

Jack's Recap

September 14, 2015: Substantial fine???

I should bring you all up to speed about the events that led up to this entire mess. Try to stay with me as I go through some history and describe the events that began with Mr. Vogl wanting to build a deck in his backyard. This all started in early 2014, only 3 weeks after the city hired a new bylaw officer whose sole purpose was to catch and penalize those persons who constructed buildings and decks illegally (without permits, etc.). It was stated that this position would pay for itself because our new GIS system had identified many such law breakers. Mr. Vogl knowingly constructed his new deck on city property without proper permits or permission some 3 meters onto the ravine bordering the back of his lot. His neighbours complained to the city and Mr. Vogl paid \$950 as a fee application to have his lot rezoned and incorporate the new 3 meters he just added to his back yard. On May 5th, 2014 Councillors Rinaldo and Bamford as well as then councillor Black voiced their objections to this rezoning. Councillor Black who was on the MRCA board spoke against it stating that the MRCA (Mattagami Region Conservation Authority) also opposed this rezoning as well as the sale of the subject land. Take note of this comment by Councillor Black because it will come up again later on... Councillor Doody spoke up and said that "this is no sand box built there," but it is a beautiful deck. Councillor Curley spoke up and stated that if we followed all the advice that the MRCA gave the city then nothing would move forward and he urged Council to approve the rezoning and get it done. What was the rush? Mayor Tom Laughren assured Councillor Rinaldo that a "substantial fine" would be imposed to discourage future law breakers and a report would be brought forward at the next meeting. Keep reading as this gets better....

The next meeting on this issue was held on June 16/2014 with Mayor Laughren still presiding. A report was read by planning director Mark Jensen. He stated that he did receive correspondence from two people who objected to the rezoning, Mr. and Mrs. Bonhomme. It was agreed that a report would be given to Council at the next council meeting. Little did they know!

The next meeting on this matter was held August 25/2014, with Mayor Laughren still presiding. No report was presented and no depositions from the objectors were heard. Instead a vote was taken for the approval of the sale of the subject land. We have to remember that all of Council or at least some of Council were told that the sale of the land could not be completed until the subject land was formerly re-zoned which would take place at a later date. Councillors Rinaldo and Black and Bamford asked for a deferral of the matter until the report promised to them was tabled. Instead the deferral was defeated and a hurried vote was taken to approve the sale. The sale was approved with only councillors Rinaldo and Bamford as the descenters. Councillor Black, as later explained, thought that the sale would not be finalized until the re-zoning by-law was passed, giving him a second kick at the can. Little did he know!

The next time this item would resurface would be over a year later on August 25/2015. During this meeting the re-zoning was to be voted on. A neighbour presented

a deputation stating his objection, asking if everyone on this ravine would be permitted to build outside their boundaries. Mr. Bonhomme was also heard and was promised by Mayor Black that he would be heard the very next time this item came up, especially prior to the vote. Little did he know!

So here we are today, September 14th, 2015, at the very last meeting, the one that would settle it once and for all. When the item was called upon to be dealt with our CAO Joe Torlone spoke. He stated that it had come to his attention that the matter had already been resolved. When Councillor Rinaldo pressed it further and asked if the rezoning was approved by the MRCA, Torlone replied 'yes.' Well, isn't this the exact opposite of what then Councillor Black (who sat on the MRCA Board) said last year when asked? Why didn't our Mayor point this out in today's meeting and correct Mr. Torlone? It seems that when the Council of the day back in 2014 agreed to sell the subject land to Mr. Vogl that it also agreed to rezone it. The larger parcel of land takes precedence over the smaller piece making this rezoning matter a moot point. Councillors Bamford and Rinaldo were beside themselves believing, as I do, they were led down the garden path. At each and every one of the meetings above, the Director of planning and his associate were present. They know and understand the law, so why did they not speak out prior to this? Is this not the very reason why we have Head of Departments present and being compensated for attending every single Council meeting? And don't forget the 'substantial fine'! \$725 along with the forfeiture of the \$950 application fee. To any of these \$400,000 home owners \$725 would not deter them from doing the exact same thing. Justice was not served in this instance and has tainted this municipal government with a hint of conspiracy. I know this presentation was long and complicated and I believe it was done exactly in this drawn out matter to throw the taxpayers off the scent. My advice to administration and council is that you better try harder, the TTA is always vigilant. Some are innocent in this matter some are very complicit.

As usual I urge you all to view for yourselves these meetings with the dates I have provided above and you will see a trail of broken promises and hurried politics. We had better capture the escaping methane gas for future use as this stinks to high heaven.

That's a rap on this week's recap!