

Neighbours irked by communications over drive-thru

By Brock Weir

Plans for a two-lane drive thru on Bayview Avenue at Pedersen Drive were given the green light at Council last week, but enthusiasm was lukewarm from Councillors and residents alike.

Several residents living in the southwest quadrant of Bayview and St. John's Sideroad came to Town Hall last week to sound off on plans for a McDonald's drive-thru in a plaza proposed for the area.

Zoning for the restaurant, however, was approved by Council over 15 years ago and, despite residents' complaints, there was little to be done.

The restaurant in question was initially proposed for the northeast corner of the busy intersection, but the company ultimately changed course, moving further south on Bayview.

"Our home is actually 400 metres from [the site] and we have decided to put our house up for sale," said resident Lisa Surgenor. "It is simply not acceptable and I really would like to express how upsetting it is."

This view was bolstered at the podium by Jason Surgenor who said he was disappointed as the new location was closer to area residences. The proposed restaurant would, he argue, pose traffic challenges to the neighbourhood as well, and contribute to increased litter, noise pollution and "loitering youth."

"I have two young children and they like to walk on the sidewalks and bike through there," he said. "I don't want them exposed to any further commercial traffic going through there. It is crazy enough at Earl Stewart and Pedersen where I see residents getting into accidents because they don't obey the stop sign and I can see that increasing with commercial truck traffic and people coming to the restaurant."

"I just spent close to \$25,000 two years ago to landscape [my yard] so we can enjoy it. I anticipate smelling grease in the summertime is going to be an issue. The biggest concern is the drop in property value. I don't want to see my property values involved because there is a McDonald's there."

Added teacher Laura Panero: "We have two local elementary schools that are just down the road. It is a five minute walk. As a teacher, we spend a lot of our day talking about healthy initiatives, healthy eating and trying to promote healthy eating in young children. Obesity is a problem and what do we do? We put a McDonald's right in the middle of a subdivision. This is an issue everyone needs to work towards."

There is only so much room in which to work, argued Council.

"Council does not determine tenants, we determine land use," said Mayor Geoff Dawe.

This was a view shared by municipal staff. According to Marco Ramunno, Aurora's Director of Planning, approvals for the commercial use, including restaurants, stretches back to 1994. Drive thru uses were approved for the site in 1998.

"Considering the amount of time and the amount of study that has been involved in establishing this as a commercial corridor with a number of restaurants and drive thru facilities along that corridor, in my opinion it is a suitable location for this type of commercial development."

In his view, if Council disagreed and the developers took the matter to the Ontario Municipal Board, the Town of Aurora would not be successful in defending their position against it.

"I sympathise with the residents who may not want a specific use or a specific tenant [but] we don't have the authority under the planning act to limit that type of tenant who comes in," said Councillor Paul Pirri. "We look at the zoning as a whole, we look at the

uses as a whole, but not the individual tenants. I understand the frustration and the anger of residents who don't like seeing what is proposed, but there is really not much we can do, if anything, that falls in line with our legal requirements and purview. This was the general feeling around the room.

I sympathise, but there is really not much room to do anything here, agreed Councillor Jeff Thom. If we move forward, we just have to make sure that if we do have bylaws [on odour and outdoor maintenance] they are being respected. If smells are a huge problem, there are ways companies can mitigate smells from fast food restaurants.

Communication with residents, however, was of some concern to Council. As this land was previously zoned for this purpose, it was not required to inform neighbouring residents about the item on last Tuesday's Council agenda. This was a move residents opposed and another platform on which Council expressed sympathy, asking for a better way forward in the future.

We have a responsibility to communicate better to the residents to help them understand the differences in the process, as well as the fact of what the municipal role is in land use planning, said Councillor Michael Thompson. As we have seen many times before, people look to this Council as the ultimate authority when it comes to land use planning and yet we're bound by the planning act, provincial policy statements with regards to land use planning and if we don't adhere to them, we can always be challenged at the OMB which ultimately makes the final ruling and it rules based on the letter of the law and the Planning Act.

Ultimately, it is the taxpayers' money and we shouldn't use it to avoid our duty to adhere to the plans and let the OMB make the decision when we know that in this case the site has been allowed forever. The tenant is immaterial. The use has always been there.

And the use is already in place, argued Councillor John Abel, citing numerous restaurants in the immediate vicinity of the proposed location. Certain restaurants experience a backlash but he said he sees McDonald's as an employer that actively contributes to the community.

They have changed, he said. They have had to bring around the menu to structure for different people's tastes and they continue to be successful. This was zoned before your house was built, before you purchased it, and for us to try and turn it around would be a costly venture that would not succeed and that has been documented with residents before.