

ONTARIO PROPERTY AND ENVIRONMENTAL RIGHTS ALLIANCE

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DEVALUING PRIVATE REAL ESTATE BY UNILATERAL GOVERNMENT LEGISLATION

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Many municipal councils in Canada, particularly those serving rural constituencies, are either unaware of, or oblivious to, increasingly restrictive land use decrees initiated by senior governments. Such legislation, often presented as environmentally urgent and passed down from federal and/or provincial bureaucracies to local authorities for “grass roots” enforcement, are effectively transferring, one intrusive statute at a time, privately owned land to the state without notice or capital compensation. The following summary outlines the origin and purpose of interconnected government initiatives, global, national and provincial, that help achieve that ominous objective.

The Preamble of a United Nations Conference on Human Settlement, convened at Vancouver in 1976, states that “private land ownership is a principal instrument of accumulation and concentration of wealth and therefore contributes to social injustice – accordingly, public control of land is indispensable”. Over the next 30 years all manner of international, national and regional land use regulations based on that sweeping premise, but carefully packaged as environmental necessity, were invented and applied throughout North America and, indeed, throughout the world. To that end a prominent Canadian, Mr. Maurice Strong, was prompted to establish a U.N. bait-and-switch operation that invoked environmental preservation to justify global control of natural resources and, although never publicly admitted, eventual confiscation of private property.

Mr. Strong, a petroleum billionaire and family friend/business associate of Prime Minister Martin, is now chief advisor to the U.N. Secretary General and is currently denying any personal connection with the U.N. oil-for-food scandal. He engineered and chaired a 1992 U.N. Earth Summit at Rio de Janeiro where Agenda 21, an international mission statement for the 21st century, was first introduced. And where a global protocol entitled the Convention for Biological Diversity based on Agenda 21 was signed on behalf of the Canadian people by then-Prime Minister Mulroney without even the pretense of public or parliamentary debate. As a perpetual treaty, this document binds Canada to compliance of U.N. environmental decrees under international law (i.e. Kyoto Accord). Although 10 Canadian provinces and 2 Territories obediently ratified the Convention, the U.S. Congress originally declined to do so after studying its frightening implications.

Among various other goals, the Convention mandates 2 specific targets in each ratifying country by the year 2000. These are: (1) a Global Biodiversity Assessment (GBA) program and (2) endangered species protection legislation. Under GBA vast tracts of land, private and public alike, are designated world wide as Biosphere Reserves. In these unilaterally established zones the United Nations, aided and abetted by signatory nations and militant U.N. sponsored Non Government Organizations, fosters plant, animal, bird and aquatic life while discouraging, and perhaps one day prohibiting, human habitation by regulation.

Biosphere Reserves are identified and installed under the direction of the United Nations Education, Science and Conservation Organization (UNESCO) and, in Ontario, are currently established on the whole of the Niagara Escarpment, the Long Point Conservation near Lake Erie and the eastern shoreline of Georgian Bay. These U.N. labels, applied in a declaratory process uncluttered by public consultation or debate, clearly violate federal and provincial sovereignty. They are separate from yet another ecological scheme called the Wildlands Project, mandated as Article 14 in the Convention for Biological Diversity.

In North America that particular chapter in land larceny proposes to return 75% of the continent to wilderness. In Canada, it's sometimes related to Endangered Spaces Protection, a linguistic disguise Ontario's Ministry of Natural Resources has been known to use in regulating (and devaluing) private land deemed "provincially significant" and so recorded in municipal Official Plans. Whether called Wildlands or Endangered Spaces, the program in this country is the brain child of the Canadian Parks and Wilderness Society in collusion with the World Wildlife Fund. Thus, in 1997, the WWF, presumably supported by the Canadian and U.S. federal governments, declared a corridor between Yellowstone Park and northern British Columbia to be a Wildland, an area roughly equivalent in overall size to the province of Alberta. And, in 2003, a Wildland designation was likewise applied to all land, public and private alike, between Algonquin Park in Ontario and the Adirondack Mountains in New York state. Any similarity with Ontario's provincial land scams like Smart Growth, Places to Grow, Golden Horseshoe Greenbelt, etc. is, of course, simply accidental. Yeah! Right! And Wayne Gretsky is really a ballet dancer in drag!

As to the Convention decree, invented by the U.N. and promoted by Mr. Strong, regarding endangered species legislation by 2000, Canada's Parliament obediently enacted a draconian Species at Risk Act (SARA) in that pre-specified year. This legislation is now enforced under federal criminal law powers, applies to vast acreages of alleged species habitat, includes "strict liability" (guilty until proven innocent), entrusts landowner compensation to Ministerial discretion, encourages neighbor to spy on neighbor and provides penalties of up to one million dollars and 5 year imprisonment.

Transfer of private property control to the state disguised as ecological necessity is, in Ontario, generally left to three provincial Ministries – Environment, Natural Resources, Culture and Communications. One sub-species of Natural Resources, namely 39 Conservation Authorities and the Niagara Escarpment Commission, together with the Heritage Foundation (fronted by Culture and Communications) are currently the most aggressive in this activity. For example, a couple of years ago the MNR slipped some dangerous amendments into a revised Conservation Authorities Act. These include enlarging the CA mandate from "flood plain" to "watershed" land planning, introduction of a staff-managed development control system (transplanted from the Niagara Escarpment), scary broadening of definitions i.e. "a watercourse is any depression in the ground capable of holding water" (including municipal drainage ditches?) and CA enforcement by contract of such federal preserves as Oceans and Fisheries. Meanwhile, the Heritage Foundation is authorized to acquire private property by legal means including outright purchase and/or by regulatory manipulation in concert with some of the most vociferous and richly funded U.N. sponsored environmental extremists now operating in North America. These include, but are not limited to, the Nature Conservancy, World Wildlife Fund, Sierra Club, Earth First, Animal Alliance, Environmental Defense Fund and Federation of Naturalists. Several years ago the Ontario chapter of the latter group mailed a shiny promotional pamphlet to municipal councils offering to "assist" in developing local Official Plans in accordance with provincial heritage parameters, an overture reminiscent of U.N. ongoing attempts to regulate private property use by legislation without owner input.

To defuse righteous public suspicion about loss of Canadian sovereignty, government spin doctors have renamed U.N. Biosphere Reserves such as the Niagara Escarpment and now advertise them only as “World” Biosphere Reserves. Activist groups organized since the Niagara Escarpment was unilaterally declared a U.N. – sorry, World - Biosphere Reserve to acquire Escarpment land for conservation purposes include the Blue Mountain Land Trust and the Escarpment Biosphere Conservancy. Coincident with the farcical 2001 Escarpment Plan Review these two groups joined the Nature Conservancy, Sierra Club and World Wildlife Fund in successfully lobbying the provincial government for “public body status”(presumably equivalent to municipal authority) on the Escarpment. They and other non-government organizations (NGOs) sanctified by a “conservation” mission statement were subsequently encouraged by a 2003 MNR proposal that allows them to elude municipal property taxes on lands they acquire and re-label accordingly. Whether or not such organizations are more than accidental partners with the U.N. and senior governments in Canada in their common drive to reduce private ownership of rural land is not known. However, it appears that any private property in Ontario on or near a regulated Biosphere Reserve, Species at Risk habitat, areas targeted for Smart Growth and Places to Grow or the 2 million acre horseshoe pit called Greenbelt might eventually be “acquired” at attractive (devalued) prices by either federal or provincial agencies or by leading participants in the hugely profitable environmental industry.

The real purpose and long term effect of international, national and provincial statutes that inhibit use, title, mortgage worth and market value of privately owned rural land is difficult to assess. Certainly the claimed objective of these initiatives – environmental, ecological and heritage protection – is commendable and generally applauded. But the manner in which they are conceived, promoted and enforced ignores citizen rights, avoids public debate and flouts due process of law. If national and provincial governments in Canada continue to endorse, knowingly or otherwise, these protocols through regional statutes, public opposition and protest is sure to escalate. Small wonder several OPERA member organizations in Eastern Ontario have successfully launched a Rural Revolution that’s attracting more and more angry landowners and widespread media attention across the province. Is it possible their slogan “This Land is Our Land – Back Off Government” will someday replace “Ontario – Yours to Discover”?

State control of private land looms large on the horizon of an unsuspecting world as an environmental imperative that’s orchestrated by the United Nations, co-opted by subservient national governments, implemented by unaccountable bureaucrats and tirelessly promoted by self-serving special interest groups. If unrestrained through increased public awareness and steadfast public opposition, this subtle assault on democratic values and natural justice will surely impact the lives and property of ordinary citizens throughout the planet. Perhaps Canadians should insist their elected representatives practice the due diligence of the U.S. Congress in totally rejecting the principle and stated purpose of the Convention for Biological Diversity. And then withdraw or extensively modify the thousands of provincial statutes that expropriate use of private property without owner knowledge, consent or capital compensation in the ambiguous name of “the public good”.

By the way, please tell us the name, title and qualifications of the faceless provincial and/or federal civil servant who, in the land grabbing industry, decides what is and what isn’t “the public good”!