

May 31, 2016

Regional Chair and Members of Council
c/o Regional Clerk
York Region
17250 Yonge Street
Newmarket, Ontario
L3Y 6Z1

RE: Town of Whitchurch Stouffville Official Plan Amendment 137

Dear Mr. Chair and Members of Council,

I am the owner of 12762 Tenth Line in Stouffville. The property is approximately 2 hectares (5 acres) in area and fronts onto the west side of Tenth Line. The Town is proposing to designate the majority of my property as an Activity Node to accommodate a 6 acre block for a new York Region Catholic District School Board elementary school. **I am on record as objecting to the school being located on my property when this matter was before Town Council and I am confirming my continued objection before York Region Council to this proposed amendment.** This is not the right location for this school. It is located between a four lane highway and a railway track. This will put the lives of children in danger.

I have conditionally sold the property and the purchaser is seeking to develop the property for residential. The property will never be developed if the Town and Region require a school to be built on almost the entire property. It isn't financially feasible. The school board will have to expropriate the property from me (or any future owner) and this will result in a **significant burden to taxpayers.**

I have retained Weston Consulting to review the proposed Official Plan Amendment and they will be submitting a separate letter on my behalf regarding this matter.

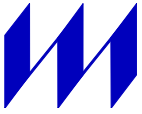
I would like Council to defer making decision on this matter until we have been provided an opportunity to have a formal meeting with staff to discuss this in more detail. If we are not given an opportunity to meet with staff, we will appeal this matter to the Ontario Municipal Board.

Regards,



Ross Cairo
Stouffville Glass, Mirrors & Aluminum (2012) Ltd.
3759 Durham Road #30
Stouffville, ON
L4A 7X4

CC. Tim Jessop, Weston Consulting



**WESTON
CONSULTING**

planning + urban design

Regional Chair and Members of Council
c/o Denis Kelly, Regional Clerk
York Region
17250 Yonge Street
Newmarket, Ontario
L3Y 6Z1

June 10, 2016

**Re: Proposed Amendment (OPA 137) to Stouffville Secondary Plan
June 16, 2016 Committee of the Whole (2) Meeting
Town of Whitchurch-Stouffville**

Dear Regional Chair and Members of Council:

Weston Consulting was recently retained by the owner of 12762 Tenth Line in Whitchurch-Stouffville (the 'subject property') to review the proposed amendments to the Town of Whitchurch-Stouffville Official Plan that would be implemented through Official Plan Amendment 137 (OPA 137). OPA 137 was adopted by Town Council on April 15, 2014 and forwarded to the Region for approval. The Region provided comments and recommended modifications back to the Town on October 16, 2015. On February 16, 2016, Town Council adopted further modifications to OPA 137 and forwarded it again to the Region for review. It is our understanding that York Region staff are bringing forward a recommendation report to the Committee of the Whole on June 16th, 2016, regarding this matter.

The subject property is approximately 2 ha (5 acres) in area with frontage on the west side of Tenth Line (Figure 1). The subject property forms part of the Phase 3 lands in Stouffville. The intention of OPA 137, in part, is to designate the majority of the Phase 3 lands to permit residential uses to ensure the Town can accommodate its share of growth allocated to it by the Region for the 2031 planning horizon. Schedule 2 of OPA 137 includes an amended 'Schedule F – Land Use and Transportation Plan' for the Stouffville Secondary Plan. The location of the subject property on this schedule is illustrated in Figure 2 below. A proposed Collector Road is identified as traversing the subject property. The majority of the subject property is designated as an 'Activity Node Area' and the southwest portion of the site is identified as Residential Area.

The following information summarizes our review of the proposed amendment and outlines concerns related to the proposed Activity Node Area on the majority of the subject property. It is also recommended that the Town make further amendments to ensure the development of Phase 3 lands occurs in a coordinated and equitable manner through the creation of one or more land owners groups.



Figure 1: Aerial photo of subject lands

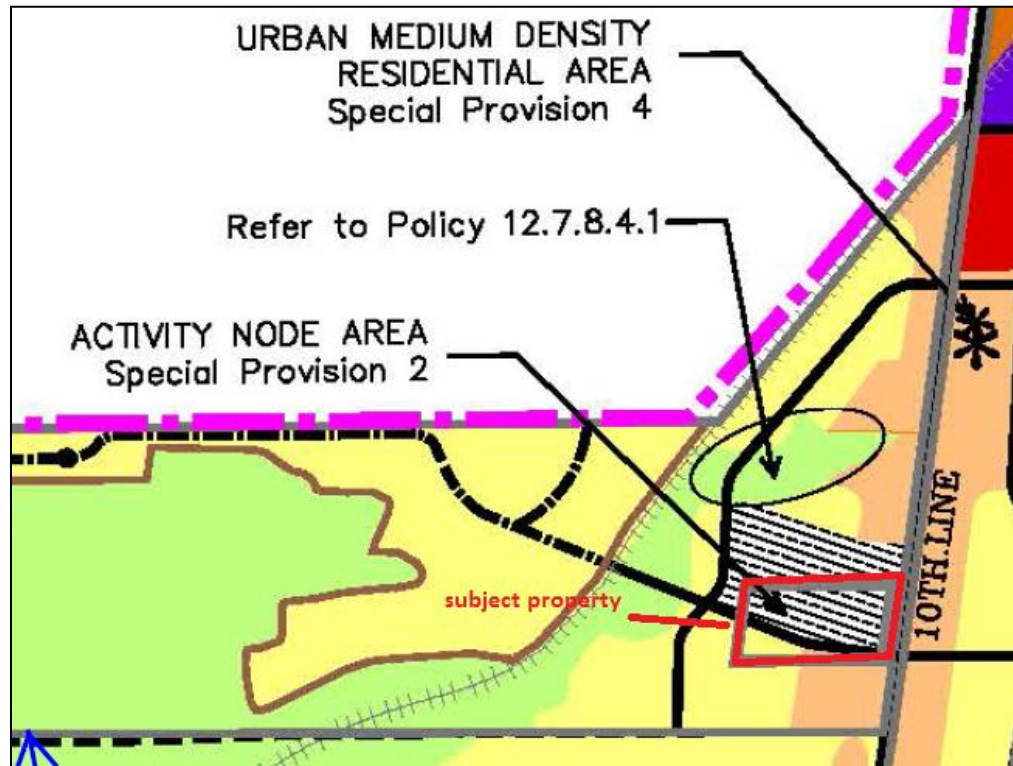


Figure 2: Approximate location of subject property per Schedule 2, OPA 137

As outlined in the Secondary Plan, lands in the Activity Node Area designation are primarily intended to accommodate a range of public or private non-profit community uses which may

include a residential component as part of a mixed use development. The Secondary Plan states in Section 12.7.7 that Activity Node Areas are intended to be focal points within the community, where clusters of community uses *may* be located and include:

- institutional, including such uses as places of worship, public, separate and private schools, offices for public and non-profit uses, and arenas;
- residential;
- convenience retail and service commercial;
- office; and,
- parks.

While it is not stated anywhere in the Official Plan, Secondary Plan or OPA 137, I understand that the Activity Node Area partially located on the subject property is intended to accommodate a public park approximately 4 acres in area and a York Region Catholic District School Board (YRCDSB) elementary school on a parcel of land approximately 6 acres in area. The proposed elementary school would be located along Tenth Line with the proposed park located adjacent to and west of the school block.

We do not agree with the approach taken by the Town in designating a portion of the subject property as an Activity Node Area in order to accommodate a public park and future elementary school.

The size of the park being proposed would suggest it has been sized to function as a larger community park. It exceeds the parkland dedication requirements that would normally be required in accordance with the Planning Act should the subject property and surrounding lands be developed. The Secondary Plan has a Community Park Area designation with corresponding policies per Section 12.7.9. To our knowledge, the Town has not completed any analysis to demonstrate the need for a community park in this location. If this is intended to be a community park, the Town should clearly articulate the areas served by this community park and ensure appropriate measures are in place that benefitting land owners are sharing the cost associated with the development of the community park. If it is a local park, the normal development approval process will ensure that a park is provided in accordance with the requirements established in the Planning Act and it would not be necessary to identify the size and location of the park on the land use schedule.

The Stouffville Secondary Plan states in Section 12.11.7.3 that (emphasis added): “Prior to the final approval of development on lands outside the Existing Community Area designated on Schedule “F”, the Town may require that landowners with applications for development enter into an agreement or agreements to address the sharing of the common costs of development.” It does not appear that OPA 137 is proposing to change this section of the Secondary Plan and once enacted, the amended Schedule “F” does not adequately distinguish the limit of Existing Community Areas. This section should be further amended to address the changes being proposed to Schedule “F” and to require that future development of Phase 3 lands occurs through a formal process whereby individual land owners are required to participate in one or

more land owners group that, among other things, will ensure that common costs are equitably shared amongst all benefiting land owners. The creation of a land owners group would not only ensure an equitable sharing of cost associated with any community park being developed. It would also ensure that other infrastructure required to service Phase 3 lands (e.g. storm water ponds, sanitary and water pipes, etc...) is planned comprehensively and costs are equitably shared amongst all benefitting land owners.

With respect to the proposed elementary school, it is our understanding that the YRCDSB has identified the potential need for two new schools to service the Phase 3 lands. This includes a parcel of land approximately 15 acres in area to accommodate a secondary school, and a second parcel approximately 6 acres to accommodate an elementary school. The School Board has a number of criteria¹ for selecting appropriate sites including the following (emphasis added):

1. "The site is to be centrally located within the proposed attendance area in order to maximize the non-transportation zone (1.6 km elementary, 4.8 km high school). The road network and pedestrian network should support efficient travel to schools.
2. Frontage on the east side of the road so that the building can be oriented east-west with the front wall of the building facing west.

It is our understanding that the School Board identified a need for the two parcels of land and provided the Town with their criteria for locating an appropriate school site. The Town selected the current location on the west side of Tenth Line with the majority being located on the subject property. Our client is on record regarding this matter and has questioned how the Town arrived at its decision to locate the proposed elementary school on the west side of Tenth Line on the subject property. The response on record from the Town is as follows:

"The requirement for two elementary schools has been identified for the Phase 3 lands. The location of such facilities as part of a community node to serve as a focal point for subareas of the Phase 3 lands is appropriate. For the subareas in the eastern portion of the Phase 3 lands a central location on Tenth Line is appropriate. The western side of Tenth Line was selected as it will be most accessible to the lands west of the rail corridor if a road or pedestrian connection is provided across the tracks. There is no significant difference between the amount of medium and high density development on the west or east side of Tenth Line and high density development would not be anticipated to generate a significant number of elementary school pupils."

Based on the location criteria provided by the School Board, an alternate location on the east side of Tenth Line would appear to be more appropriate. An elementary school on the east side of Tenth Line would accommodate the front wall of the building along Tenth Line to face west.

¹ Based on "School Site Guidelines Handout as per YCDSB Policy 505 – Development and Acquisition of School Sites"

Furthermore, is our understanding that an at-grade level crossing of the rail line would not be permitted and that constructing an over-pass is cost prohibitive in this location. It is our assumption that alternative access to the western portion of the subject property will be required from either Ninth Line and/or Bethesda Road. This is consistent with the Town's position and is reflected in the proposed amendment before the Committee that identifies this portion of the subject property as being an 'Access Study Area.' The staff report presented to Town Council on February 16, 2016, states that "...[t]his area has development potential, but it also has significant access constraints." If lands west of the rail line are developed, it is highly probable that they will be disconnected from lands on the east side. An elementary school on the east side of Tenth Line would provide a more centralized location to maximize the number of pupils in the non-transportation zone east of the rail line.

Please notify us of any upcoming council or committee meeting where the topic will be discussed, as well as any decisions that are made with regard to the Whitchurch Stouffville OPA 137.

Please contact the undersigned (x232) or Kelly Graham (x256) if you have any questions regarding this letter.

Sincerely,
Weston Consulting
Per:



Tim Jessop, MES, MCIP, RPP
Associate

- c. Ross Cairo, Stouffville Glass
Teema Kanji, Senior Planner, Region of York