

Klees bill would make towns more ?accountable? to residents



By Brock Weir

How a community looks should be decided by the community itself and the people they elect to represent them, rather than an arm's length board, according to Newmarket-Aurora MPP Frank Klees.

Mr. Klees introduced a Private Members' Bill in the Ontario Legislature last week challenging Ontario's Places to Grow Act and the Growth Plan for the Greater Golden Horseshoe, calling for changes to protect ?established neighbourhoods? across the province.

The bill was in response to a situation faced by Newmarket residents in the Glenway neighbourhood in the north end of Newmarket who are facing significant changes to the community as developers plan on building extensive new residential units on the now defunct golf course lined by innumerable homes. The issue has been simmering for quite some time, turning out to be a hot-button issue among candidates in the last Provincial election but, according to Mr. Klees, situations like these are not limited to Newmarket or just this point in time.

As things stand now, if a Council disagrees with a developer's application, such as what is going on in Glenway, the developers' recourse is to take their application for the ultimate decision at the Ontario Municipal Board (OMB) which, he said, more often than not bases their decisions on the existing provincial legislation leaving community perspective out of the loop.

?At the end of the day, if it means the local Council decides the application that was brought forward was not in the best interests of the municipality and turns it down, the automatic trigger, of course, is to go to the OMB where the OMB panel is required to make its decision consistent with provincial policy,? said Mr. Klees. ?[If the legislation passes] people will have a community that is decided by their Council who are elected to make the decision about what the local community should look like. The other implication is local Councillors, with all due respect, would no longer be able to hide behind the OMB.

?One of the things that has happened, and I know firsthand, is there are discussions that can take place with developers to say, ?nudge, nudge, I am going to vote against this but I know you will go to the OMB and we know the OMB will approve it.' Local Councillors have the ability to be seen to be opposing a development knowing full well they will never be held accountable. I believe this will hold Councillors accountable.?

Mr. Klees' bill will come for debate in the Legislature on April 18.

With Glenway firmly in the eye of this debate, both Mr. Klees and Mayor Geoffrey Dawe said this bill, if passed, could have

significant implications down the road in Aurora if and when similar situations arise.

?The point that Councils are now going to have to be a little bit more responsible for their decisions is very well made,? said Mayor Dawe. ?It certainly happened in Aurora in the past and I think that is a very good step forward for us as a municipal Council to step up to some of the responsibilities we need to step up to.?

?It was an interesting point Frank made that Councils can't use the nudge-nudge-wink-wink to duck issues anymore. I would suggest that was done on Hartwell Way. In the Official Plan that was passed in the last term was dead-ended as opposed to being put through where it was always on the books that it be put through and I would suggest it was known all along that the Region would never pass the OP without Hartwell Way going through, but it was a good way to do the nudge-nudge-wink-wink.?

Overall, if the bill passes or comes up for more extensive scrutiny, it is bound to raise some questions about the OMB itself. In the last provincial election, Mr. Klees was adamant he believes the OMB needs to be reformed, a stance he maintains today. He said from its beginnings it has grown and become overreaching, but some of that blame can be attributed to provincial policies itself, which are broad and allows them to make decisions they were never intended to make, he said.

?I think when Councillors know that they ultimately will be responsible and accountable for the decisions that they make, they will approach their responsibility in a different way,? he said. ?I believe that whatever redevelopment would take place in Aurora will have the stamp of the local Council on it. It will not be redevelopment designed by the Ontario Municipal Board panel. It will be designed by the people who were elected by the residents of Aurora.?