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Town of Aurora

Public Planning Report

No. PDS21-147

Subject: Applications for Official Plan Amendment, Zoning By-law
Amendment and Site Plan Control
Shimvest Investments Limited
271 Holladay Drive
Block 140, Plan 65M-4519
File Numbers: OPA-2021-04 and ZBA-2021-05
Related File Number: SP-2021-10

Prepared by: Matthew Peverini, Planner

Department: Planning and Development Services

Date: November 9, 2021

Recommendation

1. That Report No. PDS21-147 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, and Site Plan Control applications for the property municipally known as 271 Holladay Drive (the 'subject lands'). It is not the purpose of this meeting to have all the answers available to the technical comments identified to date from the circulation of the planning applications, but to collect public input to inform the Town's review at this stage of the process. The following is a summary of the planning applications:

- The applicant is proposing to develop the subject lands with a 6-storey purpose-built rental apartment building containing 155 units, and 2 levels of underground parking;

- The applicant is proposing an Official Plan Amendment to introduce site-specific policies to permit an increase in height and density;
- The applicant is proposing to rezone the subject lands from a “Mixed Residential Commercial Exception Zone C6(421)” to a site-specific “Second Density Apartment Residential Exception Zone RA2(XX)”;
- The applicant has submitted an application for Site Plan Control;
- 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 for Council’s consideration.

Background

Application History

A Pre-Consultation Application Package for the proposed applications was issued on May 27, 2020. The applications for Official Plan Amendment, Zoning By-law Amendment, and Site Plan Control were received on July 21, 2021, and deemed complete on July 28, 2021. The proposed applications were considered by the Town’s Urban Design Review Panel on October 4, 2021.

Location / Land Use

The subject lands are municipally known as 271 Holladay Drive, and are located at the southwest corner of the intersection of Leslie Street and Holladay Drive (Figure 1). The subject lands are irregular in shape, with a lot area of approximately 0.525 hectares (1.3 acres), and a lot frontage of approximately 36 metres (118.1 feet) onto Leslie Street. The subject lands are also bounded by Holladay Drive to the north, and Badgerow Way to the south.

The subject lands are located within recently developed plan of subdivision (Plan 65M-4519), and were previously used as a sales office and related parking lot. The subject lands are currently vacant, and the topography is relatively flat with no vegetation.

Surrounding Land Uses

The surrounding land uses are as follows:

- North: Holladay Drive, natural heritage features, and detached dwellings;
- South: Badgerow Way, townhouse dwellings, Northridge Community Church, Stewart Burnett Park, and the Stronach Aurora Recreation Complex;
- East: Gas infrastructure (regulator), Leslie Street, Business Park lands, and a Regional Commercial Centre; and,
- West: Detached dwellings.

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 Growth Plan for the Greater Golden Horseshoe is a guiding document for growth management within the Greater Golden Horseshoe (GGH) Area to 2041. The Growth Plan provides a framework which guide decisions on how land will be planned, designated, zoned and designed.

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 not within an area regulated by the Lake Simcoe Region Conservation Authority (LSRCA).

York Region Official Plan (YROP)

The YROP designates the subject lands as “Urban Area”. The planning vision for the Urban Area is to strategically focus growth while conserving resources; and to create sustainable, lively communities. A primary goal of the YROP is to enhance the Region’s urban structure through city building, intensification and compact, complete vibrant communities.

The subject lands front Leslie Street, which is a Regional Road with a planned road width of 36 metres. The subject lands are located within the Wellhead Protection Areas Q and D.

Section 8.3.8 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. The proposed Official Plan Amendment is considered a local matter by the Region and is exempted from approval by Regional Planning Committee and Council.

Aurora 2C Secondary Plan (OPA 73)

The subject lands are designated as “Urban Residential 2” (UR2) by OPA 73 (see Figure 2). This designation intends to promote well-designed and transit supportive medium density housing forms in proximity to community recreational and convenience commercial facilities, in accordance with the distribution of housing forms as identified by the Official Plan.

The UR2 designation permits small-scale/low-rise apartments. The maximum height of any building within this designation is 6 storeys or 20.0 metres (whichever is less). The maximum density for apartment buildings is 125 units per net residential hectare.

Section 3.2.2(k) of OPA 73, directs that all development within the UR2 designation with the exception of detached, semi-detached, and street townhouse units are subject to site plan control.

Urban and Architectural Design Guidelines for the 2C West Secondary Plan Area

The proposed development is subject to the Urban and Architectural Design Guidelines of the 2C West Secondary Plan Area. The subject lands are located at a “Major Gateway”, which envisions enhanced built-form and landscape treatment that frames entry into the community at the intersection of Leslie Street and Holladay Drive.

All development within the UR2 designation shall address the road at a minimum setback, and garage doors/service facilities shall not dominate the view of the streetscape. No direct access shall be provided to Leslie Street.

General design guidelines for apartment buildings within the 2C Secondary Plan area include:

- Orienting the primary building entrance towards public roads;
- Incorporating rooftop mechanical equipment into the design of the building;
- Utilizing building materials such as brick, hardi siding, stone or stucco; and,
- Visually scaling down large buildings by using building materials and architectural detailing that establishes a base, middle and top of the building.

Zoning By-law 6000-17, as amended

The subject lands are zoned “Mixed Residential Commercial Exception 421 Zone – C6(421)” by the Town of Aurora Zoning By-law 6000-17, as amended (Figure 3), which facilitates the development of a 3-storey mixed-use building. Permitted uses include a range of commercial uses, and apartment units (only above the first storey).

Reports and Studies

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

Proposed Applications

The applicant is proposing to develop the subject lands with a 6-storey purpose-built rental apartment building containing 155 units, and 2 levels of underground parking

The overall height of the building to the top of the enclosed rooftop amenity area and mechanical penthouse is 24.25m. The proposed building is stepped back above the fourth floor, with the exception of the facades facing Leslie Street and the main pedestrian entry (along the western boundary limits).

The applicant is proposing a mix of dwelling units within the building, consisting of 80 one-bedroom units, 50 two-bedroom units, and 25 three-bedroom units. At this time, the units are contemplated for rental tenure.

Primary vehicular access to the development is from Badgerow Way. The driveway will provide access to underground parking, garbage/loading areas, an indoor bicycle parking area, and surface parking.

A total of 194 parking spaces, including 155 spaces for residents (1.0 spaces per unit) and 39 spaces for visitors (0.25 spaces per unit) are proposed to service the development. 184 spaces will be accommodated in the underground parking structure, and the remaining five (5) spaces will be accommodated through surface parking along the proposed driveway. Seven (7) barrier-free parking spaces are included within the visitor parking space total.

The main pedestrian entrance is located along the western limits of the proposed building, in proximity to the intersection of Holladay Drive and Badgerow Way. The lobby, management office, mail/parcel facility, bicycle parking, indoor amenity rooms and residential units occupy the ground floor level of the building. A total of 32 bicycle parking spaces are proposed for the development.

The applicant is proposing a combination of indoor and outdoor amenity areas to service the development. Outdoor amenity space is provided in the form of private balcony and terrace areas; and common areas located on the rooftop, and ground level (south and west of the proposed building). Indoor amenity space is provided on the ground floor level, and within the rooftop penthouse.

Landscaping is proposed primarily along the perimeter of the subject lands and within the common amenity areas located to the south and west of the building. Proposed landscaping elements include a variety of deciduous trees, perennials and shrubs, furniture, and fencing/masonry walls.

The applicant is proposing an Official Plan Amendment to introduce site-specific policies to permit an increase in height and density

The applicant is seeking an Official Plan Amendment to introduce site-specific policies that would amend Section 3.3.2(e) and (f) of OPA 73. Proposed amendments include:

- permitting a maximum building height of 6 storeys or 26 metres, whereas the maximum height of any building within the UR2 designation shall be 6 storeys or 20 metres whichever is less; and,
- permitting a maximum net residential density of 300 units per net residential hectare for small scale/low-rise apartment developments, whereas the UR2 designation provides that the maximum density for this built-form be 125 units per net residential hectare.
- The existing density target permits 65 units as compared to the 155 units under the proposed density target.

The applicant is proposing to rezone the subject lands from a “Mixed Residential Commercial Exception Zone C6(421)” to a site-specific “Second Density Apartment Residential Exception Zone RA2(XX)”

As shown in Figure 4, the applicant proposes to rezone the subject lands from C6(421) to “RA2(XX)”. The applicant has submitted a draft Zoning By-law Amendment that is currently under review by staff.

Charts comparing the proposed exception zone category to the existing zoning, and parent zone category are included in this report as Appendix ‘B’. Exceptions to the site-specific zones will introduce customized standards for lot area, lot frontage, building height, yard setbacks, parking, amenity area, and yard encroachments.

The applicant has submitted an application for Site Plan Control

As the proposed development is an apartment built-form, the applicant must obtain Site Plan Approval. A conceptual Site Plan, Renderings, and Landscape Plan for the proposed development are attached as Figures 5, 6, and 7, respectively.

Analysis**Department/Agency Comments**

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

Below is a summary of the key comments received to date from Town staff and external agencies:

Planning

The proposed Official Plan Amendment is seeking to increase the maximum net residential density from 125 units per net residential hectare to 300 units per net residential hectare, which is significant given the size of the subject lands, and the existing form of development found within the adjacent community. However, the proposal contributes to the development of a complete community by providing for an alternative form of housing.

The proposed increase in height and density triggers a public benefit under Section 37 of the Planning Act (provided staff are satisfied that the proposal represents good planning). Potential public benefits include, but are not limited to, public amenity space, public art, affordable housing, affordable artist space and public realm improvements. A Holding (H) Provision will be applied to the Zoning By-law that requires the execution of a Sec 37 agreement as a condition of lifting the H symbol.

Development Engineering

The Functional Servicing Report provided the necessary information for sanitary capacity, and it indicates that there is sewer capacity in downstream sewers and the existing sewage pumping station without an upgrade. This report also provided watermain information for capacity and flow.

The dewatering report indicates dewatering will not affect nearby wells, however, the potential for possible settlements in the zone of influence during construction of the underground structure exists, and therefore a well monitoring program will be required for pre-and-post construction.

Traffic Analyst

Several technical comments on the submitted Transportation Impact Study were identified, which include: the development of a baseline traffic condition to represent current traffic volumes, the inclusion of background developments as part of future traffic growth, sightline assessment, and safe manoeuvring of vehicles within the driveway area. A Traffic Management Plan in accordance with applicable Ontario Traffic Manual standards is required as part of the next submission.

The justification provided in the Transportation Impact Study is acceptable to support the proposed parking supply for the development.

Parks

Generally, the submitted Landscape Plans include high quality materials and plant selections. Additional boulevard trees should be added fronting Holladay Drive approaching Leslie Street. Approval from York Region will be required for development and landscape works at the corner of Holladay Drive and Leslie Street.

Operations/Waste Management

There are concerns with the location of the water meter being installed in the mechanical room. A meter chamber in proximity to the property line is preferred. Regarding waste collection, there are concerns with the space available for trucks to manoeuvre around the designated area.

Central York Fire Services (CYFS)

CYFS has no objection to the proposed Official Plan and Zoning By-law Amendment applications. Technical matters related to the Site Plan application will be addressed through future resubmissions.

Urban Design and Design Review Panel

On October 4, 2021, the proposed applications were considered by the Town's Design Review Panel (DRP). The DRP commented on passenger pickup and drop off locations, circulation and traffic, the Leslie Street and Holladay Drive intersection, the interface

between ground floor residential units and public roads, and building massing and site design.

The subject lands are located at a “Major Gateway”, and a streetscape feature should be present at the southwest corner of the intersection of Leslie Street and Holladay Drive that frames entry into the community. The addition of a building entrance provided in proximity to Leslie Street would facilitate easy access to amenities along the Regional Corridor, such as transit.

Greater setbacks from the property lines abutting Leslie Street and Holladay Drive to the proposed building are encouraged, to provide additional separation distance to sidewalks and roadways, and enhanced landscaping between private amenity areas for ground floor units and the public realm.

Additionally, the applications were subject to Urban Design Peer Review by The Planning Partnership. The scope of review was primarily building elevations and materials. Generally, comments included that the building is well articulated with various changes in planes and enhanced fenestration; and that the base, middle and top of the building are well established through recessed walls, different materials, and fenestration configurations. There are opportunities to emphasize the corner condition at the Leslie Street and Holladay Drive intersection with further glazing on the building. The location of the mechanical penthouse should be located further east away from the low-rise dwellings.

The Regional Municipality of York

The site is located in WHPA Q and D, and an Area of Concern (due to known high water table conditions and confined artesian aquifer conditions). The residential development proposed within the subject development area will require water and wastewater servicing allocation from the Town of Aurora.

Affordable rental housing is a priority for York Region. On October 17, 2019 Regional Council approved a new interest free Development Charge Deferral for Affordable, Purpose-Built Rental Buildings policy to support development of rental housing affordable to mid-range income households.

York Region has reviewed the proposed Official Plan Amendment and Zoning By-law Amendment applications and has no objections subject to the preliminary technical comments. Furthermore, York Region Planning staff consider the Official Plan Amendment to be a routine matter of local significance and has delegated approval to the Town.

Lake Simcoe Region Conservation Authority

There are no hazard areas or natural heritage features identified on the subject lands. As such, the proposed development will not require a permit from the LSRCA. However, the lands are located within the Wellhead Protection Area (WHPA-Q) and hence are subject to Policy LIP-12 of the South Georgian Bay Lake Simcoe Source Protection Plan. Further, the proposed development must conform to the Stormwater Management policies and Settlement Area policies of the Lake Simcoe Protection Plan.

Public Comments

Planning Staff have received written submissions from the public at the time of writing this report. Generally, comments included that the subject lands are not suitable for the proposed development due to the small size of the site, the single point of access into the neighbourhood (at Leslie Street and Holladay Drive), and compatibility to the surrounding neighbourhood in terms of scale and density. Further, the development will contribute to a loss of sunlight and privacy for existing residents, and destruction of local wildlife habitat in the area. The proposed development will also result in more traffic within the neighbourhood and along Leslie Street, therefore creating unsafe conditions for pedestrians and vehicles.

Comments also stated that a neighbourhood plaza, commercial/medical uses, lower density housing (i.e. townhomes), or open space uses are more desirable.

Advisory Committee Review

No Communication 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 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 within 120 days after the receipt of the application, the applicant (or Minister) may appeal the application to the OLT.

Section 41 of the *Planning Act* permits the owner to appeal a site plan application if Council fails to approve the application within thirty (30) days of the application being submitted. There is no right of appeal for any other person. The applications were received on July 21, 2021, and therefore the applicant may appeal the site plan application to the OLT at any time and the other two applications as of November 18, 2021.

Financial Implications

There are no direct financial implications arising from this report.

Communications Considerations

On August 5, 2021, 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.

On October 13, 2021, notices were issued by mail to all addressed property owners within 120 metres (393 feet) of the subject lands, and all Interested Parties to the applications. Signage on the property was posted on October 15, 2021 with information regarding the Public Meeting. On October 21, 2021, Notice of Public Planning Meeting was published in the *Auroran* and *Aurora Banner* newspapers. Public Meeting notification has been provided in accordance with the *Planning Act*.

Site plan applications submitted under Section 41 of the *Planning Act* do not require public notification. The Planning Application Status is available on the Town's website and is reported to Council and updated quarterly.

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. Direct staff to present the proposal to another Public Planning Meeting addressing any issues that are raised at the November 9, 2021 Public Planning Meeting.
2. Refusal of the application with an explanation for the refusal.

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 to be received from the public and Council at the November 9, 2021 Public Planning Meeting.

Attachments

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 Site Plan

Figure 6A-C – Proposed Renderings

Figure 7 – Proposed Landscape Plan

Appendix 'A' – Documents Submitted in Support of Complete Applications

Appendix 'B' – Zoning By-law Comparison

Previous Reports

Not applicable.

Pre-submission Review

Agenda Management Team review on October 28, 2021

Approvals

Approved by David Waters, MCIP, RPP, PLE, Director, Planning and Development Services

Approved by Doug Nadorozny, Chief Administrative Officer