



**TOWN OF WHITCHURCH-STOUFFVILLE
COUNCIL PUBLIC HEARING MINUTES
TUESDAY, MARCH 21, 2000**

**COUNCIL CHAMBERS
37 SANDIFORD DRIVE, 4TH FLOOR
7:00 P.M.**

A Council Public Hearing was held at the municipal offices on the above date and time. All members of Council were present. Mayor Emmerson was in the Chair.

PRESENTATION:

Mayor Emmerson welcomed leaders and scouts from the 1st Stouffville Scout Troop and presented a Town pin to each.

CONFIRMATION OF AGENDA

MOVED by Councillor Sherban
SECONDED by Councillor Dunkeld

THAT the agenda be confirmed as circulated.

CARRIED.

DECLARATIONS

There were no declarations from members of Council.

ADOPTION OF MINUTES

MOVED by Councillor Carroll
SECONDED by Councillor Pliakes

THAT the minutes of the Council Public Hearings held on February 15, 2000 be adopted as circulated.

CARRIED.

ITEMS

1. **CHARLES AND DONNA MIKALS (Greenline Forest Products)
PROPOSED ZONING BY-LAW AMENDMENT (C10-DV & D14)
Part of Lot 32, Concession 8, 11749 Highway No. 48
Planning File No. ZBA99.023**

NOTICE GIVEN:

The Clerk advised the procedure by which notice was given.

PURPOSE:

The Planner advised the purpose of the public hearing. He noted that the proposed zoning by-law amendment would allow for the expansion of the existing wood veneer business.

FURTHER NOTICE:

The Mayor advised that any persons wishing further notice must write their name, address and phone number on the sheets provided in the lobby.

GENERAL QUESTIONS:

There were no general questions.

IN SUPPORT:

There were no persons present who wished to speak in support.

IN OPPOSITION:

There were no persons present who wished to speak in opposition.

RESPONSE FROM THE APPLICANT:

Ken Goodbrand, representing the applicant, indicating that he is in agreement with the staff report.

MOVED by Councillor Sherban
SECONDED by Councillor Carroll

1. THAT the report on proposed Zoning By-law Amendment submitted by Charles and Donna Mikals (ZBA99.023) be received;

2. AND THAT all agency and public comments be referred back to staff for a further report regarding the disposition of this matter.

CARRIED.

2. **CAROL DIANE PASSAFIUME (Applewood Farm Winery)
PROPOSED ZONING BY-LAW AMENDMENT
Part Lot 2 , Concession 6,
12442 McCowan Road
Planning File: ZBA99.027**

NOTICE GIVEN:

The Clerk advised the procedure by which notice was given.

PURPOSE:

The Planner advised the purpose of the public hearing. He noted that the proposed by-law amendment would permit an on-site winery retail store.

FURTHER NOTICE:

The Mayor advised that any persons wishing further notice must write their name, address and phone number on the sheets provided in the lobby.

GENERAL QUESTIONS:

There were no general questions.

IN SUPPORT:

Terry O'Connor, 4722 Bethesda Road, a member of the York Region Federation of Agriculture, spoke in support noting that this type of use supports the retention of agriculture lands by providing added value uses.

David Probert, 14377 McCowan Road, spoke in support of the application.

IN OPPOSITION:

There were no persons present who wished to speak in opposition.

RESPONSE FROM THE APPLICANT:

Matthew Passafiume, applicant, thanked Council for its consideration of the proposal noting that the operation will bring tourism to Whitchurch-Stouffville.

MOVED by Councillor Dobrich
SECONDED by Councillor Scala

1. THAT the report on proposed Zoning By-law Amendment (Passafiume/ ZBA99.027) be received;
2. AND THAT all agency and public comments be referred back to staff for a further report regarding the disposition of this matter.

CARRIED.

3. **1308637 ONTARIO INC.
APPLICATION TO AMEND ZONING BY-LAW (C10-DV & D14)
Part Lot 12, Plan 65M-2674, 15 Ringwood Drive & Main Street
Planning File No. ZBA99.030**

NOTICE GIVEN:

The Clerk advised the procedure by which notice was given.

PURPOSE:

The Planner advised the purpose of the public hearing. He noted that the application would change the zoning on this property to Shopping Centre Commercial (SC).

FURTHER NOTICE:

The Mayor advised that any persons wishing further notice must write their name, address and phone number on the sheets provided in the lobby.

GENERAL QUESTIONS:

There were no general questions.

IN SUPPORT:

There were no persons present who wished to speak in support.

IN OPPOSITION:

There were no persons present who wished to speak in opposition. One letter of objection has been received from Daste Investments expressing concerns that an excess of vacant commercial land and buildings already exists and the applicant should be required to conduct a market feasibility study.

RESPONSE FROM THE APPLICANT:

The applicant provided a site plan of the proposed development and a representative sketch of the final shopping complex. He noted that discussions are being held with prospective tenants such as the Royal Bank, Burger King, Dairy Queen, etcetera. Pending zoning and site plan approval, construction would be commence in 2000.

MOVED by Councillor Dunkeld
SECONDED by Councillor Dobrich

1. THAT the Report on the application to amend the Zoning By-law submitted by 1308637 Ontario Inc. be received
2. AND THAT all agency and public comments be referred to Staff for a further report regarding the disposition of this matter.

CARRIED.

4. **MIDDLEBURG DEVELOPMENTS INC.
APPLICATIONS FOR DRAFT PLAN OF SUBDIVISION
AND ZONING BY-LAW AMENDMENT (C10-DV & D14/D12)
Planning File Nos. 19T(W)-99002 & ZBA99.008**

NOTICE GIVEN:

The Clerk advised the procedure by which notice was given.

PURPOSE:

The Planner advised the purpose of the public hearing. He noted that this is the second public hearing held with respect to this 19 lot draft plan of subdivision that would be serviced by municipal water and private sewage systems. The average size of the lots is 1.24 acres. There is one access to the subdivision by way of Lakeshore Road (access by way of Highway 48 was denied by the Ministry of Transportation). A written request have been received asking that a wooden privacy fence be installed along the rear property boundaries for lots 12, 13, 14, 15 and 16. Mr. Mark Hassan also submitted correspondence raising concerns with respect to overland stormwater flows and the ability of the site to support septic systems in recognition of the high ground water level.

FURTHER NOTICE:

The Mayor advised that any persons wishing further notice must write their name, address and phone number on the sheets provided in the lobby.

GENERAL QUESTIONS:

Barb McAdam, 18 Beach Road, asked if there were two access points for the subdivision? (No, as previously stated there is only one access as the Highway 48 access was not approved by the Ministry of Transportation.) Mrs. McAdam indicate that, to her knowledge, two access points were required for a new subdivision. She further asked if the road within the subdivision will be private? (No, following completion of all works to the satisfaction of the Town the subdivision road will be assumed.) She also asked for the location of the proposed subdivision? (In the heart of the community of Ballantrae.)

David Probert, asked what hydrogeological reports have been received by Development Services. He noted that existing residences have problems with water in the basement and asked if Lots 12-17 are to be reviewed to determine if excess water will be a problem for these lots. Mr. Probert also questioned the inclusion of "cul-de-sacs"; these cul-de-sacs make it difficult for the works department to remove snow and should not be permitted in any new subdivisions.

Robert James, 5831 Lakeshore Road, asked why the access is shown from Lakeshore Road and not Highway 48? He noted that Lakeshore Road is not wide enough for two vehicles to pass safely. (The Highway 48 access was denied by the Ministry of Transportation. A traffic impact study has been completed for Lakeshore Road.)

Mark Hassan, 15031 Highway 48, asked if the lots were over one (1) acre in size? (Yes, the plan provided was to scale.) Mr. Hassan noted that the plan provided was small and difficult to read; would the applicant provide any future maps in a more readable format?

IN SUPPORT:

Martin Pintaric, 5452 Lakeshore Road spoke in support.

IN OPPOSITION:

Mark Hassan, 15031 Highway 48, spoke in opposition by outlining the following concerns:

- concerned that hydrogeological report is inaccurate and water from this development will impact his dwelling; this is a very wet parcel of land that sits on the Oak Ridges Moraine;
- the subject lands are Class 1 agricultural lands and have been farmed for 35 years; the land should remain agricultural;
- there are few amenities in the area; development should keep pace with

- the available amenities;
- how are proposals handled that are located on the Oak Ridges Moraine? (Town follows Oak Ridges Moraine Guidelines).

Jeff Harbour, 14935 Highway 48 - there is a high water table in this area; his well is very shallow and water runoff and water quality are a concern.

Barb McAdam, 18 Beach Road, concerned with the safety aspects of one entrance/exit to the subdivision and supports a cessation of development on the Oak Ridges Moraine.

David Probert 14377 McCowan Road, concerned with the high water table in the area; lands are prime agricultural lands and should remain so; suggested that a road report be requested from the Ministry of Transportation regarding the location of the proposed access; concerned with the installation of septics in an area that has a shallow water table.

RESPONSE FROM THE APPLICANT:

Michael Smith, representing the applicant, advised that the above concerns have been noted and will be addressed. He pointed out that Mr. Hassan's residence is located in a basin, however, remedial work will be completed by the applicant to ensure the water is directed away from Mr. Hassan's property. Mr. Smith stated that he is not aware of a requirement for two access points to a subdivision. He noted that for more amenities to be available to area residents some additional development must take place.

MOVED by Councillor Pliakes
SECONDED by Councillor Scala

1. THAT the report on the Draft Plan of Subdivision and Zoning By-law Amendment applications received from Middleburg Developments Inc. be received;
2. AND THAT all agency and public comments be referred back to staff for a further report regarding the disposition of this matter.

CARRIED.

5. **PROPOSED REGULATIONS TO GOVERN "SPECIAL EVENTS" ON PRIVATE PROPERTY (C10-DV & P09)**
Planning File No. ZBA2000.001

NOTICE GIVEN:

The Clerk advised the procedure by which notice was given.

PURPOSE:

The Planner advised the purpose of the public hearing. He noted that the amendment to Zoning By-laws 87-34 and 72-7 would permit the holding of special events on a one (1) per year basis for a maximum duration of three (3) days on properties 5 acres or larger.

FURTHER NOTICE:

The Mayor advised that any persons wishing further notice must write their name, address and phone number on the sheets provided in the lobby.

GENERAL QUESTIONS:

Barb McAdam, 18 Beach Road, asked if community barbeques or picnics, etc. could still be held without a permit? (A permit is required only when the general public attend by way of a paid admission or fee for entertainment or related activities. Examples are the Bill Hood Shindig and the Full Moon Productions theatre night.) She asked how many could be held on a farm (one event per year). Is a permit required (yes, a license is required if tickets are sold to the general public and will be obtained through the Clerk's Department).

David Probert, 14377 McCowan Road, asked how will the Town control the holding of events such as pig roasts etc. (The Town will act when the event is brought to the attention of the Clerk.) He expressed concerns that all properties should be treated the same.

IN SUPPORT:

There were no persons present who wished to speak in support.

IN OPPOSITION:

Barb McAdam, 18 Beach Road, spoke in opposition as the amendment discriminates against property owners of 5 acres with limited access.

MOVED by Councillor Dunkeld
SECONDED by Councillor Sherban

1. THAT the Report on proposed regulations to govern Special Events be received;
2. AND THAT all agency and public comments be referred back to staff for a further report regarding the disposition of this matter.

CARRIED.

CONFIRMATORY BY-LAW

MOVED by Councillor Scala
SECONDED by Councillor Pliakes

THAT Confirmatory By-law 2000-36-MS read a first, second and third time.

CARRIED.

ADJOURNMENT

MOVED by Councillor Carroll
SECONDED by Councillor Dobrich

THAT there being no further business, the Council Public Hearing be adjourned at 9:08 p.m.

CARRIED.

DATED at the Town of Whitchurch-Stouffville this day of , 2000.

Mayor

Clerk