

Citizen Input Not Required

by SHERALYN ROMAN

There has been much written in this paper, indeed even in this column, about the passing of 12 MZOs allowing developers relatively unfettered access to Caledon. What hasn't been spoken about, at least not in detail, is the role of citizen input in the municipal processes that accompany property development. While many of us like to believe that in a democracy, average citizens such as you or I play a vital role, it appears instead that more and more, at least here in Ontario, citizen input is not required. In fact, it is prohibited.

I'm referring specifically to both the OLT (Ontario Land Tribunal) and Doug Ford's passing of Bill 185 earlier this year. The so-called 'Cutting Red Tape' Act was put in place to enable communities to build more homes faster. Not content with simply granting strong Mayoral powers to some towns and cities (Caledon included) Ford, in his efforts to quash opposition, has, with Bill 185's passage, effectively silenced the rights of individual citizens and concerned third-party groups to appeal any proposed developments in their community.

There are, of course, any number of reasons interested parties might want to appeal a development decision including: environmental impacts, concerns about greenbelt infringement, traffic congestion and safety concerns and yes, sometimes even because of 'NIMBYism.' While the latter may result in the odd 'nuisance' application for a hearing, preventing the rights of citizens to engage in what Jaqueline Wilson, counsel for the Canadian Environmental Law Association calls, 'an important mechanism for the public to make sure that environmental and public health concerns (are) properly considered in development decisions,' is just wrong. It goes against the very principles of a democratic society that depends on its citizens, at least in part, to act as a system of checks and balances against government and/or developer overreach.

According to a recent article in the Toronto Star, Ford's new legislation 'places restrictions on the ability of the public to appeal amendments to official plans and zoning by-laws made through development applications.' Developers can still appeal decisions, as can impacted landowners, but anyone else who might be concerned about the impacts of development decisions on such minor matters as the polluting of watersheds, potential destruction of species at risk, or how increased traffic volumes in a particular community might impact pedestrian and driver safety, is out of luck.

It seems the government has taken the position that the OLT, the quasi-judicial body that adjudicates planning and development decisions under dispute, is not the appropriate place for citizens to raise concerns. Instead, the government posits that members of the public can simply make use of their locally elected councils to address their concerns. Municipal Councils are, according to the Ministry of Housing offices at Queens Park, 'best positioned to make decisions that reflect the needs of their communities.'

But are they? Here in Caledon, the current council's voting record often appears to split decisions along a consistent 5-3 voting bloc, the majority vote often coinciding with that of Mayor Groves. That means, once her vote is placed, it's a 6-3 vote in favour of many Council decisions including those related to development. I wouldn't call this an accurate representation of the concerns of all Caledon residents and without any additional recourse available to us (like the OLT) many Caledon citizens feel unheard and underrepresented. Combined with the existence of strong Mayoral powers such as those granted to Mayor Groves, is it any wonder that many residents question whether equitable, environmentally responsible, and 'in the best interests of Caledon' development decisions are actually being made here at home?

It's a pivotal time for Caledon. Mandated growth pegged at 13,000 homes is one concern, but slamming through 12 MZOs that permit the development of 35,000 homes, without the right of citizens to appeal those decisions? That's not democracy at work, and it's not just housing we should be concerned about; a certain massive, blasting quarry and a proposed highway also come to mind. It seems, despite what you and I might think, citizen input is not required.