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**Official Report
of Debates
(Hansard)**

Wednesday 5 December 2001

**Journal
des débats
(Hansard)**

Mercredi 5 décembre 2001

**Standing committee on
government agencies**

Intended appointments

**Comité permanent des
organismes gouvernementaux**

Nominations prévues

Chair: James J. Bradley
Clerk: Donna Bryce

Président : James J. Bradley
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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Wednesday 5 December 2001

Mercredi 5 décembre 2001

The committee met at 1036 in committee room 2.

SUBCOMMITTEE REPORT

The Vice-Chair (Mr Michael Gravelle): Good morning. The standing committee on government agencies is now in session. We begin with a report of the subcommittee on committee business.

Mr Bob Wood (London West): I move its adoption.

The Vice-Chair: Mr Wood has moved adoption. All in agreement? Carried.

COMMITTEE BUSINESS

The Vice-Chair: If I may also inform the committee, there was one item included in the November 2, 2001, memorandum that has been withdrawn and therefore will not be considered. The item is as follows: an appointment to the Cramahe Police Services Board, Mr Howard Whaley, which was an appointment by the Ministry of the Solicitor General. That has been withdrawn and will not be considered.

INTENDED APPOINTMENTS

BETSY STEWART

Review of intended appointment, selected by official opposition party: Betsy Stewart, intended appointee as member, Niagara Escarpment Commission.

The Vice-Chair: We will now move to our appointee for today—and we have just one—Mrs Betsy Stewart, who is an intended appointment as a member of the Niagara Escarpment Commission. Mrs Stewart, you may come forward. Welcome. As is the tradition, you have an opportunity to say a few words at the beginning if you like, and then we will divide the time between the three parties, beginning with the Liberals, the official opposition. So if you want to say a few words, that would be just fine.

Mrs Betsy Stewart: Good morning, Mr Chairman and members of the committee. Thank you for the opportunity of speaking with you. My name is Betsy Stewart. My husband, Dan, and I have been married 45 years and have two sons. My husband's family has lived and operated businesses on the Bruce Peninsula since the late 1800s.

In 1956 we became cottage owners on the Bruce Peninsula. In 1970 we decided to move permanently to

the Bruce Peninsula. One of the many factors involved in this decision was the clean environment on the Bruce Peninsula: the clean air, the clean water, the miles and miles of open space and forests. In 1970, when we moved to the peninsula, we purchased a resort and marina at Pike Bay, becoming the third generation to own a business at Pike Bay. Since that time we have owned and operated another resort and marina at Howdenvale, a restaurant in Wiarton and a ladies' dress shop in Wiarton. Presently we own a restaurant/gas bar at Pike Bay. I also have my office in this building. Concurrently since 1973, I've been a licensed real estate salesperson.

Since the mid-1970s I have been a councillor and deputy reeve for several terms on Eastnor council, and I am currently a council member in the amalgamated municipality of the Northern Bruce Peninsula. In the past I have been part of every committee of council, sat on the Bruce Peninsula Planning Board as a representative of council. In the municipality of Northern Bruce Peninsula we sit as a committee of the whole and as a committee of adjustment, and address the planning issues of the municipality and review requests for permits on the Niagara Escarpment.

Since 1970 I have belonged to every major tourist organization, both as a business owner and a representative from council. Currently I am the representative from council on the Bruce Peninsula Tourist Association.

I have submitted my application for appointment to the Niagara Escarpment Commission feeling sure that with my business and municipal experience I could make a contribution to the protection and preservation of the Niagara Escarpment. I realize that the escarpment must be saved not only for my generation but for future generations, and I look forward to accepting this challenge.

The Vice-Chair: Thank you, Mrs Stewart. We begin the questioning with the official opposition. Mr Bradley.

Mr James J. Bradley (St Catharines): Thank you very much. My first question would revolve around your general attitude toward the Niagara Escarpment. There are some people who believe you should have on the Niagara Escarpment people who are prepared to entertain all kinds of proposals for development purposes; in other words, who think there's a virtue to balance. I'll put my cards on the table: I think there's no virtue to balance on the Niagara Escarpment Commission at all, that you're

either there to preserve it or you're there to have it developed, one or the other.

So I guess the question I have for you is, particularly with the business you're involved in, would you be prepared to approve development on the Niagara Escarpment lands?

Mrs Stewart: I support the plan's basic principles of establishing a planning process to be sure the area will be protected. The plan has objectives and policies in place to protect the natural environment. They also have a development permit: a person can apply, for whatever reason, to ask to develop property they own. I think that is why we have them, and I think that part should be considered.

Mr Bradley: Do you think we should allow resorts on the Niagara Escarpment lands?

Mrs Stewart: You're talking large developments or any development?

Mr Bradley: Even smaller resorts. Do you think we should allow commercial resorts on Niagara Escarpment lands?

Mrs Stewart: I really don't think that. In our area that is not a problem. We have very little development on the Niagara Escarpment. What's there is quite old, except for one—I think they call it a biosphere lodge, and I think it's in St Edmund's. It's just been built. Outside of the fact that it's been built, I have no idea how they achieved that.

Mr Bradley: There were hearings that took place in certain areas across the province this summer—I know, because I appeared at the one in St Catharines. One of the significant issues they were dealing with was, what role will wineries play on the Niagara Escarpment? The escarpment commission, as it turned out, did not accept the recommendations of the hearings panel, which actually went around the province and listened to people in great detail. The escarpment commission turned around and did not accept those recommendations.

Do you believe there should be new full-service restaurants on the escarpment lands—restaurants that may have banquet rooms, for instance?

Mrs Stewart: I'm really not familiar with that. I would imagine, from the little bit I know, that you're talking about the wineries in Niagara-on-the-Lake.

Mr Bradley: I'm thinking more along the escarpment lands itself. There are other properties on the escarpment where there are proposals. They're trying to develop agritourism, and the issue will be whether we will have a shopping centre full of wineries or whether we will have strategically located wineries which will actually be an attraction for people to come down from, say, Toronto or from the United States to a rural setting or whether we'll simply have—I'm exaggerating—a strip mall of wineries. The concern is the size of these restaurants, the commercial implications of having a winery on escarpment lands. What would be your general view of that?

Mrs Stewart: With the little bit I know about planning, I would say that kind of development, in my opinion, shouldn't be allowed on the natural part of the

escarpment, that it should go like it would if it were in my municipality, in the built-up areas, the hamlets, the villages, if possible.

Mr Bradley: Not that you'd care, but I like that answer. That's a good answer.

Mrs Stewart: That's what I believe.

Mr Bradley: And I appreciate that very much. That's my reaction to it, and I know that's what you believe and I'm glad to hear that.

Should public parks on the escarpment be off limits to resort developments?—I asked about that. What about golf courses? Do you think golf courses should be allowed on the Niagara Escarpment?

Mrs Stewart: Again, I have to relate what I know that's going on on the Bruce Peninsula. We have a very large provincial park and we have Fathom Five. I don't think they would ever permit, nor would I have any part of, making a great big resort within those boundaries.

Mr Bradley: In some jurisdictions, Ontario has been good with these huge commercial billboards. I would say there's some variation with it now, but still it's generally been good compared to some American jurisdictions. Do you think that commercial billboards should be prohibited on the country roads within the escarpment lands?

Mrs Stewart: You're talking the large billboards?

Mr Bradley: Yes.

Mrs Stewart: No, I don't. I've been talking about that with Tom Boyle, a previous director here. He was explaining the signage policy, and the understated signs sound just fine. They don't conflict with everything around them. They just don't stick right out—all the same construction, the same size, small.

Mr Bradley: Again, the escarpment lands are pretty unique. As you know, it's been declared a world biosphere by the UN. Much like the farmland in my area, once you've paved it over, no one is going to go in and tear up the pavement and start farming again. So I have a great concern about the future, once we allow development.

Do you see such things as banquet halls and restaurants and so on as being a precedent that would be hard to back down from? In other words, if you allow one, you're really in a position then of giving an argument to others who want hotels, restaurants, resorts, golf courses and so on?

Mrs Stewart: I can see where you're leading with that question. That has happened down here. It's wall-to-wall. On my peninsula, that hasn't happened, and I don't want it to happen.

Mr Bradley: The issue of special panel hearings—this was a special panel hearing that went out and actually listened to people in places such as Owen Sound, I think Orangeville, St Catharines and so on. Do you think that when a panel goes out and specifically hears representations, the recommendations of the panel should be accepted by the escarpment commission itself, or do you believe the escarpment commission has the right to ignore the recommendations of such a panel?

Mrs Stewart: Again, that's a very broad question, and I haven't any background on it. But in my opinion, the Niagara Escarpment plan is in place—it's a provincial policy—and anything this panel is doing should recommend things that aren't against what's already in position.

Mr Bradley: The Coalition on the Niagara Escarpment, which is known as CONE, has expressed its views on many occasions on proposed developments and on the general policies related to the Niagara Escarpment Commission. Do you have an opinion on the role that CONE plays and how much weight should be given to the opinion of the Coalition on the Niagara Escarpment?

Mrs Stewart: I'm familiar with what CONE does. We have a very strong environmental group in our municipality, and we do listen to them. We value their position on anything to do with the Niagara Escarpment or even our own municipality.

Mr Bradley: The MPP for Bruce-Grey-Owen Sound, Mr Bill Murdoch—and I hope I don't mischaracterize him—is not enthusiastic about the Niagara Escarpment Commission and believes it should be abolished and that local municipalities should be able to make the final decisions.

You must be familiar with Mr Murdoch's views on the Niagara Escarpment. Do you agree with those, or would you find yourself more in disagreement than in agreement with Mr Murdoch's views?

Mrs Stewart: Just his personal views or what he tried to implement when he had a private member's bill?

Mr Bradley: Let's say what he tried to implement with his private member's bill. Would you agree with that?

Mrs Stewart: No, not right away. I'm not saying I wouldn't if I read it. I have no idea how he would make sure, if the municipalities got control of implementing the Niagara Escarpment plan, how they would all do it the same way. That's why I think the Niagara Escarpment plan, as a provincial policy governing the whole 450 miles, is a good idea at this point.

1050

Mr Bradley: Do you have a view on the granting of severances on escarpment lands? There was a major controversy that arose, perhaps a dozen years ago, about the number of severances that were being granted on escarpment lands in Grey county. Do you have an opinion on that?

Mrs Stewart: I certainly know that severances—we have a definite example in our community, now that four townships are together, of strip development—all that planning and zoning took place 10 years ago. We have 100-acre parcels divided up in 10-acre parcels, and some of them are still sitting there. I don't think that's good land use.

Mr Bradley: Thank you very much.

The Vice-Chair: Members of the government, any questions?

Mr Wood: We'll waive our time.

Mr Bradley: Can I take the NDP questions?

The Vice-Chair: You can seek unanimous consent.

Thank you very much, Mrs Stewart. We appreciate your being here. We'll be making a determination right after this

Mrs Stewart: Thank you for your time. It was nice meeting you all.

The Vice-Chair: In that this is our only appointee to be interviewed today, we will move to the decision.

Mr Wood: I move concurrence re Betsy Stewart.

The Vice-Chair: Mr Wood moves for the appointment of Mrs Stewart. Is there any discussion?

Mr Bradley: I believe that members of the committee are familiar with my view that I believe the people who are on the Niagara Escarpment Commission should be totally committed to preventing development on the Niagara Escarpment. I understand there are some very valid opposing views to that.

The reason I believe that is that I think it's a real gem that we have here in Ontario. I have on at least two occasions—and this doesn't often happen from opposition people to government people—complimented the government on a couple of decisions that have been made which relate to the Niagara Escarpment. I have personally complimented the ministers, and it was a cabinet decision. So my criticism is not against what the government is doing all the time with the Niagara Escarpment Commission. When they do make some decisions I agree with, I don't mind saying I agree with them.

I think there's a potential for the erosion of the Niagara Escarpment. I have a great fear—and I was pleased with the response of the witness about precedents and what happens when you establish precedents. Now, I understand that you have a commission to be able to make decisions. I think the government understood on two of the decisions—as I say, major decisions on which I directed compliments to them in the House—that they could have been precedents that would then be used by others to justify development coming forward and to claim discrimination if their proposal was not accepted when another which was very similar was accepted.

I didn't expect the witness necessarily to be aware in great detail of the issue of wineries. It's a very difficult one for us, because on the Niagara Peninsula we have some excellent wineries that are doing a great job and attracting people. It always comes down to the dilemma, the same one that California faces, that if you allow too much development, is it attractive then for somebody from Scarborough, for instance, where you're in an intensive community, a large community, to come down to the Niagara Peninsula if you're simply going to see a lot of development that you could see somewhere else, and the rural nature?

It's difficult during our discussion and interview of a candidate here to know whether the candidate would be good or not. I liked some of the answers I heard. On the other hand, it's very difficult to make a judgment based on what I've heard so far. I hope that if the candidate is approved, we would have a good candidate there. I thought some of the answers were very good. I also

understand—I don't expect a person getting appointed to know absolutely everything about the escarpment commission. Heck, I've sat in this Legislature 24 years, and I don't know everything about the Niagara Escarpment Commission by any means, so I don't hold that against anyone. So it's a difficult judgment for me.

Let me put it this way: I will not be voting against the person who is before us today, who obviously has the support of the municipality, because we have municipal representatives who come who have the support of the municipality up there. I've always worried about transferring responsibility from the Niagara Escarpment Commission to local communities, because it's very hard for locally elected people to view things as objectively as, for instance, the province can.

It's a difficult dilemma. Those of us who were municipal politicians—and we have a few here—when we were there, we often thought they shouldn't be Big Brother or Big Sister. Now that we're here, we sometimes look and say, "We can sometimes view things more objectively on a province-wide basis." It's a real dilemma trying to fight that battle.

So I must say I liked a number of the answers I heard from the witness today. I do not know enough about the candidate coming forward to make an informed judgment, but I know enough to know that I don't see an evil person, a person who I think is anti-escarpment, sitting in that chair.

I'd just like to offer those comments on the short time we've had to discuss matters with the witness, who I thought was very forthcoming and honest in her approach and answers.

The Vice-Chair: Thank you, Mr Bradley.

Any further discussion?

We'll then move to the vote.

All those in favour? Opposed? Carried.

Congratulations.

Mrs Stewart: Thank you.

The Vice-Chair: That brings us to the end of the meeting.

Mr Wood: I move adjournment.

The Vice-Chair: Mr Wood moves adjournment. All those in favour? Opposed? Carried.

The committee adjourned at 1057.

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