

Caution of future OMB hearing backfires at Council

By Brock Weir

A developer's delegation to Council cautioning a costly Ontario Municipal Board hearing if Council did not approve his client's development plan for south Aurora backfired last week after local lawmakers branded his approach 'offensive.'

The debate centred on a planned development of 30 residential units at the south end of Town near Hunter's Glen. Originally proposed as a development of 42 units, the plan by Fernbrook Homes and Ashlen Holdings was subsequently knocked down to 32 units and eventually 30 units following concerns raised by Council and public over density on the site.

While Marco Ramunno, Director of Planning for the Town of Aurora, recommended Council adopt a zoning bylaw amendment to pave the way for the development, stating it was only slightly denser than what the Town's Official Plan calls for in the area, members of the public, and many Councillors remained unconvinced.

The proposal failed on an 4 ? 4 tie vote at Council's General Committee meeting on June 21 with Councillor Jeff Thom absent from the meeting but, when the time came at last week's meeting for Council to render their final verdict, Claudio Brutto, representing the developer, cast Councillor Thom as the ultimate tie-breaker.

'We have a critical decision in front of us, a decision that could result in an Ontario Municipal Board (OMB) next June'and conceivably could cost the Town a half-million dollars in defence of the planning report that is put forth by Mr. Ramunno, which we support [but] four members of Council do not,' said Mr. Brutto, naming each Councillor and how they voted the previous week.

Although Councillor Wendy Gaertner said his doing so was inappropriate, he continued, stating 30 units means 30 units.

'We support Mr. Ramunno's report unequivocally,' he said. 'We have no reason to change our position. 30 means 30. If we go to the OMB, should Council decide in its wisdom to not support this, then we are committed to supporting the 30, but we may end up asking for additional units, which is our original proposal. We haven't made that decision. We expect that this is going to cost half-a-million dollars to defend Mr. Ramunno. The fact that you may have to spend half-a-million to defeat Mr. Ramunno, I leave it in your capable hands. I believe that a wise and thoughtful decision will arise this evening.'

Thoughtful and wise are evidently in the eye of the beholder, as Council members 'even if they were among those supporting the plan 'took aim at the ultimatum.

'I do support the application and I support it based on my discussions with the director,' said Mayor Geoff Dawe. 'In fact, if I was to take the delegation into account, I would change my vote because I found it quite offensive.'

Mayor Dawe was one of three Council members voting in favour of the development plan, along with Councillors Paul Pirri and Michael Thompson.

'I think I share everybody's dissatisfaction with those statements that were made,' said Councillor Pirri in response to the delegation. 'With that said, I always endeavour to look at items freshly when we come to Council, take into account what is said around the Council table. Whether or not I always agree with it is a different issue, but I do take umbrage with those comments. I don't think they were fair to us or necessarily fair to yourself either.'

'I think the development that is being proposed is a fair development. I am happy to support it.'

Branding the delegation as 'unfortunate', Councillor Thompson said he foresaw the outcome.

'The reality is we're struggling with an application which I agree is outside what we have been doing with the OP (Official Plan), but I can't ignore the advice of our director who says we need to recommend this. He doesn't say so in so many words, but I believe

he is looking at the best interests of the community ? not just from good planning principles, but he knows the outcomes.?

Others, however, disagreed. Following the delegation, Councillor Harold Kim changed his vote from the previous week stating he did not approve of the ?process? while Councillor Thom cast what was originally to be the deciding vote, against the developer.

?I didn't appreciate it, but luckily I come to my decisions based on facts, based on official plans and what is best for the community,? he said. ?I don't appreciate the intimidation tactics that were used, but you can only control what you can control. Speaking of what we can control, that is why we have an official plan. What is before us is applying for specific official plan amendments and, in my opinion, those amendments are not part of our community.?

Others voting against the proposal offered similar views, with Councillor John Abel slating Mr. Brutto focusing on the individual Councillors, and Councillor Tom Mrakas stating these situations are why he and Councillor Thompson have been fighting for changes in how the OMB operates.

?Sincerity has been lost at this Council table,? said Councillor Abel. ?I want to have a builder that works with us, adheres to our official plans, and I am not the least bit intimidated or afraid to uphold that. We're being tested and we have gone to the OMB with a couple of other builders and we have worked [it] out before we got to a trial. ?I am hopeful that is what we will be able to do here.?