

Residents await word on cell tower injunction

By Brock Weir

Residents in Aurora's west are eagerly anticipating news this week on whether the Town will seek an injunction on an 18-storey cell phone tower just over the border in neighbouring King Township.

Warren Mar, Town Solicitor for the Town of Aurora is expected to present further information at a Special Council meeting scheduled for this Tuesday, April 30, with various options for Council to consider on how to deal with the situation.

The matter came to a head during two raucous Council meetings last week, filled with residents of southwest Aurora objecting to the telecommunications structure, which towers over most of the surrounding landscape, and how the Town handled the issue.

Although built just a stone's throw over the border in King, the residents expressed anger over what they felt was a lack of communication between the municipalities and residents, as well as communications from Bell Canada.

Aurora's planning department responded to enquiries from King and Bell Canada that they had no comment on the proposed tower and this, argue residents, was essentially handing them an approval.

"I am a resident of Aurora, I am not politically active in any way, shape or form, and I am in absolute disbelief about this," said resident Anita Robertson at the first of two Council meetings last week.

She told Councillors that she has never seen a tower of this magnitude in this kind of environment. She added that a letter from Mayor Geoffrey Dawe, which was reiterated in a further motion to Council last week seeking further answers and clarification that such an oversight would not happen again, did not go far enough.

"This is totally unacceptable," she said. "I don't know what the plan is to try and rectify or fix this, but I can't see anything here. I find it amazing that we can't build a house on the [Oak Ridges] Moraine but we can somehow have this happen. It is CN Tower #2!?"

Leading the charge for action last week was resident John Cunningham. He spoke as a delegate outlining his concerns with the process that led to this point, including what he viewed as an inadequate amount of consultation with Aurora residents on the part of Bell and King, and a perceived misstep on the part of Aurora for not commenting on the tower before it was erected.

Following over an hour of debate on Tuesday, Councillors deferred the matter to Wednesday for Mr. Mar to get a better handle on Council's options to respond to residents and their calls for an injunction. His report the following day cleared up many answers for Councillors. He said an injunction of this magnitude would be a challenge for several reasons, including the fact the tower has already been constructed.

Mounting an effective challenge, he said, could cost between \$50,000 and \$100,000 but in the chance it was unsuccessful, could cost the Town a further \$50,000 in costs to Bell Canada for making their case. Councillors such as John Gallo and Chris Ballard questioned whether these numbers were accurate both in terms of the costs and the number of hours involved, but others such as Councillor Michael Thompson said it was a true reflection.

Stopping short of going full speed ahead with the injunction this week, Councillors approved authorising Mayor Dawe and relevant staff to begin discussions with senior Bell Canada brass to see if a compromise could be reached, using the two towers the company plans to build in Aurora this year as leverage, while doing further legwork on the injunction.

Mr. Mar's findings and recommendations going into this week's Council meeting were not available at press time.

Looking back both to last week's meeting and what he hopes will come out of Tuesday's session, Mr. Cunningham said Wednesday's

result was a 'watered down' version of what they had hoped for and were very much in favour of Councillor Ballard's motion to launch the injunction.

He said he was still hopeful this will be the direction this week.

'I would hope there is a recommendation that we go forward with an injunction to Bell and the tower,' he said. 'I think because of the nature of the height of the tower, the significance of the tower in a couple of different ways, it should be a concern for the whole of Aurora. This is not a NIMBY (Not In My Back Yard) situation. It is well beyond that in the context of the scope and the impact of that. We are one community and this is very much a concern to Aurora.'

'When I get things sent to me by email, they are coming from a wide range of people, not just in the immediate area. People understand these things can have a huge impact and today it is across the street from me, but tomorrow it can be across the street from you. It is wrong for the community, it is wrong for Aurora and that is something I don't think was adequately captured in the comments made this week.'