



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

Town of Aurora

## Public Planning Report

No. PDS22-098

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**Subject:** Applications for Official Plan Amendment & Zoning By-law Amendment  
2697331 Ontario Inc.  
1289 Wellington Street East  
File Number: OPA-2022-02 and ZBA-2022-02

**Prepared by:** Rosanna Punit, Planner

**Department:** Planning and Development Services

**Date:** June 14, 2022

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### Recommendation

1. That Report No. PDS22-098 be received; and
2. That the comments presented at the Public Planning 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 the proposed Official Plan Amendment, Zoning By-law Amendment for the property municipally known as 1289 Wellington Street East (the 'subject lands'). The following is a summary of the applications:

- The proposal is for 519 apartment units and twelve (12) townhouse blocks consisting of 59 units.
- The Official Plan Amendment proposes to re-designate the subject lands from "Business Park and "Linear and Other Open Space" to "Medium-High Density Residential" and "Linear and Other Open Space"
- The Zoning By-law Amendment proposes to re-zone the subject lands from "Rural Zone (RU)" to "Townhouse Dwelling Residential Exception Zone R8(XX)",

“Second Density Apartment Residential Exception Zone RA2(XX)” and  
“Environmental Protection Zone (EP)”

- A preliminary review of the proposed applications undertaken by the Town and external agencies have identified comments to be addresses before a final recommendation report is prepared for Council’s consideration.

## **Background**

### **Application History**

A pre-consultation application was submitted in December 2020. The applications for Official Plan Amendment and Zoning By-law Amendment were submitted on February 15, 2022. The Town declared the subject applications complete on February 28, 2022 and the applications were circulated for review and comment by Town of Aurora to internal departments and external agencies.

### **Location / Land Use**

The subject lands are located on the southwest corner of Wellington Street East and Leslie Street (See Figure 1). The subject lands are irregular in shape with frontages along Wellington and Leslie Street. The subject lands have a total land area of approximately 14.47 acres (5.86 hectares). The lands are currently vacant (no structures), however the lands have areas of vegetation, woodland, wetlands and a watercourse.

### **Surrounding Land Uses**

The surrounding land uses are as follows:

North: Wellington St E, low density residential, gas station, and Aurora Recreation complex

South: low density residential, golf course

East: Leslie St, gas station, business park area

West: low density residential

## **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.

#### York Region Official Plan (YROP)

The subject lands are designated “Urban Area” within the current York Region Official Plan. 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. A portion of the site along the western boundary is within the Regional Greenlands System, containing a watercourse and woodland. The site is partially within a Wellhead Protection Area D (WHPA-D), as well as a Recharge Management Area (WHPA-Q). Current policies prohibit conversions of employment lands to non-employment uses outside the Municipal Comprehensive Review (MCR) process. However, as part of York Region’s MCR process underway, the lands are not intended to be maintained as employment through the MCR and Regional Official Plan (ROP) update process. The subject lands are presently designated as “Community Area” in the York Regions Draft Official Plan.

#### Town of Aurora Official Plan

The subject lands are designated “Business Park” “Linear and Other Open Space”, allowing for employment uses and environmental protected lands within the Bayview North East Secondary Plan (OPA 30).

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

The subject lands are currently zoned “Rural Zone (RU)” which permits: Agricultural uses, detached dwelling, second suite, greenhouses, home occupation and a place of worship.

## Reports and Studies

The Owner submitted the following documents as part of a complete application for the proposed official plan amendment and zoning amendment applications:

<b>Document</b>	<b>Consultant</b>
Planning Justification Report	Groundswell Urban Planners
Draft Official Plan Amendment	Groundswell Urban Planners
Draft Zoning By-law Amendment	Groundswell Urban Planners
Conceptual Plan, Shadow Study, Architectural Plans	AND Architecture Inc.
Traffic Impact Study	JD Northcote Engineering Inc.
Landscape Plan	Landscaping Planning – Landscape Architects
Topographic and Staking survey	Lloyd ad Purcell – Ontario Land Surveyors
Environmental Impact Study & Scoped Natural Heritage Evaluation	GEI Consultants
Geotechnical Investigation	Fisher Engineering
Hydrogeological Investigation	Fisher Engineering
Phase 1 & 2 Environmental Site Assessment	Fisher Engineering
Tree Inventory and Edge Management Report	The Urban Arborist
Urban Design Brief	MBTW-WAI
Functional Servicing Report and Stormwater Management Report, grading, drainage and servicing plans	SCS Consulting Group
Noise Study	HGC Engineering
Stage 1 & 2 Archaeological Assessment	Amick Consultants Limited

## Proposed Applications

The proposal is for 519 apartment units and twelve (12) townhouse blocks consisting of 59 units.

A total of 578 residential units are proposed on the subject lands. Applications for Zoning By-law amendment and Official Plan amendment are required to facilitate the proposal.

**The Official Plan Amendment proposes to re-designate the subject lands from “Business Park and “Linear and Other Open Space” to “Medium-High Density Residential” and “Linear and Other Open Space”**

The “Medium- High Density Residential” designation will permit the apartment and townhouse development, and the amendment also requests a site-specific policy to include permitted uses for ‘apartment’ and ‘townhouse’ development. The maximum net density proposed is 161 units per hectare.

The current Business Park designation allows for employment uses. Currently the York Region Official Plan is under review and is known as a Municipal Comprehensive Review (MCR) process. As part of the York Region MCR process, the lands are not intended to be maintained as employment through the Regional Official Plan (ROP) update process. The subject lands are presently drafted as “Community Area” as part of the update process. The “Linear and Other Open Space” designation exists on the property due to an existing woodland feature and water feature present on the lands. The subject Linear and Open Space designation will further be refined subject to the Lake Simcoe Region Conservation Authority review and comment.

**The Zoning By-law Amendment proposes to re-zone the subject lands from “Rural Zone (RU)” to “Townhouse Dwelling Residential Exception Zone R8(XX)”, “Second Density Apartment Residential Exception Zone RA2(XX)” and “Environmental Protection Zone (EP)”**

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.

## **Analysis**

**A preliminary review of the proposed applications undertaken by the Town and external agencies have identified comments to be addresses before a final recommendation report is prepared for Council’s consideration.**

Below are some preliminary comments to date to be addresses:

- The consideration of the subject applications relative to the Provincial Policies, existing Regional and Town policies to assess the appropriateness of the proposal.
- Access points require York Region approval
- Trail connectivity will be required, as per the Trails Master Plan

- Cash in lieu of parkland will be required.
- Confirmation that natural heritage area (Environmental Protection (EP) lands) be conveyed to the Town as this area is contiguous with adjacent Town EP lands and will support trail connectivity in consultation with LSRCA.
- The Stage 1 & 2 Archaeological Assessment prepared by AMICK Consultants Limited, concludes that no archaeological resources were identified within the property and that no further assessment is required. A letter from the Ministry of Tourism Culture and Sport is required to confirm that the assessment meets all the applicable standards and guidelines.
- The subject site is located within an area that is subject to the policies contained in the Source Protection Plan.
- The proposed development is considered to be 'Major Development' under the Lake Simcoe Protection Plan (LSPP). As a result, the proposed development is required to demonstrate conformity with the Stormwater Management policies (4.8 – 4.11 – DP) and Settlement Area policies (6.32 – 6.34-DP) of the LSPP.

## Public Comments

Planning Staff have received comments from members of the public to date.

The comments relate to:

- Change to residential use, should remain commercial;
- Traffic congestion;
- Flooding concerns at the intersection of Leslie/Wellington;
- Removal of wildlife habitat;
- Tree removals;

All comments received from the public will be reflected in the final recommendation report and presented to Council at a future General Committee meeting.

## Advisory Committee Review

Not applicable.

## Legal Considerations

Subsections 22(7) and 22(7.0.2) of the *Planning Act* states that if Council refuses the Official Plan Amendment application or fails to make a decision on it within 120 days

after the receipt of the application, the applicant (or the Minister) may appeal the application to the Ontario Land Tribunal (OLT).

Subsection 34(11.0.0.0.1) of the *Planning Act* states that if the passing of a Zoning By-law Amendment also requires an amendment to the Official Plan, and that if both applications are made on the same day, if Council refuses the Zoning By-law Amendment application or fails to make a decision on it within 120 days after the receipt of the application, the applicant (or Minister) may appeal the application to the LPAT.

## **Financial Implications**

There are no financial implications at this time.

## **Communications Considerations**

On May 26, 2022, a Notice of Public Planning Meeting respecting Official Plan Amendment and Zoning By-law Amendment was published in the *Auroran* and *Aurora Banner* newspapers. In addition, the notices were given by mail to all addressed property Owners within a minimum of 120 metres (393 feet) of the subject lands. A Notice of the Public Planning meeting sign was also posted on the subject lands. Public Meeting 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 Supporting an exceptional quality of life for all and enabling a diverse, creative and resilient economy and Strengthening the fabric of our community: working with the development community to ensure future growth includes housing opportunities for everyone.

## **Alternative(s) to the Recommendation**

1. That comments presented at the Public Meeting be addresses by Planning and Development Services in a report to a Future Public Planning meeting.

## **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 to Council for consideration at a future General Committee Meeting.

## **Attachments**

Figure 1 – Location Map

Figure 2 – Existing Official Plan Designation

Figure 3 – Existing Zoning By-Law

Figure 4 – Proposed Official Plan Designation

Figure 5 – Proposed Zoning By-law Amendment Designation

Figure 6 – Proposed Site Plan

Figure 7 – Proposed Renderings

Figure 8 – Proposed Renderings

Figure 9 – Proposed Renderings

Figure 10 – Proposed Renderings

## **Previous Reports**

N/A

## **Pre-submission Review**

Agenda Management Team review on June 2, 2022

## **Approvals**

Approved by Marco Ramunno, Director, Planning and Development Services

Approved by Doug Nadorozny, Chief Administrative Officer