

WITNESS STATEMENT OF STEPHEN RODD - July 20, 2004

1. QUALIFICATIONS

Education: UBC, London School of Economics, M.I.T., Harvard -- economics and planning (agricultural, rural, urban, regional).

Faculty, Ontario Agricultural College, University of Guelph:

Lecturer 1953-1956

Associate Professor and Professor, 1963- 1988

Department of Agricultural Economics and Business and Professor, School of Rural Planning and Development, 1981-1991, now called the School of Environmental Design and Rural Development, University of Guelph.

My teaching and research responsibility included the following areas: Agricultural Marketing Land Economics,
Rural Resource Policies
Regional Planning
Planning Theory

Member of Canadian Institute of Planners, Registered Professional Planner 1981 to 1998, when I reduced my memberships to Retired status, which I continue.

In addition to my University responsibilities, consulting part-time 1972 to 1984 in planning teams primarily to evaluate the economic aspects and prospects for agriculture in areas subject to urban influences, and to urban development in rural areas (UDIRA).

Major projects included:

- (a) Ministry of Municipal Affairs, Urban Development in Rural Areas: Huron County Pilot Study; published by the Ministry
- (b) Niagara Region Official Plan, St. Catharines urban area boundary;
- (c) Richmond Hill Official Plan, northern urban boundary;
- (d) Barrie annexation in Innisfil Township;
- (e) Northumberland County Regional Development Strategy;
- (f) Region of York, Agricultural Priority Areas Evaluation;
- (g) Town of Alliston, defining urban growth boundary.

Member of Board of Directors, Ontario Waste Management Corporation, 1981 to 1995, appointed by three successive Ministers of the Environment.

Chair, Guelph Landfill Search Group, 1994-1995, appointed as volunteer by City Council and elected as Chair by the other Group members (four senior City staff and four volunteers from the community).

Elected Individual Member of the Ontario Conservation Council 1975 to 1998.

2. IGNATIUS JESUIT CENTRE RURAL COMPLEX

The land in the Ignatius Jesuit Center of Guelph is a complex of activities in the rural township north of the City boundary. The total area is 600 acres. It is an unusual complex, which is purely rural in character and perhaps is unique, certainly in Ontario. It has historical roots extending back about 90 years and some of those roots are currently visible on the land.

It is a single land use in effect because all of the activities are complementary to each other and are inter-dependent. They are rural in character and in location. This is recognized in the County Official Plan and the Zoning Bylaw by the special policy area for this land.

Just under half of the land (285 acres) is an operating commercial farm on which a number of agricultural enterprises are conducted. Over half of the land is not cultivated or farmed, consisting of lawns, woodland, wetlands, old gravel pit, rivers and ponds, buildings, roads and trails, and a Jesuit cemetery established in 1913 serving the entire Jesuit order in Canada.

One of the buildings is the former Jesuit Novitiate which for many years was the principal educational centre to train Jesuit priests and brothers in English-speaking Canada. That building is now a significant source of rental money income to help support the educational and spiritual activities on the property.

Loyola House is the centre of the religious retreat activities, together with the trail and path system (about 10 Km in length). The religious retreat centre is known around the world as a special spiritual place and activity which is virtually unique. The House has 58 one-person bedrooms, dining and meeting rooms.

Loyola House is the building which is the centre of retreat programmes. The retreat programmes take place in the summer and winter. They are planned to take place over one day, eight days or forty days (two of those per year). Loyola House is full in the summer months. The most common are eight day and one day retreats. The participants are fifty percent clergy or clergy related, and the other half are lay persons. Of the total participants over thirty-five per cent are non-Catholic. The average number of retreatants per year is 1200 to 1350, and new marketing programmes will likely increase that rate.

On the grounds of the Ignatius Jesuit Centre of Guelph is a cemetery established in 1913 for burial of retired Jesuit priests and brothers from all of Canada .

The farm currently contains eight of its own enterprises of productive agriculture:

- cattle in a cow-calf operation, animal population about ninety to one hundred year-round;
- pig production;
- sheep production;

- grain (spelt) for export and livestock feed for the farm livestock;
- apples and pears
- retail sales of meat, honey and other produce;
- Community Shared Agriculture (5 acres of organic market garden production) for members of the CSA on a pre-sold basis for weekly pickup; -rented community garden plots (allotments) for individual organic production (two acres).

There are many community volunteers who work on aspects of the farm activities.

The entire farm operation is certified as organic by the Organic Crop Producers and Processors, a Canadian nationwide organization approved by the US Department of Agriculture. To achieve organic certification requires a number of years of effort and work to modify the entire management system to the required standards and to achieve the cleansing of the land.

There is an ecology educational project which is based on the farm activities, with five or six summer internships (for six months each year) which are designed to teach the agricultural interns how to be organic farmers.

In addition, a local beekeeper, Ms. Alison Skinner M. Sc., rents space for her Tuckamore Honey business with her workshop, processing and storage needs. She has had one of her four beeyards (10 hives) in the orchard for the past three years; with the rest of her 45 hives in three beeyards elsewhere in the County. In addition to her enterprise, she holds a research staff position with the Ontario Beekeeping Association, to conduct a research study on the interaction of beehives and organic agriculture, with an additional 45 hives for the study on the Ignatius farm. Her earlier academic research at the University of Guelph examined a specific species of mite which are one of the major insect pests of bees in Ontario.

The University of Guelph and the OntarBio Organic Farmers Cooperative collaborate with the Ignatius Farm in providing experimental sites and demonstrations of organic agricultural production.

The LandSaga organization is conducting a seven-acre research project on the Ignatius lands on the suitability of different species of willow trees for site remediation on disturbed sites, e.g., gravel pits or eroded streams, as a substitute for concrete, stone or other vegetation.

All of these activities are dependent on the rural character of the surrounding 600 acres and the rural setting for the property.

Adjacent to the Ignatius Jesuit Centre property is the Marymount Cemetery and Mausoleum which is operated by the Hamilton Diocese, entirely separate from the Centre. The cemetery land and natural setting is complementary to the Ignatius lands and the retreat programmes as a site for solitary contemplation and prayer.

3. CONFLICTS BETWEEN MAJOR COMMERCIAL DEVELOPMENT AND IGNATIUS CENTRE

There is massive conflict in this application with compatibility with the social and physical environment of the area in which the development is to be located.² Those words are from the Official Plan of Guelph -- .Section 7. 4. 24. 2 (b). By contrast I quote a recent statement which spoke of: ³the healing power of nature², and I thought of the original phrase which was: ³the healing power of prayer². These phrases can be applied to the Ignatius Jesuit Centre of Guelph.

Compatibility between land uses has many dimensions. There are many kinds of land use conflicts, which are variously physical, biological, social or economic.

The planning reports on all sides appear to steer away from any mention of the intangible values attached to or supported by the Ignatius Jesuit Centre of Guelph and by the nearby two cemeteries. The reports appear to concentrate on buildings and street frontages, and on the physical aspects of land uses. The Official Plan does not define or limit compatibility to consideration of physical kinds of relationship.

A general term for the non-physical aspects might be ³intangible², ³social², ³psychological² or even ³perceptual², or all of those words. In any case it must be recognized that land uses generate many kinds of satisfaction, enjoyment or values. Many are intangible, but in any case they are identifiable in any particular situation and are real to the persons involved in the land use.

The Official Plan says to amend the Official Plan there must be considered compatibility with adjacent (nearby) land use designations and land uses.

It is necessary to consider Ignatius Centre activities as a composite land use, not as individual activities which are separable individually. There is high interdependence among them. These rural relationships have not been examined by the planning reports of City Planning staff or of the other parties. The planning reports have been heavily urban-centered in their mindsets. There is a noticeable vacuum or lack of analysis of the rural, social and economic environment.

We have a letter sent by 6&7 to the Ignatius Jesuit Centre of Guelph dated 6 December 2001, over the signature of Mr. Tom Friedland.. The letter reports the results of discussions between 6&7 Developments and Rev. Philip Shano of the Ignatius Centre.

In my opinion as a planner the letter is somewhat superficial and not completely relevant. It deals with and refers only to the physical effects which it seems Rev. Shano feared the Centre would suffer from the 6&7 proposals. Rev. Shano apparently wrote to 6&7 on 28 February 2001 which Mr. Friedland has summarized in the December letter. I do not know if the issues raised by Rev. Shano in February were completely covered by Mr. Friedland in the December letter.

The discussions did not deal with the planning aspects of the proposed development, and did not provide a planning analysis of the cumulative effects. However, I must agree with what is said in the letter, that certain physical effects on the IJCG would be mitigated, i.e., reduced to some degree, by the efforts to which 6&7 had agreed. 'Mitigate' does not mean to eliminate the effect. Some probability and severity of those dangers would continue.

The goals and values of the Ignatius Centre have been portrayed by Rev. Profit in his statement to the Board and in his statement to the City Council in the special meeting of 25 May 2004 attended by Ms. Howser. The word ³spirituality² has been used to refer to those goals and values, but it is a kind of shorthand to represent a great range of psychological, mental, religious and value-laden phenomena, as I understand it.

In my teaching and research in planning I have frequently spoken and written about evaluation of planning alternatives. Also, in natural resource economics and environmental economics there is a strong history of theory and practical methods being developed to estimate the value of Public Goods and Services which are provided by natural systems.

Public Goods and Services are not generated out of an economic market system, in which supply and demand determine the prices of the output and determine the quantity to be produced. However, there are mechanisms which create the supply and there are vehicles for public demands for the provision of public goods and services. Systems of government and of non-governmental organizations provide most of such vehicles to express demands.

The terminology uses the word ³public² but in a sense of ³community² or ³social², not governmental. It does not necessarily involve government. The term refers to the difference from private goods and services, such as your pen or your eye glasses, only you can use them unless you give permission.

Public goods and services, are distinctly different from private goods and services. The former are consumed or enjoyed in a communal or collective fashion. Consumption or enjoyment by one person does not deprive another person of the opportunity to enjoy that same unit of the good or service. For example, a scenic view is consumed or enjoyed by the viewer and it can also be enjoyed by a different person in the next hour, or next day or next year. This is only one of the dimensions which define a public good or service.

Canada as a nation is perhaps characterized by the number and quantity of public goods and services which we provide to our residents or visitors at the national or local level. The ³driving of the last spike² on the transcontinental railway symbolized a public good or service, to link all across our country with an easy mode of transportation was of great value in many ways.

At the local level or the senior government level we have many examples. Perhaps one of the major ones is to provide a sense of security in many aspects of life: police and fire,

water supply, food quality, food supply security, public health, parks and wilderness systems, as examples. The public benefited in the recent SARS experience from the public health system responding by sounding the alarm and then establishing policies, research and procedures which mitigated the extent of illness and death.

One of Canada's important values and features is captured in the term ³multiculturalism², which stands for tolerance and respect of differences of many kinds, whether gender, colour, race, religion (if any) or physical features. This is a public good or service. It increases our national well-being.

If we think of a special landscape, such as Banff National Park or Ellsmere Island, or Ignatius Jesuit Centre of Guelph, many members of the public will have personal emotional feelings about their values for that place. There are four main kinds of value, using the economist's term, which I shall briefly define:

- (a) use value, which is the pleasure one would get from actually visiting the special land area,
- (b) existence value, which is the pleasure that person would get from realizing that the special land exists and has been protected,
- (c) option value, which is the satisfaction from realizing that this person might have the possibility of one day to visit and to use that special land herself,
- (d) bequest value, which is the wish of almost all persons to leave something of value available for the next generation.

It is clear that every person who uses the Ignatius retreat programmes and uses this 600 acre landscape and setting will, in advance and afterwards, feel some or all of these values. Many non-Catholic persons clearly feel this or they would not be attracted to visit the Ignatius Jesuit Centre of Guelph. Even I, who am not religious, enjoy knowing that the Centre exists for those people who need this facility. I enjoy it as a lovely rural landscape which is well cared for, and I have had great admiration over the years for the people who have contributed to the farm and to the programmes. Special lands always create a set of benefits or values for people who know of the lands. It is another example of public goods and services which are intangible. There are many other people, who never expect to, or wish to, actually visit and ³use² the Ignatius Centre but who still feel the other kinds of values for the Ignatius Centre. If they know about it and support its purposes, they would appreciate the ³existence value, the option value, and the bequest value² of that Centre without ever being on the property.

The proposal by 6&7 to build a substantial commercial project here would represent a degradation of the spirituality aspects of the Centre. I also would include the degradation of the spirituality of the two cemeteries in this comment.

The cemeteries and the Ignatius Jesuit Centre are devoted to personal and individual meditation and contemplation of the highest order. This is a complete opposite of the purposes of a WalMart store which is devoted to consuming, and acquiring possessions, and (hopefully) minimizing the cost of the widest range of physical manufactured kinds of gratification.

The repute of the Ignatius Centre will be damaged by the proximity to such contradictory commercialism.

The property of the Ignatius Centre revolves around religious and spiritual activities. The land is an essential part of those activities. For persons undertaking one of the retreat programmes the activity involves contemplation, meditating and prayers which take place in the relative solitude on the approximately 10 km of trails and paths which permeate the whole property.

The core values of the Ignatius property go beyond the physical setting, but involve very deeply the public goods values of the existence value, the option value and the bequest value.

4. GUELPH OFFICIAL PLAN AND WELLINGTON OFFICIAL PLAN

An amendment to the Guelph Official Plan requires that in considering an application for an amendment there should be compatibility with the adjacent (nearby) designations. The adjacent designations are in the County of Wellington Official Plan, which has a special policy area for the Guelph Centre of Spirituality as a complete rural complex. Policy area PA3-1 for the Guelph Centre of Spirituality (now called Ignatius Jesuit Centre of Guelph) lists as permitted uses on this property all of the activities carried out on this land.

The Director of Planning for the County of Wellington told me recently (in July) that the County of Wellington does not want a major commercial development at this location within the county, just north of the City boundary. The County has demonstrated for years that it wants commercial development to serve the county residents, and to have an appropriate location. For major commercial investment to be made on the very edge of Guelph outside the City boundary would mean that the City would try to annex that land for its own financial benefit. When the City annexed 4000 acres from the County municipalities a decade ago the County lost almost no major property assessment because the County officials had avoided creating that kind of temptation for the City.

The Planning Appraisal for 6&7 Developments Inc. of August 1996 was done by Bousfield, Dale-Harris, Cutler and Smith Inc. That appraisal devotes only 1 1/8 page (page 48) to examination of compatibility on Adjacent Land Uses. That examination contains no reference to the Guelph Centre of Spirituality. There are no references to Woodlawn Cemetery or to Marymount Cemetery. I do not understand such an oversight. It appears that they took the word ³adjacent² too narrowly, meaning abutting. This is no acceptable examination of the complete situation and of the fact that there is a different municipality touching the 6&7 lands. The urban-centered perspective tends only to consider the activities which border the nearby streets and not to consider the land-intensive land uses such as farming or rural institutions.

The Provincial Policy Statement of 1997, in Part IV deals with Implementation / Interpretation. Item 4 states: ³Since the policies focus on end results, the official plan is the most important vehicle for implementation of the PPS.² This is a requirement for a planning analysis of the cumulative effects of a change, not simply to consider what is in the application. This is an important statement because it means that this Hearing must consider the end results of the land use processes which would be set in train if the 6&7 applications were to be approved.

The Provincial Policy Statement (Part 1.1.1 (e)) states that ³a coordinated approach should be achieved when dealing with issues which cross municipal boundaries². The issues in this application clearly deal with issues that cross the municipal boundary, and conflicts with and effects on land uses in Wellington County must be addressed in a more comprehensive way than has taken place in the examinations to date.

In the Provincial Policy Statement, Part II states that Prime Agricultural Areas will be protected for agriculture. The Township of Guelph-Eramosa is all considered a Prime Agricultural Area. The soils within the Ignatius Jesuit Centre of Guelph are Classes I (70 %), Class 3 (topographic limitation) and qualify as Prime Agriculture. They are to be protected against land use conflicts. The Ignatius lands are a complex of land use activities and all must be protected against land use conflicts.

In the City of Guelph Staff Report dated 30 November 2001, in the sections titled Key Planning Issues and Planning Conclusions there is no attention to compatibility of land uses. The possibility that there may be planning issues of compatibility with the adjacent rural land uses appears to have been ignored. The statement is made that in the planning reports of 1997 and 1998 there is analysis of compatibility with the surrounding land uses. My professional impression is that all of these reports have dealt almost and perhaps entirely with market impact analysis and effect on economic viability of the CBD and other commercial centres. In dealing with land use compatibility there is mention only of urban design and streetscape appearance.

In my professional opinion this planning evidence indicates that these applications should be refused.

5. IMPACT ON THE CEMETERIES

Most residents of a community would probably say that the most sacred places in the community are its cemeteries, perhaps placing them as more important than individual church buildings or the memorial cenotaph to their military dead.

Guelph has two cemeteries in our city. The Woodlawn Cemetery, owned by the City, is at the intersection of Woodlawn Road and Woolwich Street, directly across the road from the 6&7 property proposed for major commercial buildings and parking lots. The other cemetery is Marymount Cemetery, owned by the Hamilton Diocese of the Roman Catholic faith, directly north of and adjacent to the 6&7 proposal for commercial

development. I have already mentioned that within the Ignatius Centre there is a smaller cemetery for Jesuit priests and brothers.

For the older half of the community residents these lands are sacred to the memories of the family members and friends who have been lost from this life. These are places of peace, quiet, natural beauty and sacred thoughts of life and afterlife in our memories. Cemeteries are outside of buildings, places to commune with one's thoughts on the purposes of life and on the values and contributions of the loved deceased.

The land use of a cemetery occurs over years in a person's life. It is not a once-in-a-lifetime moment. The most poignant is perhaps the days when a loved relation or friend has succumbed and is to be buried in the cemetery. However, over many years every time we pass by the cemetery we have thought of the cemetery as sacred to both the deceased and to the family and friends who have been buried there. For months and years after a person has been buried, the persons with the strongest sense of loss about that person will make occasions to visit the burial site and think about the past and the future.

The burial service itself is brief but intense, and the clergy have expressed their feelings about the intrusions of traffic noise as they try to comfort the family and friends of the deceased and to reconcile them to their loss. It is a spiritual process. The noise and other problems will increase with the proposed development if approved.

The commercial uses proposed to be built adjacent to these sacred cemetery lands are incompatible with the purposes, practices and spiritual values attached to the cemetery lands.

I can imagine few land uses which would insult the Woodlawn Cemetery and Marymount Cemetery more than the uses proposed by the 6&7 proponents for WalMart. There is an emotional conflict between these land uses, which cannot be denied. It is not good planning.

I recommend that we respect the Roman Catholic and other religious heritage of this City by refusing the application by 6&7 Development Inc. To refuse these applications would also respect the planning tradition of Ontario.

6. ENVIRONMENTAL IMPACT OF INCREASED TRAFFIC AT THIS LOCATION

I shall make only a brief statement about choosing to locate a large scale retail development on the 6&7 property, compared to locating the same development at those other locations which have been designated in the Guelph Official Plan.

Construction of this commercial development at this location within the City of Guelph would have greater environmental impact for our community than at other locations which are already approved in the Official Plan for major commercial development. The

natural environment would be more damaged by travel to this location because of the greater emissions of the Green House Gases from vehicles. The WalMart development would be more central to the population of Guelph at these other locations and hence the travel to the store would be less than it would be to the northern edge of the City. There would be greater emissions of green house gases and hence more environmental effect.

This application is also not consistent with the City of Guelph membership in the ³Twenty Percent Club² of the federal government, which pledges to reduce Green House Gas emissions by twenty per cent. The City of Guelph has recently chosen to participate in the One Tonne Challenge, which will undertake to encourage and plan for the average household to reduce energy consumption sufficiently to reduce green house gases by one tonne per year per household. This application is in conflict with our municipal promises. This is an indication that the applications should be denied.