

King council opposes bid for rural banquet hall

By **Angela Gismondi**

An outdoor banquet facility and children's camp do not belong on environmentally protected lands. That was the decision King council reached at a council meeting Monday. In a recorded vote, councillors voted unanimously to oppose the development, proposed to be located on the Oak Ridges Moraine in King.

The official plan amendment and zoning bylaw amendment applications were submitted by the applicant, Peter Eliopoulos. The applicant was looking to house an outdoor banquet facility and children's camp on a 49-hectare (121-acre) parcel of land located at 3550 18th Sideroad.

The property is located on the west side of Highway 400 between the 18th Sideroad and Lloydtown-Aurora Road.

The applicant filed an appeal to the Ontario Municipal Board in February on the basis that the Township failed to make a decision on the applications within 180 days. The purpose of the staff report was to help council determine its position for the Ontario Municipal Board hearing scheduled for Nov.26.

In the report, staff recommended that the Official Plan Amendment application submitted by Eliopoulos, to re-designate the Lands from Prime Agriculture to Rural, be approved by the OMB. However, planning staff also recommended council take the position that the zoning bylaw amendment application submitted to re-zone the Lands from Oak Ridges Moraine Countryside (ORMC) to Oak Ridges Moraine Countryside (ORMC) exception to permit a children's camp, not be approved by the Ontario Municipal Board. Furthermore, staff recommended the applicant's request to rezone the lands from Oak Ridges Moraine Countryside to Oak Ridges Moraine Countryside Exception to permit a wedding garden banquet facility, be refused by the OMB.

The outdoor banquet facility would include three garden areas to hold wedding events, with each garden having a hosting capacity of 200 persons (600 person total) together with three designated parking areas planned to accommodate a total of 440 vehicles. The applications further propose to establish a children's camp for a maximum capacity of 400 users and includes the construction of a mess hall (about 500 square metres) and an activity building (about 700 square metres).

Michael Melling, representing the applicant, was the first to speak before council at the meeting. Melling explained his client is the owner of By Peter and Pauls, which is responsible for organizing thousands of social and recreational events each year.

‘He had a dream or thought of creating an outdoor event venue for this purpose,’ explained Melling.

According to Melling, when his client first approached the Township with this project, the then mayor and then CAO encouraged them to move forward with the application, particularly because their proposal included rehabilitation of the property. Melling said he wasn't discouraged by Township staff in the pre consultation process three years ago either.

‘My client would never have made the application if he was explicitly told the use was not permitted,’ said Melling. ‘This is a deeply flawed report and so will be your decision if you support it.’

He and his client were led to believe the use was permitted on the property.

‘Now I see a staff report that says it is not permitted and I do not understand what has happened,’ said Melling.

Melling said his client was disappointed not with what was included in the staff report but what was left out.

‘I call this staff report a ‘no report’ not because it says no to my client, but because of what is not in it,’ said Melling.

The report does not refer to various studies conducted by the applicant, to the protection of environmentally significant features on the property, to the rehabilitation of the property and the applicant's plans to make the property available for school children in the area to learn about the ecology of the moraine.

Melling said the applicant wants to meet with Township staff and neighbours to try and work out some of the issues surrounding water, noise, access and traffic.

‘We're ready to talk to you about these things, we want to talk to you about these things,’ said Melling. ‘We can fight but I say instead that we talk. We have time to talk.’

Anne Sabourin, legal counsel representing the Stewards of the Moraine said the group was established to protect the moraine environment in King. She said the stewards fully support the staff recommendation.

‘As council, you have an important role in making a decision that affects the Oak Ridges Moraine Conservation Plan,’ said Sabourin, adding the plan includes special protection that restricts uses on the land.

She said a wedding and banquet facility is not a permitted use and is not a recreational use as the applicant suggested.

Bob Lehman, a planner who was retained by the Stewards of the Moraine over two years ago said he too agrees with the staff report and disagrees with it being a ‘no report.’ In fact, many of the findings in the staff report are consistent with his findings.

There are a lot of things that the staff report doesn't deal with but those things are not relevant," said Lehman. "I think the staff report deals with the essential plans and aspects. I don't think there is anything lacking in order for council to make a decision. It's an excellent report."

A few of the residents living on lands surrounding the proposed property stated they were concerned about the availability of water, sewage ending up in streams, the increase in traffic and the noise which will be generated from multiple outdoor weddings taking place each weekend on the property.

Greg Locke, representing Concerned Citizens of King Township said the proposed use doesn't fit on the property.

"We would have a very difficult time trying to rationalize this use on this property," said Locke. "This is something that is clearly not a permitted use."

Councillors shared the concerns of the residents.

"We recognize there are many layers to this application ? it's like an onion," said Councillor Bill Cober, adding the staff report is well presented and comprehensive. "I think it looks at all the criteria recommended for the Oak Ridges Moraine and that's how staff have come up with a conclusion."

Councillor Debbie Schaefer said she supported the report.

"This is not the right place for this," she said.

Councillor Peter Grandilli was not completely pleased with the report.

"As you all know, I am pro development," said Grandilli. "I do like development on the corridors, it's the only thing left that we can develop in the future. This project is a good project, maybe it's just premature. I do not know when is the right time to promote the 400 corridor. I think this matter should be referred back for further negotiation. If the proponent will propose a project and it will fulfill all the conditions we impose on them we should consider it. To save us money and time there should be further negotiation." Schaefer disagreed.

"We need to keep in mind that we are talking about a decision about a permitted use on the Oak Ridges Moraine ? and a banquet hall is not," she said, adding the legislation is a provincial document and the review is coming up in 2015. "It's not for one municipality to make a decision. I think it would be entirely inappropriate for us to do that. As a municipality on the moraine it is our job is to be implementing the conservation plan as it is, not changing it. I think that's a very dangerous path to go down and I will not be supporting it."

Cober pointed out that there are many areas in the township that are suitable for economic development, but this is not one of them.

"To be open for business the glove must fit," said Cober. "It is very important that it fits into our community and this doesn't fit."

Councillor Linda Pabst said the project is not the problem, it's the location.

"Maybe the 400 and King Road might be a better location for this," said Pabst.

She said she hoped council would make a unanimous decision on the matter in order to present a unified front at the OMB.

"I hope we can have a majority vote and get council support," said Pabst. "It would send a strong message."

Mayor Steve Pellegrini said he was outraged at the suggestion to work with the applicant.

"I find it very hypocritical especially when without common courtesy, without even a phone call, they go to the OMB," said Pellegrini. "We don't conduct business in that manner in King Township. Then you come here and say you want to sit down with us and see where we can go? You shut the door on that."

Councillor Avia Eek asked for a recorded vote on the matter. A motion was made to approve the staff recommendations. The motion carried unanimously.