



100 John West Way  
Aurora, Ontario  
L4G 6J1  
(905) 727-3123  
aurora.ca

Town of Aurora

## Public Planning Report

No. PDS20-058

---

**Subject:**                   **Applications for Official Plan and Zoning By-law Amendment  
Weslie Creek Developments Inc.  
1675 St. John's Sideroad  
WHITCHURCH Con 3 PT LOT 25 RP 65R36+629 PARTS 1 TO 3  
File Numbers: OPA-2020-05 & ZBA-2020-05  
Related File Numbers: SP-2020-04**

**Prepared by:**           Carlson Tsang, Planner

**Department:**         Planning and Development Services

**Date:**                   October 13, 2020

---

### Recommendation

1. That Report No. PDS20-058 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 and Zoning By-law Amendment applications to facilitate the development of a gas station, office building, retail building and industrial warehouse at 1675 St. John's Sideroad ("the subject lands").

The proposal includes the protection of approximately 9.97 ha (24.63 ac) of natural heritage lands that traverse through southern portion of the subject site. A related Site Plan application has been submitted which is not the subject of the Statutory Public Meeting but will be presented to a future General Committee meeting for consideration. The following is a summary of the applications:

- The Official Plan Amendment proposes a new site-specific policy to permit a gas bar on the subject lands. All the other uses proposed are permitted in the existing 'Business Park 1' designation;
- The proposed Zoning By-law Amendment is to rezone the subject lands from "Rural (RU) Zone" to a site specific "Business Park E-BP Exception Zone" and "Environmental Protection EP Zone" to permit the proposed development;

- The Region of York is the approval authority for the proposed Official Plan Amendment; and,
- A preliminary review of the proposed applications has been undertaken by Town departments and external agencies. A number of issues have been identified that need to be addressed in greater detail prior to the preparation of a final recommendation report for Council's consideration.

## **Background**

### **Application History**

A Pre-consultation meeting took place between Town Staff, Lake Simcoe Region Conservation Authority (LSRCA) and the applicant on February 13, 2020. Applications for Official Plan Amendment, Zoning By-law Amendment and Site Plan Approval were received on May 11, 2020 and deemed complete on May 15, 2020.

### **Location / Land Use**

The subject property is municipally known as 1675 St. John's Sideroad and is located at the southeast corner of Leslie Street and St. John's Sideroad East, about 510 m (1,673.23 ft) west of Highway 404 (see Figure 1). The property has an approximate area of 19.62 ha (48.48 ac), and an approximate frontage of 391m (1,282.81 ft) on Leslie Street and 524 m (1,719.16 ft) on St. John's Sideroad East. A number of buildings currently exist on the property including a barn, an outbuilding and a detached garage. Vehicular access is provided via a driveway from St. John's Sideroad.

A tributary of the Holland River East branch traverses the southern portion of the subject lands in an east-west direction. The tributary is contained within a large valley feature characterized by mature vegetation and steep valley walls, particularly along the southern edge of the watercourse. The subject lands have varying topography that generally slopes downward to the west and south of the site towards the valleylands.

### **Surrounding Land Uses**

The surrounding land uses are as follows:

North: Vacant employment lands (Aurora Mills Business Park)  
South: Open space and vacant employment lands (Addison Hall Business Park)  
West: Low density residential  
East: Vacant employment lands, Equestrian Centre, Highway 404

## **Policy Context**

### **Provincial Policies**

All planning applications shall have regard for the Provincial Policy Statement, 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.

A Place to Grow: 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 northern portion of the subject lands as "Urban Area" within the "Strategic Employment Lands – Conceptual" area. The vision for the Urban Area is to support strategic growth and sustainable lively communities. The YROP also requires the protection, maintenance and enhancement of the long-term viability of all employment lands designated in local municipal official plans.

The southern portion of the subject lands, where the watercourse and valleylands are located, falls within the "Regional Greenlands System", which consists of key natural heritage features connected by corridors and linkages. Development and site alteration is prohibited within this area. Any development within 120m of the Regional Greenland System must be supported by an Environmental Impact Study to demonstrate that the existing natural heritage features will not be adversely affected.

### **Official Plan and Aurora 2C Secondary Plan (OPA No. 73)**

The south west corner and the northern portion of the subject lands are designated "Business Park 1" by the Aurora 2C Secondary Plan (OPA No. 73) (see Figure 2). The Business Park designation is planned to support sustainable economic growth and the diversification of the Town's employment base. It provides for a range of employment uses including professional office, hotel and convention centres, enclosed warehousing and research and development facilities. It is a requirement that the Business Park lands of the 2C Secondary Plan achieves a minimum density of 40 jobs per developable

hectare. No more than 20 percent of the total employment within the Business Park designation is to be allocated for Ancillary Uses (small-scale retail and commercial uses) that primarily serve the business functions in the Business Park.

The balance of the lands are designated “Environmental Protection Area” which intends to protect key natural heritage features associated with the Greenlands System. Development and site alteration is not permitted within this designation, except for specific restoration work and recreational uses identified in the Secondary Plan. Adjacent developments are required to provide appropriate buffers established by an Environmental Impact Study to the satisfaction of Council, the Region and the Conservation Authority.

The Secondary Plan contemplates a stormwater management facility (i.e. storm pond) on the subject lands to manage storm runoff and mitigate impacts on watercourses and the lake system (see Figure 2). The Secondary Plan indicates that the location, configuration and boundaries of the storm water management facility may be adjusted, added or deleted without further amendment to the Secondary Plan provided the general intent of the Plan is maintained to the satisfaction of Council.

The Secondary Plan also contemplates two 20m (65.61 ft) minor collector roads on the subject lands; one in an east-west direction abutting the Environmental Protection Area, and the other one in a north-south direction connecting to St. John’s Sideroad (see Figure 2).

### **Zoning By-law 6000-17, as amended**

The subject lands are currently zoned “Rural (RU) Zone” by the Zoning By-law 6000-17, as amended, which permits agricultural uses, one single detached dwelling including secondary suite, greenhouse, home occupation and place of worship (see Figure 3).

### **Aurora Trail Master Plan**

The Aurora Trails Master Plan identifies a multi-use trail at the southern portion of the subject lands along the environmental protection to support the future trail network that connects to the lands north of St. John’s Sideroad and east of Leslie Street.

### **Reports and Studies**

As part of a complete application submission for the subject applications, the applicant has submitted a number of documents as outlined in Appendix ‘A’.

## Proposed Applications

The proposed development consists of an industrial warehouse, gas bar, office building and retail building. The proposed industrial warehouse building is located on the north side of the property fronting St. John's Sideroad (see Figure 6 & 7). The building has a gross floor area of approximately 17,312.14 m<sup>2</sup> (186,346.32 ft<sup>2</sup>) and a height of approximately 14.47 m (47.49 ft). Vehicular access will be provided on St. John's Sideroad via a right-in-right-out entrance to the west, and a full movement entrance to the east. There will be a total of 177 parking spaces across the development, including 47 spaces at the front of the building which will be screened by a landscape buffer.

The south west corner of the property will be developed with a 1,994.28 m<sup>2</sup> (21,466 ft<sup>2</sup>) retail building and a 1,221.87 m<sup>2</sup> (13,152 ft<sup>2</sup>) office building (see Figures 6, 8 & 9). Both buildings will have a height of approximately 6.7 m (21.98 ft) and share a parking lot containing 153 spaces. Vehicular access to both buildings will be provided on Leslie via a right-in-right-out entrance to the north and a full movement entrance to the south.

The proposed gas station, including an accessory convenience store and drive-thru car wash, is proposed for the north-west portion of the subject lands, generally located at the intersection of St. John's Sideroad and Leslie Street (see Figure 5). A total of two right-in-right-out entrances will be provided to access the Gas Station via St. John's Sideroad and Leslie Street. A total of 13 parking spaces are proposed at the front of the convenience store and car-wash.

Approximately 9.97 ha (24.64 ac) of natural heritage lands at the southern portion of the subject lands are proposed to be protected. Development limits were determined through a staking exercise with the Lake Simcoe Region Conservation Authority. The proposed development will be situated on the tableland portion of the subject property, outside of the staked limits including any protection buffers. However, there are several areas where grading is proposed within the 10m (32.8 ft) woodland buffer and the 6m (19.68 ft) setback from the top of slope.

**The Official Plan Amendment proposes a new site-specific policy to permit a gas bar on the subject lands. All the other uses proposed are permitted in the existing 'Business Park 1' designation;**

Ancillary uses are defined as small-scale retail and commercial uses that primarily serve the businesses within the Business Park. Since the proposed gas station will be located at the intersection, it will serve a larger trade area that extends beyond the boundaries of the business park, including the residential neighbourhood west of Leslie Street. As

such, a gas station is not considered an ancillary use and therefore is not permitted in the 'Business Park 1' designation.

The applicant is seeking an Official Plan Amendment to introduce a new site-specific policy to the 'Business Park 1' designation to allow a gas station on the subject lands as a complementary use to the employment area (see Figure 4). This will require an amendment to schedule 'H' of the Town of Aurora Official Plan.

**The proposed Zoning By-law Amendment is to rezone the subject lands from "Rural (RU) Zone" to a site specific "Business Park E-BP Exception Zone" and "Environmental Protection EP Zone" to permit the proposed development;**

The applicant proposes to rezone the subject lands from "Rural General (RU) Zone" to "Business Park (BP-XX) Exception Zone" and "Environmental Protection (EP-XX) Exception Zone" to permit the proposed development (see Figure 5). The Owner has submitted a draft Zoning By-law which is currently under review by the Town. Appendix A contains a table comparing the provisions of the parent zoning versus the amendment proposed by the applicant. In summary, the applicant is proposing the following:

- To add gas station, motor vehicle service station, ancillary trailer storage, medical clinic to the list of permitted uses;
- A reduction in the setback from Leslie Street and St. John's Sideroad from 9 m to 3 m
- A reduction in the setback from the Open Space zone from 10 m to 6 m
- A reduction in the landscape strip abutting or adjacent to Leslie Street and St. John's Sideroad from 6 m to 3 m
- A reduction in the number of loading spaces for the retail building from 2 to 1
- A reduction in the parking requirement for the office building from 43 spaces to 33 spaces

**The Region of York is the approval authority for the proposed Official Plan Amendment.**

York Region has reviewed the Town's request for exemption from Regional approval for the proposed Official Plan Amendment. The Region has confirmed that a significant portion of the site is within the Regional Greenland System with a significant woodlot, wetland and watercourse on site and therefore the Official Plan Amendment will require Regional approval.

## Analysis

### Department / Agency Comments

**A preliminary review of the proposed applications has been undertaken by Town departments and external agencies. A number of issues have been identified that need to be addressed prior to the preparation of a final recommendation report to Council for consideration.**

The subject Official Plan Amendment, Zoning By-law Amendment and Site Plan Approval applications were circulated to internal departments and external agencies for review and comment. All first submission comments received to date have been provided to the Owner/ applicant. Below is a summary of key comments:

### Planning

The application proposes to delete two minor collector roads identified in the Secondary Plan; one in an east-west direction abutting the Environmental Protection Area, and the other one in a north-south direction connecting to St. John's Sideroad. Section 6.2.2.d of the Secondary Plan states that any roads that abut or cross over the Environmental Protection Area may be deleted or adjusted without an amendment to the Official Plan. The north-south collector does not meet the aforementioned criteria and therefore its deletion is subject to Official Plan amendment; however, this is not proposed in the current application.

In lieu of the north-south road connecting to St. John's Sideroad, the applicant is proposing a 12 m (39.37 ft) wide driveway generally at the same location of the road, where it can be shared with future development on the Phase 2 lands. The proposed driveway connecting to St. John's Sideroad is key for access to the lands as the Region will not permit any additional access on St. John's Sideroad due to the future interchange at Highway 404.

It is the opinion of Staff that the collector road should continue to be protected pending the outcome of a future planning application for Phase 2 and its associated traffic demand. Staff are generally supportive of a driveway, as interim measure, while continuing to protect the north-south collector road as designated in the Secondary Plan with appropriate clauses in the site plan agreement. If the collector road is deemed not required in the future, pending a review of a Phase 2 application, it can be deleted through an Official Plan Amendment.

The proposed retail building on Leslie Street is intended to serve as an ancillary use to the surrounding employment area. However, the retail building clearly predominates over the adjacent office building with respect to gross floor area, coverage, dedicated parking spaces and physical presence on the street. The applicant has been asked to explore opportunities to increase the presence of the office building in order achieve a more desirable business park condition for the 2C Area employment lands.

The lands designated 'Environmental Protection Area' in the Secondary Plan will be gratuitously dedicated to the Town to secure public ownership of the natural heritage system and facilitate the future development of the trail network as identified in the Secondary Plan and the Trails Master Plan.

The proposed development omits the stormwater management facility identified in the Secondary Plan. To accommodate a reduced stormwater release rate, the proposed development will utilize an on-site underground storage chamber to store storm water before its controlled release to the adjacent watercourse.

### **Development Engineering**

The Servicing and Stormwater Management Report submitted by the applicant indicates that the proposed development can be supported by municipal services and meets all the stormwater management requirements. At this time, Engineering staff have not identified any significant concerns with the proposed development. Additional details on various technical drawings and reports have also been requested for the next submission.

### **Parks**

The Park Division requires the conveyance of the southern portion of the subject lands along the Environmental Protection Area to support the development of the future trail network system as per the Aurora Trails Master Plan. Further discussion is required to determine the design of the trail connection and the extent of the trail.

### **Heritage Planning**

On May 15, 2019, the subject property was delisted by Council from the Town's Heritage Registry subject to several conditions which includes providing a contribution to the Town's Heritage Reserve Fund, commemorating the equestrian history of the property by street naming or erecting a heritage plaque, and salvage the fieldstones from the foundation of the late 19<sup>th</sup> century barn that currently exists on the property for future re-use. Staff will continue to work with the applicant to satisfy these conditions imposed by Council.



**Lake Simcoe Region Conservation Authority (LSRCA)**

The subject lands are partially located within LSRCA's jurisdiction and within an area that is subject to the Lake Simcoe Source Protection Plan. A permit from LSRCA will be required prior to any development taking place. LSRCA indicates that the development is proposing a stormwater outfall and a significant amount of grading inside the 10m woodland buffer and the 6m stable top of slope setback. In some areas, grading is proposed right up to the woodland dripline, which will have negative impacts to the root zones of the adjacent trees. The applicant has been requested to revise their drawings to ensure all development (including stormwater outfalls) and grading limits are outside all buffer block and setbacks. In addition, there are other technical comments on the Stormwater Management Report and Hydrogeological findings that need to be addressed as part of the next submission.

**The Regional Municipality of York**

The Region expressed concern about the deletion of the north-south road as it will eliminate access to St. John's Sideroad for the Phase 2 lands and thereby hinder its future development opportunities. After discussions with Staff, the Region agrees to consider an interim driveway, as currently proposed, provided appropriate site plan agreement clauses will be in place to secure shared access with Phase 2 lands. Staff will continue to work with the applicant, in consultation with the Region, to satisfactorily address this matter.

The office and retail development on Leslie Street is only allowed to have one access (aligned with Royal Harper Avenue) and must provide interconnection with the property to the south at 20 Monarch Park Gate. This is to accommodate a future signal at the intersection of Leslie Street and Roy Harper Avenue. The applicant will be required to submit revised drawings to the Region for their review.

In addition, the Region has identified a number of technical comments on the transportation and engineering reports that need to be addressed as prt of the next submission.

**Public Comments**

Planning Staff received a letter from an area resident expressing concern with the environmental impact of the proposed gas station on the natural environment consisting of woodlots, the creek and wildlife habitat. Should additional comments be received after the writing of this report, Planning 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 21, 2020, the planning applications may be subject to LPAT appeals.

## **Financial Implications**

There are no direct financial implications arising as a result of this report.

## **Communications Considerations**

On July 9, 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 September 24, 2020, notices were issued by mail to all addressed property Owners within 120 metres (393.7 ft) of the subject property, and all Interested Parties to the applications. Signage on the property was posted on September 23, 2020 with information regarding the Public Meeting. On August 24, 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 agency circulation, and the feedback received from the public and Council at the Public Planning Meeting. A final report with recommendations will be presented at a future General Committee Meeting.

## **Attachments**

- Figure 1 – Location Map
- Figure 2 – Existing Official Plan Designation (OPA 73)
- Figure 3 – Existing Zoning By-Law
- Figure 4 – Proposed Town of Aurora Official Plan Schedule 'H'
- Figure 5 – Proposed Zoning By-law Amendment
- Figure 6 – Proposed Site Plan
- Figure 7 – Proposed Elevations – Industrial Building
- Figure 8 – Proposed Elevations- Office Building
- Figure 9 – Proposed Elevations- Retail Building

Appendix A – Materials Submitted in Support of Complete Applications

Appendix B – Zoning By-law Comparison

## **Pre-submission Review**

Agenda Management Team Meeting review on October 1, 2020

## **Approvals**

**Approved by David Waters, Director, Planning and Development Services**

**Approved by Doug Nadorozny, Chief Administrative Officer**