

"Preserving Communities" gains traction in Aurora



By Brock Weir

The efforts of MPP Frank Klees to have local Councils be the ultimate authority when it comes to new developments and their impacts on existing neighbourhoods gained some added traction in Aurora last week.

Mr. Klees' bill proposing the "Preserving Existing Communities Act" was tabled in the Ontario Legislature earlier this spring. Its objective is to halt the Ontario Municipal Board from being the ultimate king-maker in most cases when a municipality has a dispute with developers' plans.

Mr. Klees argues that the bill, which is awaiting committee review at Queen's Park would confirm "the authority and role" of local councils in equally local planning matters, ensure that local lawmakers are tasked with maintaining the province's growth and intensification targets based on their official plans, and preserve the character of existing communities.

The impetus of this bill can be found to the north, where Newmarket residents are grappling with the redevelopment of the property that was formerly Glenway Golf and Country Club. A neighbourhood was built in conjunction with the golf course with hundreds of yards backing directly onto the course itself.

The new owners of the property plan on filling much of the golf course lands with high density housing and townhomes, causing a stir with the existing community residents.

Council for Aurora, a Town which has received a fair share of criticism for the hundreds of thousands of dollars spent fighting developers at the OMB over the past decade, endorsed Mr. Klees' bill last Tuesday, 6 ? 3 with Councillors Chris Ballard, Wendy Gaertner, and John Gallo voting against the measure. Aurora now joins communities such as Newmarket and Mississauga in throwing their weight into the debate for the Legislature's consideration.

Speaking against the motion, however, Councillor Chris Ballard said while he agreed with the bill in principle, he disagreed with shutting out the OMB.

"I think the intent of what is proposed is sound, but I do have issues with the discussions about the OMB," he said. "As much as I like to rail against the OMB, I think in many cases, and looking over the history of the OMB it provides that necessary direction. If we think the OMB is expensive, we ought to try when the developers take us to court. I have concerns with the solution. The intent, I don't have problems with [but] I would be more willing to support this if we support the intent of the legislation without supporting every clause."

According to Mr. Klees, Aurora's endorsement of the bill is "helpful" and provides a "clear signal" to Queen's Park that this is an issue of concern to many municipalities across the province and something they need to "take seriously." He added, however, he believes Councillor Ballard's reasoning for voting against the measures was based on a "misunderstanding" of his bill's intent.

"Matters of a planning nature cannot be taken to court if it deals with the specific issues that my bill addresses," he said. "The only way that matters can be brought before the court is if there is a point of law at issue. These issues relate not to points of law, but specific planning issues."

Since his bill was presented in the Legislature, he says he has received "overwhelming" support for the document which, he says, people see as "common sense" when it comes to their homes, possibly the single biggest investment they make in their lives.

"Their homes, and having them devalued because of inappropriate development encroaching into their neighbourhood is something that is of great concern," said Mr. Klees. "Residents believe they should be able to count upon their locally elected representative, namely their Town Council, to make decisions in their best interests and in the best interests of the local community.

"To have those decisions overturned by an unelected, unaccountable body [such as the OMB] is something I think most residents find offensive."