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Showdown at OMB set for next May ; CITY HALL: Developers appealing building freeze

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Byline: MICHAEL-ALLAN MARION

The city could find itself in a long Ontario Municipal Board hearing next spring over appeals by two developers concerning their stalled plans to build housing in the environmentally sensitive northwest.

The stage for a battle over housing plans along Hardy Road was set Wednesday in the council chamber when more than 40 people gathered for a pre-hearing conference to set dates and a schedule for a full OMB hearing.

Aristotle Christou, chairman of the pre-hearing conference, set a tentative 20-day hearing schedule over five weeks beginning on May 9, 2011. But that is still subject to change, depending on things such as scheduling.

Earlier, five lawyers representing developers and the municipality gave competing submissions over how to proceed on an appeal against the city by Sifton Properties Ltd. over its plans to build hundreds of homes on the south side of Hardy Road.

Along with rival legal and staff teams for Sifton and the city were lawyers for Grandview Ravines Inc, which wants to build a subdivision on the north side of Hardy: one for Samuel Rizzo Estates Inc., which has a plan to construct a small enclave beside Sifton, and one for Telephone City Aggregates Inc., which is about to bring forward its own development plan for the area.

Nearly filling the chambers were about 30 interested spectators, including Hardy Road homeowners, environmental and waterfront advocate groups and native activists, all looking to get on the list for as participants.

Ian James Lord, representing the city, tried to get a delay in a hearing over Sifton's appeal so it could be consolidated with a separate appeal action by Grandview, for which a pre-hearing conference has not yet been scheduled.

He also wanted a second pre-hearing conference to be held early next year after a new council is sworn in following next month's municipal election takes over and the city can determine how it will proceed with the implementation of its recently approved waterfront master plan.

Lord contended that Brantford and the developers are on two parallel courses. The city has been trying to put in place a waterfront master plan, which seeks among many objectives to protect the environmental integrity of that area of the northwest.

Meanwhile, Sifton is trying to carry through with its development plans and has taken the route of an OMB appeal.

Lord proposed one consolidated public process for all matters.

"There is a conscientious effort by the City of Brantford to keep the matters in the public eye," he said.

"This municipality has accepted the responsibility to protect the natural features (of the northwest area) where it can."

He also argued that "while they may not admit it," Sifton's appeal in March and a more recent one filed by Grandview were in reaction to the city's yearlong master plan process.

Sifton lawyer Barry Card disagreed with that argument, sticking to his client's position that its plans were before the city for two years and were not being dealt with in a timely manner as set out in the Planning Act.

mamarion@theexpositor.com

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