



Greenspace Alliance of Canada's Capital
Alliance pour les espaces verts de la capitale du Canada

Postal address: P.O. Box 55085, 240 Sparks Street, Ottawa, Ontario K1P 1A1 □ Tel.: (613) 739-0727
E-mail: contact@greenspace-alliance.ca □ Web site: www.greenspace-alliance.ca

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Municipal Legislation Review
Ministry of Municipal Affairs and Housing
Local Government Policy Branch
777 Bay Street, 13th Floor,
Toronto, ON M5G 2E5

By Email: municipalreview@ontario.ca

Re: Municipal Legislation Review

Since 1997, the Greenspace Alliance works with community organizations and individuals to preserve and enhance natural areas in the National Capital area, including public and private green spaces, wetlands and waterways. We believe that urban greenness is essential for a community's quality of life, contributing to our personal, social, economic, cultural and spiritual well-being. It also connects us with the natural and cultural history of our region.

Many of our interventions are directed at the City of Ottawa. We are an active participant in many of its consultation processes, frequently consult with staff and regularly appear or send in written submissions to its Standing Committees.

We respond below to some of the questions posed in the Discussion Guide as well as to other matters raised in the guide but not reflected in a Question.

1.

We note that the *City of Toronto Act* gives this municipality broad authority to levy taxes in addition to property taxes. Ottawa should have such authority as well. In particular, it would allow Ottawa to introduce a Land Transfer Tax. If not otherwise permitted, the legislation should allow Ottawa to earmark the proceeds of such a tax to a fund for the acquisition or equivalent protection of natural areas.

We believe that, despite the general aversion to new taxes, a tax that is transparently seen to benefit the protection of our remaining natural areas could find favour with residents.

2.

The guide also notes that the City of Toronto has specific authority to require and govern the construction of green roofs. All municipalities should have such authority.

3.

"Are there gaps in the current municipal accountability and transparency system?"

Unless covered in other legislation, the *Municipal Conflict of Interest Act* should also cover non-elected employees of the municipality. We know of a specific instance of the spouse of a senior official with authority over the file acting as a consultant for the City.

4.

"Do you think that the public has appropriate access to council meetings? How could municipal council meetings be more transparent?"

In Ottawa, the public has no right to address Council at its meetings. The meetings are videotaped but, not infrequently, the equipment fails. Written minutes consist of an Action Summary. Until recently, the Action Summary did not even include a record of motions that failed or were deferred; since December 2013, at our request, these are now included.

A video record is not searchable. It should be complemented by synopsis Minutes.

Committee meetings are audiotaped, unless the equipment fails or the meetings are held outside City Hall. The City of Ottawa abolished synopsis Minutes of Committee meetings in April 2011. For a while the Chair of Planning Committee took it upon himself to have his office produce reasonably informative "minutes" of what transpired, but that did not last.

Recently, the audiotapes have been indexed to agenda items. Still, that does not make them searchable nor is it often clear who speaks when listening to the tapes.

Clearly, video or audio tapes and synopsis Minutes are complementary products. The *Municipal Act* should oblige municipalities to provide synopsis Minutes of meetings of their Standing Committees and Council.

Related to appropriate access, increasingly the City now distributes its information in digital form, going to great lengths to make PDFs accessible to the visually impaired. We applaud these efforts. However, other barriers to access are ignored. The unavailability of basic documents in printed form (the City did away with its Resource Centre years ago) prevents residents on the other side of the digital divide to access them.

Clearly, electronic and printed versions of documents are complementary. Municipalities should be obliged to make key documents such as Official Plans, supporting Master Plans, Zoning By-laws and other By-laws available in printed form. There are well-established protocols to keep such documents up to date. Public libraries are perfectly capable of maintaining such holdings.

5.

"Do you feel your municipality is able to effectively plan for and prioritize its investments in infrastructure (e.g. roads, bridges, water systems, public transit) and its spending on services (e.g. fire, police, water, garbage, public health, recreation programs)?"

The definition of infrastructure should include "green" infrastructure.

6.

"Do you feel your municipality is using the right mix of revenue sources to pay for local services and invest in infrastructure?"

The City of Ottawa is once again engaged in a review of its rate structure for water and wastewater charges. It is now among just a few Ontario municipalities that have a purely volumetric rate structure for water. It is as yet deaf to the introduction of charges for cost recovery of stormwater facilities.

If necessary, the *Municipal Act* should empower municipalities to adopt charges related to stormwater facilities in proportion to property owners' extent of impermeable surfaces.

7.

"How can local bodies, such as community councils, best be used to increase community input in municipalities?"

The City of Ottawa abolished most of its volunteer Advisory Committees in 2012. The few that remain meet only four times a year and are not mandated to hear from the public.

In 2013 the City held "consultations on consultations" which by themselves violated basic principles of meaningful public consultation. For example, the terms of reference of this consultation were not open for discussion and the "agenda" was geared to city employees' needs, not to what residents might want to see.

More generally, the City's consultation practices are inferior to what one would expect from a mature municipality blessed by highly educated residents.

Following deep unhappiness about the City's "consultations" on the 2015 Budget, an effort was made to do better for the 2016 Budget without, however, correcting the basic flaws in consulting this, the most important annual decision of any Council. Information about the draft Budget is opaque, briefing notes often are devoid of meaningful information, there is no trend analysis and the Budget items are not presented in a comprehensive manner geared to decision making.

Through legislation or otherwise, the Province should ensure that its municipalities adhere to minimum standards of receiving input from its residents. Permitting 5-minute interventions at Committee meetings is most definitely less than what such minimum standards should require.

Thank you for the opportunity to comment. We look forward to learning about the next steps in this review process.

Erwin Dreessen
Co-chair