

Details of Highland Gate settlements could be made public by December 1

By Brock Weir

Details of settlements recently reached between Highland Gate Developments Inc. and area ratepayers, as well as the Town of Aurora, could be made public as early as November 17, following a pre-hearing last Wednesday.

Stakeholders in the plan to redevelop the former Highland Gate Golf Course into a housing development, along with some members opposing the deal, gathered at Town Hall on November 2 for a meeting with representatives from the Ontario Municipal Board.

It was nearly a week since Council agreed to the settlement, the details of which could not be disclosed at the time, in a 6 ? 3 vote following in-camera discussions and an emotionally charged session at which elected members stated their respective cases without revealing what they were agreeing to.

?These are settlements in principle,? said Mark Flowers, co-counsel to Highland Gate, speaking at the OMB meeting. ?We don't have minutes of settlement signed by either the Ratepayers Association, the Town, or the other two parties, but we're working through the process.?

In addition to the Ratepayers and the Town, there are draft minutes of settlement with the adjacent Sunrise Senior Living. Further talks, he said, have brought the proposed condominium complex for Golf Links Drive near Yonge Street down to seven storeys from the previously proposed 10 storeys, and the 184 unit housing development brought down to 179.

The next meeting is scheduled at Town Hall for December 1.

?The hope is that at that date, we will have concluded minutes of settlement, ideally with all the remaining parties in opposition, but it is possible it might only be some of them,? conceded Mr. Flowers, noting November 17 is the ?self-imposed? deadline to have all parties execute their minutes. ?If that is the case, we will proceed to a settlement hearing on that date. If we have the minutes of settlement signed by November 17, we would then undertake to give notice to all other parties and the participants of the details of those settlements. If, however, we don't have minutes?with some or all of the parties, then November 18 will be the date by which we would be asking all parties that are in opposition, who don't have minutes of settlement, to provide us with a final issues list.?

This final issues list would give representatives of Highland Gate Developments Inc. a chance to get all their ducks in a row, and have the materials they need, as well as experts, on hand for the next meeting on December 1 to address the outstanding issues.

They did, however, get a sneak peek at some of the opposition to come at the end of Wednesday's session when residents spoke out against the process. While area resident Susan Shaw said residents wanted Council members to ?justify? and detail their position to the stakeholders, Lorraine Coens said she wanted her voice heard.

?I am entirely against the proposed development,? said Ms. Coens. ?On the other hand, the Ratepayers Association was, right from the start, prepared to make concessions to accommodate the development. My husband and I chose not to join the association for that reason alone. Presently, some of the ratepayers have apparently obtained satisfaction with regards to their own property disputes with Clublink and the Developer and they have subsequently resigned their executive posts within that organization, or they have otherwise moved on.

?Some of the Ratepayers have become supporters of the proposal but let us understand what their support really means: those who have been persuaded to become supporters of the development in fact own properties that were infringing on golf course land by having had fences erected or patios built carelessly without regard for perhaps the six inches to a foot or more of encumbrance on what is now Clublink's land. In order to avoid the exorbitant costs of their own mistakes, they have chosen to acquiesce to accept the development proposal and, in exchange for their support, the developer apparently will allow their infringements to remain intact.?

Adding that if the development comes in as originally proposed her home would be bordered by roads on three out of four sides, she questioned whether her speaking out would do any good. OMB representatives told her she would have a further chance to speak on December 1 and nothing was a ?fait accompli.?

At that time, they cautioned, the Board will look at the terms of the settlement and evidence will be called for residents to give any objections and the Board will then determine whether or not the settlement is appropriate.