

Comments of the Greenspace Alliance of Canada's Capital

Bill 185, Cutting Red Tape to Build More Homes

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. Concerned residents formed the Alliance in October 1997. An important part of our work involves engaging with all levels of government and other stakeholders.

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.

Regarding Bill 185, we support:

- the use-it-or-lose-it provisions
- the no-phase-in of Development Charge changes
- tightening up of the issuance of Ministerial Zoning Orders

We oppose:

- third parties being unable to appeal OP or ZBL amendments

While third party appeals may slow down the approval process, it is fundamental to civic democracy that Council decisions in Official Plans and Zoning Bylaw amendments be subject to appeal. Otherwise these processes are open to abuse and collusion. Through their appeal rights, engaged residents and civic organizations play an important role in ensuring that these decisions are transparent and legitimate. Additional front end vetting of such appeals by the OLT could ensure that vexatious and otherwise unsustainable appeals are sifted out so that unnecessary additional time delays are avoided.

- the ability to appeal a Council's refusal of urban boundary expansions

While we can support making appeal rights available for urban boundary expansions when they are the result of a comprehensive review, in the case of proponent initiated urban boundary expansions outside of comprehensive reviews, we believe that Council decisions should not be appealable, neither by the proponent in the case of refusal, nor by third parties in the case of approval. These case by case urban expansion decisions should only be approved when all pre-

established conditions regarding proximity, infrastructure, natural systems and agriculture are met, with little or no room for discretion. Such straightforward decisions do not need an appeal process to be fair. Aggrieved proponents would not be permanently impaired. They would have the opportunity to bring their proposal forward in the next comprehensive review.

Paul Johanis
Chair, Greenspace Alliance of Canada's Capital