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Town of Aurora

Public Planning Report

No. PDS20-051

Subject: **Applications for Official Plan Amendment and Zoning By-law Amendment**
 15516 Leslie Street GP Inc.
 15516 Leslie Street
 Part Lot 22, Concession 2 Whitchurch
 File Numbers: OPA-2020-03 and ZBA-2020-03
 Related File Number: SP-2020-02

Prepared by: Sean Lapenna, Planner

Department: Planning and Development Services

Date: September 15, 2020

Recommendation

- 1. That Report No. PDS20-051 be received; and**
- 2. That comments presented at the Public Meeting be addressed by Planning and Development Services in a report to a future General Committee meeting.**

Executive Summary

The purpose of this report is to provide Council with background information on proposed Official Plan Amendment & Zoning By-law Amendment applications for the property municipally known as 15516 Leslie Street (the subject lands). A seven (7) storey condominium apartment building with a total of 137 units, 201 underground parking spaces, private driveway and open space lands is proposed on the subject lands. A related Site Plan application has been submitted which is not the subject of the Statutory Public Planning Meeting. The following is a summary of the proposed Official Plan and Zoning By-law Amendment applications:

- An Official Plan Amendment has been proposed to introduce site specific policies to permit increased density and height;

- A Zoning By-law Amendment has been proposed to rezone the subject lands from “Rural (RU)” zone to “Second Density Apartment Residential Exception Zone (RA2-XX)” and “Environmental Protection Zone (EP)”; and,
- The Regional Municipality of York is the approval authority for the Official Plan Amendment;
- A preliminary review of the proposed applications have been undertaken by Town departments and external agencies. Staff will continue to work with the applicant to address comments and outstanding matters prior to bringing forward a final recommendation report to General Committee for consideration.

Background

Application History

A Pre-Consultation meeting took place between Town Staff and the applicant on January 31, 2019. Applications for an Official Plan Amendment, Zoning By-law Amendment and Site Plan Approval were received on February 28, 2020 and deemed complete on March 25, 2020.

Location / Land Use

The subject lands are municipally known as 15516 Leslie Street, and are located on the west side of Leslie Street, north of Holladay Drive, south of St. John’s Sideroad and west of Highway 404 (Figure 1). The subject lands have a total lot area of 12,834 m² (3.17 acres) and a lot frontage of 60.96 m (200 ft). The subject lands contain an existing man-made pond located at the rear of property. A single-detached dwelling also exists on the property.

Surrounding Land Uses

The surrounding land uses are as follows:

North: Existing Residential and St. John’s Sideroad;
South: Existing residential and Wellington Street East;
East: Natural Heritage System and vacant employment lands;
West: Existing residential and Natural Heritage System.

Policy Context

Provincial Policies

All development applications shall have regard for the Provincial Policy Statement (PPS), which 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.

The Growth Plan for the Greater Golden Horseshoe (The Growth Plan) is a guiding document for growth management within the Greater Golden Horseshoe Area. The Growth Plan provides a framework which guides land-use planning.

The Lake Simcoe Protection Plan (LSPP) provides policies which address aquatic life, water quality and quantity, shorelines and natural heritage, other threats and activities (invasive species, climate change and recreational activities) and implementation.

York Region Official Plan (YROP)

The YROP designates the subject lands as “Urban Area” and “Regional Greenlands System”. The intent of the Urban Area is to strategically focus growth while conserving resources and to create sustainable, lively communities. A range of uses are permitted within the Urban Area, including residential.

Development and site alteration are prohibited within the Regional Greenlands System and development within 120 m requires an Environmental Impact Study be submitted to determine the impacts of a proposed development on the natural heritage system and its features.

Aurora 2C Secondary Plan (OPA 73)

The subject lands are designated as “Urban Residential 2” and “Environmental Protection Area” (Figure 2). The “Urban Residential 2” designation permits medium density housing forms that are well-designed and transit supportive in proximity to community recreational and convenience commercial facilities.

The “Environmental Protection Area” designation protects and enhances the natural heritage system. This designation contains hazard lands, natural heritage features, including their associated buffer areas, vegetated protection zones and/or setbacks.

Section 3.3.2 e) of OPA 73 states that the maximum height of any building within the UR2 designation shall be 6 storeys or 20.0 metres whichever is less. Notwithstanding this restriction, and given the extensive valley system and undulating topography, Council may consider, through the implementing zoning by-law, buildings that exceed

20.0 metres in height, as long as the building is not greater than 6 storeys in height, and the additional height is provided to assist in dealing with a complex grading issue.

Section 3.3.2 f) of OPA 73 states that density within the Urban Residential 2 Designation shall range from between 35 and 50 units per net residential hectare.

Town of Aurora Official Plan

The Town of Aurora Official Plan Section 6.3 requires that a minimum of 25% of all new residential development meet the definition of affordable housing.

It is a goal of the Official Plan to work with the Region, the private sector, and other stakeholders, and consider tools or mechanisms to encourage and support the development and maintenance of affordable housing, such as height and/or density bonusing under Section 37 of the *Planning Act*.

The Owner is seeking an increase in building height and density over and above existing planning permissions. The request for an increased building height is not a result of grading challenges onsite.

The Town's Guidelines for the Implementation of Height and Density Bonusing (endorsed by Council in November 2016) will be applied to the subject lands to secure community benefits.

Comprehensive Zoning By-law 6000-17, as amended

The subject lands are zoned "Rural (RU)" under Zoning By-law 6000-17, as amended (Figure 3). Uses permitted in the Rural Zone include Agricultural uses, Detached Dwelling, Second Suites, Greenhouses, Home Occupations and Places of Worship.

Reports and Studies

In support of complete application submissions for the subject Official Plan and Zoning By-law Amendment applications, the applicant has submitted the materials as outlined in Appendix 'A'.

Proposed Applications

Official Plan & Zoning By-law Amendment applications have been submitted to facilitate the development of a seven (7) storey residential building with a total of 137 condominium units, underground parking, private driveway and open space lands (see

Figure 6). The apartment building would have a total Gross Floor Area of 10,715.2 m² (115,337 ft²). The building will include twenty-six one bedroom units, seventy-one bedroom + den units, fourteen two bedroom units and twenty-seven two bedroom + den units.

A total of 201 underground parking spaces will be provided including 161 spaces for residents, 38 visitor spaces and 2 barrier free spaces. The applicant is seeking to reduce the parking standards of the parent RA2 zone.

A total indoor amenity area of 472.2 m² (5,083 ft²) and outdoor amenity area of 3,621 m² (38,976 ft²) is also proposed.

An Official Plan Amendment has been proposed to introduce site specific policies to permit increased density and height

The Owner is seeking an Official Plan Amendment to add the following site specific policies for the “Urban Residential 2” designation:

- A maximum density of 260 units per net hectare where net hectare is measured by only excluding the natural feature limit and includes environmental buffers; and,
- A maximum height of 7 storeys or 26.0 metres, measured from the average grade at the front property line and excluding the mechanical penthouse.

A table comparing the existing OPA policies with the proposed amendments can be found in Appendix ‘B’.

A Zoning By-law Amendment has been proposed to rezone the subject lands from “Rural (RU)” zone to “Second Density Apartment Residential Exception Zone (RA2-XX)” and “Environmental Protection Zone (EP)”

As shown in Figure 5, the Owner proposes to rezone the subject lands from “Rural (RU)” to “Second Density Apartment Residential (RA2-XX) Exception Zone” and “Environmental Protection (EP)”. A table comparing the existing RA2 zone to the proposed RA2-XX Exception zone can be found in Appendix ‘C’. In summary, this exception zone will permit the following:

- A reduced minimum lot area of 3000 m², whereas the parent RA2 zone requires a minimum lot area of 95 m² per dwelling unit;
- A reduced rear yard setback of 2.0 m, whereas a minimum of 9.0 m is required;

- An increased maximum lot coverage of 48%, whereas the maximum permitted is 35%;
- Reduced parking rate of 1.4 spaces per dwelling unit of which 0.25 spaces are to be set aside for visitors, whereas 1.5 spaces per dwelling unit with a minimum of 20% of spaces being provided for visitor parking is required;
- Amenity area for each dwelling unit to be provided through a combination of shared indoor and outdoor building amenity areas and private balconies, whereas a minimum of 18 m² is required per dwelling unit; and
- An alternative definition of Building Height.

The Regional Municipality of York is the approval authority for the Official Plan Amendment

York Region is in receipt of a request for exemption from Regional approval from the applicant and the Town of Aurora for the proposed Official Plan Amendment. The Region has confirmed that a significant portion of the site is designated Regional Greenland System with a significant woodlot, wetland and watercourse on site and therefore cannot be exempt from Regional approval. The Region will need to ensure that the proposed development is located outside of the 10 m woodland buffer, the 15 m wetland buffer and 30 m watercourse buffer.

Analysis

Department / Agency Comments

A preliminary review of the proposed applications have been undertaken by Town departments and external agencies. Staff will continue to work with the applicant to address comments and outstanding matters prior to bringing forward a final recommendation report to General Committee for consideration.

Staff have identified the following matters to be addressed in greater detail:

Planning

Staff will work with the applicant to finalize the draft Official Plan and Zoning By-law Amendments to ensure there are no conflicts between the two planning documents and to ensure comments have been addressed as appropriate. Given that the applicant is proposing an increase in height and density above existing land use permissions, the Town's Guidelines for the implementation of Height and Density Bonusing will apply to

secure community benefits. A future staff report to Council will outline the proposed community benefits.

Development Engineering

The engineering related studies and reports listed in Appendix 'A' of this report have been reviewed and comments have been provided to the applicant and key highlights are summarized below:

- Additional information has been requested in order to completely assess potential impacts to the wetland, forest edge and watershed;
- A complete sanitary sewer analysis has also been requested; and,
- Regional approval of the submitted traffic study will be required.

Traffic/Transportation

An adequate justification must be provided in order to support the proposed parking deficiency. To support the parking supply for the proposed development, parking demand surveys undertaken at a comparable proxy site must be submitted.

Urban Design

The development proposal was reviewed by the Town's Design Review Panel in June 2020. Comments from the Design Review Panel included the following which focused on the site plan application. Comments were made on providing better pedestrian access and striving to accomplish a better balance between traditional and contemporary elevations of the building façade.

Lake Simcoe Region Conservation Authority

The proposed development limits are outside of the floodplain and hazard lands. An Environmental Impact Study has been reviewed as it relates to natural heritage features on the subject property (i.e. woodlands, and hydrological feature (unevaluated wetland)). Technical comments related to Stormwater Management and Natural Heritage have been provided to the applicant to address with the next submission.

Public Comments

Planning Staff have not received any comments from the public at the time of writing this report. Should comments be received after the writing of this report, Planning Staff will communicate this to Council at the Public Planning Meeting.

Advisory Committee Review

No communication is required.

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 Local Planning Appeal Tribunal (LPAT).

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 LPAT.

If a decision is not made by October 20, 2020, the applications may be subject to appeal.

Financial Implications

There are no financial implications.

Communications Considerations

On July 2, 2020, a Notice of Complete Application respecting the Official Plan Amendment and Zoning By-law Amendment Applications was published in the *Auroran* and *Aurora Banner* newspapers. Additionally a sign giving notice of a complete application was posted on the subject lands.

On August 27, 2020, notices were given by mail to all addressed property Owners within a minimum of 120 m (393 ft) of the subject lands. Additional properties beyond the 120 m (393 ft) radius (along Starkweather Street) were also notified. In addition to

this, signage on the subject lands was updated with information regarding particulars of the Public Meeting.

On August 27, 2020, Notice of Public Planning Meeting was published in the Auroran and Aurora Banner newspapers. Notification has been provided in accordance with the *Planning Act*.

Link to Strategic Plan

The applications will be reviewed in accordance with the Strategic Plan and its goal of enabling a Diverse, Creative and Resilient Economy through promoting economic opportunities that facilitate the growth of Aurora as a desirable place to do business.

Alternative(s) to the Recommendation

1. That Council provide direction.

Conclusions

Staff continue to review the subject applications having consideration for the above noted matters, the comments received from the circulation, and the feedback received from the public and Council at the Public Planning Meeting. A comprehensive report with recommendations will be presented to Council for consideration and direction at a future General Committee Meeting.

Attachments

- Figure 1 - Location Map
- Figure 2 - Existing Official Plan Designation (OPA 73)
- Figure 3 - Existing Zoning
- Figure 4 - Proposed Official Plan Designation
- Figure 5 - Proposed Zoning
- Figure 6 - Proposed Site Plan
- Figure 7 - Proposed Building Elevation (North)
- Figure 8 - Proposed Building Elevation (West & East)
- Figure 9 - Proposed Building Elevation (South)
- Figure 10 - Colour Rendering (North)
- Figure 11 - Colour Rendering (West)
- Figure 12 - Colour Rendering (East)

Figure 13 - Colour Rendering (South)

Appendix A – Submitted Studies and Reports in support of the applications

Appendix B - Proposed Official Plan Amendments

Appendix C – Proposed RA2 (RA2-XX) Exception Zone Comparison to Parent RA2 Zone

Previous Reports

None.

Pre-submission Review

Agenda Management Team review on September 3, 2020

Approvals

Approved by David Waters, Director, Planning and Development Services

Approved by Doug Nadorozny, Chief Administrative Officer