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Town of Aurora
Committee of the Whole Report
No. PDS25-022

Subject: Application for Zoning By-law Amendment and Draft Plan of Subdivision
Edenbrook (Aurora) Inc.
1001 St. John's Sideroad
Part of Lot 25, Concession 2
File Number: ZBA-2012-12, SUB-2012-04
Related File Number: SUB-2012-06

Prepared by: Kenny Ng, Planner

Department: Planning and Development Services

Date: February 11, 2025

Recommendation

1. That Report No. PDS25-022 be received; and
2. That Zoning By-law Amendment application, File ZBA-2012-12 be approved to rezone the subject lands from "Rural (RU) Zone" to "Detached Fourth Density Residential Exception (R4-439) Zone", "Private Open Space Exception (O2-XXX) Zone", and "Environmental Protection (EP) Zone", as outlined in Appendix 'A'; and
3. That Draft Plan of Subdivision application, File SUB-2012-04 be approved as shown in Figure 5, subject to the conditions outlined in Appendix 'B'; and
4. That the implementing By-law for the Zoning By-law Amendment be brought forward to a future Council meeting for enactment; and
5. That a total of 96 persons worth of servicing allocation be granted to facilitate the proposed development of 29 single detached units.

Executive Summary

This report seeks Council's approval of a Zoning By-law Amendment and Draft Plan of Subdivision (subject applications) for the lands located at 1001 St. John's Sideroad. Approval of the subject applications will facilitate the development of 29 single detached dwellings on a public road.

- The applicant is proposing to re-develop the subject lands to permit the creation of a future residential subdivision. The subdivision will be serviced by a proposed public road access from abutting lands to the west (SUB-2012-06)
- The Draft Plan of Subdivision contains 27 single detached lots, 2 partial lots, a filtration block, an environmental protection block, the extension of an approved municipal road and an open space block which will not be developable for urban uses
- The proposed Zoning By-law Amendment will rezone the subject lands to a site-specific "Detached Fourth Density Residential Exception (R4) Zone", "Private Open Space Exception (O2-XXX) Zone", and "Environmental Protection (EP) Zone"
- The proposed applications are consistent with the Provincial Policy Statement (PPS), and conforms to the Lake Simcoe Protection Plan (LSPP)
- The proposed applications conform to the Town of Aurora Official Plan
- The proposed Zoning By-law Amendment and Draft Plan of Subdivision implement the general direction of the Town's Official Plan for residential intensification
- All external agencies and Town staff have completed their review for the subject applications and have no objections to the approval of the subject applications

Background

Application History

Plan of Subdivision and Zoning By-law Amendment (2012)

A Draft Plan of Subdivision and Zoning By-law Amendment application were submitted to the Town in October 2012 (File SUB-2012-04 & ZBA-2012-12). The original proposed

development consisted of 30 single detached residential lots, an environmental protection block, and a block retained for future use. The proposed development has no access directly onto St. John's Sideroad and would require access through the approved residential Draft Plan of Subdivision (SUB-2012-06) located immediately west of the subject lands. The approved subdivision to the west, was previously owned by Luvian Homes (Aurora Limited, but was acquired by Edenbrook in 2021).

A statutory Public Planning Meeting was first held on March 27, 2013 to introduce the original proposed development on the subject lands. At this meeting, Council received the Staff Report No. PL13-018 and directed Staff to organize a second non-statutory Public Planning Meeting.

A Community Information Meeting was held on May 24, 2023, to allow opportunity for review and comment by interested members of the public.

A second Public Planning Meeting was subsequently held on June 13, 2023. At this meeting, Council passed a motion to receive Report No. PDS23-088 and to have comments be addressed by Planning and Development Services in a report to a future Committee of the Whole Meeting. A summary of the comments received and the associated responses are provided further in this report.

The subject applications have been revised to address Town and agency comments and the latest resubmission was submitted to the Town in September of 2024. The changes are outlined in later section of the report.

Location / Land Use

The subject lands are located south of St. John's Sideroad and east of Bayview Avenue, and municipally known as 1001 St. John's Sideroad (Figure 1). The subject lands have an area of approximately 3.69 hectares (9.12 acres) with a lot frontage of approximately 205 metres along St. John's Sideroad. The subject lands currently contain a detached dwelling with access onto St. John's Sideroad, with a mix of open meadow and treed areas with a generally rolling terrain and a valley-like feature following the creek.

Surrounding Land Uses

The surrounding land uses are as follows:

- North: St. John's Sideroad, low to medium density residential lots, Trent Park
- South: Low density residential lots, stormwater management pond

- East: Low density residential lots, stormwater management pond, environmental protection lands
- West: Proposed gas utility station (Enbridge Gas), draft approved residential plan of subdivision (SUB-2012-06) which is also owned by Edenbrook (Aurora) Inc., open space lands

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.

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. The subject lands are within an area regulated by the Lake Simcoe Region Conservation Authority (LSRCA).

Town of Aurora Official Plan

As shown in Figure 2, the subject lands is situated over two secondary plans, the Bayview Northeast Area 2B Secondary Plan and the Aurora Northeast (2C) Secondary Plan. Majority of the subject lands are designated 'Low-Medium Density Residential' and "Linear and Other Open Space" under OPA 30. The remaining portion of the subject lands are designated as "Urban Residential 1" and "Environmental Protection Area" under OPA 73.

Bayview Northeast Area 2B Secondary Plan (OPA 30)

The Secondary Plan seeks to address the need to accommodate new residential neighbourhoods providing a range and mix of primarily at-grade housing, promote a development density and form that contributes to a high quality streetscape, supports the provision and use of transit, and complements the anticipated low profile development on adjacent land.

Low-Medium Density Residential Designation is intended to promote predominantly at-grade housing forms including but not limited to single detached dwellings, semi-detached dwellings, and townhouses. The maximum density is 25 units per net

residential hectare and the maximum building height is three-storeys. The least intensive residential uses are encouraged adjacent to open spaces and environmental protection lands.

The permitted uses in the Linear and Other Open Space designation are restricted to passive recreation, including trails, and other activities that contribute to conservation and enhancement of the natural landscape and features.

Aurora 2C Secondary Plan Area (OPA 73)

OPA 73 is intended to create a complete community that protects the environment and includes well-designed residential neighbourhoods and a business park. A portion of the subject lands (Block 31) proposed to be retained with no proposed development is designated "Urban Residential 1". Urban Residential 1 is intended to promote well-designed, low density housing. A portion of the lands (Block 30) that is proposed to be conveyed to the Town is designated as Environmental Protection Area. This designation is intended to identify, protect and enhance the natural heritage features and functions that will form a strong and permanent component of the 2C Area greenlands system. Permitted uses are limited to low intensity recreational uses, conservation uses, infrastructure and utilities, and existing non-conforming uses.

Zoning By-law 6000-17, as amended

The subject lands are currently zoned "Rural (RU) Zone" by the Town of Aurora Zoning By-law 6000-17, as amended. (See Figure 3) The existing Rural permits agricultural uses, detached dwelling, Second Suite dwelling, Greenhouses, Home Occupations and Places of Worship. In order to facilitate the development of the property, an amendment to the Zoning By-law is required.

Reports and Studies

Documents submitted in support of complete application for the subject applications were listed in Public Planning Report Number PDS23-088.

Proposed Applications

Proposed Plan of Subdivision

The applicant is proposing to re-develop the subject lands to permit the creation of a future residential subdivision. The subdivision will be serviced by a proposed access from abutting lands to the west

As noted earlier in this report, the applicant has revised the Draft Plan of Subdivision to address Town staff and agencies' comments since the second public planning meeting, the changes include:

- Reduced the total lot count to 27 single detached lots and 2 partial lots, whereas the previous submission presented at the second public planning meeting had a total of 28 full lots and two partial lots
- A filtration block has been created to provide additional filtration capacity to address related engineering comment
- The environmental protection block, which captures the on-site environmental features, have been further refined to protect on site environmental features and provide appropriate setbacks to flood plain

The Draft Plan of Subdivision contains 27 single detached lots, 2 partial lots, a filtration block, an environmental protection block, the extension of an approved municipal road and an open space block which will not be developable for urban uses

The proposed 27 single-detached lots have lot frontages ranging from 11.7 m (38.6 ft) to 15 m (49.2 ft) with varying lot depth. The proposed Draft Plan of Subdivision will not have direct access onto St. John's Sideroad and will require the extension of a draft approved municipal road through the Edenbrook lands to the west (929 St. John's Sideroad) to have vehicular access. The draft approved subdivision to the West also does not have direct access onto St. John's Sideroad and was approved to gain accessed via the northerly extension of Van Allen Way. The proposed Street 'A' within the subject lands has a right of way width of 18.0 metres and includes a cul-da-sac. All of the residential lots are proposed to front onto the proposed Street 'A'.

The Environmental Protection block (Block 30) is proposed to be conveyed to the Town for environmental protection, stormwater management and future trail purpose. The Environmental Protection block would be accessed from the end of Street 'A', the existing St. John's Sideroad access can remain or be removed as per Town direction.

As a result of delineating the Environmental Protection block, Block 30 was created for private open space purposes only. The block will not be permitted to have any future urban development as proposed. The lands adjacent to Block 32 is currently being used by Enbridge Gas for a utility station.

Block 32, which is located in the northwest of Street 'A', is to also be conveyed to the Town. The block is proposed to be used as an filtration area, where a filtration chamber is proposed. The existing pond located west of the existing dwelling is proposed to be

unaltered from the development and will continue to serve minor stormwater management purpose.

The following is a breakdown of the proposed Draft Plan of Subdivision:

Proposed Land Use	Block #	Area (ha)
Single detached residential lots	Block 1 - 27	1.04
Future residential part lots	Block 28, 29	0.05
Environmental Protection Block	Block 30	2.12
Private Open space Block	Block 31	0.04
Filtration Block	Block 32	0.04
Internal road (Street 'A')		0.4
Totals		3.69

Proposed Zoning By-law Amendment

The proposed Zoning By-law Amendment will rezone the subject lands to a site-specific "Detached Fourth Density Residential Exception (R4) Zone", "Private Open Space Exception (O2-XXX) Zone", and "Environmental Protection (EP) Zone"

As shown in Figure 4, the Applicant proposes to rezone the subject lands from "Rural (RU) Zone" to "Detached Fourth Density Residential Exception (R4-439) Zone", "Private Open Space Exception (O2-XXX) Zone", and "Environmental Protection (EP) Zone". Block 30 is proposed to be zoned as O2-XXX, which will have site-specific exceptions for the lot area and frontage. Block 31 is proposing to be zoned as EP.

The portion of the Draft Plan with residential lots is proposed to be zoned as the site-specific zoning R4 (439) which is the current zoning present on the residential portion of the neighbouring lands to the west (929 St. John's Sdrd). The site-specific contain two site exceptions comparing to the R4 parent zone, with reduction on lot area and rear yard setback. The site-specific zoning also contains several specific yard setback and encroachment requirements, as well as redefining daylighting triangle, and parking spaces.

The following table illustrates the difference between the site-specific zoning classification of R4 (439) with the R4 parent zone. Note: The proposed By-law exceptions are labelled with an asterisk “*”.

	Parent Zoning By-law 6000-17, as amended	Proposed Zoning
	R4 - Detached Fourth Density Residential Zone	R4 (439) - Detached Fourth Density Residential Exception 439 Zone
Permitted Uses	<ul style="list-style-type: none"> • Dwelling, Detached • Dwelling, Second Suite • Home occupation 	<ul style="list-style-type: none"> • Dwelling, Detached • Dwelling, Second Suite • Home occupation
Lot Area (minimum)	370 m ²	315 m ² *
Lot Frontage	11 m	11 m
Front Yard (minimum)	3.0 m to Main Building 5.5 m to the garage	3.0 m to Main Building 5.5 m to the garage
Rear Yard (minimum)	7.5 m	6.0 m*
Minimum Exterior Side Yard	3.0 m to Main Building 5.0 m to the garage	3.0 m to Main Building 5.0 m to the garage
Minimum Interior Side Yard	1.2 m one side 0.6 m other side	1.2 m one side 0.6 m other side
Maximum Building Height	11 m	11 m
Coverage	50%	50%

The following table illustrates the difference between the site-specific zoning classification of O2 (XXX) with the O2 parent zone

	Parent Zoning By-law 6000-17, as amended	Proposed Zoning
	02 – Private Open Space Zone	02 (XXX)– Private Open Space Exception Zone
Permitted Uses	<ul style="list-style-type: none"> • Athletic Fields • Agricultural Uses • Conservation Uses • Golf Courses • Public Park • Private Park • Woodlands • Recreation Centre 	<ul style="list-style-type: none"> • Athletic Fields • Agricultural Uses • Conservation Uses • Golf Courses • Public Park • Private Park • Woodlands • Recreation Centre
Lot Area (minimum)	2000 m ²	400 m ² *
Lot Frontage	30 m	20 m*
Front Yard (minimum)	7.5 m	n/a
Rear Yard (minimum)	7.5 m	n/a
Side Yard (minimum)	3 m	n/a
Maximum Height	10 m	n/a
Coverage	10%	n/a

The draft Zoning By-law is included under Appendix A, 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. A three-year sunset clause provision has also been implemented into the proposed site-specific zoning to ensure the timely development of the site and delivery of housing.

Analysis

Planning Considerations

The proposed applications are consistent with the Provincial Policy Statement (PPS), and conforms to the Lake Simcoe Protection Plan (LSPP)

The subject lands are located within a Settlement Area as outlined by the PPS and Growth Plan. It is Staff's opinion that the proposed development aligns well with the criteria outlined in policy 1.1.1 of the PPS and the population growth policies within the Growth Plan. The proposed development contemplates efficient intensification of an underutilized site. As it will assist the Town in meeting population growth, housing, and intensification targets, while also promoting the wise use of municipal infrastructure and land. The proposal also provides intensification near the intersection of Arterial Roads and in proximity to a variety of social and commercial amenities to help promote community service facility effectiveness.

The Lake Simcoe Conservation Authority (LSCRA) has reviewed the proposed applications in consideration of the LSPP and has no objection to the approval of the subject applications as presented. The subject lands are located within the LSRCA regulated limits and accordingly a Regulation Permit is required prior to development or site alteration taking place on the subject lands. Appropriate conditions will also be included as part of the draft plan of subdivision approval.

The proposed applications conform to the York Region Official Plan (YROP)

The proposal implements regional policies by providing additional housing units, and represents a modest increase in density while promoting local access to transit, commerce, and community services and facilities. The proposed development is consistent with the overall densities and built form of the surrounding area and redevelops an underutilized parcel of land to assist in meeting intensification and residential housing objectives, without any negative impacts to the Natural Heritage System or Regional road. York Region has reviewed the proposed applications and have no concerns with the proposed applications.

The proposed applications conform to the Town of Aurora Official Plan

Planning Staff are of the opinion that the proposed development conforms to the land use and development policies of the Official Plan and is compatible with the surrounding land uses. The introduction of twenty-nine new single detached units will

assist the Town in achieving its residential intensification targets without disrupting areas of the natural environment through the delineation of environmental features. The proposal aligns with the Official Plan by encouraging residential units that are in close proximity to social amenities and municipal services. Further, the proposed density aligns with the relevant Official Plan policies, while the proposed heights are within the permission of the designation.

The proposal of additional residential units supports the intensification requirements as stated in the Town Official Plan, and serves to meet the needs of current and future residents of Aurora, in an appropriate and accessible location.

The proposed Zoning By-law Amendment and Draft Plan of Subdivision implement the general direction of the Town's Official Plan for residential intensification

Planning staff are of the opinion that the proposed development is appropriate and compatible with adjacent and neighbouring development, and that the by-law exceptions are appropriate to facilitate the development. The proposed site-specific zoning by-law amendment will amend the residential portion of the subject lands to have the same zoning (R4-439) which was applied to the approved residential subdivision development to the west. The extension of the residential zoning allows for consistent streetscape and building specifications across the subject development and adjacent development on 929 St. John's Sdrd.

Staff also has no concern with the site-specific exceptions as the only notable deviations that would result from the parent R4 zoning requirements are the reduced lot area and reduced rear yard. The reduced lot area from 370 m to 315 m would have no notable impact on the lot's ability to house an appropriately sized dwelling, as the lots would still have ample lot frontages and adequate lot depths that would allow the lots to have compatible sizing with adjacent existing single detached residential lots. Staff would also consider the reduction of rear yard setback from 7.5 m to 6.0 m to be acceptable as ample rear yard space would still be available for residents to have sufficient amenity area to enjoy.

Overall, the proposed applications meet the goal of achieving residential intensification as described in the Town Official Plan in an area that is appropriate to do so. Staff has no objection to the proposed lot configuration, as well as the proposed zoning exceptions in order to facilitate the development.

Department / Agency Comments

All external agencies and Town staff have completed their review and have no objections to the approval of the subject applications

Department/Agency	Comments
Building Division	No objections.
Engineering Division	No objections.
Operational Services (Parks)	No objections.
Operational Services (Public Works)	No objections.
Transportation/Traffic	No objections.
York Region	No objections.
LSRCA	No objections.

The appropriate conditions of draft plan approval have also been included, as listed in Appendix B.

Public Comments

Planning Staff have received comments from the public on the proposed planning applications. Below is a summary of key comments and the respective responses.

Compatibility of the proposed lot area: The proposed lot area of the draft plan of subdivision is not considered to be severely undersized nor considered to be non-compatible with existing lot fabric and area in the adjacent residential neighbourhood. The proposed R4 exception zoning is able to conform to all other zoning standards except for a slight reduction of lot area to accommodate for the proposed development, the slight reduction is negligible on a streetscape perspective and the lots have ample lot frontage (minimum 11.7 m) ensuring for high quality streetscape and adequate yard spaces.

Adequate construction access: The construction of the subject draft subdivision is dependent on the adjacent draft approved subdivision (929 St. John's Sideroad). A standalone, town approved construction access will be required for the construction of

both the adjacent and subject subdivision, ensuring minimal disruption to the existing residential neighbourhood to the south.

Construction nuisance: As a condition of draft subdivision approval, the Owner will be required to submit a Construction Management Plan/Report detailing the construction activities to be implemented during construction, as well as a Construction Impact Mitigation Plan, which will help mitigate potential impacts during the proposed construction and to address any unforeseen issues.

Advisory Committee Review

Not applicable.

Legal Considerations

Subsection 34 (11) of the Planning Act states that if Council refuses the zoning by-law amendment application or fails to make a decision on it within 90 days after the receipt of the application, the applicant (or the Minister) may appeal the application to the Ontario Land Tribunal (OLT).

Subsection 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, or a public body or specified person (as defined in the Planning Act) that made oral or written submissions may appeal to the OLT after receiving notice of Council's decision.

These applications were deemed as complete on October 9, 2013 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 June 13, 2023, a non-statutory Public Meeting was held, with Notices provided through mail, to all Interested Parties, publication in the newspaper, and signage on the property.

All communication requirements as directed by the *Planning Act* have been satisfied. Notices of Council's Decision on the subject applications will also be provided accordingly.

Additionally, the Town will inform the public about this information contained in this report by posting it to the Town's website.

Climate Change Considerations

The proposal is anticipated to generate an increase in greenhouse gas (GHG) emissions due to the increase in density. As a result, the applicant will be employing Low Impact Development (LID) measures to maintain and enhance the post-development water balance. Staff has also included a draft plan condition to require the submission of a Green Development Report in accordance with Section 5 of the Official Plan for a required future development agreement.

Link to Strategic Plan

The proposed 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 and Draft Plan of Subdivision applications, housing opportunities are created that assist in achieving growth targets while providing 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 reviewed the proposed Zoning By-law Amendment and Draft Plan of Subdivision in accordance with the provisions of Provincial, Regional and Town policies and development standards. The proposed Zoning By-law Amendment and Draft Plan of Subdivision applications are considered to be in keeping with the development standards of the Town. The proposal represents good planning and staff recommend approval of the subject applications, subject to the fulfillment of

the related Draft Plan of Subdivision Conditions of Approval, with the implementing Zoning By-law document to be brought forward at a future Council meeting.

Attachments

Appendix A – Draft Zoning By-law Amendment

Appendix B – Draft Plan of Subdivision Conditions of Approval

Figure 1 – Location Map

Figure 2 – Existing Official Plan Designation

Figure 3 – Existing Zoning By-Law

Figure 4 – Proposed Zoning By-law

Figure 5 – Proposed Draft Plan of Subdivision

Previous Reports

Public Planning Report No. PDS23-088, dated June 13, 2023

Pre-submission Review

Agenda Management Team review on January 23, 2025

Approvals

Approved by Marco Ramunno, Director, Planning and Development Services

Approved by Doug Nadorozny, Chief Administrative Officer