

Analysis

Municipality can't preach morality to business

TRACY KIBBLE
Staff Reporter

Moving to Stouffville five years ago with dreams of opening a business has turned out to be a bureaucratic nightmare for Joe Colicchio.

He says he is the victim of bad planning by politicians at the local council table - politicians who would now choose to toss him aside like yesterday's consultant studies.

Colicchio bought an industrial condominium in the barren Ringwood Drive commercial section with the idea that he would run an entertainment spot for local business people, their clients, passersby and residents.

The zoning clearly states that a 'private club' plus a slew of other permitted uses is allowed, but Colicchio wanted to open up his establishment for the general public.

In an on-going struggle to keep his business profitable, Colicchio had come up with many ideas to attract customers, including changing the name and the theme of his business several times to best suit his

customers and to keep them coming back.

Officials told Colicchio last year that he could run his business on a temporary tavern-type basis because he really doesn't have adequate parking for such a long-term venture.

Each condo owner has his own parking spaces which they own along with the unit and you can't have late-night customers using other people's parking spaces, council has said. Why then was 'private club' an allowed use? Was it presumed that people booking the club would load into buses and then get dropped off?

On this point alone, it seems there was no thought put into which types of businesses should be allowed before units were sold.

Some officials, especially Ward 6 councillor Ken Prentice, have gone even further and made it quite clear they don't want any hanky panky going on in Whitchurch-Stouffville.

The 'stripper' word was never actually mentioned, but Colicchio was warned on several occasions that he had better not indulge Stouffville residents in such

naughty entertainment. Such tarnished endeavors just won't be tolerated in sleepy Stouffville - a community dotted with churches.

Colicchio says he doesn't run a strip joint, but like any other businessman, admits he has to do what he can to survive.

Councillors should be aware that the Supreme Court of Canada - the highest and most powerful court in the country - ruled in 1985 that municipalities have absolutely no authority nor the right to enforce morality.

What they do have the authority for is to provide good planning in their community - something clearly not done here.

Even council's strongest pro-business advocate - Ward 5 councillor Bob Ancheril - remained curiously quiet during the discussion, when most would have expected him to come to the businessman's defence. But he never did.

This is just one local case of extremely poor planning. And a case which strips this businessman of his freedom and right to thrive.

Catholic board supporters will see 7% hike in 1994

JULIE CASPERSEN
Staff Reporter

Separate school trustees used their imagination to produce a

surplus after slicing their 1994 budget by \$13 million.

One hour into the final budget meeting Thursday, the York

Region Roman Catholic Separate School Board was \$430,000 away from balancing its books for the year.

But by playing with numbers and paring program consultants staffing levels the board came up with a surplus of \$334,528.

At the suggestion of French Trustee Fran Hill, trustees added \$400,000 to their projected supplementary taxes, the extra taxes gained during the year from people moving into the area or transferring their taxes to the separate board.

Hill was told by finance superintendent John Sabo that any money amount can be slotted into the supplementary tax line. "There is no right answer," he said.

However, some trustees weren't convinced that manipulating numbers is the answer to balancing the budget. "It's called plugging. It's called creative financing," said trustee

Luigi Tucci, one of four trustees to vote against Hill's motion.

Trustees then reinstated Grade 7 and 8 French immersion at a cost of \$107,770, deciding it would be less expensive to give in to parents' demands than risk losing tax support from the parents of the 90 French immersion students.

Markham Trustee Lorenzo Rossi would rather spend now than lose later.

"We don't want to erode the tax base that's already eroding faster than land in California," he said.

But trustee Maddalena Smirnakis warned the board not to start of trend of rethinking cutbacks already made.

"If we consider this one particular issue why don't we reconsider all the \$13 million other cuts?" she said, asking for a tally of all cuts that are revisited.

In light of the excess funds the majority of trustees voted

in favor of taking a second look at some of the cuts in areas such as library clerks, caretaking, chaplaincy and safe schools. "We still have \$237,000. It's not a lot (but) I'd like to think of it as we've bled the system dry and are pumping something back in," Board Chair Terry Ryan said.

More than 150 people will lose their job as a result of the budget cuts. Trustees were forced by the Ministry of Education and Training to eliminate last year's \$18.7 million deficit through taxation and cutbacks, and start shaving its \$35 million accumulated debt.

Trustees tinkered with lowering the tax increase from seven per cent, the hike promised last December, to 6.95 per cent or 6.82 per cent, but the seven per cent won.

Ratepayer Pat Henry said with this latest increase, his taxes will have jumped by 85.7 per cent since 1988.



Photo: JOERD WITTEVEEN

PJ day

Summitview Public School Grade 2 student Katelyn Smith listens to a story clad in her pajamas during pajama day last week.

Carnival in full swing

There's a wide variety of events slated for the Clarendon Winter Carnival which begins this week.

The 11th annual event kicked off Tuesday with a youth dance and later a talent show at Clarendon Public School. Activities tonight include Lioness Bingo at the Community Hall and Kids Movie Night at the Legion. Things heat up Friday with the Torch Light Parade at 6:30 p.m. from the United Church; fol-

lowed by Opening Ceremonies and the Lioness Skating Party at 7:15 p.m. at Clarendon Park.

Saturday is a full day starting with pancake breakfast at 8 a.m. at the United Church, followed by the Clarendon Mile Race and the Winter Carnival Parade at 11 a.m. Clarendon Park is the scene of sports activities such as hockey and broomball all day. The Trappers Ball is 8 p.m. to 1 a.m. at the Legion.

Builders to pay for new schools

The lot levy bank account of two York Region school boards will be reactivated Monday.

The public and separate boards have won a legal battle with the Ontario Home Builders' Association over the right to charge a special fee on new construction to pay for new schools.

"We want to start collecting Monday," said York Region Board of Education lawyer Martha Mackinnon.

The public and separate boards were the first in Ontario to adopt lot levy bylaws in November 1991 under the 1989 Development Charges Act. One month later the Ontario Home Builders' Association filed a court challenge which it won.

The boards and the province appealed and the Ontario Court of Appeal has deemed the levies constitutional in a unanimous decision. Mackinnon said yester-

day the court ruled that development charges are not a form of taxation, and that the builders' group does not have the status to challenge the act on separate school rights because it is not Catholic. Costs were awarded to the boards and the province.

Municipalities in York Region collected \$16 million in lot levy fees on behalf of the boards by

charging \$3,623 on each new home built in York Region. The money was spent on new school construction until the bank account was frozen last June following a ruling from the Court of Appeal.

The next step, according to Mackinnon, is to determine how to retrieve the money lost in the past eight months.

Hot noon lunch

The Legion Ladies' Auxiliary is hosting a hot noon luncheon on Wednesday, March 2 from 11:30 a.m. to 1:30 p.m. for \$8. Call 640-1941 or 640-2443 for tickets or pick them up at *The Tribune* office.

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