



**TOWN OF WHITCHURCH-STOUFFVILLE  
COUNCIL PUBLIC HEARING AGENDA  
TUESDAY, OCTOBER 7, 2003**

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

1. CONFIRMATION OF AGENDA
2. DECLARATIONS
3. ADOPTION OF MINUTES  
- September 16 and September 23, 2003
4. CONSIDERATION OF REPORTS
5. CONFIRMATORY BY-LAW
6. MOTION TO ADJOURN

**COUNCIL PUBLIC HEARING AGENDA**

**TUESDAY, OCTOBER 7, 2003**

NOTES	ITEM	DESCRIPTION	PAGE	RECOMMENDATION
SP MC SS WE PD HB CD _____ _____ _____	1.	<b>ZONING BY-LAW AMENDMENT APPLICATION BAXTER CREEK COUNTRY CLUB LTD. (Proposed Stouffville Pentecostal Church Site) Part of Lot 4, Concession 10, 12779 Tenth Line, Community of Stouffville File No. ZBA03.008 (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 AND ZONING BY-LAW AMENDMENT MILLER PAVING LTD. Part of Lot 35, Concession 4 (M) 12151 Woodbine Ave, Community of Gormley File Nos. 19T-90001 &amp; ZBA03.010 (C10-DV &amp; D12)</b>	6	THAT all agency and public comments be referred back to Staff for a further report regarding the disposition of this matter.

## **REPORT #1**

**ZONING BY-LAW AMENDMENT APPLICATION  
BAXTER CREEK COUNTRY CLUB LTD.  
(Proposed Stouffville Pentecostal Church Site)  
Part of Lot 4, Concession 10,  
12779 Tenth Line, Community of Stouffville  
Planning File No. ZBA03.008**

Report Prepared By: Manager of Planning Services

### **RECOMMENDATION**

The Director of Development Services concurs with the 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 APPLICATION**

The purpose of the proposed Amendment to General Zoning By-law 87-34 is to rezone the subject lands from Rural (RU) to the Institutional Holding (I-h) and the Open Space Environmental (OSE) Zones. The Owner (Baxter Creek Country Club Ltd.) has, on behalf of the Stouffville Pentecostal Church, submitted the Zoning By-law Amendment application through their agent, Arrowsmith & Associates.

The Amendment, if approved, would allow a place of worship, a Christian education facility and accessory uses to be developed on the portion of the property zoned Institutional (I).

For the lands proposed to be zoned Open Space Environmental (OSE), development and site alteration would not be permitted as these lands are to be protected and left in a naturalized state. These lands are dominated by the presence of the Reesor Creek system and associated environmentally sensitive lands.

If development does proceed forward, it is proposed that the place of worship and associated uses would be serviced by private well and septic systems. Access to the subject lands would be from the Tenth Line.

## **2.0 SITE DESCRIPTION**

### **2.1 Location**

The Owner's land is located in Part of Lot 4, Concession 10, within the Community of Stouffville and is identified with the civic address of 12779 Tenth Line. The approximate location of the subject land is identified on Attachment No. 1 to this Report.

### **2.2 Site Description**

The subject land is approximately 5.065 hectares (12.5 acres) in area, with frontages of approximately 154 metres (505 ft.) on the Tenth Line and approximately 10 metres (32 ft.) on Regional Road No. 30. The property is of irregular shape.

The western half of the property is relatively flat with a gentle undulating topography. The majority of the lands in the western half of the property are under agricultural cultivation. A residence and accessory building are located in this portion of the property. The eastern half of the property is dominated by the presence of the Reesor Creek system, a woodland block, cultivated fields and associated environmentally sensitive lands.

An existing driveway is present from the Tenth Line which provides access to the residence.

### **2.3 Surrounding Land Uses**

Land use activity in the immediate area can be best described as transitional in nature. Properties in this general location represent an intermix of agricultural operations; landscaping / nursery operations; contractors' yards; limited retail and industrial uses; and, rural residences.

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

The subject lands are located within the Oak Ridges Moraine physiographic region as defined by the *Oak Ridges Moraine Conservation Act, 2001*. Within the Oak Ridges Moraine Conservation Plan (ORMCP), the subject lands are situated within

the 'Settlement Area' land use classification. The Settlement Area represents locations across the Moraine where urban development, comprised of residential, industrial / commercial and institutional uses are to be directed and pursued in accordance with approved Secondary Plan / Official Plan policies, and, provided that it can be demonstrated that there will be no impacts upon the ecological or hydrological functions of the Moraine.

Key Natural Heritage Features in the form of a watercourse and woodland area are situated on the subject lands. As such, the Owner will have to complete an Oak Ridges Moraine compliance report which demonstrates that the proposed development will not have any impact on the continued function of these area features. The preparation of a site servicing report and the Oak Ridges Moraine compliance report by the Owner and approved by Town will be required prior to the passage of an implementing Zoning By-law.

#### **4.0 COMMUNITY OF STOUFFVILLE SECONDARY PLAN**

The subject lands are currently designated 'Rural Area' and 'Greenland Area' in the Stouffville Secondary Plan.

The Rural Area designation, in subsection 12.7.16.2, states that the permitted uses contained in Section 7 of the parent Official Plan (era 1982) are allowed within the 'Rural Area' designation. Section 7 of the parent Official Plan states that places of worship are permitted within the Rural designation, subject to the passage of an implementing Zoning By-law Amendment.

The Greenland Area designation recognizes environmentally sensitive lands, such as woodlands, cold water fisheries and watercourses. In this example, the Greenlands Area designation recognizes the Reesor Creek system and the adjacent environmentally sensitive lands. Any development occurring adjacent to these features must demonstrate that the proposed development does not impact upon the continued ecological function of the identified resource. An Environmental Impact Study must be completed by the Owner which confirms the nature of the feature(s); the limits of the feature(s); and, the potential impact that development may have on the feature(s). No development can occur within the feature(s) or any approved environmental buffer.

The subject lands are also situated to the north of the 'Towns and Villages Urban Serviced Area' boundary for the Community of Stouffville, and as such, development can proceed on the basis of a private well and septic system provided that the Owner can demonstrate that the technology to be employed is suitable to the site

and the proposed intensity of development.

It is recommended that a traffic impact assessment report be prepared by the Owner and submitted to the Town to demonstrate that the proposed use can be pursued on the subject lands, and identifying what, if any, capital improvements are necessary to the Tenth Line to facilitate the development. This Report should be prepared by the Owner and approved by the Town prior to the passage of any By-law implementing the proposed development.

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

### **5.1 Existing Zone Classification**

The subject lands are currently zoned Rural (RU) in General Zoning By-law 87-34. The (RU) Zone permits agriculture and related uses, conservation activities, etc.

### **5.2 Proposed Zoning By-law Amendment**

To facilitate the proposed development of the property, the Amendment contemplates rezoning the western half of the property from Rural (RU) to Institutional Holding (I-h). The Institutional (I) Zone classification is to be scoped to narrow the range of permitted uses to: a place of worship; a Christian education facility; and, ancillary uses.

The Holding (-h) symbol affixed to the Institutional (I) Zone classification is contemplated so that all necessary technical studies (ie: site servicing; ORMCP compliance report, traffic assessment; etc.) which demonstrate the suitability of the proposed development are completed to the satisfaction of the Town and appropriately reflected in a future Site Plan Control Agreement. The Holding (-h) symbol would not be released by Council, thereby allowing development to proceed, until such time as the Site Plan Control Agreement has been approved.

The Open Space Environmental (OSE) Zone is to be placed upon those lands that are within the floodplain associated with Reesor Creek, and the environmentally sensitive lands and buffers as determined through the ORMCP compliance report. No development or site alteration is to occur within lands zoned OSE.

The delineation of the proposed Zone boundaries are shown on Attachment No. 2 to this Report.

## **6.0 CORRESPONDENCE**

As of the date of filing this Report for inclusion in the October 7<sup>th</sup>, 2003 Public Meeting Agenda, correspondence has been received from the Toronto Region Conservation Authority (TRCA). The Conservation Authority has indicated that a watercourse traverses the subject lands and that a permit issued under Ontario Regulation 158 will be necessary before any works can occur on the subject lands. The TRCA has also confirmed that the appropriate delineation of the valleyland and associated buffer will be required, and, that no development will be permitted within the valleyland / buffer area. The TRCA has also referenced that the lands are within 120 metres of a Key Natural Feature (previously noted in Section 3 of this Report) as identified in the ORMCP, and as such, a compliance report will be required.

## **REPORT #2**

### **PROPOSED PLAN OF SUBDIVISION AND ZONING BY-LAW AMENDMENT MILLER PAVING LTD.**

**Part of Lot 35, Concession 4 (M)**

**12151 Woodbine Avenue, Community of Gormley**

**File Nos. 19T-90001 & ZBA03.010**

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 agency and public comments be referred back to Staff for a further report regarding the disposition of this matter.

### **1.0 SUMMARY**

Miller Paving Ltd. has reactivated a historic Plan of Subdivision proposal [File No. 19T-90001] and submitted a Zoning By-law Amendment application [File No. ZBA03.010].

The development proposal contemplates the creation of fourteen blocks for industrial / employment purposes. The blocks range in size from 0.62 hectares (1.53 acres) to 13.82 hectares (34 acres) in area. Two blocks (Blocks 15 and 17) are proposed to be protected from development in recognition of tributaries associated with the Berczy Creek system.

The proposed development is to proceed on the basis of individual well and septic systems.

The proposed Zoning By-law Amendment is designed to implement the proposed plan of subdivision. The Amendment proposes to change the zone classification in General Zoning By-law 87-34 from Rural (RU) to Industrial Prestige - Water Control (IP-W), Industrial General - Water Control (IG-W) and Open Space Environmental (OSE).

A further report assessing the merits of the two planning applications will be prepared upon receipt and evaluation of agency and public comments derived through the Public Meeting process.

## 2.0 PROPOSAL

Owner:	Miller Paving Ltd.
Location:	Part of Lot 35, Concession 4 (M), Community of Gormley 12151 Woodbine Avenue
Development:	14 blocks of industrial / employment lands. Land area for the blocks vary from 0.62 ha (1.53 acres) to 13.82 ha (34 acres). Two blocks are proposed to recognize tributaries of the Berczy Creek system.
Water Supply:	private individual wells
Sewage Treatment:	private individual septic systems
Storm Drainage:	roadside ditch and two off-line stormwater management ponds
Total Land Area:	30 hectares (74 acres)

The draft plan of subdivision consists of fourteen (14) employment / industrial blocks and two blocks that have been set aside to recognize tributaries associated with the Berczy Creek system. The employment / industrial blocks will be accessed through a single road connection (Street 'A') to Woodbine Avenue. Road access in a north / south orientation (Street 'B') is contemplated so that connections can be made with the adjacent properties when the situation warrants. Each road allowance is contemplated to have a right-of-way width of at least 20 metres.

A reduced copy of the draft plan of subdivision is included as Attachment No. 2 to this Report.

Development is proposed to be serviced by individual private well and septic systems. The proposed road connections represent a rural cross-section.

To implement the proposed plan of subdivision, Blocks 1 to 3 and 7 to 9 [western portion of the property] are proposed to be zoned Industrial Prestige - Water Control (IP-W). Blocks 4 to 6 and 10 to 14 [centre and eastern portion of the property] are proposed to be zoned Industrial General - Water Control (IG-W). Blocks 15, 17 and a parcel of land in the extreme northeast corner of the property are proposed to be zoned Open Space Environmental (OSE). This zone classification is designed to recognize tributaries associated with the Berczy Creek system.

Attachment No. 3 to this Report delineates the proposed zone boundaries overlaid on the road / lot pattern of the draft plan of subdivision.

### **3.0 SITE DESCRIPTION**

#### **3.1 Location and Size**

The subject lands are located in Part of Lot 35, Concession 4 (M) within the Community of Gormley. The property is identified with the civic address of 12151 Woodbine Avenue.

The subject lands are located on the east side of Woodbine Avenue, south of Stouffville Road. The general location of the property is noted on Attachment No. 1 to this Report.

The subject lands have a frontage of approximately 315 metres (1032 ft.) on Woodbine Avenue with a corresponding lot area of approximately 30 hectares (74 acres). The property can be described as being rectangular in configuration.

#### **3.2 Site Characteristics**

The property consist of principally cultivated farm fields with small groupings of woodland / hedgerow areas. A residence, barns and greenhouse structures are located on the western portion of the property adjacent the Woodbine Avenue frontage.

The property is bisected in a north/south direction in three separate locations (Woodbine Avenue frontage; central portion of the property; extreme northeast corner of the property) with tributaries associated with the Berczy Creek system. The creek system for the most part is defined by a stream bank and associated vegetation communities.

The subject lands are relatively flat with a gentle grade toward the respective watercourse locations.

### **3.3 Surrounding Land Uses**

The subject lands are situated at the southern limit of the Community of Gormley.

The adjacent land uses can be summarized as follows:

- ▶ to the north, by agricultural fields, two industrial operations fronting onto Stouffville Rd., and, at the intersection of Woodbine Ave. / Stouffville Road, by a service station. The agricultural field has been the subject of a recent Zoning By-law Amendment which contemplated the creation of 18,580 sq.metre (200,000 sq.ft.) manufacturing plant;
- ▶ to the west, by agricultural lands which are the subject of a residential / employment draft plan of subdivision [File No. 19T-90022], to the northwest by approximately 30 residences, and, to the southwest by a cluster of 7 rural residences;
- ▶ to the east, by agricultural fields;
- ▶ to the south, by agricultural fields and a salvage yard.

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

The subject lands are located within the Oak Ridges Moraine physiographic region, and as such, the applicable provisions of the *Oak Ridges Moraine Conservation Act, 2001* apply in any future decision rendered on these planning applications.

Within the Oak Ridges Moraine Conservation Plan (ORMCP), the subject lands are classified as 'Rural Settlement Area'. This designation recognizes the general boundaries of the Community of Gormley Industrial Secondary Plan. Within a 'Rural Settlement Area' a limited amount of development is permitted that can be generally described as rounding out or infill opportunities within established community boundaries.

As the Plan of Subdivision represents an application that pre-dates the passage of the *Oak Ridges Moraine Conservation Act, 2001*, the file is deemed to have commenced and has transitional status. In recognition of this status, the subdivision

and zoning by-law amendment are required to comply with only the prescribed provisions of the ORMCP as set out in Section 48. These sections focus primarily on assessing the potential impact of development on the hydrological and ecological functions of the Moraine. The Owner must demonstrate through technical reports that development will not impair the functions of the Moraine.

The subject lands also possess or are adjacent to (within 120 metres) Key Natural Heritage Features (watercourse; fish habitat; woodlands) as plotted by the Province. In this respect, the Owner will also have to assess the potential impact of the proposed development on the continued ecological / hydrological function of these area features. From this analysis, buffers from the features will be determined. No development can occur within a Key Natural Heritage Feature.

## **5.0 GORMLEY INDUSTRIAL SECONDARY PLAN**

The Gormley Industrial Secondary Plan (Approved by the Ontario Municipal Board - Nov. 10/94) establishes three separate land use designations for the subject lands.

The Woodbine Avenue frontage is designated 'Open Space Environmental' and 'Prestige Industrial'. The easterly two-thirds of the property is designated 'Industrial' with two blocks designated 'Open Space Environmental' representing tributaries of the Berczy Creek.

The *Open Space Environmental* designation recognizes areas that are susceptible to flood conditions and the associated vegetative buffer. Development is not permitted within this designation. Typically, development is required to be set back a minimum distance of 30 metres from the watercourse, unless otherwise approved in the Master Drainage Plan. The objective of the prescribed setback is to protect the integrity of the watercourse for fisheries resource.

The *Prestige Industrial* designation permits a range of 'dry' industrial uses that operate within wholly enclosed buildings. Activities may include: manufacturing, processing, assembling, fabricating, warehousing and related uses. Outside storage is prohibited within this designation. A high standard of building design is contemplated given its presence fronting onto the adjacent arterial road and the area residential units. Section 3.20.2.1.2 g) of the Secondary Plan identifies that the overall density of development shall comply with the conclusions of the Settlement Capability Study. Increases to the density may be permitted subject to the review and approval of the Ministry of the Environment and the Region of York. The minimum lot size shall be approximately 2 hectares (5 acres) with a maximum lot coverage of 35%.

The *Industrial* designation permits a range of 'dry' industrial uses that operate within wholly enclosed buildings. Activities may include: manufacturing, processing, assembling, fabricating, warehousing and related uses. Limited outside storage is permitted within this designation. Section 3.20.2.2.2 g) of the Secondary Plan identifies that the overall density of development shall comply with the conclusions of the Settlement Capability Study. Increases to the density may be permitted subject to the review and approval of the Ministry of the Environment and the Region of York. The minimum lot size shall be approximately 2 hectares (5 acres) with a maximum lot coverage of 35%.

In considering the policies of Sections 3.20.2.1.2 g) and 3.20.2.2.2 g) of the Secondary Plan, it should be noted that twelve (12) of the fourteen (14) proposed employment / industrial blocks have lot areas below the 2 hectare (5 acre) threshold. At this time there are no formal plans or commitments to have a municipal or private centralized water and/or sewage treatment system introduced to this area of Gormley to accommodate the plan of subdivision. Accordingly, the basis of development is to proceed forward on private well and septic systems. In recognition of this servicing constraint, the draft plan of subdivision should be revised to reflect the policy thresholds as set out in the Secondary Plan for both the Prestige Industrial and Industrial designations.

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

### **6.1 Present Zone Classification**

The subject lands are presently zoned Rural (RU) in General Zoning By-law 87-34. Agriculture, conservation and related uses are permitted activities on the subject lands.

### **6.2 Proposed Zone Classification**

To implement the Secondary Plan land use designations and the draft plan of subdivision, an Amendment has been applied for by the Owner to reclassify the lands from Rural (RU) to Industrial Prestige - Water Control (IP-W), Industrial General - Water Control (IG-W) and Open Space Environmental (OSE). Attachment No. 2 to this Report delineates the proposed zone boundaries overlaid on the road / lot layout of the plan of subdivision.

The OSE Zone recognizes the three tributaries of the Berzcy Creek system that traverse the property. No development or site alteration is permitted within lands zoned OSE. The exact limits of the OSE Zone will be refined once the technical

reports as required by the Secondary Plan and the ORMCP have been assessed and approved.

The IP Zone allows business offices, manufacturing and warehousing as permitted land use activities. Outside storage is not permitted within this land use classification. It is proposed that this zone classification would apply to lands in the western portion of the subject lands as shown on Attachment No. 3.

The IG Zone allows a broader range of employment activities which include: accessory commercial uses; accessory dwelling units; adult training schools; auto body shops; boat and marine supply, repair and storage; building supply and equipment depot; business offices; manufacturing; private clubs; service stations; transport terminals; and, warehousing. Outside storage is permitted within lands zoned IG. This zone classification is proposed to apply to the easterly 2/3 of the property for those lands not associated with the Berczy Creek.

The (-W) suffix which is proposed to be appended to the IP and IG Zones restricts water usage on the subject lands to personal hygiene and drinking water. Water consumption for purposes of industrial production processes is not permitted.

As development on the various employment / industrial blocks will likely occur over time and be pursued by presently unknown third party owners, Council may wish to consider the imposition of a Holding (-h) symbol on the IP and IG Zone classifications. The Holding (-h) symbol would prevent development from occurring on the property until the Town is satisfied that the proposed built form, site servicing, landscaping, etc. is consistent with the municipality's expectations and enacted through a site plan control agreement.

Additional zone standards in terms of: building setbacks; lot coverage restrictions; minimum lot area; etc. may have to be applied to the various blocks contemplated in the draft plan of subdivision dependent upon the conclusions of the various technical studies submitted in support of the two planning applications.

## **7.0 TECHNICAL STUDIES**

In support of the plan of subdivision and the implementing Zoning By-law Amendment, the Owner has commissioned the following reports and submitted these documents to the Town for review purposes. These studies include:

- ▶ Stormwater Management and Functional Servicing Study Report, A.M. Candaras Associates Inc., September 2003;

- ▶ Phase 1 Hydrogeologic Assessment, Stantec Consulting Ltd., February 2003;
- ▶ Phase 2 Hydrogeologic Assessment - Preliminary Results, Stantec Consulting Ltd., September 2003;
- ▶ Summary of Environmental Impact Study, Stantec Consulting Ltd., September 2003;
- ▶ Environmental Site Assessment, Phase 1, Soil-Eng Ltd., January 2003;
- ▶ A Soil Investigation for Proposed Industrial Development, Soil-Eng Ltd., January 2003;
- ▶ Traffic Impact Study, Cansult Ltd., September 2003;
- ▶ Compliance with the Oak Ridges Moraine Conservation Plan, Malone Given Parsons Ltd., September 2003.

These studies are presently being reviewed and assessed by the appropriate Town Department and Government Agencies. The conclusions and recommendations arising from this review will be contained in a future report to Council.

## **8.0 CORRESPONDENCE**

### **8.1 Public**

As of the date of filing this Report for inclusion in the October 7<sup>th</sup>, 2003 Public Meeting Agenda, correspondence had been received from Muriel Mortson (12046 Woodbine Ave.). Ms. Mortson is concerned about the nature of potential industrial uses occurring on the subject lands, and specifically, uses that would encompass outside storage. Ms. Mortson believes that the Industrial Prestige is a more desirable form of development. Ms. Mortson has also expressed concerns about development occurring on the basis of private well and septic systems and the potential impact on area water quality / quantity.

### **8.2 Government Agencies & Utility Providers**

The Toronto Region Conservation Authority (TRCA) identifies that the property is

traversed by three tributaries of the Rouge River watershed. Prior to any works occurring on the site, a permit issued under the authority of O.Reg. 158 will be required. The TRCA also advises that, in accordance with their policies, the protection of the watercourses is defined as the greater of: stable top of bank plus 10 metres inland; or, Regional Floodline plus 10 metres inland. No development is permitted within the aforementioned protected areas. The TRCA has also noted that the lands are within the Moraine and that technical studies are required in support of development. They have initiated the review of submitted studies and will provide their comments once their analysis is complete.

Enbridge Gas has indicated that a composite utility distribution plan be prepared as part of any future subdivision agreement.