

ONTARIO PROPERTY AND ENVIRONMENTAL RIGHTS ALLIANCE

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ANOTHER GREENBELT STUDY

June 11, 2010

Mr. John Taylor, Senior Planner
Ministry of Municipal Affairs and Housing
Provincial Planning Policy Branch
777 Bay Street, Floor 14
Toronto, Ontario, M5G 2E5

By Registered Mail

Dear Mr. Taylor: **Re: Greenbelt Plan Draft Performance Monitoring Framework Discussion Paper
Submission to EBR 010-9407 (closing June 15/10)**

The Internet web site that provides the lengthy title of subject Paper advises “comments can be submitted electronically to greenbelt@ontario.ca”. Accordingly, the following submission is sent to you via registered surface mail as well as separately by electronic transmission.

NOTE: The Golden Horseshoe Greenbelt Act was hurried into legislation with official assurances that it evolved from peer-reviewed science and extensive economic studies. But appropriate documents were not then or since offered in support of those claims. Ongoing efforts by the provincial government and Friends of the Greenbelt Foundation to legitimize what amounts to a massive re-distribution of wealth are therefore suspect. Meanwhile, a published 2008 research project conducted by Professor Vyn of Guelph University clearly demonstrates that market value of private land in the Greenbelt has substantially decreased as a direct result of this legislation.

1. The Internet reports this Paper was circulated in advance to “some stakeholders and municipalities” who are not otherwise identified. With the “stakeholder” label undefined as usual, it appears no green belted private landowners, direct casualties of this legislation, were included in that courtesy preview.
 2. The current monitoring framework is narrowly focused on pre-orchestrated parameters. These ensure that fundamental questions inherent in the Greenbelt Act regarding structure, legality and consequential effect are avoided which suggests the program is clearly subjective and highly selective.
 3. The Act negatively impacts affected individuals, commerce and municipalities as well as the agricultural community at large by restricting economic development opportunities on private lands and increasing the number, complexity and cost of permits required.
 4. The Greenbelt Act and its management, funding, promotion and performance monitoring to date are seen as initiatives initiated by special interest lobbyists and not based on broad public support. Political justification was and continues to be manufactured.
 5. Some “green belted” land is simultaneously subject to regulations of the Niagara Escarpment Plan, the Species at Risk Act, the Conservation Act, Oak Ridges Moraine Foundation and the Source Water Act , each with separate or, if so ordered, their collective restrictions, prohibitions and dire penalties.
 6. Identity, credentials, background and government connections of special interest executives who routinely rotate among Greenbelt boards, commissions and tribunals is largely unknown to the general public although all are self-proclaimed “stakeholders” and experts in controlling land they don’t own.
 7. Some government officials have acknowledged that Discussion Papers posted on the EBR registry is an ineffectual public consultation tool yet the number and location of communal monitoring meetings have never been widely advertised nor were the few approved events spread across the entire Greenbelt area.
 8. The Oak Ridge Moraine Foundation, with no private landowner groups on its ENGO-dominated Board, has recently conducted a separate “moraine monitoring” program, an exercise likely to produce a pre-determined outcome favorable to the incumbent provincial government and ENGO ideology.
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9. For the taxpaying public the Greenbelt Plan Draft Performance Monitoring Framework Discussion Paper is a tribute to convoluted rhetoric but not much else. Monitoring means evaluation that needs a set of stated goals, expressed in simple, understandable prose, by which success is defined and measured.
10. Owing to perceptions of narrow implementation, limited scope and controlled outcome the Greenbelt monitoring framework as now structured urgently requires searching review followed by a general overhaul and a media advertised schedule of properly dispersed public meetings.
11. The Greenbelt Act, like the Species at Risk Act and other equally arbitrary provincial enactments, denies right of appeal or compensation for proven losses arising from the legislation. These indefensible exclusions clearly violate the principles of democracy and natural justice and must be rescinded.
12. To provide transparency and accountability in evaluating responses to this Discussion Paper the number and identity of Non-Government Organizations offering comment compared to the number of ordinary citizens offering comment should be publicly announced.
13. Greenbelt property that’s designated conservation land reduce taxes on subject land but proportionately increase the municipal tax burden on adjacent properties including farm land, the very asset the Greenbelt Act claims to preserve, another anomaly not included in the current monitoring framework.
14. In a recent media letter, the Executive Director of Friends of the Greenbelt Foundation stated agriculture has received substantial grants from that tribunal. However, not surprisingly, similar gifts to his colleagues on the Foundation Board weren’t mentioned. With accountability safeguards unknown, the perception is that special interest groups represented on the Foundation Board of Directors obtain generous public funding in return for tireless efforts to promote the Greenbelt Act and expand its reach.
15. Urban-rural tensions that emerge from misleading Greenbelt promotion is a real and growing problem. The government-inspired perception of a free-admission GTA urban park ignores the reality of its negative impacts on “green belted” landowners. Economic losses, trespass violations, regulatory harassment, denied land ownership rights, legislated wildlife intrusion and damage, junk science airily quoted as proven fact - urban Greenbelt supporters are unaware of or oblivious to these and many more rural Greenbelt pressures, none of which are being accorded any “monitoring” time or attention.

It appears Greenbelt Performance Monitoring in 2010 is intended to “frame” terms of reference for a complete review of the Greenbelt Act in 2015. In that context, frame is perhaps an appropriate word. Particularly since citizens, destined 5 years hence to face freshly minted Greenbelt terms of reference and resulting layers of new regulations, no doubt formulated as usual by a confederacy of unnamed bureaucrats and powerful lobbyists, are inclined to distrust related monitoring input assembled with minimal public knowledge 60 months in advance.

Another bundle of province-wide land use prohibitions now looms on the statutory horizon, thanks to impending in-camera decisions and transplanted law-making authority of an unelected Committee on the Status of Endangered Species in Ontario. Thus future prospects of Ontario private landowners/lessees, whether on or off the Greenbelt and whether or not qualified as performance “monitors”, are unlikely to improve any time soon.

Yours truly

R.A. (Bob) Fowler, Secretary
Ontario Property and Environmental Rights Alliance

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“to protect, and entrench in law, landowner rights and responsibilities”