

Community

Residents claim unfair treatment by council

By **BEN DUMMETT**
The Herald

Claiming they were treated unfairly by a majority of Halton Hills Council over a development proposal for a Church Street property in Acton last March, local developers Edward Bain and Cheryl Smart say they hope council treats them more fairly when it considers a new version of the original proposal.

The developers, who operate Halton Builders and Renovators in Acton, said during an interview Wednesday, several councillors focused their attention on outside issues instead of the application during the debate leading up to vote on the original proposal.

The original proposal called for four linked houses to be built at Church and John Streets in Acton. Town planning staff recommended Council approve the application, saying at the time the project was compatible with the surrounding area.

Contacted Wednesday, Town Planner Glen Wellings said staff's favorable position on the original proposal was based on the existence of triplexes, single

family and semi-detached homes in the surrounding area.

However, at the time, the majority of Councillors decided the property in question was too small for our housing units.

The couple is now proposing to build three executive-type styled houses.

In accordance with the Ontario Planning Act, the General Committee voted Tuesday on whether the new application should be allowed to go before a public meeting.

Usually a formality, this time around Town Councillor Pam Johnston requested a decision on holding a public meeting on the proposal be deferred for two weeks. General Committee is comprised of Town councillors.

Coun. Johnston wanted the Town lawyer to review a letter submitted by Mr. Bain and Mrs. Smart to councillors Tuesday, and suggested the letter contained possible "libelous" statements concerning the Town and councillors.

The letter was addressed to Ontario Housing Minister Dave Cooke but copies were handed out to each of the councillors.

The deferral was defeated. A

majority of councillors followed Acton Councillor Gerald Rennie's lead who contended the letter had nothing to do with the revised application. "They are two separate issues," said the councillor.

The letter is an overview, as interpreted by Mr. Bain and Ms. Smart, of the meetings carried out by Council leading up to councillors rejecting the original application.

As proof that council focused on side issues rather than the appropriateness of the application, the letter indicates some councillors questioned the developers on where the developers planned to live if the development was permitted to be constructed.

In the letter, the couple also point to one councillor's comment that the property be used for a halfway house.

"We don't mind constructive criticism, but where we live is none of the councillors business," said Ms. Smart Wednesday.

Acknowledging some councillors asked questions of a personal nature when the first application was considered, Coun. Johnston said Wednesday she has no problem with these objections.

Personal questions are not appropriate, she said.

Coun. Johnston went on to say she objected to the original application because the density was too high for the property.

With respect to the letter, Coun. Johnston said she objected to allegations in the letter describing the council's behavior as that of a "circus."

Not only do the developers believe council treated them unfairly, they also feel the system favors the public.

To have planning staff process a development application, the developer is required to pay the Town certain administrative fees. Mr. Bain and Ms. Smart would have no problem with the fees if the members of the public who object to a development application had to pay similar fees to the Town, to have their objections part of the public record.

As part of the process, the Town Planning Department is required to investigate concerns raised by the public over a development application when the application goes before a public meeting. Ms. Smart and Mr. Bain object to the public not having to pay the Town to investigate public initiated concerns.

Mr. Wellings said this practice isn't followed because basically there would be no public concerns if the developer hadn't submitted an application in the first place.

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Halton Builders, Renovators

Pictured above is an artist's rendition of a proposed housing development Church and John Streets in Acton. The developers, Edward Bain and Cheryl Smart have decided on three executive-styled homes for the property because their original pro-

posal for four-linked houses was rejected by Town Council this past March. Council deemed, at the time, four houses was too dense a development for the subject property. (Graphic submitted)

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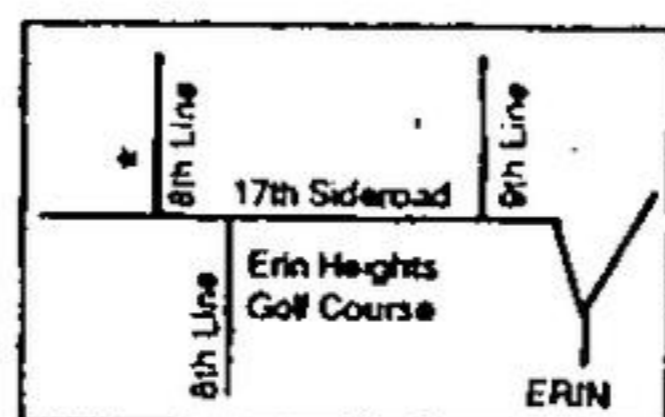
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