Aurora says no to ?Open for Business? legislation that could have environmental impact

By Brock Weir

Aurora has formally said ?no? to Ontario's Bill 66, which could give municipalities the ability to override provincial planning documents put in place to protect the environment in the interests of speedy developments.

In his motion, Mayor Tom Mrakas said the ?protection and integrity of the Green Belt is paramount for our residents? and cited the importance of legislation protecting our water.

?Significant concerns have been raised by residents, community leaders and organizations such as the Canadian Environmental Law Association that provisions within Bill 66 will weaken environmental protections as it ??will enable municipalities to pass ?Open for Business' zoning bylaws that do not have to comply with?' important provincial environmental statutes.

The Mayor called upon Council to oppose planned changes to the Planning Act contained within Bill 66 that may allow for an ?Open for Business? planning bylaw while requesting the Province to reconsider its plans.

?I believe we have to get out front and make a statement and let everyone know, especially in our community,? said Mayor Mrakas, noting some colleagues in other municipalities have considered waiting for information before making a similar motion. ?While we encourage jobs and businesses to come into the community and we want them to come to our community, I don't think any of us want it at the expense of our environment, at the expense of any safety measures that have been put in place by previous governments. To overturn and allow municipalities to be exempt from these legislative requirements, I think, is a bad thing not only for our community but the province in general. I think it is important we put forward this motion, we let the province know we're not in favour of this.?

Addressing Council members around the table, he added: ?I know each and every one of you to a certain extent and I know we would never look at allowing for an exemption like this to?occur, but I think the concern lies with what other municipalities are doing. That is why we need to send that message to the Province [and say] we oppose this, and that is exactly what this motion says.?

First to support the motion was Councillor Sandra Humfryes, who said she supported it ?100 per cent? and seconded the motion. Next to note her support was Councillor Wendy Gaertner who agreed that many Council members ran on environmental platforms and the proposed legislation was contrary to the mandate given to them by Aurora voters.

?This [move], without a doubt, is contrary to that as the protections in the Clean Water Act, the Green Belt Act, the Oak Ridges Moraine Act, the Places to Grow Act. It can override all of those. It is very important that we send a strong message, not only to the Province, but to our community,? she said.

Councillor Gaertner, however, suggested the Motion on the floor go a step further, taking a cue from information submitted to Council by Susan Walmer, Executive Director of the Oak Ridges Moraine Land Trust, and inserting another clause: that ?the Town of Aurora will not exercise the powers granted to it in Schedule 10 or any successor sections or schedules to pass open-for-business planning bylaws.?

?I think having that extra clause just hits the spot because it says exactly what we're not going to do,? she said. ?It sends a message to our community exactly what we are not going to do.?

But this additional clause received some pushback from Mayor Mrakas, as well as Councillor Michael Thompson, with the latter suggesting it might be too premature.

Speaking to an earlier iteration of the clause which had the phrase ?any other? instead of ?any successor,? he said he couldn't support something that vague.

?We all know how bills work,? said Councillor Thompson. ?It has passed first reading and it still has to go through other stages. There could be some amendments and changes along the way. We have also received communication from AMO (the Association of Municipalities of Ontario) that talks about all the various components of that Bill and there is a wide number of them, but I am leery to move forward on something that says ?any other' because I don't know what ?any other' means at this point. That kind of vagueness is difficult to support.?

Mayor Mrakas, on the other hand, said his motion spoke for itself.

?If we pass it, we're saying we oppose it and wouldn't be looking at amending or giving powers and allowing to exercise for an open business planning bylaw,? he said. ?I stated that clearly and I think Council by passing this motion are stating that clearly. I don't think it has to be a clause within the motion.?

While the original clauses of Mayor Mrakas' motion passed unanimously, this additional cause was passed on a vote of 5 ? 2, with Mayor Mrakas and Councillor Thompson voting against.

In supporting the motion as a whole, Councillor Harold Kim said it is important to build upon the last decade-and-a-half of Provincial legislation.

?The Green Belt plan, which was formulated back in 2005, is a cornerstone of the Greater Golden Horseshoe growth plan that we have been operating in over the last 14 years or so and a lot of other established practices have occurred since then,? he said.

?There's a marked delineation between agricultural land and urban land. The builders understood where they could build and where they could not build, the municipalities created their official plans based on the existing policies. For the province to change all of that now and really have it be helter-skelter because some municipalities will make the necessary changes to have a ?business friendly' land development policy and others will not, so there is no consistency. Prior, there was order from the top down. Now you do what you want. That's not very orderly and I don't think that serves the citizens very well.

?For all that work and all these policies and practices to be put out of place by this one Bill is unfortunate and I think we owe it to our residents and we owe it to ourselves to put this motion forward.?