

Community Living, neighbours set for OMB fight over bus

By Brock Weir

Aurora residents will face the Ontario Municipal Board without Council's help in their fight against Community Living.

Residents of Wethersfield Court are squaring off with Community Living York South, which operates a group home on the street for persons living with intellectual challenges. After a decade on the street, some of clients living in the home are experiencing reduced mobility, two require wheelchairs to get around, and Community Living now uses a small bus to get everyone where they need to go.

The problem? Vehicles like this are prohibited under bylaw and this has left some residents seeing red.

“As a resident of almost 24 years on the court, it has been a wonderful court, however, there has been a violation of the bylaw,” said Angela Parsons, appearing before Councillors last week in an open forum session.

She cited a decision by Aurora's Committee of Adjustment last fall to deny Community Living's application for a variance to the bylaw allowing the vehicle, which they have now taken to the Ontario Municipal Board (OMB).

“You were duly elected by the citizens of Aurora to uphold the bylaws. [If] we tried to do the same thing we would be fined the same and we would be forced to remove whatever the violation was.”

Ms. Parsons' arguments were bolstered by delegate Terry Jones, who said the issue was about equal rights.

“We appeal to Council to be supportive to all Aurorans in preserving, protecting and enforcing the zoning bylaws and support the Committee of Adjustment's ruling at the upcoming OMB hearing,” he said. “The Ministry of Community and Social Services mandate all Community Living associations throughout the Province to seamlessly blend in to all communities and specifically uphold and comply to all zoning bylaws in all the communities they operate their group home activities.”

Taking the opposing side was Aurora resident and accessibility advocate Tyler Barker. In his view, this was a matter of providing accessible transportation for all when accessible taxis could be cost-prohibitive and public transportation for people with mobility problems has its own issues.

“I just want to remind residents that there are reasons they have [the bus] there and these individuals are not residents, they are neighbours,” he said. “People with disabilities deserve respect. There are a lot of different variables to transportation. Taxis are hard to get and you have to call about a week or 72 hours in advance. We are supposed to be in an inclusive community and everybody deserves an equal quality of life as much as possible.”

Getting into the debate, Council opted in favour of sitting out this fight while the process was still ongoing at the OMB. For Councillor Sandra Humfries, it was a matter of following “due process” before the Board tenders its decision to Community Living.

If the OMB upholds the decision of Aurora's Committee of Adjustment, the Town would then contact Community Living asking them to remove the bus, according to Techa van Leewen, Aurora's Director of Bylaw Services. If they did not follow suit, charges and legal wrangling would follow. At this point, it would have been unusual for Council to get involved with the OMB process.

While Council voted unanimously to stay out of it, some Councillors voiced support of Community Living's position.

“We are not here to bring the hammer down on people,” said Councillor Evelyn Buck.

Added Councillor Michael Thompson: “I think Mr. Barker said it best that there is a question about quality of life. To deny them

access to the bus, the question is, then what? How would these residents be able to enjoy their quality of life? It doesn't sound like there is an alternative solution.?