

June 6, 2022

Good afternoon
Mayor Thompson
Ian Sinclair Regional Councillor
Lynn Kiernan Area Councillor

Re: The Notice of Intention to Pass Amending By-law to Remove a Hold Symbol ("H") has been issued.

Earliest Planning and Development Committee Meeting Date: June 21, 2022
Earliest Town Council Meeting Date: June 28, 2022

First, I want to thank you all for taking the time to review the following comments and concerns that I want to bring forward as a resident who lives across the river from the Alton Mill.

I am asking you to give consideration to the following to modify the conditions on the removal of the holding symbol ("H") on the Zoning for Alton Development Inc. known as the Alton Mill Arts Centre. This hold was approved by council in 2008.

First It appears that if the hold is lifted as is it would allow for:

14.72.19 **PLACE OF ASSEMBLY**

For the purpose of this zone, a place of assembly means a premises used for the gathering of groups of people and may include facilities for the preparation and consumption of food or drink but shall not include a church or place of entertainment.

14.72.10 **PLACE OF ENTERTAINMENT**

For the purpose of this zone, a place of entertainment means a premises where entertainment is offered for gain of profit such as an amusement arcade, a cinema, billiard or pool rooms, bowling alley, dance hall, public hall, theatre, or similar activity for the enjoyment of the general public.

We have been in contact with Adam Wendland, MCIP, RPP Lead Planner for The Town of Caledon and the following questions were asked:

Question: Is Assembly and Entertainment permitted or restricted currently? The "restrictions" do override the allowances until the Holding Symbol is lifted. So, at this current day and time, Place of Entertainment, Place of Assembly and Restaurant uses are not permitted. June 3, 2022

Question: What are the limitations on **Assembly** and **Entertainment**? Is this just one by-law that covers 5 to 5,000 persons gathering? 1 time per week to 100 time per week?

Please expand on this if you can. The Zoning By-law, specifically the Definitions Section, is what we would look at in the Planning Department for determining whether a cap is mandated. They would also need to meet requirements under the Fire Code and the Ontario Building Code for Occupancy loads (i.e. max amount of people they can hold).

To sum it up he advised us that currently since 2008 **(a)** All the uses below are not permitted given the Hold for The Place of Entertainment, The Place of Assembly and Restaurant uses as seen in this excerpt from By-law 87-250 (14.72.23. a and b):

14.72.23 RESTRICTED USES:

(a) Until such time as holding provision 1 and 2 have been removed the subject property may not be used for a place of assembly, a place of entertainment or a restaurant, unless it offers paper service only (i.e. all serving dishes, plates, cutlery, etc. either recyclable, or disposable.

(b) No portion of the basement shall be used for a restaurant or a training facility.

It appears to me that if the hold is lifted it would allow for:

14.72.19 PLACE OF ASSEMBLY

For the purpose of this zone, a place of assembly means a premises used for the gathering of groups of people and may include facilities for the preparation and consumption of food or drink but shall not include a church or place of entertainment.

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Questions and Concerns:

Since 2008 the Alton Mill Arts Centre has hosted a large number of events:

- Alton Millpond Hockey Tournaments Fire and Ice
- Numerous Weddings
- Other events such as Cuisine Art
- Starting in 2020 a series of concerts held in the Annex has started during the summer on Thursday nights and are advertised to start in July. Shut down time appears to be 9:30 p.m.

It is now my understanding that this property is not currently zoned to host these events.

That said moving on I would ask you to consider the following concerns:

Given that the Mill appears to have violated current zoning, what assurance do we have going forward that they will comply with regulations?

What consequences or penalties would apply to this property if they violate zoning?

How will this property be monitored to ensure compliance?

This comes down to Monitoring, Enforcement and Penalties.

Other Comments:

If further restrictions are not placed on what this property can be used for it could change the nature of the property's usage. **This property could be sold in the future and usage scope could change given that under Place of Entertainment includes zoning for the premises to be used where entertainment is offered for gain of profit such as an amusement arcade, a cinema, billiard or pool rooms, bowling alley, dance hall, public hall, theatre, or similar activity for the enjoyment of the general public.**

Consideration needs to be given to the location of this property:

1. This unique property sits surrounded by residences. The river runs through the property and the water does carry sound. What codes are protecting the residents surrounding this property?
2. How will the zoning and conditions placed on the property be Monitored going forward?
3. What Enforcement and Penalties would apply to zoning violations given there have not been any in the past?
4. Parking - This property has limited parking (even if expanded) for large events. In the past designated parking has been used to accommodate events, i.e. weddings in the upper parking lot. Vendors i.e. during Cuisine Art utilizing some parking areas, during fire and ice one of the main attractions setting fire to reveal a sculpture took place in the upper parking lot next to the bush. I still do not understand that they were given a permit for this fire so close to the bush that covers the pinnacle. If it ever caught on fire it would endanger a number of surrounding residences

PARKING SHOULD BE FOR PARKING ONLY. The Mill has a history of utilizing designated parking for event space and not providing adequate parking for large events.

This causes overflow into the community. Historically they have utilized other property that they own to the South of Queen St. to manage parking overflow, but they have plans to convert this large property into housing. They also use a small area across from the Village Square.

Other considerations should include:

5. Septic capacity and projected usage, perhaps a peer review on septic should be conducted?
6. Deliveries on loading and off loading should be on this property not utilizing Queen St. which is very narrow and can create safety issues.
7. Types and sizes of vehicles allowed for events i.e., weddings need to access and to turn around within the property. In the past neighbours on Queen St. have experienced off loading and on loading at the pedestrian access the Mill Bridge which impedes the use of Queen St. The same should apply to deliveries to events of the purposed restaurant.

Please note that deeded accesses are registered on this property. For example, our property has a deeded right of way to access our parking area. The two homes on the hill behind the property have deeded maintained access with provisions that allow them to cross the bridge when entering their property and travel along the drive to their property.

This bridge access is also denoted for emergency access only, not for public use.

Pedestrians do access across the bridge.

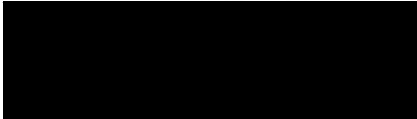
8. With alcohol being served at events or weddings, the mill should be directed to hire security to maintain control and protect neighbours. It is my understanding that they now have a liquor licence allowing them to serve alcohol at other events.
9. In the past very large busses have been allowed to run very late at night past 11:00 p.m. to onload guests.
10. Again after hrs. guests can be noisy when leaving a Wedding event. Neighbours have experienced disrespectful aggressive guests in the past. The mill operators have always been advised.
11. To monitor and control guests i.e. for loud behaviour outside after 11:00 p.m., or when guests or caterers are leaving any venues, the mill should be regulated around the number of staff that must be hired to manage events such as weddings which can have 100 or more guests. In the past and currently they appear to have one staff member in attendance. Reports of issues regarding the above have been noted to bylaw.
12. The Capacity of property to handle large crowds of people is limited and as mentioned is surrounded by residences.

I am requesting Regulations should be changed to limit the types of events allowed given location and limited capacity of the property. This should include Hrs. and Days of operation defined by what type of event that they are running that will affect neighbours.

It is apparent that numerous violations on the 'Hold' have not been enforced over the years with no consequences to the owners. There is great concern the Venue will not be monitored going forward and new violations will occur with no penalties by the Town.

Moving forward, the Residents require the Town to monitor this property owner given the history and enforce the applicable bylaws and limitations of usage on the property.

Sincerely,

A black rectangular redaction box covering the signature area.

Mary Cooney
1398 Queen Street W
Alton, ON.
L7K 0C3