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Town of Aurora

General Committee Report

No. PDS23-019

Subject: Official Plan Amendment, Zoning By-law Amendment and Draft
Plan of Subdivision
Shining Hill Collections Inc.
162, 306, 370, 434 & 488 St. Johns Sideroad West
File Number: OPA-2021-02, ZBA-2021-02 & SUB-2021-01

Prepared by: Rosanna Punit, Planner

Department: Planning and Development Services

Date: March 7, 2023

Recommendation

1. That Report No. PDS23-019 be received; and
2. That Official Plan Amendment application OPA-2021-02 be approved to amend the Official Plan Site Specific Policy #14 and OPA 37:
 - a. to re-designate the subject lands from “Existing Major Institutional”, “Suburban Residential (SR-1)”, “Supporting Area Open Space” and “Core Area Open Space” designations to “Suburban Residential (SR-1)”, “Stable Residential”, “Environmental Protection”, “Public Parkland”, and “Supporting Area Open Space” designations; and
 - b. remove Official Plan Site Specific Policy #14 over a portion of the subject lands and replace with a new site specific policy to permit single detached dwellings up to a maximum height of three (3) storeys or eleven (11) metres and street townhouses up to a maximum height of thirteen (13) metres; and
3. That Zoning By-law Amendment application ZBA-2021-02 be approved to rezone the subject lands from Oak Ridges Moraine - Rural (RU-ORM), Rural (RU) and Institutional (I) to Detached Third Density Exception X (R3-X), Detached Fourth Density Exception X (R4-X), Townhouse Dwelling Residential Exception Zone (R8-X), Institutional (I), Oak Ridges Moraine Environmental Protection Zone (EP-ORM), Environmental Protection (EP), Public Open Space (O1) and Private Open Space Zone (O2); and

4. That the Draft Plan of Subdivision application SUB-2021-01 consisting of 108 dwelling units (87 singles and 21 towns), neighbourhood park, school block, natural heritage/open space areas, public roads be approved, subject to the conditions listed in Appendix 'A' to this report; and
5. That Council grant allocation from the reserve to service the development of 87 single-detached dwellings and 21 townhouses units on the approved Draft Plan of Subdivision; and
6. That the implementing Official Plan Amendment and Zoning By-law Amendment be brought forward to a future Council meeting for enactment.

Executive Summary

This report seeks Council's approval of an Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision to permit 108 dwelling units (87 single detached units and 21 townhouse units) along with a school (St. Annes School), neighbourhood park, natural heritage/open space, trail head and public roads.

- The proposed Official Plan and Zoning By-law Amendment (OPA and ZBA) is to facilitate the development of a proposed Draft Plan of Subdivision.
- The purpose of the OPA is to expand the suburban residential use, introduce additional environmental protection and implement a maximum height limit of 11m for single detached and 13m for street townhouses.
- The implementing Zoning By-law will provide new Environmental Protection and Open Space, recognize the existing St. Anne School and implement a range of house options including single detached of different frontages (standard and laneway) and townhouses.
- The proposed Draft Plan of Subdivision consists of 87 single detached dwelling lots, five townhouse blocks with a total of 21 units, a neighbourhood park block, a school block, a natural heritage system block, a private park block and public and private roads;
- The subject applications conform to the directions of the provincial planning policies including York Region and the Lake Simcoe Conservation Authority subject to conditions.
- The proposed OPA is consistent and compatible with the adjacent land uses. It protects the key existing environmental features while increasing housing supply.
- The proposed ZBA will facilitate the proposed Draft Plan of Subdivision and is compatible with adjacent and neighbouring development and will protect natural heritage features.

- All external agencies and Town Staff have completed their review and have no objections to the subject applications subject to the conditions listed on Appendix “A” of this report.
- Comments raised Public Planning Meetings have been adequately addressed;

Application History

The following are highlights to the subject applications:

- Pre-consultation meetings were held on February 16, 2021.
- The Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision applications were submitted on March 19, 2021.
- The Town deemed the applications complete on March 26, 2021.
- A statutory Public Planning Meeting was held on June 8, 2021 where Council requested a second Public Planning Meeting to address the comments and concerns raised.
- Second Public Planning Meeting was held on September 14, 2021.
- The Zoning By-law for the St. Annes School was brought forward to General Committee on February 15, 2022 and the implementing by-law 6405-22 was passed at Council.

Other Phases outside of the Subject Lands

In June 2020, Council draft approved a Plan of Subdivision fronting onto to St. Johns Sideroad to permit the development of 90 single detached units (The Owner refers to this portion as Phase 2). These lands are also owned by Shining Hill Estates Collections Inc. The applicant is working on clearing the draft plan conditions imposed for the approved Draft Plan of Subdivision (SUB-2018-02). The applicant has also submitted a Site Plan application (SP-2021-06) for these lands.

Location / Land Use

The proposed Draft Plan of Subdivision is proposed on the north side of St. John’s Sideroad, west of Yonge Street and east of Bathurst Street (see Figure 1).

The subject lands are comprised of five separate parcels and are known municipally as 162, 306, 370, 434 & 488 St. John’s Sideroad West. The subject lands are vacant with the exception of 306 and 162 St. John’s Sideroad West, which contains an estate dwelling and accessory buildings. The estate dwelling is planned to be the future home of the St. Anne’s All-Girls Private School. The subject lands are irregular in shape with an approximate area of 31.79 ha (78.55 ac).

A significant natural heritage system is located on a majority of 488, 434 and 370 St. John's Sideroad West. The natural heritage system continues on the southern portion of 306 St. John's Sideroad West and southwestern portion of 162 St. John's Sideroad.

Surrounding Land Uses

The surrounding land uses are as follows:

North: Lands to the north of the subject lands are within the Town of Newmarket and comprise undeveloped vacant lands, Natural Heritage Lands;

South: St. Johns Sideroad, the approved Draft Plan of Subdivision (SUB-2018-02) Shining Hill Estate Collection Inc.;

East: Vacant Land, Natural Heritage Lands and Yonge Street;

West: Natural Heritage Lands and low-density residential uses.

Policy Context

Provincial Policies

All planning applications are subject to provincial policies. The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest. The Growth Plan for the Greater Golden Horseshoe is a guiding document for growth management within the Greater Golden Horseshoe (GGH) Area. The Oak Ridges Moraine Conservation Plan provides the necessary land use policies for the protection of the Oak Ridges Moraine's ecological and hydrological features and functions. The Lake Simcoe Protection Plan (LSPP) is a provincial document that provides policies which addresses aquatic life, water quality, water quantity, shorelines and natural heritage, other threats and activities (including invasive species, climate change and recreational activities) and implementation.

York Region Official Plan (YROP)

York Region Council adopted the current 2022 Regional Official Plan in June 2022 and the Minister of Municipal Affairs and Housing approved the Plan in November 2022. The policies of the official plan guide new planning and development in York Region. The subject lands are designated as Urban Area within the Regional Structure Map 1. The Regional Plan also identifies the lands as Community Area on Map 1a, allowing for community type use such as personal services, retail arts, culture, recreational facilities and human services needs. The Community Area shall contain a wide range and mix of

housing types, sizes, tenures that include options that are affordable to residents at all stages of life.

Town of Aurora Official Plan

Easterly portion of the Subject Lands

The easternly portion of the subject lands are designated 'Existing Major Institutional' under Appendix "A" of the Town's Official Plan (See Figure 3). A site-specific policy area #14 is also applies to the easterly portion of the subject lands (See Figure 2). Site Specific Policy Area 14 permits a comprehensive retirement complex, including 350 apartments units, 90 medical care units, medical clinics, related administrative office space and a conference centre. Site Specific Area Policy Area #14 is currently not within the Town built boundary but it is within the urban area within the newly approved York Region Official Plan 2022.

Westerly portion of the Subject Lands (OPA 37)

The western portion of the subject lands are designated, 'Suburban Residential (SR-1)', 'Core Area Open Space' (COS) and 'Supporting Area Open Space' (SOS) under OPA 37 (See Figure 3).

The intent of the 'Suburban Residential - (SR-1)' designation within OPA 37 is that these lands be developed as fully serviced single-detached residential lots with frontages generally greater than 24 metres, and areas generally greater than 800 square metres. Neighbourhood oriented community services such as schools and parks are also permitted. The current SR-1 designation within OPA 37 allows for neighbourhood orientated support services such as schools and parks.

The intent of the 'Core Area Open Space – (COS)' designation within the OPA 37 is that these lands shall be comprised of open space, approved stormwater management outlets, and approved road and municipal service crossings. Other than the above permitted services these lands are intended to remain in its natural state with only passive recreation uses being permitted. Development in proximity to these Core Area Open Space lands is intended to protect and respect the existing natural edges, provide slope stabilization, and if desirable and necessary, provide trails and open space management programs.

The intent of the 'Supporting Area Open Space – (SOS)' designation within OPA 37 is to provide open space, approved stormwater management facilities, approved road and municipal service crossings, trails and passive use parks. Lands designated Supporting

Area Open Space shall be dedicated to the Town unless detailed studies indicate that certain lands may be located within the rear yards of certain lots. Lands designated "Supporting Area Open Space" are comprised of two interrelated ecological elements - the supporting vegetation communities and the valley land forms.

a) Supporting Vegetation Communities

Lands designated Supporting Area Open Space within the Site Specific Policy Area may include supporting vegetation communities. Restoration of the supporting vegetation communities shall occur if impacted by development.

b) Valley Land Form

Lands designated Supporting Area Open Space within the Site Specific Policy Area may include areas of steep or moderate slopes. Stabilization of the valley land form shall occur if impacted by development.

Zoning By-law 6000-17, as amended

The subject lands are currently zoned 'Oak Ridges Moraine Rural General (RU-ORM)', 'Rural (RU)' and 'Institutional (I)' (See Figure 4).

Within the Oak Ridges Moraine Rural General zone, the Zoning By-law requires all development after November 15, 2001 to apply for an amendment to the Zoning By-law in accordance with the policies of the Official Plan and the Planning Act. Uses permitted in the Rural Zone include Agricultural uses, Detached Dwelling, Second Suites, Greenhouses, Home Occupations and Places of Worship.

Permitted uses in the Institutional Zone include, Athletic Fields, Cemetery, Day Care Centres, Hospitals, Public Library, Long Term Care Facility, Museum Place of Worship, Recreation Centre, Retirement Home, Post-Secondary School, Private School, Public School.

Reports and Studies

As part of a complete application submission for the subject applications, the applicant has submitted studies and materials as listed below:

Document	Consultant
Planning Opinion Report	Malone Given Parsons Ltd.
Green Development Report	Malone Given Parsons Ltd.
Draft Official Plan Amendment	Malone Given Parsons Ltd.
Draft Zoning By-law Amendment	Malone Given Parsons Ltd.
Conceptual Plan	Malone Given Parsons Ltd.
Neighbourhood Plan	Malone Given Parsons Ltd.
Urban Design Brief	Malone Given Parsons Ltd.
Priority Lot Plan	Malone Given Parsons Ltd.
Slope Stability Study	Soil Engineers Ltd.
Geotechnical Investigation	Soil Engineers Ltd.
Hydrogeological Investigation	Golder Associates Ltd.
Natural Heritage Evaluation	Beacon Environmental
Phase 1 Environmental Site Assessment	Soil Engineers Ltd.
Arborist Report	Beacon Environmental
Lake Simcoe Protection Conformity Report	Malone Given Parsons Ltd./ Beacon Environmental
Functional Servicing Brief and Stormwater Management Report	SCS Consulting Group Ltd.
Engineering Drawing Package	SCS Consulting Group Ltd.
Transportation Mobility Plan	Dillion
Noise Study	HGC Engineers
Stage 1-2-3 Archaeological Assessment	This Land Arch

Proposed Applications

The proposed Draft Plan of Subdivision application requires an application to amend the Official Plan and Zoning By-law.

Official Plan Amendment (OPA) application

The purpose of the OPA is to expand the suburban residential use, introduce additional environmental protection and implement a maximum height limit of 11m for single detached and 13m for street townhouses.

As illustrated in Figure 5, the Owner is proposing to amend the Official Plan designation as follows:

Existing OP designation	Proposed OP designation
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<p>“Existing Major Institutional”, “Suburban Residential (SR-1)” “Supporting Area Open Space” and “Core Area Open Space” designations</p>	<p>“Suburban Residential”, “Stable Residential”, “Environmental Protection”, “Public Parkland”, “Core Area Open Space” and “Supporting Area Open Space” designations</p>
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The Owner is proposing to remove the existing site-specific official plan policy #14 over the easterly portion of the subject lands and apply a new site-specific policy over the entire Draft Plan of Subdivision. The new site-specific policy will permit single detached dwellings up to a maximum height of three (3) storeys or eleven (11) metres and street townhouses up to a maximum height of thirteen (13) metres, whereas the existing Official Plan does not have a height requirement.

The Region of York has delegated approval of the subject Official Plan Amendment to the Town of Aurora.

Zoning By-law Amendment Application

The implementing Zoning By-law will provide new Environmental Protection and Open Space, recognize the existing St. Anne School and implement a range of house options including single detached of different frontages (standard and laneway) and townhouses.

As shown in Figure 6, the applicant proposes to rezone the subject lands from “Oak Ridges Moraine - Rural (RU-ORM)”, “Rural (RU)” and “Institutional (I)” to “Detached Third Density Exception X” (R3-X), “Detached Fourth Density Exception X” (R4-X), Townhouse Dwelling Residential Exception Zone (R8-X), “Institutional” (I), “Oak Ridges Moraine Environmental Protection Zone” (EP-ORM) “Environmental Protection” (EP), “Public Open Space” (O1) and Private Open Space Zone (O2).

A comparison of the parent zoning classification with the proposed amendments is provided in Appendix B.

Draft Plan of Subdivision Application

The proposed Draft Plan of Subdivision consists of 87 single detached dwelling lots, five townhouse blocks for a total of 21 townhouse units, a neighbourhood park block, a school block, a natural heritage system block, a private park block and public and private roads.

As illustrated in Figure 7 & 8 the draft plan of subdivision contemplates 87 single detached dwelling lots, five townhouse blocks with 21 units, a neighbourhood park block, a school block, a natural heritage system block, a private park block and public and private roads. A conceptual plan of the overall concept, including Town of Newmarket lands is provided in Figure 9.

The detailed breakdown of the plan of subdivision is below:

Proposed Land Use	Lot and Block #	# of Units	Area (ha)
Single Detached (min 15.24m)	1-78	23	1.46
Single Detached (min 13.7m)		28	1.43
Single Detached (Min 12.2m)		27	1.18
Lane Access Single Detached (Min 13.7m)	79-87	5	0.30
Lane Access Single Detached (Min 12.2m)		4	0.18
Townhouse Min. 6.1m	88-92	21	0.54
St. Anne's School	93		4.19
Neighbourhood Park	94		1.61
Natural Heritage/Open Space	95		17.84
SWM/Trail Head	96-97		0.22
Servicing Blocks	98 -99		0.04
Overland Flow	100 – 101		0.01
Access to St. Anne's School	102		0.05
Vista's/Open Space	103-107		0.05
Road Widening	108		0.21
0.3m Reserves	109-110		0.01
Temporary Secondary Emergency Access	111		0.01
23.0m Right of Way (436m)	Street A		1.02
18.0m Right of Way (490m)	Street B -D		0.96
16.5m Right of Way (165m)	Street E		0.27
15.0m Right of Way (160m)	Street B		0.19
Totals		108	31.79

Analysis

Planning Considerations

The subject applications conform to the directions of the provincial planning policies including York Region and the Lake Simcoe Conservation Authority subject to conditions.

Provincial Policy Statement (PPS)

The subject lands are located within a Settlement Area as defined by the PPS and the proposed development is consistent with the PPS objectives of contributing to a healthy, livable and safe community. And focusing growth to settlement areas. The development makes efficient use of the lands that will connect to municipal infrastructure within the urban area. The nature heritage features (17.84ha) have been delineated and no development is to occur within the feature, ensuring protection and linkages with the natural heritage system.

Places to Grow Plan for the Greater Golden Horseshoe

The Growth Plan encourages intensification throughout the Settlement Areas and supports development of complete communities, which may take on different shapes and forms appropriate to their context. The proposed development support the objectives of complete communities by providing a mix and range of housing types and tenures to the community, while providing an appropriate built form transition to the existing community.

A portion of the Subject Lands are designated 'Settlement Area' in the ORMCP. These lands are intended for urban uses thereby mitigating the impact of development on the natural ecological functions and hydrological features and to promote the efficient use of land resources through intensification and redevelopment of underutilized lands within urban areas.

Lake Simcoe Protection Plan (LSPP)

The Lake Simcoe Region Conservation Authority has reviewed the proposed applications in concert with the LSPP and it's of the opinion that consistency with Section 3.1 of the PPS has been demonstrated, and there is no objection to the proposed Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision subject to the Draft Plan Conditions within Appendix A.

The subject site is partially regulated within an area governed by Ontario Regulation 179/06 under the Conservation Authorities Act. A permit from the Lake Simcoe Region Conservation Authority will be required prior to any development taking place.

York Region Official Plan (YROP) 2022

York Region has reviewed the applications and are of the opinion that the applications are in keeping with the intent and policy direction of the York Region Official Plan. The Street A access onto St. Johns Sideroad is generally acceptable. The approval is subject to the owner satisfying technical requirements through draft plan conditions (Appendix A).

Town of Aurora Official Plan – OPA 37

The proposed OPA is consistent and compatible with the adjacent land uses. It protects the key existing environmental features while increasing housing supply.

Planning Staff are of the opinion that the proposed Official Plan conforms to the land use and development policies of the Official Plan and is compatible with the surrounding land uses. Overall, the site-specific Official Plan designations Suburban Residential (SR-1), Stable Neighbourhoods”, Environmental Protection”, “Public Parkland”, “Core Area Open Space” and “Supporting Area Open Space” are intended to maintain the natural features and allow for the residential development, satisfying the intent of the OPA 37 and Official Plan.

Staff are of the opinion that the proposed development maintains the general intent of OPA 37 and the existing Core Area Open Space designation by providing a Natural Heritage Block which will remain in its natural state. This Natural Heritage Block (Block 95) has been established in accordance with the limit of the staked dripline by the LSRCA. It is anticipated that the balance of the natural heritage system located on the subject lands, within the limits of the proposed draft plan, are to be conveyed to the Town. A draft plan condition has been proposed in Appendix A of this report to ensure that the Owner will convey the natural heritage system identified as Block 95 on the Draft Plan of Subdivision as part of the Subdivision Agreement and Registration process.

Lake Simcoe Conversation Authority reviewed the Natural Heritage Evaluation produced by Beacon Environmental and have no concerns. Beacon Environmental confirmed that Barn Swallow is no longer a listed as a species at risk (SAR) with the province. Regardless, the Owner has committed to construct a new Barn Swallow nesting kiosk within the natural heritage area. This will offer 16 nest cups, in addition to exposed

vertical space for potential Barn Swallow to construct their own nests. The kiosks will be constructed outside of the active season for the species and will be available prior to the return of Barn Swallow in the spring. The kiosk will be situated in proximity to suitable foraging habitat and will have regard for predation risk by including baffles at the base of the structure.

OPA 37 identifies for certain road intersections and creek crossing extension, note that these policies were prepared in the late 1990s to early 2000, and the policies have changed with emphasis on protection of natural heritage features and limiting the access points onto St. Johns Sideroad. The proposed intersection at Willow Farm Lane is consistent with the general direction of the Regional and Town Official Plan.

The Official Plan Site Specific Policy #14 identifies the easterly portion of the site for a retirement complex with 350 apartments units and 90 medical care units, office space, medical clinics and conference centre. In response to the public comments, the proposed Draft Plan was revised to include low rise development which is compatible with the immediate area. Staff are satisfied that the proposed Official Plan Amendment to the site-specific policy provides for a more comprehensive development that provides for an increase in the housing stock in form of single detached dwellings and town house units. The new site-specific policy area will additionally provide for passive and active trail access points, along with a future connection to the Town of Newmarket trail system. Planning staff are of the opinion that the proposed Official Plan Amendment will facilitate appropriate development that is compatible with adjacent lands and protects key existing environmental features.

Zoning By-law 6000-17, as amended

The proposed ZBA will facilitate the proposed Draft Plan of Subdivision, is compatible with adjacent and neighbouring development and will protect natural heritage features.

The proposed zoning by-law amendment is to rezone the subject lands to “Detached Third Density Exception X” (R3-X), “Detached Fourth Density Exception X” (R4-X), Townhouse Dwelling Residential Exception Zone (R8-X), “Institutional” (I), “Oak Ridges Moraine Environmental Protection Zone” (EP-ORM) “Environmental Protection” (EP), “Public Open Space” (O1) and Private Open Space Zone (O2). The proposed Zoning By-law amendment provides for housing units of singles and towns with ranges in frontages, providing for a range in tenure types, including additional residential dwelling units. The proposed zoning by-law will facilitate the proposed Draft Plan of Subdivision, which is compatible with adjacent and neighbouring development and will protect

natural heritage features. It is Planning Staff's opinion that the proposing Zoning By-law Amendment is appropriate and represents good planning.

Department / Agency Comments

All external agencies and Town Staff have completed their review and have no objections to the subject applications subject to the conditions listed on Appendix "A" of this report.

In general, all circulated agencies are satisfied with the subject applications and have no further comments at this time subject to conditions outlined in Appendix 'A' of this report. Any remaining technical matters can be resolved prior to the enactment of the subject Zoning By-law Amendment and prior to the execution of the subdivision agreement.

Development Engineering

The Development Engineer has no concerns with approval of the subject applications, subject to all engineering related conditions being satisfied prior to execution of the development agreement. The access to the subdivision will be via Street A, at Willow Farm Lane, a traffic signal has been recommended at this site once its meets capacity requirements for York Region. Outstanding technical matters will be addressed through the recommended draft plan conditions.

Policy and Economic Development Division

Staff are recommending that Council grant servicing allocation for the proposed development. An average of 3.23 per unit is required to service a single detached dwelling and 2.69 for townhouses. Staff confirmed that the Town has servicing capacity from the Town's reserve to allocate for the proposed development.

Building Division

Building Division has no objection to approval of the subject applications.

Central York Fire Services

Central York Fire Services (CYFS) has no objection to approval of the subject applications, subject to the conditions listed in Appendix "A" of this report. CYFS approved the proposed emergency access off St. Johns Sideroad (identified as Block 111 on the proposed Draft Plan). Draft Plan conditions to address matters as it relates to detailed design are incorporated and will be included in a future Subdivision Agreement.

Operational Services – Parks Division

Parks staff acknowledge that the development proposes trail systems and multi use paths. Accordingly, a Trails Concept Plan will be required through the Draft Plan Conditions to address trail routes and design standards as set out in the Town of Aurora Trails Master Plan. These trails are planned to connect with the Town of Newmarket upon review of the detailed design plans in consultation with the LSRCA. A total of 1.61 ha Parkland dedication will be provided, which exceeds the required 5% land rate of gross developable area (SUB-2018-02 and SUB-2021-01). Draft plan conditions have been added in Appendix A to address parkland requirements.

Traffic/Transportation

The Town's Traffic Analyst has no further comments and has expressed no concerns with the findings and conclusions of the Transportation Mobility Plan (TMP) submitted as it relates to the impact and operations of roads under the jurisdiction of the Town. An updated Pavement Marking and Signage Plan will be required and has been added in Appendix A.

Lake Simcoe Region Conservation Authority (LSRCA)

The Lake Simcoe Conservation Authority reviewed the subject applications with no objections subject to the conditions listed in Appendix "A" of this report. Amongst other reports and documents, the LSRCA has reviewed the Natural Heritage Evaluation and have confirmed the environmental protection and open space boundaries on the Draft Plan of Subdivision.

York Region

York Region is satisfied with the applications and have provided the Town of Aurora delegated authority for approval of the Official Plan Amendment. York Region has provided conditions of draft approval, included in Appendix A.

Public Comments

Comments from the Public and those made at the Public Planning Meetings have been adequately addressed.

Comments and concerns were raised by the public and members of Council at the June 8, 2021 and September 14, 2021 Public Planning Meetings. The following is a highlight or key comments/concerns:

Revisions to the Draft Plan of Subdivision: the Owner removed the proposed 200 unit multi-storey residential apartment block and replacing it with the five townhouse blocks for a total of 21 townhouse units after the first statutory public meeting (June 8, 2021). The proposed site density has been reduced from 20.4 units per ha to 7.7 units per ha.

Traffic Signal and Road Widening: York Region Transportation Master Plan has identified St. Johns Sideroad as a road widening to four lanes, no dates have been identified at this time. At Willow Farm Lane, where the access is proposed to the draft plan of subdivision ("Street A"), a traffic signal has been recommended and will be coordinated by York Region.

Road connection to Bathurst: a member of the Public requested a road connection to Bathurst Street. This is not recommended as it will negatively affect on to the Natural Heritage features that is being protected as part of this development. The access point adjacent to Willow Farm Lane provides for sufficient access and egress form the site, with a traffics signal proposed for this intersection.

Sidewalk: A sidewalk was requested by the public on St. Johns Sideroad, along the north side of the subject lands. This future sidewalk has been reserved on the draft plan of subdivision, until the future road widening of St. Johns is constructed by York Region. A monetary contribution for the construction of this sidewalk will be obtained and is reflected in the draft plan conditions (Appendix A) until the widening occurs.

Tree removals on the site: An Arborist report and compensation plan has been submitted and reviewed by the Parks Department. (Appendix A). As stated in the Arborist Report, a total of 2,081 tree were inventoried and assessed on and adjacent to the subject lands. Of these, 985 individually tagged trees, greater than 20cm diameter at breast height (DBH), located on the subject lands and adjacent private properties. 62 trees of all sizes are within the Regional Road Allowance (RRA), and 1,034 trees between 5cm and 20 cm DBH. A total of 1,574 trees are proposed of recommended for removal. The 1,574 trees are composed of 464 trees greater than 20 cm DBH on the subject lands. 33 trees of all sizes are within the RRA, 947 tallied trees that range from 5cm to 20cm DBH and 130 trees that are recommended for removal due to their condition (i.e. potential risk, declining death imminent etc.) A total of 507 trees, ranging from 5cm to 20cm DBH are recommended for preservation. As, per the Town's tree compensation guidelines the owner is required provide for compensation and tree plantings and this has been identified in the Draft Plan Conditions.

Effect on the existing wildlife: a Natural Heritage Evaluation (NHE) was reviewed by the Lake Simcoe Conservation Authority and is satisfied with the findings.

Inadequate Environmental Buffer: Lake Simcoe Conservation Authority has reviewed the proposed Draft Plan and has no concerns with the proposed environmental boundaries.

Lack of Amenity area: The proposed Draft Plan of Subdivision provides for passive and active walking trails to be implemented throughout the site and connections to the Town of Aurora and the Town of Newmarket's existing trail system.

Natural Habitats: The owner has committed to provide barn swallow habitats as part of the development within the natural heritage system. These have been included in the draft plan conditions (Appendix A).

Servicing Allocation: Servicing allocation is available for the proposed development from the Town's reserve and a request has been made in the resolution of the report for Council approval.

Additional information: The details of the Water Source Protection Area have been provided on the Town of Aurora Shining Hill information page. The stormwater cell design examples were provided by the applicant within the 2nd public meeting information (September 21, 2021). The Slope Stability Report has been submitted and has correlated to the draft plan of subdivision.

Advisory Committee Review

Not Applicable.

Legal Considerations

Subsections 22(7) and 22(7.0.2) of the *Planning Act* states that if Council refuses the Official Plan Amendment application or fails to make a decision on it within 120 days after the receipt of the application, the applicant (or the Minister) may appeal the application to the Ontario Land Tribunal (OLT).

Subsection 34(11.0.0.0.1) of the *Planning Act* states that if the passing of a Zoning By-law Amendment also requires an amendment to the Official Plan, and that if both applications are made on the same day, if Council refuses the Zoning By-law Amendment application or fails to make a decision on it within 120 days after the receipt of the application, the applicant (or Minister) may appeal the application to the OLT.

Section 51(34) of the *Planning Act* states that if Council fails to make a decision on the subdivision application within 120 days after the receipt of the application, the applicant

may appeal the application to the OLT. If Council approves or refuses the application, then the applicant, Minister, public body or other person that made oral or written submissions may appeal to the OLT after receiving notice of Council's decision.

The applications were received on March 19, 2021 and therefore, the applicant may appeal to the OLT at any time.

Financial Implications

There are no direct financial implications arising from this report.

Communications Considerations

On April 1, 2021, a Notice of Complete Application respecting the Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision applications was published in the Auroran and Aurora Banner newspapers.

On May 14, 2021, Public Meeting Notices were issued by mail to all addressed property Owners within a minimum of 120 metres (393 feet) of the subject lands, and all Interested Parties to the applications. Signage on the property was also posted with information regarding the Public Meeting. On May 20, 2021, Notice of Public Planning Meeting was published in the Auroran and Aurora Banner newspapers. Notification has been provided in accordance with the *Planning Act*.

On August 19, 2021, Public Meeting Notices were issued by mail to all addressed property Owners within a minimum of 120 metres (393 feet) of the subject lands, and all Interested Parties to the applications.

Signage on the property was also posted with information regarding the 2nd Public Meeting. On August 26, 2021, Notice of Public Planning Meeting was published in the Auroran and Aurora Banner newspapers.

Interested parties requesting to be notified of progress of the files have been notified of this Recommendation Report.

Climate Change Considerations

The following actions have been taken into consideration:

- Conveyance of approximately 17.84 hectares of land to protect natural heritage features and maintain public use of these lands for both passive and active recreation use.
- Low Impact Development (LID) are being employed as identified in the Functional Servicing and Stormwater Management Report to maintain and enhance the post-development water balance.
- Water efficient, drought resistant and native plants to be incorporated in street and restoration areas.
- The existing dwelling is being converted into the future home of the St. Anne's School. Using the existing building decreases Greenhouse Gas emissions, supporting the objectives from the Community Energy Plan.

The project increases the Town's ability to adapt to climate change by incorporating the above measures into the development promoting water savings, protection of the natural heritage areas and promoting native plantings. This project supports the objectives from the Community Energy Plan, and Section 5 of the Official Plan.

Link to Strategic Plan

The proposed Official Plan Amendment, Zoning By-law Amendment and Subdivision applications support the Strategic Plan goal of supporting an exceptional quality of life for all through its accomplishment in satisfying requirements in the following key objectives within this goal statement:

Strengthening the fabric of our community: Through the review and approval of the Zoning By-law Amendment, Official Plan Amendment and Plan of Subdivision applications, housing opportunities are created that collaborates with the development community to ensure future growth includes housing opportunities for everyone.

Alternative(s) to the Recommendation

1. Refusal of the application with an explanation for the refusal.

Conclusions

Planning and Development Services has reviewed the proposed Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision applications against the relevant Provincial plans, Regional and Town Official Plan, Town Zoning By-law and municipal development standards.

The development proposal is considered good planning, and conforms to Provincial, Regional and Town Official Plans. The Official Plan Amendment, zoning by-law amendment, and draft plan conditions to protect the natural heritage system and create a compatible residential development on the subject lands.

Therefore, staff recommend approval of the proposed Official Plan Amendment (OPA-2021-02), Zoning By-law Amendment (ZBA-2021-02) and Subdivision applications (SUB-2021-01) subject to the conditions listed under Appendix “A” of this report.

If approved by Town Council, Town staff will present the implementing zoning by-law and official plan amendment to a future Town Council meeting for approval.

Attachments

Figure 1 – Location Map

Figure 2 – Official Plan Schedule ‘H’

Figure 3 – Existing Official Plan Designation

Figure 4 – Existing Zoning By-Law

Figure 5 – Proposed Official Plan Amendment Designations

Figure 6 – Proposed Zoning By-law Zones

Figure 7 – Proposed Draft Plan of Subdivision

Figure 8 – Conceptual Overall Plan

Appendix ‘A’ –Conditions of Draft Plan of Subdivision

Appendix ‘B’ – Zoning By-law Comparison

Previous Reports

Public Planning Report No. PDS21-073, dated June 8, 2021.

Public Planning Report No. PDS21-099, dated September 14, 2021

General Committee Report No. PDS22-032, dated February 15, 2022

Pre-submission Review

Agenda Management Team review on February 16, 2023

Approvals

Approved by Marco Ramunno, Director, Planning and Development Services

Approved by Doug Nadorozny, Chief Administrative Officer