

**James Milner fonds
Inventory#357
Accession 1992-014
Reference code: 1992-014
1939 - 1969**

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Access Conditions

Access is open.

Normal copyright restrictions apply.

Description of the Accession

Reference Code	F357 / 1992-014
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Accession Title and Dates of Creation	James Milner fonds. -- 1939 - 1969.
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Administrative History / Biographical Sketch	James Bryce Milner was a Professor of Law at the University of Toronto, a town planner, and a community activist.
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James Milner was born in Amherst Nova Scotia. He attended Dalhousie University School of Law graduating with an LL. B. and the University Medal in 1939. During the War Milner worked for the Foreign Exchange Control Board in Ottawa. After a brief period on the Faculty of Law at Dalhousie, Milner went to Harvard to do graduate work where he studied under Leon Fuller. He received his LL. M. in 1950. Milner then joined the revamped law school at the University of Toronto in 1950 where he remained until his death in 1969.

At Toronto, Milner taught a course in contract law and he developed and taught a course in community planning law. He was a gifted teacher. The Canadian Association of University Teachers established the Milner Award as a tribute to Milner's influence and gifts as a teacher. Milner was a exponent and practitioner of the casebook method. Milner's introduction to his casebook on contracts sets out his approach to cases as a teaching tool. His style was to pose questions, a tradition long used by exponents of the method. He was the author of Community Planning Law: a casebook on law and administration (1963), Milner's Cases and Materials on Contracts (2nd ed 1971), and Tentative proposals for the reform of Ontario Law relating to community planning and land use controls (1967).

Milner was an active participant in community groups and professional organizations. He was an internationally recognized expert in town planning law and was an early leader in the movement to renew the city's older residential core. He helped to found the Association of Public Law Teachers of Canada (President in 1958), the Centre for Urban Studies at the U. of T. (he was Chair in 1967), and the Canadian Council of Urban and Regional Research. He was an active participant in the Canadian Association of University Teachers in which he acted as the Chair of the Academic Freedom and Tenure Committee. He served as Chair of the Committee of Adjustment for Toronto Township (1956-1961) and was an active member of the Town Planning Institute of Canada, being its President in 1965-1966.

He died of a heart attack while on a airplane journey from Toronto to Ottawa. At the time

of his death Milner was on a committee of the Town Planning Institute established to study the coordination of planning legislation across Canada. In the early 1960s he chaired the Zoning Study Committee of the Royal Architectural Institute of Canada. Their report, "Reflections on Zoning" contained much input from Milner. He was also a founding member and Director of the Canadian Council on Urban and Regional Research. Bora Laskin, then on the Ontario Court of Appeal, paid the following tribute to Milner:

He was in the front rank of Canadian legal scholars, exhibiting in the subject in which he had no peer in this country - community planning law - an interdisciplinary approach compounded of his own competence in handling legal and non-legal factors which that subject embraces.

The Municipality of Metropolitan Toronto through the Toronto Historical Board named a park after Milner in 1984 under the auspices of the Asquith-Collier Association and erected a plaque to him there.

Notes on Processing of the
Materials

The documents that constitute this fonds have been collected at the Resource Centre, Department of Environmental Studies, York University. Eighteen linear feet of materials were issued from this acquisition: Twelve linear feet of archival documents and six of publications. The present finding aid defines the twelve linear feet of archival documents. Most of the documents were in file folders and titled. An alphabetical file list has been created as a research tool. But within the same groups in the "a" and "b" (addresses, articles and briefs) the documents have been put in chronological order.

Associated Materials

To complete the understanding of the fonds some documents have been received from Louise Bogart and John Page. Those documents are now part of the John Milner Collection (Accession 1992-028) but were not integrated in the Milner Fonds so that the principle of provenance as well as the respect des fonds were maintained intact. This collection represents two linear feet of archival documents and special medias like tapes and cassettes.

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4. [Address] - "What is Bureaucracy?" and notes for lectures "Patterns in Planning Legislation" by J.B. Milner, n.d., 1959
5. Address to Canadian Bar Association by J.B. Milner, 1958
6. [Address] - "Fact and Fancy in the Idea of a University Law Faculty" [by J.B. Milner], presidential address to the eight annual meeting of the Association of Canadian Law Teacher, University of Alberta, Edmonton, June 5, 1958
7. [Address] - "Must Zoning Mean Monotony?" [by J.B. Milner], address to the Reading Law Club lunch, Simpson's Arcadian Court, September 18, 1961
8. [Address] - "The Role of the Ontario Government in Local Planning" [by J.B. Milner], address to a Michigan Audience under the auspices of the Canadian Public Law Teachers, 1961
9. [Address] - "Zoning By-Laws" [by J.B. Milner], address to Department of Municipal Affairs Ontario Planning Staff Conference, 1962
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11. [Address] - "Experiencing a City" [by J.B. Milner], notes for a talk given to ??? in Agincourt, October 31, 1963
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16. [Address] - Milner, "Canadian Local Government and Its Federal-Provincial Setting" - address to New Staff Orientation Course, CMHC, Ottawa, September 12, 1966
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21. [Article] - Part II The Municipal Planning Process in Ontario, n.a., n.d.
22. [Article] - "The Role of the Planning Institute in the United Kingdom" by Noel Dant, n.d.
23. Articles - Miscellaneous, n.d., 1935, 1958-1966, 1968
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25. Articles - Miscellaneous, n.d., 1954, 1958-1967
26. Articles - Miscellaneous, n.d., 1955-1969, 1980
27. Articles - Donald C. Rowat, Albert S. Abel and J.B. Milner, n.d., 1957, 1960
28. Articles - Kent V. Flannery, John Friedman, W.A. Fuller, n.d., 1970, 1973
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34. [Article] - Milner, "The Metropolitan Toronto Plan", University of Pennsylvania Law Review, Philadelphia, Pa., USA, Volume 105, No. 4, February 1957
35. [Article] - Milner, "An Introduction to Master Plan Legislation", The Canadian Bar Review, December 1957
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73. Canadian Bar Association Municipal Law Section, Introduction to Metropolitan Problem (emphasis on Ontario), n.d., 1957-58
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110. Centre for Urban Studies -1965 Seminar: Hart, Foley etc., 1965
111. Centre for Urban Studies - Visit of Gerry Carrothers to Toronto '64 prior to York, 1964-1965
112. Chronology of Milner's Writings, n.d.
113. Committee of Adjustment, Township of Toronto - J.B. Milner, chairman - Personal, n.d., 1960-1961
114. Committees of Adjustment, 1965, 1969
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125. Cornell Conference on Interdisciplinary Applications of Gaming Techniques to Land Use Regulation, May 26-28, 1964; 1962, 1964
126. Conservation Council Committee on Planning Boards (EM 6-1387), 1961-1962
127. Contents of files #A-M, n.d.
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