



**TOWN OF WHITCHURCH-STOUFFVILLE  
COUNCIL PUBLIC HEARING AGENDA  
TUESDAY, JUNE 3, 2003**

**COUNCIL CHAMBERS  
37 SANDIFORD DRIVE, 4TH FLOOR**

**7:00 P.M.**

1. CONFIRMATION OF AGENDA
2. DECLARATIONS
3. ADOPTION OF MINUTES
  - December 17, 2002
4. CONSIDERATION OF REPORTS
5. CONFIRMATORY BY-LAW
6. MOTION TO ADJOURN

**COUNCIL PUBLIC HEARING AGENDA**

**TUESDAY, JUNE 3RD, 2003**

NOTES	ITEM	DESCRIPTION	PAGE	RECOMMENDATION
SP MC SS WE PD HB CD _____ _____ _____	1.	<b>ZONING BY-LAW            AMENDMENT            APPLICATION            WALTER &amp; CECILIA            DUNEC            Part of Lot 21,            Concession 7, 4852            Aurora Road            File No. ZBA03.004            (C10-DV &amp; D14)</b>	1	THAT all comments from government agencies and members of the public be referred back to staff for a further report regarding the disposition of this matter.
SP MC SS WE PD HB CD _____ _____ _____	2.	<b>PROPOSED PLAN OF            SUBDIVISION &amp; ZONING            BY-LAW AMENDMENT            BELCOMO            INVESTMENTS LTD.            Part of Lot 1, Concession            8 - 5402 Main Street            File Nos. 19T(W)-03.001            &amp; ZBA03.003            (C10-DV &amp; D12)</b>	5	THAT all comments from government agencies and members of the public be referred back to staff for a further report regarding the disposition of this matter.

## **REPORT #1**

### **ZONING BY-LAW AMENDMENT APPLICATION**

**WALTER & CECILIA DUNEC, Part of Lot 21, Concession 7, 4852 Aurora Road  
File No. ZBA03.004 (C10-DV & D14)**

Report Prepared By: Manager of Planning Services

### **RECOMMENDATION**

The Director of Development Services concurs with the following recommendation.

The Manager of Planning Services recommends:

THAT all comments from government agencies and members of the public be referred back to staff for a further report regarding the disposition of this matter.

### **1.0 PURPOSE OF DEVELOPMENT APPLICATION**

A Zoning By-law Amendment application was submitted by the Owners, Walter & Cecilia Dunec, through their authorized applicant / agent Savoia Developments Ltd. and Higgins Engineering Ltd., on April 23<sup>rd</sup>, 2003.

The purpose of the proposed Amendment to General Zoning By-law 87-34 is to rezone approximately 0.51 hectares (1.25 acres) of the 10.22 hectare (25.25 acre) property from Rural(RU) to Suburban Residential One (SR1). The area affected by the Amendment is located in the southeast corner of the Dunec property, in the location currently occupied by their residence and ancillary outbuildings. The balance of the Dunec property is proposed to remained zoned Rural (RU) at this time.

The Amendment, if approved, would facilitate a pending consent application (File CA-02-15) that has been filed with the Town. The consent application, if approved by the Committee of Adjustment, would see the existing residence and ancillary outbuildings severed from the balance of the property. The remnant portion of the Dunec property, which would occupy an area of approximately 9.7 ha (24 acres) would be merged in title with the adjacent vacant 10 hectare (25 acre) property situated to the immediate west to create an enlarged landholding totalling approximately 19.7 hectares (48.5 acres) in area. It is expected that at some future date, an application for a plan of subdivision would then be filed with the Town on this larger landholding area consistent with the requirements of the Ballantrae-Musselman Lake Secondary Plan and the Oak Ridges Moraine Conservation Plan.

The location of the lands subject to the rezoning is included as Attachment No. 1 to this Report.

### **2.0 SITE DESCRIPTION**

## **2.1 Location**

The Owners' lands are located in Part of Lot 21, Concession 7, within the community of Ballantrae. The property is located on the north side of Aurora Road, west of Greenan Road, and is identified with the civic address of 4852 Aurora Road. The location of the lands subject to the rezoning is included as Attachment No. 1 to this Report.

## **2.2 Site Description**

The Dunec property totals approximately 10.22 hectares (25.25 acres) with a corresponding frontage on the north side of Aurora Road of 245 metres (806 feet). The portion of the property that is subject to the rezoning from Rural (RU) to Suburban Residential One (SR1) is situated in the southeast corner of the landholding. The area of the property to be rezoned (SR1) is 0.51 hectares (1.25 acres) with a corresponding frontage of approximately 54 metres (177 feet).

The portion of the property proposed to be rezoned (SR1) is presently occupied by the Dunec residence and two ancillary buildings. A driveway situated to the immediate south of the Dunec residence provides access onto Aurora Road. Municipal water connection and a private on-site septic system are presently operating within the area to be zoned (SR1) to support the residence.

The land area associated with the Dunec residence is relatively flat and is landscaped. A row of mature trees frames the westerly limits of the proposed (SR1) Zone boundary, thereby ensuring that these trees stay within the limits of the current amenity area associated with the Dunec residence.

The balance of the Dunec property is relatively flat and has been under active agricultural cultivation.

## **2.3 Surrounding Land Uses**

Land use activities surrounding the Owners' lands can be summarized as follows:

- ▶ to the north by a block of the Regional Forest, to the northeast by Grayfield Drive and the residential lots associated with the earlier Savoia subdivision;
- ▶ to the east by rural residential lots that frame the edge of Aurora Road through to Highway No. 48;
- ▶ to the south across Highway No. 48 by a scattering of rural residences and open areas of forest and idle lands undergoing natural regeneration; and,
- ▶ to the west by a 10 hectare (25 acre) parcel of land that is presently vacant and under active agricultural production and further to the west in the vicinity of the

McCowan / Aurora Road intersection is a block of the Regional Forest.

### **3.0 OAK RIDGES MORAINÉ CONSERVATION ACT, 2001**

The subject lands are located within the Oak Ridges Moraine physiographic region as defined by the Conservation Act, 2001. Within the Oak Ridges Moraine Conservation Plan (ORMCP), the subject lands are situated within the Settlement Area land use classification. Urban development is permitted within this land use classification provided that it is demonstrated that there is no negative impact on area hydrological or ecological sensitive features.

### **4.0 BALLANTRAE-MUSSELMAN LAKE SECONDARY PLAN**

The subject lands are located within the Secondary Plan that was approved by the Region in 1994 for the Ballantrae-Musselman Lake area. The subject lands are designated 'Ballantrae Future Residential Area II' on the Land Use Plan (Schedule 'C'). The intent of this land use designation is to permit development by plan of subdivision or consent, subject to controls with respect to negative impacts on area natural feature systems and site servicing.

Residential development that is to proceed on the basis of the provision of municipal water and private on-site septic systems shall have a minimum lot size of 0.5 ha (1.24 acres).

### **5.0 ZONING BY-LAW 87-34**

The subject lands are currently zoned Rural (RU) in General Zoning By-law 87-34.

The proposed Amendment would change the zoning on a portion of the Owners' land where the existing residence and ancillary buildings are located from Rural (RU) to Suburban Residential One (SR1). The balance of the subject lands will remain zoned (RU) and are not affected by the proposed Amendment.

The (SR1) Zone permits a single detached residence on a lot with a minimum area of 0.5 hectares (1.24 acres) with a corresponding minimum frontage of 35 metres (115 feet).

### **6.0 CORRESPONDENCE**

#### **6.1 Public Correspondence**

As of the date of filing this Report for inclusion in the June 3<sup>rd</sup>, 2003 Public Meeting Agenda, no correspondence has been received from members of the Public.

#### **6.2 Agency Correspondence**

As of the date of filing this Report for inclusion in the June 3<sup>rd</sup>, 2003 Public Meeting Agenda,

correspondence has been received from the following public agency:

- ▶ Lake Simcoe Region Conservation Authority (LSRCA), letter dated May 22/03

The Conservation Authority advises that the subject property is located within the Fill Regulated Area of the Authority as part of the Vivian Infiltration Environmentally Significant Area (ESA B5), and as such, a Permit will be required from the LSRCA prior to any on-site works occurring on the property, and, an impact study may be required in support of any future Permit. The LSRCA also advises that the subject lands are located within the 'Settlement Area' classification of the ORMCP and the property is within 120 metres of two key Natural Heritage Features (Significant Woodlot & Rare or Endangered Species Habitat). As such, technical studies in accordance with the applicable provisions of the ORMCP apply to demonstrate that any new development will not impact or impair area hydrological or ecologically sensitive features.

### **6.3 Town Department Comments**

As of the date of filing this Report for inclusion in the June 3<sup>rd</sup>, 2003 Public Meeting Agenda, correspondence has been received from the following Town Department:

- ▶ Development Services Department - Engineering Division, May 12/03

The Development Services Dept. advises that the on-site sewage system that presently serves the Dunec residence is adequate and is contained within the limits of the proposed rezoning area.

**REPORT #2**

**PROPOSED PLAN OF SUBDIVISION & ZONING BY-LAW AMENDMENT  
BELCOMO INVESTMENTS LTD.  
Part of Lot 1, Concession 8 - 5402 Main Street  
File Nos. 19T(W)-03.001 & ZBA03.003 (C10-DV & D12)**

Report Prepared By: Manager of Planning Services

**RECOMMENDATION**

The Director of Development Services concurs with the following recommendation.

The Manager of Planning Services recommends:

THAT all comments from government agencies and members of the public be referred back to staff for a further report regarding the disposition of this matter.

**1.0 PURPOSE OF THE DEVELOPMENT APPLICATIONS**

Applications for a Plan of Subdivision and implementing Zoning By-law Amendment have been submitted to the Town by Belcomo Investments Ltd. by their Agent, Weston Consulting Group Inc.

The purpose of the proposed planning applications can be summarized as follows:

*Plan of Subdivision:*

The creation of 17 single detached dwelling lots, 16 townhouse dwelling lots, a park block, a block to recognize a tributary to the Little Rouge Creek, and, a commercial block. Development would be serviced by municipal water and sanitary sewer services.

*Zoning By-law Amendment:*

The Amendment is designed to implement the hierarchy of land use classifications proposed within the associated Plan of Subdivision. Zone classifications to implement the residential component, specifically identified as (R2), (RM1) and (R9), and the (O) Zone to recognize the proposed park block, are designed to implement the proposed plan of subdivision. The Amendment also crafts specific standards which have been adapted for inclusion in General Zoning By-law 72-7 to recognize the proposed development.

The proposed layout of the subdivision and the associated location of the zone classifications

are contained in Attachment Nos. 1 & 2 to this Report.

## **2.0 SITE DESCRIPTION**

### **2.1 Location**

The Owner's lands are located in Part of Lot 1, Concession 8, within the community of Stouffville. The property is located on the north side of Main Street, to the immediate northwest of the intersection of Main Street and Ringwood Drive. The property is identified with the civic address of 5402 Main Street. At present, a commercial plaza operates at the southern limits of the property. The residential development would be oriented to the northern half of the subject lands.

The location of the subject lands is identified in Attachment No. 1 to this Report.

### **2.2 Site Description**

The subject lands total approximately 4.055 hectares (10.02 acres) with a corresponding frontage of 91.44 metres (300 feet).

A multi-tenant commercial building, a stand-alone metal shed and the associated off-street parking areas are located on the southern half of the subject lands. The balance of the property to the north represents vacant and idle lands.

The property is relatively flat and exhibits historic site disturbance to accommodate development in the southern tier of the property. At the extreme northwest corner of the property, a tributary associated with the Little Rouge Creek is present.

### **2.3 Surrounding Land Uses**

Land use activities surrounding the Owners' lands can be summarized as follows:

- ▶ to the north is a naturalized area associated with a tributary of the Little Rouge Creek. Further to the north are lands used for agricultural cultivation.
- ▶ to the west is vacant and idle lands. Further to the west is a tributary of the Little Rouge Creek and a cluster of residential and commercial buildings affiliated with the hamlet of Ringwood.
- ▶ to the south across Main Street is a commercial plaza and the Ringwood Drive employment district. A mixture of residential and commercial buildings affiliated with the hamlet of Ringwood are situated between Ringwood Drive and Highway No. 48
- ▶ to the east is vacant and idle lands. Further to the east is a transportation terminal, a vacant and idle property, followed by an established residential

neighbourhood and commercial area.

### **3.0 OAK RIDGES MORAINÉ CONSERVATION ACT, 2001**

The subject lands are located within the Oak Ridges Moraine physiographic region as defined by the Conservation Act, 2001. Within the Oak Ridges Moraine Conservation Plan (ORMCP), the subject lands are situated within the Settlement Area land use classification. Urban development is permitted within this land use classification provided that it is demonstrated that there is no negative impact on area hydrological or ecologically sensitive features.

### **4.0 STOUFFVILLE SECONDARY PLAN**

The subject lands are located within the Stouffville Secondary Plan.

The southerly half of the property is designated "Western Approach Area - Mixed Use" on Schedule 'B2' of the Plan. This land use designation permits a range of activities which includes: light industrial; office; institutional; entertainment; retail & service commercial; residential; and, mixed use activities. The maximum height of any buildings in this district will be limited to six storeys with a maximum floor space index of 1.0.

The northerly half of the property is designated "Residential Area" and "Greenlands Area" on Schedule 'B' of the Plan.

The *Residential Area* designation establishes the policy context that guides the creation of new residential neighbourhoods which are compatible with the character and density of the existing community. Permitted uses within this designation include low density residences such as single detached, semi-detached and duplex dwellings, and, medium density residences such as townhouses and low-rise apartments.

For low density residential development, the density threshold is equivalent to 20 units per net hectare (8 units per net acre). Medium density residential development can be built up to the equivalent of 45 units per net hectare (18 units per net acre).

The *Greenland Area* designation recognizes a tributary of the Little Rouge Creek and the associated valleylands associated with this feature. Schedule 'B3' Greenland System of the community of Stouffville Secondary Plan further defines the environmental characteristics of this portion of the Little Rouge Creek as an 'Environmental Core Area'. The Environmental Core Area classification (Section 12.5.2.1 of the Plan) includes lands with the greatest and most diverse complexity of environmental functions and attributes within the secondary plan area. Typically this designation recognizes the main valley corridors which have cold water fisheries status; wetlands; and, larger diverse forest blocks. Development and land disturbance are prohibited in this area. Development adjacent to this designation is subject to the completion of an Environmental Impact Study which shall, among other matters, define the limits of the feature; determine what, if any, impact the proposed development may have on the ecological function of the environmental system; and, propose mitigative controls to

protect the continued ecological function of the system.

Sections 12.9.3 and 12.9.4 of the Secondary Plan are also relevant to this property as it outlines development review policies for the 'Existing Community Area' and the 'Proposed Development Outside of the Existing Community Area' respectively.

The policies of these two sections establish a framework wherein Functional Servicing Studies or similar projects will be completed to assess the logical, sequential and integrated development of lands from the perspective of environmental protection; water supply, sanitary and stormwater management collection / treatment; transportation; and, the need for open space and community facilities. The completion of this analysis will be done to the satisfaction of the Town, the Conservation Authority, the School Boards and the Region of York.

The subject lands are within the Northwest Functional Servicing Study area which was approved earlier this year by Town Council.

## **5.0 ZONING BY-LAW 72-7**

### **5.1 Present Zone Classifications**

The subject lands are currently zoned Highway Commercial (HC) with site specific uses, Hazard Land (HZ) and Rural (RU) in Zoning By-law 72-7.

The (HC) Zone recognizes the commercial development which presently dominates the southern half of the subject lands.

The (HZ) Zone recognizes the influence of the floodwaters associated with the Little Rouge Creek along the western flank of the property, generally oriented to the southwest and northwest corners of the property. No development is permitted within lands zoned (HZ).

The (RU) Zone recognizes as a principal activity, agricultural and associated land use activities. This zone classification is found in the northerly half of the property.

### **5.2 Proposed Zone Classifications**

The proposed Amendment would change the zoning on the northerly portion of the Owner's land from Rural (RU) to Open Space (O), Residential Second Density (R2), Residential Multiple Density (RM1), and, Residential Low Density Nine (R9). The zone classifications would implement the proposed plan of subdivision to create seventeen single detached dwellings, 16 townhouse units and a park.

The zone classifications can be summarized as follows:

- ▶ The (O) Zone corresponds to the block that would be transferred to the Town for parkland;

- ▶ The (R2) Zone, as proposed, would permit a single detached dwelling to be built on a lot with a minimum lot area of 370 square metres (3982 square feet) and a minimum frontage of 12 metres (39 feet). Specific standards are also proposed to regulate the placement of a dwelling on the property consistent with the conclusions of the Stouffville Urban Design Guidelines;
- ▶ The (RM1) Zone, as proposed, would permit a townhouse dwelling to be built on a lot with a minimum area of 200 square metres (2152 square feet) and a minimum frontage of 6 metres (19 feet). Specific standards are also proposed to regulate the placement of a dwelling on the property consistent with the conclusions of the Stouffville Urban Design Guidelines;
- ▶ The (R9) Zone, as proposed, would permit a single detached dwelling to be built on a lot with a minimum area of 275 square metres (2960 square feet) and a minimum frontage of 9.1 metres (29 feet). This proposed zone classification represents a new zone for By-law 72-7. Specific standards are also proposed to regulate the placement of a dwelling on the property consistent with the conclusions of the Stouffville Urban Design Guidelines.

The southerly half of the property, that being the area predominantly zoned (HC), is not affected by the proposed Zoning By-law Amendment.

Included as Attachment No. 2 to this Report, the proposed zone standards have been overlaid on the draft plan of subdivision for illustrative purposes.

## **6.0 CORRESPONDENCE**

### **6.1 Public Correspondence**

As of the date of filing this Report for inclusion in the June 3<sup>rd</sup>, 2003 Public Meeting Agenda, no correspondence has been received from members of the Public.

### **6.2 Agency Correspondence**

As of the date of filing this Report for inclusion in the June 3<sup>rd</sup>, 2003 Public Meeting Agenda, no correspondence has been received from public agencies.

### **6.3 Town Department Correspondence**

As of the date of filing this Report for inclusion in the June 3<sup>rd</sup>, 2003 Public Meeting Agenda,

correspondence has been prepared by one Town Department as follows:

- ▶ Letter from the Development Services Dept. to Weston Consulting Group, dated March 24<sup>th</sup>, 2003.

The Town, in this letter to the Agent for the Owner, was expressing concern about the timing of the submission of the development proposal given significant constraints to development. It was Staff's position that the proposal was premature and the filing of the application should be delayed to a future date when it could form part of the logical and integrated extension to the emerging urban area.

A copy Staff's letter to the Agent for the Owner is included as Attachment No. 3 to this Report.

The content of Staff's letter can be summarized as follows:

- ▶ At the present time, we cannot confirm that there will be sufficient water capacity to supply the development. Under the terms of the Agreement with the Region and the seven funding landowners associated with the extension of the Ninth Line York Durham Sanitary Sewer, the available water capacity has been committed. The Town's water reserve, which is equivalent to 600 residential units, has been set aside for redevelopment and intensification opportunities within the existing community to upgrade functionally obsolete buildings or properties;
- ▶ The Owner proposes to grant access through the commercial block to the south to the future owners of the approximately thirty residences created in the subdivision until such time as Ringwood Drive is extended north of Main Street. Staff are not aware of any legitimate development proposal on the adjacent lands to the east where the future alignment of Ringwood Drive is proposed, and, the Town does not have any appropriate means to facilitate the extension of Ringwood Drive. It is Staff's opinion that a right-of-way through the plaza to the south for the purposes of access to the residential neighbourhood is inappropriate, and as such, the development is premature.
- ▶ There appears to be a conflict in technical reports prepared in 1999 and 2003 by separate consultants concerning the limits of development affecting the northern reaches of the property. Both reports assessed the influence of the regional floodline on the subject lands. Both reports were approved by the Toronto Region Conservation Authority. Town Staff are concerned that if the conclusions of the NW Functional Servicing Study (era 2003) are upheld as the accurate delineation of the

regional floodline for the Little Rouge Creek, it effectively renders the northern half of this property as a non-development area. The Toronto Region Conservation Authority is aware of the conflict between the two Reports but has not as of yet advised the Town as to the outcome of their review / assessment.