

\$800,000 cost of two legal actions dominates Mono Council session

Special to the Citizen

At its session Tuesday, Mono Council once again heard from the public regarding the substantial costs incurred over the recent Cox and Singer legal actions.

Readers will recall that the issue with sheep farmer Douglas Cox centred on a proposed landfill and whether what Mr. Cox wanted to accomplish fell under Ontario's 'normal farm practices' legislation, while with Dr. Cliff Singer it concerned his wish to host waterskiing events on the lake on his property.

Combined, these actions have cost the Town close to \$800,000.00 in legal and staff costs and Caledon resident Bill Monroe wanted to know what options Council had, to pay these, beyond the public purse.

Mayor Laura Ryan assured Mr. Monroe that this was a matter of deep concern for Council as well, but that there was a legal reserve fund that was in place to cover just such expenditures. The reserves had not been used since 2001 and would be capable of covering the current expenditure. However, Council was exploring other options before relying upon reserves.

Although details could not be revealed at this time, Council was, at least in the case of Dr. Singer, discussing with its lawyer the possibility of recouping costs from the court. This matter was to be explored later in the evening, in a scheduled 'in camera' session.

Councillor Fred Nix reminded Mr. Monroe, that it was not the Town who initiated proceedings with Mr. Cox, but rather the farmer himself who presented his case to the Normal Farm Practices Protection Board rather than deal directly with the Town in the matter. The Town, therefore, had no recourse but to deal with the matter in that forum. Mayor Ryan also noted, that the Council had acted to protect the best interests of the Town and the surrounding resident's concerns in both instances.

Mr. Monroe thanked Council and emphasized that his concerns were purely financial and not a criticism of Council actions.

Following the question period, Council heard two delegations concerning proposed developments within the Town. The first involved a proposal presented by John Owen, of Owen Design Consultants Ltd., on behalf of the applicant regarding a change of zoning to allow construction of a public storage facility. The Planning and Environmental Advisory Committee (PEAC) had recommended approval of the application, as did Mono's Director of Planning, David Trotman.

The subject property is located at Camilla, on Highway 10, and was site of a gas station some years past. Following the presentation and hearing the comments of Mr Trotman, the application was approved.

A second proposal, regarding a property in Violet Hill adjacent to Mrs. Mitchell's Restaurant, was of a more contentious nature. The proposal by Michael Bellissimo is to build a truck and farm equipment repair and sales facility on the site of a gas station that burned down several years ago. The parcel is officially designated as being the West half of Lot 32, Concession 4 EHS and is about one acre in size and triangular in shape, bordering on Highway 89 and Concession 3.

The applicant currently operates a repair facility in Shelburne and primarily wants to use the Violet Hill property for sales, with a few repairs being done as well.

Several residents were on hand to voice their concerns and objections. One of these was Ms. Heidi Baufeldt, who operates the restaurant adjacent to the lot in question. Her concerns were numerous and included the fact that such a business would by nature be both noisy and have the potential for increased traffic congestion in and around Violet Hill, which would potentially disrupt her business dramatically. She also opined that the suggested number of weekly repairs 'three to five' was hardly likely to sustain a repair business.

The representative for Mr. Bellissimo assured Council that the primary use of the proposed business would be sales, not repairs, and that the applicant was taking every precaution to avoid disruption to the community.

Both Council and members of the public were concerned about the potential for damage to the watershed from oil or diesel fuel spills, especially since a major wetlands lies west of the property. They were assured that this had been taken into consideration and precautions would be taken by Mr. Bellissimo. His representative also stressed that several studies were under way with regard to traffic flow and environmental concerns.

At the lawyer's suggestion, Council decided to defer the matter of the zoning change until all the studies and planning were completed, following which a second public meeting would be held to inform the public and address their concerns.

It was night of contentious issues for Council and the planning report on the Provincial Agricultural System was no different. The report centred around the Province's new policy initiative concerning land designations within the Province.

Most recently in the news was the proposed expansion of the Greenbelt. Under this initiative, of deeper concern to Mono was the newest designations of "Prime Farm Land" put forward by OMAFRA, the Ontario Ministry of Agriculture and Rural Affairs.

With little consultation and no regard for municipal planning and by-laws, the Province has designated huge swaths of land in the province as prime farmland. This in turn obligates municipalities to protect this land for agriculture, to the exclusion of all other uses.

Council was told this Agricultural System Land Base Mapping has not been formulated by a "boots on the ground" approach and is subsequently highly inaccurate in many instances. One example is land in northwest Mono which is, for all intents and purposes, a swamp, yet has been designated as a Prime Agricultural Area.

Further exacerbating this dilemma, is the fact that the new designations have been effective since their introduction earlier this year, yet not adequately explained, leaving municipal planners with little if any room to restructure their municipalities' responses.

In effect, the Province has simply pre-empted all municipal planning initiatives and instituted their own land use designations on each effected municipality.

Although there will undoubtedly be some further discussions and concessions, at present no one is really cognizant of what or even where they can develop within their municipality.

Council was able to see a few rays of sunlight Tuesday as they supported both an initiative to further cycling in Ontario through the launch of #CycleON Action Plan 2.0 by the MTO and a resolution championed by Councillor Ralph Manktelow to make Mono an official Bee City.

The latter idea dovetails perfectly with Mono's already-active pollinator protection initiatives. The basic idea is to support collaboration and establish and maintain healthy habitats for pollinators.

Of course, that would be Mono's current Pollinator Garden and ongoing efforts to promote and support pollinator health. However the Town designation has the potential for much more, such as promoting local tourism and tourism in general from groups and individuals interested in locations and facilities supporting pollinators and their habitats.

Finally, in other business, Kim Perryman was pleased to recommend the appointment of Craig Fleetwood to the Recreation Advisory Board, which Council unanimously approved.