



City staff testify at OMB hearing

Dispute centres on transfer of land

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An Ontario Municipal Board hearing to determine if a developer will be required to give the city a large swath of land on the escarpment continues Thursday morning.

The hearing, which started Monday, centres on an agreement struck about a decade ago that would see Laurentian Heights Ltd. transfer lands to the city as parkland as part of a subdivision development.

Although the Planning Act requires that only up to 5% of land to be developed be transferred to the municipality for parks or other recreational purposes, Laurentian Heights included the dedication of 13.5 hectares, or 38%, to the city as part of its original subdivision proposal.

Laurentian Heights has already turned over small portions of the land to the city as its subdivision has progressed. And the appeal involves a remaining 11.5-hectare parcel.

Laurentian Heights has since changed its mind about dedicating that land because the city required the entire swath be turned over as part of the approval of the latest phase of the development.

The requirement came after Laurentian Heights cut down a number of trees on city land adjacent to the development. The developer then agreed to replant a number of large trees to offset the loss.

But the hearing has heard through witness testimony from both sides that the relationship between the city and Laurentian Heights broke down following that incident — something the developer's lawyer has suggested is a key reason as to why they are now before a municipal tribunal.

The hearing has heard that Laurentian Heights doesn't want to develop the lands and has offered to deed the property to the city or the North Bay-Mattawa Conservation Authority if the ruling is in its favour.

The hearing Wednesday focused on the city's case, with staff members including Beverley Hiller, manager of planning services, and Ian Kilgour, who formerly held that position, taking the stand as witnesses. About a dozen members of the public who registered as third parties in

hearing earlier this week were to present Wednesday evening.

The hearing is expected to continue Thursday with the testimony of several other city staff members including Jerry Knox, managing director of community services, and chief administrative officer Dave Linkie.

The hearing could stretch into Friday and it will likely be a number of weeks afterward before a decision is delivered.

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