P. 274</u>	

- Which of the following services will be available to this subdivision?
 

Municipal Water Supply	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Sanitary Sewers	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Electricity	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Garbage Collection	<input checked="" type="checkbox"/>	<input type="checkbox"/>
- Is the land already protected by a "restricted area" zoning by-law? (Not a "building by-law")
 

By-law Number: (1971)-7666 as amended.

Does the subdivision conform with the by-law?
- If there is such a by-law, what are the provisions affecting this land?
 

Restricted to residential use	<u>proposed zoning would permit a maximum of</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Minimum lot frontage for one residence	<u>twelve (12) single family lots with</u> metre		
Minimum lot area for one residence	<u>- minimum frontage - 12 m (40 feet).</u>		
Building line (back from street line)	<u>- minimum lot area - 372 m<sup>2</sup> (4000 sq. ft.)</u> metre		
Width of side yards	<u>- minimum setback - 4.6 m (15 feet).</u> metre		
	<u>- minimum sideyard - 1.5 m OR 3 m</u> metre		
- Have you an official plan, approved under section 17 of the Planning Act?
- Does this subdivision plan conform with the official plan?
- What is the land use designation(s) within which this subdivision plan is located?
 

Official Plan (1970) - Policy Area 2 - Residential

Official Plan (1987) - General Residential
- What sort of soil is it? (Check appropriate box)
 

Bare Rock    Heavy Clay    Light Clay    Loam    Sandy Loam    Sand
- Has the applicant paid his taxes to date?
- Will this subdivision overtax existing school facilities?

Department of Planning  
 And Development  
 MAR 22 1988

Figure 42: The Subdivision Questionnaire – page 2

What other affected local authorities have you consulted about this plan?

Your school boards	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Your overall planning board (if any)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Your engineer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Your Medical Officer of Health	<input checked="" type="checkbox"/>	<input type="checkbox"/>

10. Who is to pay for the grading and graveling of the roads and the installation of the services (if any)?  
(Check appropriate box)

Subdivider     General taxpayer     Future owners of the lots, under the Local Improvement Act

11. Does your Council desire to avail itself of the provisions of section 50(5) of the Planning Act, and require that up to:

(a) 5% of the land proposed for residential development be conveyed for park or public recreational purposes.    
*\*to be negotiated as acquisition will exceed 5%*

(b) 2% of the land prepared for commercial or industrial development be conveyed for park or public recreational purposes.

(c) or does the Council require cash-in-lieu of land for park purposes pursuant to section 50(8).

12. Does the layout of the subdivision fit the ground and surroundings?

13. In the opinion of your Council, are the streets on this plan in the right places?

14. Are the street allowances wide enough to provide for:

Traffic	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Adequate access to lots	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Snowplough	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fire engine	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parking	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pole-lines	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sidewalks	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ditches	<input type="checkbox"/>	<input type="checkbox"/>
Boulevards	<input checked="" type="checkbox"/>	<input type="checkbox"/>

*not applicable*

15. Does this plan abut a county road?    
 If "yes", have you consulted the county engineer?

16. Is it too soon to subdivide this land?

17. In the opinion of your Council, is this plan in the public interest? That is, will it contribute to the health, safety, convenience and welfare of the inhabitants of your municipality, present and future?

18. Does your Council recommend this plan?

19. If the answer to the above question is "no", please state in a separate letter what changes are needed to make it acceptable and return one copy of the draft plan on which you have indicated these changes.

Date <i>July 29, 1988.</i>	Signature of Municipal Clerk <i>[Signature]</i>
On behalf of the Municipality of: <i>City of Guelph</i>	Address <i>City Hall 59 Carden Street. Guelph Ont. N1H 3A1</i>



### Figure 43: File 23T-88003 The Minister's Conditions

#### FILE 23T-88003

The Minister's conditions and amendments to final plan approval for registration of this subdivision file no: 23T-88003 are as follows:

- 
1. That this approval applies to the draft plan, by Mark Dorfman, Planner, Inc. dated February 29, 1988, as revised in red to show a total of 12 residential lots.
  2. That the road allowances included in this draft plan shall be dedicated as public highways.
  3. That the streets shall be named to the satisfaction of the municipality.
  4. That any dead ends and open sides of road allowance created by this draft plan shall be terminated in 0.3 metre reserves to be conveyed to, and held in trust, by the municipality.
  5. That the owner conveys up to 5% of the land included in the plan to the municipality for park purposes. Alternatively, the municipality may require cash in lieu of all or a portion of the conveyance. The parkland dedication shall include Blocks 13, 14 and 15.
  6. That prior to the signing of the final plan by the minister, we are to be advised that the proposed subdivision conforms with the zoning by-law in effect for the municipality.

In addition to all other provisions, the by-law shall require a minimum setback of 15 m. from the CNR right-of-way for all the dwellings in the subdivision.

7. That the owner agrees in writing to satisfy all the requirements, financial and otherwise, of the City of Guelph concerning the provision of roads, installation of services and drainage.
8. That such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority.
9. That the development of the plan be phased to the satisfaction of the municipality.
10. That the subdivision agreement between the owner and the municipality be registered against the lands to which it applies once the plan of subdivision has been registered.

**Figure 44: The Minister's Conditions – page 2**

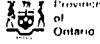
- 2 -

11. That prior to final approval we are to be advised by the Ministry of the Environment that there is sufficient capacity in the Guelph WPCP to service this subdivision.
12. That prior to final approval the owner shall prepare a detailed report, drawings and site plans acceptable to the municipality and the Grand River Conservation Authority which will show:
  - i) the location of all buildings to be erected and structures on the site and all final grades and vegetation,
  - ii) the means whereby storm drainage will be accommodated, and the means whereby erosion and siltation will be contained and minimized, both during and after the construction period.

This drainage plan should be forwarded to the CNR for their information.

13. The subdivision agreement shall provide for the works recommended in the reports described in condition 12 above, to be carried out to the satisfaction of the municipality and the conservation authority.
14. That prior to final approval the owner shall prepare an acoustical report to address the noise expected from the abutting railway and submit it to the Ministry of the Environment. If required, this report shall propose noise attenuation measures, to the satisfaction of the City of Guelph and the Ministry of the Environment. The report shall also be submitted to CNR for their information.
15. That the subdivision agreement provide for the following:
  - a) Berm, or combination of safety berm and noise attenuation fence adjoining and parallel the CNR right of way of the following specifications:
    1. Minimum total height of 4 m. above top of rail.
    2. Safety berm minimum height of 2 m. and side slopes not steeper than 2.5 to 1.
    3. Fence to be constructed without opening and of a durable material weighing not less than 20 kg. per Sq. metre (10 lbs. per sq. foot) of surface area.

Figure 45: Document General: The Development Agreement



### Document General

Form 4 - Land Registration Reform Act, 1984

D

<p style="text-align: center;">P3: 02</p> <p style="text-align: center; font-weight: bold;">625316</p> <p><b>NUMBER- CERTIFICATE OF REGISTRATION</b></p> <p>Wellington South No. 11 Guelph.</p> <p style="text-align: right;"><i>Sharp</i> Land Registrar</p> <p>New Property Identifiers</p> <p>Executions</p>	<p>(1) Registry <input checked="" type="checkbox"/> Land Titles <input type="checkbox"/> (2) Page 1 of 32 pages</p>												
	<p>(3) Property Identifier(s) Block Property</p> <p>(4) Nature of Document SUBDIVISION AGREEMENT</p>												
	<p>(5) Consideration Dollars \$</p>												
	<p>(6) Description CITY OF GUELPH, COUNTY OF WELLINGTON Lots 109, 111, 113, 115, 117, 120, 121 and 122 and Part of Lot 107 and Part of Beechwood Avenue according to Plan 274 and Part of Lot 21 Division "A" (formerly Township of Guelph) and more particularly described on Pages 22 and 23.</p>												
<p>Additional: See Schedule <input type="checkbox"/></p>	<p>(7) This Document Contains: (a) Redescription New Easement Plan/Sketch <input type="checkbox"/> (b) Schedule for: Description <input checked="" type="checkbox"/> Additional Parties <input type="checkbox"/> Other <input checked="" type="checkbox"/></p>												
<p>(8) This Document provides as follows: Terms and conditions by which the described lands may be developed.</p> <p style="text-align: right;">Continued on Schedule <input type="checkbox"/></p>													
<p>(9) This Document relates to Instrument number(s)</p>													
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 60%;">(10) Party(ies) (Set out Status or Interest) Name(s)</th> <th style="width: 20%;">Signature(s)</th> <th style="width: 20%;">Date of Signature Y M D</th> </tr> <tr> <td>THE CORPORATION OF THE CITY OF GUELPH</td> <td><i>John Campbell</i> Mayor</td> <td>1990 05 23</td> </tr> <tr> <td></td> <td><i>[Signature]</i> Clerk</td> <td>1990 05 23</td> </tr> </table>		(10) Party(ies) (Set out Status or Interest) Name(s)	Signature(s)	Date of Signature Y M D	THE CORPORATION OF THE CITY OF GUELPH	<i>John Campbell</i> Mayor	1990 05 23		<i>[Signature]</i> Clerk	1990 05 23			
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## LIST OF ABBREVIATIONS

AOLS	Association of Ontario Land Surveyors
CAO	Chief Administrative Officer
CELA	Canadian Environmental Law Association
CIP	Canadian Institute of Planners
CJUR	Canadian Journal of Urban Research
CNR	Canadian National Railway
CSAA	Canadian Sociology and Anthropology Association
DBM	Downtown Board of Management
DESSC	Downtown Economic Strategy Steering Committee
EA	Environmental Assessment
ESA	Environmentally Significant Area
GRCA	Grand River Conservation Authority
GTA	Greater Toronto Area
IJURR	International Journal of Urban and Regional Research
INURA	International Urban Research Association
ISA	International Sociological Association
MNR	Ministry of Natural Resources
MMA	Ministry of Municipal Affairs
MMAH	Ministry of Municipal Affairs and Housing
MNR	Ministry of Natural Resources
MOE	Ministry of the Environment
NDP	New Democratic Party

OEN	Ontario Environment Network
OISE	Ontario Institute for Studies in Education
OLS	Ontario Land Surveyor
OMB	Ontario Municipal Board
OP	Official Plan
OPIRG	Ontario Public Interest Research Group
OSEM	Ontario Society for Environmental Management
PAC	Planning Advisory Committee
RSO	Revised Statutes of Ontario
USRPD	University School for Rural Planning and Development (University of Guelph)