

Aurora to take first steps in securing Mavrinac parkland?

By Brock Weir

Aurora could find itself at odds with developers over the purchase of potential parkland, following a decision made by Councillors last week.

Council is expected to ratify the move this week that would have Aurora flex its muscle in exercising its right of first refusal on a six acre parcel of land on Mavrinac Boulevard, northeast of Bayview Avenue and Wellington Street, for the purchase price set out between the Town and the developer, Minto, in 2007.

The land was originally earmarked for the York Catholic District School Board, and residents contend they bought their properties based on this land becoming a school and, failing that, a park. When they heard this land was up for grabs, their neighbours voices were decisive and united that Council needed to secure the land before it was redeveloped with further homes.

Councillors approved the recommendation to exercise the right of first refusal at the Committee level last week for the originally set price, but Warren Mar, Solicitor for the Town of Aurora, cautioned that that might be easier said than done.

At this time, based on conversations we have had with Minto, there will be challenges in having Minto follow the Council's resolution on that matter, Mr. Mar told Councillors. We will be reporting back to Council with their response, as well as legal options if necessary.

The motion coming out of closed session ultimately passed 8 to 1, with Councillor Michael Thompson the lone holdout. Those voting in favour said this was a necessary first step in securing the land.

This is, in my view, the next logical step in the process, said Councillor John Gallo, a vocal proponent of securing the land for the community. There is a level of commitment [in the resolution] but I think it is also fair to say it could go in many different directions. I am in full support of taking that first step and seeing where that takes us.

Councillor Sandra Humfries said she too agreed this was an important first step, and asked for assurances more information would be coming forward on what Aurora might face as the next step by November 19.

For Mayor Geoffrey Dawe, going forward is not only a step in the right direction, but also important for Aurora to flex its collective muscle when it comes to its signed agreements.

I believe we, as a Council have an obligation to ensure that we are enforcing the terms of the agreements that everybody makes with us in order to ensure that we are doing what's right, said Mayor Dawe. I think it is also fair for the residents to note that in the same terms and conditions [of the subdivision agreement] is we can abort any sale at any time. Council still has the first right to say, No, we don't want to purchase this land. Residents need to know that is also out there.

There are a lot of pieces to this puzzle. We do not have them all, regardless of what some might think. We obviously take this seriously. We are very concerned about this, but I think it comes down to the fact Council has an obligation to ensure agreements can be enforced.

This was a view in line with those of Councillor Wendy Gaertner, who added Aurora needs to hold developers and everyone who does business with the Town of Aurora to honour their agreements.

Councillor Thompson's objection, however, stemmed from these missing pieces to the puzzle. He argued it was in the best interests of Aurora to have all these pieces in place before proceeding forward.

?We heard [one of the residents] speak about being clear and unequivocal,? said Councillor Thompson, relating back to three delegations made earlier in the evening by local residents. ?We know it is not. That is why it took an hour and a half to have our conversation. We have said from the beginning that there are pieces to this puzzle that we don't know yet and we need more information.

?We are here to represent all of Aurora and I think before decisions are made, it is incumbent upon us to have all those facts before us to make a decision and not rush to judgement.?

Although they ultimately supported the motion on the floor, similar views were put forward by Councillors Evelyn Buck and Chris Ballard. Councillor Buck said she was able to support the motion because it was ?a first step in the discovery? of what the possibilities are. She said she agreed with Councillor Thompson that ?Decisions are not always black and white? and, before one comes down on one side or the other, they need to know all the angles.

?This is a form of discovery,? she said. ?What are our strengths? What are our options? In giving this direction to staff, we will discover that.?

Added Councillor Ballard: ?I look forward to that information being put on the table so people can more fully appreciate the decisions that we have to make.?

John Mascarin, lawyer for Minto Communities, is expected to make the case of the developer at Council this week.