

Aurora prepares for trial over Mavrinac ?park? issue

By Brock Weir

The Town of Aurora is preparing to go to court over the future of a six acre parcel of land on Mavrinac Boulevard.

Known within the neighbourhood as ?Mavrinac Park?, the land in question has been at the centre of dispute for nearly a year between the Town and the property owner, Minto Developments.

The land was once earmarked for a school by the York Catholic District School Board. However, when the Board chose an alternative site for future expansion, area residents encouraged the municipality to take action to secure the land under the subdivision agreement signed in 2007 which, in the Town's view, enshrined their right to purchase the property at the prices of the day if the proposed school didn't go forward.

Minto disagreed with this position, and Council moved to take legal action to secure the land under the signed agreement last year. Talks, however, have broken down and a trial is looming.

?Recent mediation between the Town of Aurora and Minto Communities regarding the Town's acquisition of the Mavrinac Boulevard property?ended without a resolution and the Town intends to proceed with the next steps in litigation,? said the Town in a statement last Wednesday. ?As part of the litigation process, the Town exercised its right to acquire [the land] from Minto in accordance with the terms of the subdivision agreement. The Town and Minto have been involved in litigation regarding this matter since January 2014.

?As part of the litigation process, the Town and Minto engaged in mediation in March 2015 to determine if a satisfactory resolution could be reached without the need for a trial. As the parties could not agree on a mediated settlement, the matter appears set to proceed with the next steps in litigation, towards an eventual trial.?

In a statement, Mayor Geoff Dawe reiterated the Town's ?commitment? to press the matter.

?Upholding the Town's agreement with Minto and enforcing the Town's rights regarding the property are important to our Council and our residents,? he said. ?Town Council remains committed to responding to resident concerns and protecting our rights in this important matter.?

Residents raised concerns about the future of the land last year, with scores filling Council Chambers urging the Town to take action. Many of those who spoke out have properties backing onto the land in question, and said they purchased their properties at a premium in the belief they would be backing onto either a school or greenspace. The last thing they wanted, they said, were more houses in their back yards.

Lawyer John Mascarin represented the interests of Minto at Council last year. He was contacted for comment on the Town's position, but a response had not been received at press time.

Council made the decision to go public with the latest developments in the Mavrinac case after a closed session meeting last week.

?As we're all aware, [the issue] is of particular interest to the residents of the Mavrinac area,? said Councillor Michael Thompson. ?They have been enquiring continually with regards to an update and I think we have a responsibility to update them to the best of our ability.?

Councillor Thompson moved a motion, seconded by Tom Mrakas, to ?provide residents with information on Council's confidential recommendations? as it relates to the case. Warren Mar, solicitor for the Town of Aurora, however, said the only updates that could be provided at this time was the status of the litigation, shying away from any details on discussions with legal counsel or the

?overall litigation process.?

No further updates will be provided at this time on behalf of the Town, concluded the statement.