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Town of Aurora

Public Planning Report

No. PDS24-058

Subject: Application for Official Plan Amendment and
Zoning By-law Amendment
200 Wellington Holding Corp.
7 Lacey Court
PLAN 65M2583 BLOCK 12
File Number: OPA-2024-01; ZBA-2024-01
Related File Number: SP-2024-01

Prepared by: Antonio Greco, Planner

Department: Planning and Development Services

Date: May 14, 2024

Recommendation

1. That Report No. PDS24-058 be received; and
2. That comments presented at the statutory Public Planning meeting be addressed by Planning and Development Services in a report to a future Committee of the Whole meeting.

Executive Summary

The purpose of this report is to provide Council and members of the public with background information on the proposed Official Plan and Zoning By-law Amendment applications on 7 Lacey Court. The following is a summary of the development proposal:

- The proposed Official Plan Amendment seeks to redesignate a portion of the property from “Existing Major Institutional” to “Stable Neighbourhoods” and “Environmental Protection” and increase the maximum height from 9.0 to 10.0 metres.

- The proposed Zoning By-law Amendment application seeks to rezone a portion of the subject property to permit the construction of 29 townhouse units on a common-elements condominium road.
- A preliminary review of the proposed application has been undertaken by Town departments and public agencies, with those comments and any additional comments from the Public Planning Meeting to be addressed prior to a recommendation report being brought forward to Council.

Background

Application History

A pre-consultation meeting was held with the applicant in June 2023. The subject applications were then received and deemed complete by the Town in March 2024.

200 Wellington Street West (OPA-2021-06; ZBA-2021-08; SP-2022-06)

As shown in Figure 6, the property municipally known as 200 Wellington Street West abuts the subject application on 7 Lacey Court. In March 2023, the Ontario Land Tribunal approved the Official Plan (OPA-2021-06) and Zoning By-law Amendments (ZBA-2021-08) subject to a site plan agreement. The Site Plan Application is currently under technical review with the Town and External Agencies. As such, the final Official Plan and Zoning By-law has not been enacted.

The approved development on 200 Wellington Street West is considered as Phase 1 in the overall development of the abutting properties on 7 Lacey Court. The approved development will construct a total of 27 townhouse units in five blocks, with access via a private driveway and private road accessible via Wellington Street West.

The subject Official Plan Amendment and Zoning By-law Amendment on the southern portion of 7 Lacey Court is considered as Phase 2. There is a direct connection between 7 Lacey Court and 200 Wellington Street West.

Location / Land Use

The subject site is located at the northeast corner of Wellington Street West and McLeod Drive, west of Yonge Street and east of Bathurst Street (Figure 1 – Location Map). The site has a total area of 1.06 hectares (2.71 acres) with a frontage of approximately 26.5 metres along Lacey Court and 98.5 metres along Wellington Street

West. The site is currently home to the Christ Evangelical Luther Church, with access currently provided via a driveway off Lacey Court. The area subject to the proposed amendments comprises of approximately 0.7 hectares (1.77 acres) of the total site area and is illustrated as the southern portion in Figure 1.

Surrounding Land Uses

The surrounding land uses are as follows:

North: Christ Evangelical Lutheran Church (is to remain) and single detached dwellings.

South: Single detached dwellings, Ontario Land Tribunal (OLT) approved 11 single detached dwellings on 497 Wellington Street West (ZBA-2014-07; SP-2015-01).

East: OLT approved in principle for 27 townhouse units on a private road with access via Wellington Street West (OPA-2021-06; ZBA-2021-08; SP-2022-06).

West: Low-density residential subdivision and stormwater management facility.

Policy Context

Provincial Policies

All Planning Act development applications are subject to provincial policies. The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest. These policies support the development of strong communities through the promotion of efficient land use and development patterns, and encourages the creation of diverse housing opportunities that capitalize on proximity to goods, services, and transit.

The Growth Plan for the Greater Golden Horseshoe is a guiding document for growth management within the Greater Golden Horseshoe (GGH) Area to 2051. The Growth Plan provides a framework which guides decisions on how land will be planned, designated, zoned and designed, with assigned population, employment, and intensification targets to be met. 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 overall implementation. The subject lands are within the Regulated Area by the Lake Simcoe Region Conservation Authority (LSRCA) and any development on site will be subject to their approval.

York Region Official Plan (YROP)

The subject lands are designated as part of the established “Urban Area” of the YROP. Urban Areas are planned to accommodate a significant portion of growth for the Region through intensification. The planning vision for the Urban Area is to strategically focus growth while conserving land and resources, and to create livable, accessible and complete communities. A primary goal of the YROP is to enhance the Region’s urban structure through intensification. Additionally, the property is specifically recognized as part of the “Built Up Area”, where a minimum 50 per cent intensification target applies (Region-wide). The YROP further applies a residential unit intensification target to Aurora of 4,600 units to 2051. Given that the subject property is fronting onto a Regional road, the Regional Municipality of York is the approval authority for all Official Plan Amendments.

Section 7.3.8 of the Region of York Official Plan states that amendments to local Official Plans may be exempt from Regional approval if they are of local significance and no Regional interest is adversely affected. York Region is currently the approval authority for this Official Plan Amendment and will consider an exemption once Regional comments have been addressed.

Town of Aurora Official Plan 2010

The subject property is designated “Existing Major Institutional” within the Town of Aurora Official Plan. The property also falls within the area covered by Official Plan Amendment 48 (OPA 48) which also designates the property as “Institutional.” It is the intent of this designation to protect the function of those existing uses and to facilitate the development of other major institutional uses to support the local community and strengthen the role of the Town as a regional service provider. The Existing Major Institutional occupies the entirety of the subject property as illustrated in Figure 2 and permits for public and private schools, Municipal Community Services and homes for the aged uses. Furthermore, as depicted in Figure 2, the southern portion of the property is subject to the Official Plan Amendment, with the northern portion to remain as currently designated “Institutional” and continue to house the Christ Evangelical Lutheran Church.

Zoning By-law 6000-17, as amended

As shown on Figure 3, the subject property is currently zoned “Institutional (I),” within the Town’s Zoning By-law 6000-17, as amended. The Institutional zone permits for a wide variety of uses such as Day Care Centres, Places of Worship, Recreation Centres,

Schools, and Long-Term Care Facilities. The southern portion of the property is subject to the Zoning By-law Amendment, with the northern portion to remain as “Institutional.”

Reports and Studies

The Owner submitted the following documents as part of a complete application to the proposed Official Plan and Zoning By-law Amendment applications:

Report Name	Report Author
Planning Justification Report	Macaulay Shiomi Howson Ltd.
Draft Official Plan Amendment	Macaulay Shiomi Howson Ltd.
Draft Zoning By-law Amendment	Macaulay Shiomi Howson Ltd.
Architectural Plans	Kirshenblatt Urban Architecture
Arborist Report	JBD Associates Limited
Archaeological Study	Amick Consultants Limited
Construction Mitigation Plan	Broadview Group
Functional Servicing Report	Husson Engineering + Management
Geotechnical Investigation	EXP Services Inc.
Hydrogeology & Water Balance Report	EXP Services Inc.
Landscape Cost Estimate	JBD Associates Limited
Landscape Plans	JBD Associates Limited
Scoped Natural Heritage Evaluation	Azimuth Environmental Consulting
Noise and Vibration Report	Thornton Tomasetti
Phase One ESA	EXP Services Inc.
Survey	Guido Papa Surveying
Grading Plan	Husson Engineering + Management

Servicing Plan	Husson Engineering + Management
Cross Sections Plan	Husson Engineering + Management
Permeable Pavement Details	Husson Engineering + Management
Erosion and Sediment Control Plan	Husson Engineering + Management
Traffic Impact Assessment	CGE Transportation Consulting

Proposed Applications

Proposed Official Plan Amendment

The proposed Official Plan Amendment seeks to redesignate a portion of the property from “Existing Major Institutional” to “Stable Neighbourhoods” and “Environmental Protection” and increase the maximum height from 9.0 to 10.0 metres.

As shown in Figure 4, the applicant proposes to redesignate a portion of the property from “Existing Major Institutional” to “Stable Neighbourhoods” and “Environmental Protection.” Additionally, the applicant is also proposing to amend Section 8.1.3 (f) of the Official Plan to increase the maximum height for all new development within the “Stable Neighbourhoods” designation from 9.0 metres to 10.0 metres on the subject property.

Proposed Zoning By-law Amendment

The proposed Zoning By-law Amendment application seeks to rezone a portion of the subject property to permit the construction of 29 townhouse units on a common-elements condominium road.

As shown in Figure 5, the applicant proposes to rezone a portion of the subject property from “Institutional (I) Zone” to “Townhouse Dwelling Residential R8 (XX) Exception Zone,” and “Environmental Protection (EP) Zone.”

The Owner has submitted a draft Zoning By-law which is currently under review by staff. The following is a table to compare the difference between the parent R8 zoning requirements, the OLT principle approval for 200 Wellington Street West and the proposed R8 Exception Zone:

	Parent R8 Zone Standards	200 Wellington St. (OLT Approved in Principle)	Proposed R8 (XX) Exception Zone
Permitted Uses	Townhouses	Townhouses	Townhouses
Minimum Lot Area	180 square metres	140 square metres	140 square metres*
Minimum Lot Frontage	6 metres per unit	5.5 metres per unit	5.5 metres per unit*
Minimum Front Yard Setback	7.5 metres	5.3 metres	5.3 metres*
Minimum Rear Yard Setback	7.5 metres	7.5 metres	7.5 metres
Minimum Rear Yard Setback	6.0 metres	1.6 metres	2.0 metres*
Minimum Interior Side Yard Setback	0 metres for interior units 1.5 metres for end units	0 metres for interior units 1.2 metres for end units	0 metres for interior units 1.1 metres for end units*
Minimum Townhouse Parking	44 spaces	54 spaces	58 spaces
Minimum Visitor Parking	12 spaces	6 spaces	7 spaces*
Minimum Combined Total Parking	53 spaces	60 spaces	65 spaces

Lot Coverage (maximum)	50%	31%	30%
Height (maximum)	10 metres	10 metres	10 metres

Note: The proposed bylaw exceptions are highlighted and labelled with an asterisk “*”. Final zoning performance standards will be evaluated by Staff in detail prior to the implementing Zoning By-law Amendment being brought forward to Council for enactment.

Site Plan Application

Concurrently, the applicant applied for a Site Plan application to implement the proposed land use amendments as shown in Figure 6 and 7. The Site Plan application will provide a further technical review of the proposed 29 townhouse units, interconnectedness through the property to the east (200 Wellington Street), on-site parking, snow storage and the maneuverability of internal private common elements road. The current vehicular access for the proposed development demonstrates a Right-In only access from Wellington Street West. The Regional Municipality of York has provided comments in regard to this proposed access and permitted a Right-In/Right-Out access option, provided that a raised barrier median is constructed on Wellington Street. Further technical review of the Site Plan application will continue following the appropriate land use and zoning matters being in place. As per Bill 109, the approval of the subject Site Plan application is delegated to staff, however, a future common elements Plan of Condominium and Part Lot Control application will also be required and directed to Council for consideration.

Consent Application

As shown in Figure 8, the proposed development will also require a Consent application to the Committee of Adjustment to sever off the northern portion of the land containing the Christ Evangelical Lutheran Church, which is to remain as part of these applications. The Church would effectively remain as its own parcel and the proposed development, if approved, will occupy the southern portion of the site. The applicant as stated that they will be applying for a Consent Application following the statutory Public Planning Meeting.

Analysis

Department / Agency Comments

The proposed applications were circulated to all internal and external agencies for review and comments. The following is a summary of matters that will require further discussions on:

- Conformity to the Provincial Policy Statement, the Growth Plan, Regional and Local policies.
- Appropriateness of vehicular access off Wellington Street West.
- Lake Simcoe Region Conservation Authority (LSRCA) review and confirmation of the Environmental Protection limits on the subject property.
- Ensuring appropriate landscaping buffers are provided for the proposed development.
- The maintenance and management of stormwater on site.
- Proposed site-specific zoning standards.

Public Comments

A Community Information Meeting (CIM) was held on April 9, 2024, at the Christ Evangelical Luther Church. Questions raised by members of the public included the following, with the corresponding responses also provided:

- **Will the Christ Evangelical Luther Church remain on the property?**
The northern portion of the property containing the Church will remain and be severed off as its own parcel through a Consent Application to the Committee of Adjustment.
- **Will the Church parking lot be used as overflow parking for the development?**
There is no physical connection between the proposed townhouse development and the existing Church. The proposed development provides for a surplus in total combined parking spaces (residential and visitor spaces) which can all be accommodated on site.
- **Will the existing trees on the western side of the property be removed?**
The applicant has submitted a landscape plan demonstrating the trees in behind the four McLeod Drive properties being retained and the ones abutting the storm water management facility being removed.

- **Will there be vehicular access from the proposed development to the Church?**
The internal driveway will provide for a dead end on the north side, with no vehicular access to the Church.
- **What type of access is being provided off Wellington Street West?**
The applicant has demonstrated access to Wellington Street West to be limited to a Right-In only, which is subject to the approval of York Region. The Region has provided comments as part of the first submission review and has permitted a Right-In/Right-Out access option, provided that a raised barrier median is constructed on Wellington Street.

Advisory Committee Review

The Town's Accessibility Advisor reviewed the subject applications on behalf of the Accessibility Advisory Committee and provided recommendations to install the appropriate accessible curb ramp wherever any path of travel crosses a curb and ensure snow storage does not interfere with barrier-free visitor parking, nor path of travel. Any final review comments that need to be addressed with the Accessibility Advisory Advisor will be done prior to approval of the Site Plan application.

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.

The applications were received on March 7, 2024, and therefore, the applicant may appeal to the OLT after the date of July 5, 2024.

Financial Implications

There are no financial implications.

Communications Considerations

A Notice of Public Planning Meeting was published in the local newspapers and posted on the Town's website. In addition, the notice was given by mail to all addressed property owners within a 120-metre radius of the subject lands. A Notice of the Public Planning meeting sign was also posted directly on the property. Public Meeting notification has been provided in accordance with the Planning Act.

Climate Change Considerations

To better understand if there are any adverse climate change impacts, staff has requested a Green Development Report in accordance with Section 5 of the Official Plan as part of the complete application submission of the site plan application.

Link to Strategic Plan

The proposed Official Plan and Zoning By-law Amendments 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 proposed official plan and zoning by-law amendments on the subject lands, the application will assist in working with the development community to ensure future growth includes housing opportunities for everyone.

Alternative(s) to the Recommendation

1. Direct staff to report back to another Public Planning Meeting addressing any issues that may be raised.

Conclusions

Staff will continue to review the subject applications having consideration for the above noted matters and comments received. The applicant can address the comments and incorporate required revisions as appropriate. A recommendation report will then be prepared for a future General Committee meeting once the technical review is completed.

Attachments

- Figure 1 – Location Map
- Figure 2 – Existing Official Plan Designation
- Figure 3 – Existing Zoning By-Law
- Figure 4 – Proposed Official Plan Designations
- Figure 5 – Proposed Zoning By-law
- Figure 6 – Site Plan
- Figure 7 – Elevations
- Figure 8 – Proposed Severance Plan

Previous Reports

None.

Pre-submission Review

Agenda Management Team review on May 2, 2024.

Approvals

Approved by Marco Ramunno, Director, Planning and Development Services

Approved by Doug Nadorozny, Chief Administrative Officer