

PART A: UPDATE ON PROVINCIAL ISSUES

In the Spring 2012 Edition of Queens Park Update we highlight several issues of interest to residents' associations and citizens:

- The Ontario Municipal Board
- Five Year Review of the Provincial Policy Statement, 2005
- Strategic Litigation Against Public Participation (SLAPP)
- Protecting Heritage Views of Queen's Park, and Preserving the Dignity of Ontario's Capital Precinct
- Election Financing Reform
- Private member's bill requiring paved shoulders
- Mega-Quarry in Dufferin County and Review of the Aggregates Act

Ontario Municipal Board

Many residents associations are dismayed by Council decisions being appealed to the Ontario Municipal Board (OMB), and subsequent OMB decisions seeming to favour intensification, regardless of the suitability of the location, and at the expense of other, equally valid, planning concerns. The number of appeals going forward to the OMB is excessive and an important contributor to this excess is a confusion between long-term planning and development control whereby the majority of Official Plan (OP) amendments are site-specific and treated like re-zonings.

F.U.N. has continued to urge the Ontario government to consider reform. They have argued that there needed to be sufficient time elapsed to shake down the planning reforms introduced in 2005. Well, it appears that they may finally be open to a conversation. At a recent meeting with the Federation of North Toronto Residents' Associations (FoNTRA) the Honourable Kathleen Wynne, Minister of Municipal Affairs and Housing mentioned that she was proposing to host a Roundtable on OMB Reform. At least this may be a start! We now await details!

Provincial Policy Statement, 2005 – Five Year Review

The Provincial Policy Statement (PPS) sets out the Ontario government's policy direction for land use planning and development. The Ministry of Municipal Affairs and Housing sought input on how the PPS is working and whether any changes were needed to protect provincial interests and to make sure that the PPS is adequately addressing emerging land use issues.

The public input phase of the Province's Review of the Provincial Policy Statement, 2005 (PPS) was completed in October 29 2010. The October 2011 Election brought several portfolio changes including Kathleen Wynne MPP to the Municipal Affairs and Housing post. No timeline has been announced for the publication of any revisions to the Provincial Policy Statement. F.U.N. will continue to urge that the government table the updated PPS at the earliest opportunity.

Strategic Litigation Against Public Participation (SLAPP)

SLAPP is a lawsuit initiated against one or more individuals or groups that speak out or take a position on an issue of public interest. SLAPPs use the court system to limit the effectiveness of the opposing party's speech or conduct. SLAPPs can intimidate opponents, deplete their resources, reduce their ability to participate in public affairs and deter others from participating in discussion on matters of public interest. The Advisory Panel reported in October 2010 and their report can be viewed at http://www.attorneygeneral.jus.gov.on.ca/english/anti_slapp/default.asp

F.U.N. continues to urge that the government table the necessary legislation at the earliest opportunity.

Protecting Heritage Views of Queen's Park, and Preserving the Dignity of Ontario's Capital Precinct

Federation president Archie Campbell wrote to Premier McGuinty in April 2011 to urge him to support efforts to protect the view of the Ontario Legislative Assembly. You can read the letter here [Letter on QP Legislative Precinct.](#) . However the Premier has made no commitment to deal with the issue. Meanwhile the City of Toronto is undergoing the 5 year Review of the Official Plan and the issue has been raised in that Review

The Legislature is the seat of government for the province and as such we think this is not only a downtown or City of Toronto issue but also a provincial one. We continue to urge you to write to the Premier and your MPP and ask them to protect the heritage views of the Legislature.

Election Financing Reform

Reform of campaign finance regulations would help provide a level playing field for candidates. The City of Toronto instituted a ban on corporate and union campaign contributions in municipal elections in 2009, putting it in line with a similar ban in federal elections, provincial elections in Manitoba, Quebec and Nova Scotia, and municipal elections in Quebec. It is felt that provincial election financing reform will be necessary before a provincial move to implement province wide election financing reform for Ontario municipalities.

In 2005, F.U.N. recommended that the Ontario Elections Act be amended: “to prohibit contributions by corporations and trade unions and permit taxpayers to designate a portion of their provincial income tax to a political party of their choice”. Fair Vote Canada (FVC) has an active campaign pressing for the implementation of these types of policies. Further information is available on the FVC web site at www.fairvote.ca.

F.U.N. will continue to urge that the government consider provincial election financing reform in order to level the playing field for candidates.

Private member’s bill requiring paved shoulders

Parry Sound-Muskoka MPP Norm Miller has re-introduced his private member’s bill which would enhance public safety for the motoring public and promote active transportation in Ontario. Miller’s bill, if passed, would require a minimum one metre paved shoulder on certain provincially owned highways to improve public safety for cyclists, pedestrians and motorists alike.

Studies in other jurisdictions confirm that where paved shoulders exist, accidents are drastically reduced. “There are obvious health benefits for the individual and society in general, as we provide more opportunities to cycle and walk for recreation, or for transportation. Active transportation routes and connecting links help to promote tourism. Quebec has proven that.”

Studies also show that paved shoulders have improved safety for the motoring public, as well as increased tourism opportunities.

To sign a hard copy of a petition go to:
<http://www.normmillermpp.ca/petitions/>

Mega-Quarry in Dufferin County and Review of the Aggregates Act

A US-owned company wants to build North America’s second-largest open-pit mine next to the Niagara Escarpment and amidst the headwaters of rivers that provide drinking water for over a million Ontarians. Farmers, citizens, aboriginal people and

environmentalists oppose this planned quarry, which will destroy thousands of acres of prime farmland.

On September 1, 2011 five weeks before Election Day, John Wilkinson, the former Minister of the Environment announced that the application would be subject to a full environmental assessment (EA).

FUN was pleased with the Ontario government for taking this step and will be urging Minister Bradley to ensure that the results of the EA process drive the ultimate decision on the quarry application.

The Standing Committee on General Government, an all-party committee of the legislature, has been directed by the Ontario legislature to develop recommendations to strengthen the [Aggregate Resources Act](#). Aggregate resources such as sand and gravel are vital to Ontario's economy -- they are used to build roads, subway tunnels, hospitals and schools. The need for aggregates must also be balanced with the protection of other important resources, like water, green space and agricultural lands. While aggregates are plentiful in Ontario, recent studies show that rising demand due to population growth and land constraints could significantly deplete resources within 20 years.

The terms of reference of the Review are:

“to review the *Aggregate Resources Act* and report to the House its observations and recommendations with respect to strengthening the Act. In developing such recommendations, the Committee's focus shall include, but not be limited to, the following areas: the Act's consultation process; how siting, operations, and rehabilitation are addressed in the Act; best practices and new developments in the industry; fees/royalties; and, aggregate resource development and protection, including conservation/ recycling”

FUN welcomes the Review as it is expected to highlight that a more systematic approach to planning for aggregates extraction is required and also that fewer aggregates would be required if more materials were recycled.

The Committee has announced public hearings on Monday May 14 from 2-6:00pm and Wed May 16 from 4-6pm. The written submission deadline is Wed. 16 at 5pm. It is anticipated that more hearing and submission times will be added

Committee Contact info is as follows:

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PART B: ONTARIO PROVINCIAL ELECTION **QUESTIONNAIRE**

During the 2011 Provincial election, The Federation of Urban Neighbourhoods tendered a questionnaire with 6 questions¹ on topics of interest to neighbourhood associations across the province to the leaders of the four main parties: Liberals, Progressive Conservative, New Democratic Party and the Green Party. In light of the result - a minority Liberal government - we feel that it would be helpful to have comparative information available on the responses of all three parties that have elected representatives in the Legislature, and not just the Liberals that have formed the government.

Below is a summary of Party Responses followed by the questionnaire on the issues that are of interest to F.U.N.

2011 Ontario Election: Summary of Party Responses to FUN Questions

Topic of Question	Liberal Party	Progressive Conservative Party	New Democratic Party
Ontario Municipal Board	Will continue reforms to support responsible growth and development. Open to suggestions from FUN and others.	“Always be a need for an independent body to adjudicate planning decisions.... we will review OMB to ensure it is accomplishing this goal in efficient and effective manner”	Will take action to make changes to OMB to more fairly consider community concerns about development proposals...Will consult Ontarians about how best to move forward”
Election financing reform (ban corporate and union donations)	Noted changes to Elections Act made by the previous (Liberal) government. “We respect the right to participate in the political; process	No response	Measures are needed to enhance democratic participation and accountability at the municipal level. Notes NDP’s unsuccessful proposal to restrict municipal donations but

¹ See Part C at the end of this QPR

	and no plans to change this.”		no new commitments stated
Traffic congestion	Commitment is to expand the GO train system to full-day, two way service on all corridors. Claimed to be only party to “believe in dedicated funding for municipal public transit”.	“Invest \$85 Billion in infrastructure towards breaking gridlock and move people and goods more quickly and efficiently”	Will provide more affordable and convenient alternatives to private vehicle; make transit more affordable by freezing transit fares – province will take on half cost of operating municipal transit systems; will expand transit systems; implement \$60M provincial cycling infrastructure fund – investment in bike lanes, bike storage and bicycle tourism Will promote planning for complete streets on municipal and provincial roadways Will make sure that new developments are accessible by transit and other active modes of transportation and provide facilities for cyclists.
Planning reform	Undertaking review of Provincial Planning Statement (PPS) ² ; open to proposals from FUN and others.	“Will restore local decision-making powers...end provincial tinkering and delay in Official Plans”	Will “explore ways to strengthen adherence to OPs.; including population densities in OPs may be helpful”; However “need to be some flexibility for site specific amendments given that zoning of particular properties don’t match OP goals and objectives”
Heritage view of Queen’s Park	No commitment (comfort with the process that led to the current	No response	“Opposed to this development which clearly compromises the historic and cultural

² The public consultation on the review of the 2005 PPS officially closed November 2010; during the past year FUN requested the government to release the revised PPS.

	situation)		importance of the viewscape of Queen's Park. We urged Premier McGuinty to intervene and introduced legislation that would have protected Queens Park from the development. However the McGuinty government refused to act".
Anti-SLAPP legislation	No specific commitment - notes that government established an anti-SLAPP panel and is considering their advice along with that of others	No response	"Yes. NDP already introduced private member's legislation to this effect. Committed to putting an end to developer SLAPP lawsuits used to silence opposition to mega projects"

2011 Ontario Election: FUN Questionnaire

1. Ontario Municipal Board

Many municipalities are dismayed by OMB decisions on development projects. Issues include insufficient regard for local official plans and an imbalance of resources available to competing parties. **What reforms to the municipal appeal process would you support?**

2. Provincial Election Financing Reform

The federal government, several Ontario municipalities and other provincial governments have legislation that prohibit corporate and trade union contributions to election campaigns. **What is your position on prohibiting such contributions in provincial and municipal elections in Ontario?**

3. Traffic Congestion

Highways in and around Ontario cities are extremely congested. According to one study, the number of automobile trips made in the Greater Toronto and Hamilton area (GTHA) grew by 56% over a 20 year period compared to a population increase of 45%. Average commute times in the GTHA are the worst in North America causing lost productivity

and enormous frustration. **What would you do to alleviate congestion in and between Ontario cities?**

4. Planning Reform:

As required by provincial legislation, many municipalities have recently updated their Official Plans or are in the process of doing so. Provincial legislation specifies intensification targets but does not require municipalities to include population densities by location in their Official Plans. This results in disagreements between municipalities, developers and residents on appropriate densities for specific sites. **Would you support planning reforms that would mandate that Official Plans provide clarity on this matter?**

5. Ontario Legislative Viewshed

There has been recent efforts by some interests to “preserve the dignity of Ontario’s Capital Precinct” by protecting the heritage views of Queen’s Park from development appearing in the background. **What is your position on protecting the view of the silhouette of the Legislative Assembly of Ontario?**

6. Anti-SLAPP

Many municipalities and organizations in Ontario have passed resolutions calling on the provincial government to protect citizens and adopt legislation to protect citizens against strategic lawsuits against public participation (anti-SLAPP). **Would you support such legislation?**