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Town of Aurora
General Committee Report
No. PDS23-011

Subject: Extension of Approval to Draft Plan of Subdivision
Ambria (Bloomington) Limited formerly 2523059 Ontario Inc.
132, 148, 166, 178, 186, 192, and 198 Old Bloomington Road
Lots 12 and 14 and Part of Lots 10, 11 and 13, Registered Plan 166
File Number: SUB-2017-03

Prepared by: Kenny Ng, Planner

Department: Planning and Development Services

Date: March 7, 2023

Recommendation

1. That Report No. PDS23-011 be received; and
2. That the Draft Approval to Plan of Subdivision for 132-198 Old Bloomington Road, File SUB-2017-03, be extended for one (1) year with a lapsing date of May 26, 2024.

Executive Summary

This report seeks Council's approval to extend the Draft Approval to Plan of Subdivision for Ambria (Bloomington) Limited at 132-198 Old Bloomington Road for one (1) year, with a lapsing date of May 26, 2024 following this extension in the event that the conditions are not fulfilled and a final plan is not registered.

Background

Application History

On May 26, 2020, Council resolved to approve Draft Plan of Subdivision SUB-2017-03 for 2523059 Ontario Inc. for the subject lands located at 132-198 Old Bloomington Road. The Draft Plan of Subdivision relates to the creation of fifty (50) single-detached residential lots, two (2) environmental protection blocks, one (1) parkland block, a municipal right-of-way and a block for a future road connection for lands to the east.

The draft approved plan is shown in Figure 1. Draft Plan of Subdivision approval is subject to the Conditions of Draft Plan Approval attached to Council Report No. PDS20-033, which are also attached to this report as Schedule 'A'.

When Draft Plan of Subdivision Approval, subject to conditions, was issued on May 26, 2020, it included a lapsing provision setting out a three (3) year timeframe for the conditions to be satisfied before final approval is issued and the subdivision is registered which would expire on May 26, 2023.

Since the 2020 issuance of draft approval, a detailed engineering submission has been submitted for review and site alteration permits have been applied for to commence site works. Currently, the applicant is preparing a second detailed engineering submission and is diligently working towards clearing the conditions of draft approval. Due to the approaching lapsing draft approval timeframe, the Owner requested an extension of the Draft Plan Approval and conditions to allow for additional time to clear the conditions of approval and execute the subdivision agreement for the proposed development. The letter (attached to this report as Schedule 'B') describes the progress the applicant has made towards satisfying the draft plan conditions to date as well as the work still requiring completion.

Location / Land Use

The subject lands are municipally known as 132, 148, 166, 178, 186, 192, and 198 Old Bloomington Road, and are located generally northeast of the Yonge Street and Bloomington Road intersection, west of Steeplechase Avenue (Figure 1). The properties have a total lot area of 10.12 hectares (25 acres) and a frontage of 239.84 metres (786.9 feet) on the north side of Old Bloomington Road.

The subject lands are located in the Oak Ridges Moraine. A woodlot is centrally located on the subject lands, in the rear of the existing dwellings. The woodlot is at a lower elevation than the southern portion of the property.

Surrounding Land Uses

The surrounding land uses are as follows:

- North: Estate Residential;
- South: Old Bloomington Road, Bloomington Road East, Residential (Richmond Hill);
- East: Estate Residential;
- West: Residential, Environmental Protection, and Institutional.

Policy Context

All relevant provincial planning policies were discussed in the approved Council Report No. PDS20-033, please see the previous report for details. The following is a quick summary of the Regional and local Planning policies. No amendments are being made as a result of the request to extend the Draft Plan approval.

York Region Official Plan (YROP)

The subject lands are designated “Urban Area” by the YROP, which permits a wide range of residential, commercial, industrial and institutional uses.

Town of Aurora Official Plan

The subject lands are designated Site Specific Policy Area 54 as shown on Official Plan Schedule ‘H’ which permits a residential development on the Draft Approved Plan of Subdivision.

Yonge Street South Secondary Plan (OPA 34)

The subject lands are designated “Cluster Residential” and “Environmental Protection Area” by OPA 34 (Figure 3).

The “Cluster Residential” designation allows clusters of residential development with areas of open space that visually and functionally distinguish development clusters from one another. Permitted uses include single detached dwellings, semi-detached dwellings, linked housing, townhouses, and private open space.

The intent of the “Environmental Protection Area” designation is to protect the ecological structure and function and significant landforms within the Oak Ridges Moraine. No new development is permitted in an Environmental Protection Area.

Zoning By-law 6000-17, as amended

Council approved Zoning By-law Amendment 6267-20 on May 26, 2020 to permit the residential development on the Draft Approved Plan of Subdivision. See Figure 4 which shows the zone categories applicable to the subject lands.

Analysis

Planning Considerations

Section 51(33) of the Planning Act allows for a municipality to extend draft approval beyond the initial period for a time specified by the municipality but no extension is permissible if the approval lapses before the extension is given.

Currently, it is the Town's standard practice to include a provision to require the Owner to satisfy all conditions within three (3) years of the approval decision. If conditions of draft plan approval are not satisfied within the three (3) year timeframe, the approval is deemed to have lapsed, including the reservation of any servicing capacity allocation, unless an extension is approved by the Town before the approval lapses.

Staff are recommending that the subject Draft Approved Plan of Subdivision, issued on May 26, 2020 for 2523059 Ontario Inc., and set to lapse on May 26, 2023, be extended for one (1) year with a lapsing date of May 26, 2024.

Staff consider a one-year extension to be an appropriate measure to ensure that the development can proceed in finalizing any technical review matters to clear subdivision conditions, execute a subdivision agreement with the Town and register the subdivision. Should the applicant experience difficulties with clearing conditions within the extended timeframe, the applicant is able to request an additional extension before draft plan approval lapses.

No alterations are being requested and the proposed development continues to conform to Provincial Policy, the Region of York and Town of Aurora Official Plans, and is permitted by the Zoning By-law as a result of this draft plan extension.

Department / Agency Comments

The request for draft plan extension was circulated to all internal and external agencies for review and comments. In general, all circulated agencies have no objection to the extension and have no further comments at this time. Any technical matters will be resolved prior to the execution of the subdivision agreement.

Public Comments

Public Consultation is not required with respect to the proposed extension to the Draft Approved Plan of Subdivision.

Advisory Committee Review

No Communication Required.

Legal Considerations

Section 51(33) of the Planning Act, R.S.O. 1990, c. P.13, allows a municipality to extend draft approval beyond the initial period for a time specified by the municipality at any time prior to the lapsing of the draft approval timeframe and prior to the registration of a plan of subdivision. Refusal to extend a lapsing date can be appealed by an applicant. As such the extension to the Draft Approved Plan of Subdivision and Conditions may be subject to future Ontario Land Tribunal appeals.

Financial Implications

There are no financial implications.

Communications Considerations

The Town will inform the public of the information contained in this report by posting the report to the Town's website.

Climate Change Considerations

The proposal will result in development of parcels within the urban boundary that are currently underutilized. The impact on GHG emissions is mitigated due to the subject lands' proximity to existing infrastructure and services, and compliance with Town established Green Development Standards. Existing woodland and wetland features will not be disturbed by the proposed development while sufficient trees are preserved on site. This project supports the objectives from the Community Energy Plan, and Section 5 of the Official Plan.

Link to Strategic Plan

The draft approved plan of subdivision supports the Strategic Plan Goal of Supporting environmental stewardship and sustainability and the objectives of encouraging the stewardship of Aurora's natural resources and promoting and advancing green initiatives. The goal and these objectives are supported through the plan of subdivision process by conducting detailed analysis and evaluation of natural features, as well as

identifying means of securing, protecting and enhancing those features both during the development process and after the site is built.

Alternative(s) to the Recommendation

1. That Council provide direction.

Conclusions

Staff recommends that the Draft Approved Plan of Subdivision for 132-198 Old Bloomington Road (SUB-2017-03) that expires on May 26, 2023 be extended for one (1) year to May 26, 2024. This will ensure that the previously endorsed development on the subject lands can proceed with its required technical studies and site works as it continues to advance to clearing associated draft conditions of approval and subdivision registration.

Attachments

Figure 1 – Draft Approved Subdivision
Figure 2 – Location Map
Figure 3 – Existing Official Plan Designation
Figure 4 – Existing Zoning By-Law
Schedule 'A' – Approved Conditions of Approval
Schedule 'B' – Extension Request Letter

Previous Reports

General Committee Report No. PDS20-033, May 19, 2020

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