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Town of Aurora

## Public Planning Report

No. PDS22-083

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**Subject:** Applications for Zoning By-law Amendment and Draft Plan of Subdivision  
Highfair Investments Inc.  
5 to 70 Archerhill Court  
Lots 1 to 14, Plan 65M-2494  
File Numbers: ZBA-2021-06 & SUB-2021-02

**Prepared by:** Sean Lapenna, Planner

**Department:** Planning and Development Services

**Date:** June 14, 2022

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### Recommendation

1. That Report No. PDS22-083 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 the proposed Zoning By-law Amendment and Draft Plan of Subdivision applications for the properties municipally known as 5 to 70 Archerhill Court (the 'subject lands'). The following is a summary of the planning applications:

- The applicant is proposing to re-develop the subject lands in order to accommodate 145 Single-Detached Dwellings, public streets and open space blocks;
- The applicant is proposing to rezone the subject lands from "Estate Residential (ER) Zone" to "Detached Third Density Residential Exception Zone R3(XX)", "Detached Fourth Density Residential Zone (R4)", "Detached Fourth Density Residential Exception Zone R4 (X1)", "Detached Fourth Density Residential Exception Zone R4 (X2)", "Public Open Space (O1) Zone" and "Environmental Protection (EP) Zone";

- A preliminary review of the proposed applications has been undertaken by Town departments and public agencies. Comments have been identified that need to be addressed before bringing forward a recommendation report to Council for consideration.

## **Background**

### **Application History**

A pre-consultation package for the proposed applications was issued on January 15, 2021. The applications for Zoning By-law Amendment and Draft Plan of Subdivision were received on August 4, 2021 and deemed complete on September 22, 2021.

### **Location / Land Use**

The subject lands are municipally known as 5 to 70 Archerhill Court and are located south of Wellington Street East and north of Vandorf Sideroad (Figure 1). The subject lands consist of 14 Estate Residential lots which currently accommodate 14 individual Estate Residential Dwellings as well a public road (Archerhill Court) which includes a cul-de-sac. The total combined lot area is 12.33 hectares (30.48 acres) and the total combined Lot Frontage is 241.48 metres (792.26 ft).

### **Surrounding Land Uses**

The surrounding land uses are as follows:

North: Open Space, Environmentally Protected lands and Detached Dwellings;  
South: Environmentally Protected lands, Vandorf Sideroad and Detached Dwellings;  
East: Bayview Avenue and Detached Dwellings;  
West: Open Space, Environmentally Protected Lands and Employment 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 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 within an area regulated by the Lake Simcoe Region Conservation Authority (LSRCA).

The Oak Ridges Moraine Conservation Plan (ORMCP) provides land use and resource management planning direction on how to protect the Moraine's ecological and hydrological features and functions. Official Plan Amendment No. 48 (OPA 48) was adopted by Council on October 22, 2003 to bring the Town of Aurora Official Plan into conformity with the ORMCP.

### **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.

### **Town of Aurora Official Plan**

The subject lands are predominantly designated "Stable Neighbourhoods" by the Town of Aurora Official Plan while smaller areas along the east and west borders of the existing subdivision are designated "Environmental Protection" (Figure 2).

The Stable Neighbourhood designation seeks to ensure that residential neighbourhoods are protected from incompatible forms of development, while also allowing neighbourhoods to evolve and be enhanced over time.

The Environmental Protection Designation is designed to identify, protect and enhance the environmental features and functions that form a strong and permanent Greenlands System.

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

The subject lands are zoned “Estate Residential (ER) Zone” by the Town of Aurora Zoning By-law 6000-17, as amended (Figure 3). Permitted uses in this zone include a detached dwelling, second suite, and home occupation.

## Reports and Studies

As part of complete application for the subject applications, the applicant has submitted the following documents for the proposed applications:

Table 1: Reports and Studies

Document	Consultant
Planning Opinion Report	Macaulay Shiomi Howson Ltd.
Draft Zoning By-law Amendment	Macaulay Shiomi Howson Ltd.
Draft Plan of Subdivision	MiCAD inc.
Urban Design Brief	The Planning Partnership
Landscape Master Plan	Macaulay Shiomi Howson Ltd.
Hydrogeological Investigation	R.J Burnside & Associates
Phase 1 Environmental Site Assessment	EXP Services Inc.
Noise Study	Valcoustics Canada Ltd.
Functional Servicing and Stormwater Management Report	SCS Consulting Group Ltd.
Preliminary Environmental Impact Study	Dillon Consulting
Slope Assessment	EXP Services Inc.
Transportation Impact Study	The Municipal Infrastructure Group Ltd.

## Proposed Applications

The applicant is proposing to re-develop the subject lands with 145 single-detached lots, public streets and open space blocks.

145 single-detached lots are proposed with lot frontages ranging from 11.0 m to 15.0 m frontages with an average lot area of 462.0 m<sup>2</sup> and average lot depth of 32.0 m. The existing dwellings will be demolished to accommodate the new development. The entrance will be from the existing Archerhill Court access (Figure 1).

The existing public right of way (Archerhill Court) is intended to be removed and replaced with a new 18.0 m wide municipal right-of-way in the form of a ‘ring road’ layout to provide access to all lots in the newly proposed community (Figure 4).

**The applicant is seeking a Zoning By-law Amendment with site-specific provisions to permit the Single-Detached Dwelling built-form proposed.**

A Zoning By-law Amendment is required to rezone the subject lands from its current “Estate Residential (ER) Zone” to several different zone categories in order to accommodate to the proposed lot sizes as well as site specific zone standards. A Draft Zoning By-law is currently under review by staff.

According to the applicant, 116 residential units are proposed for the “Detached Fourth Density Residential Exception Zone R4 (X1)”, 3 residential units are proposed for the “Detached Fourth Density Residential Exception Zone R4 (X2), 16 residential units are proposed for the “Detached Fourth Density Residential Zone (R4)” and 10 residential units are proposed for the “Detached Third Density Residential Exception Zone R3(XX)” for a total of 145 Single-Detached Dwellings (Figure 6). A variety of lot sizes have been proposed ranging from 11.0 m to 15.0 m in frontage, proposed lot coverage of 50% and building heights of 11.0 m.

Final Zoning standards will be evaluated by staff in detail prior to a final report and implementing by-laws being brought forward to council.

**The applicant is also seeking an associated Draft Plan of Subdivision application to establish the newly proposed lotting pattern, open space blocks and road network.**

A new subdivision is proposed to accommodate the new lotting pattern which includes 145 new single-detached lots, open space blocks along the east and west boundaries and new road network. In conjunction with the associated Zoning By-law Amendment application submitted, the latest Draft Plan outlines that approximately 6.697 ha (16.55 ac) is allocated for the 145 Single-Detached residential lots, 0.138 ha (0.34 ac) is allocated for park space, 3.198 ha (7.90 ac) is allocated for two Open Space Blocks, 0.014 ha (0.03 ac) for reserve blocks D & E along Vandorf Sideroad and 2.287 ha (5.65 ac) for the proposed road network internal to the site (Figure 4).

## **Analysis**

### **Department / Agency Comments**

**A preliminary review of the proposed applications has been undertaken by Town departments and public agencies. Staff have identified the following matters to be addressed in greater detail before bringing forward a recommendation report to Council for consideration:**

- Proposal will be reviewed in context of the Provincial Policy Statement, the Growth Plan as well as applicable Regional and Provincial Policies;
- Density;
- Lotting pattern contemplated through proposed plan of subdivision;
- Urban Design and Architectural Control;
- Considerations with respect to any existing environmental features;
- Site Servicing and Grading;
- Stormwater Management;
- Noise attenuation;
- Traffic and access;
- Pedestrian Connectivity
- Tree Protection;
- Parkland and Amenity space.

## Public Comments

Comments have been received from the public opposing the proposed planning applications and a following is a summary of cited concerns:

- Number of dwellings proposed is too high;
- Increased volume of traffic in the area & safety;
- Preservation of existing trees and environmental impact;
- Noise pollution.

In addition to this, the Town also received written correspondence outlining support for the proposed development as well.

## Advisory Committee Review

The Town's Accessibility Advisor reviewed the subject applications on behalf of the Accessibility Advisory Committee. Any final review comments that need to be addressed with the Accessibility Advisory will be done prior to approval of the subject applications, in the event that decisions of approval are rendered.

## Legal Considerations

Section 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).

Section 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, public body or other person that made oral or written submissions may appeal to the OLT after receiving notice of Council's decision.

These applications were received on August 4, 2021 and therefore, the applicant may appeal to the OLT at any time.

Lastly, in order to remove and replace Archerhill Court with the new proposed right-of-way shown on the draft plan, Council will be required to enact a by-law to permanently close Archerhill Court. In accordance with the notice requirements of the Town's Public Notice By-law, notice of the intention to pass the by-law must be given at least 14 days prior to Council's consideration of the by-law by posting an informational sign on the side of Archerhill Court. The by-law will not take effect until the by-law is registered on title.

## **Financial Implications**

There are no direct financial implications arising from this report.

## **Communications Considerations**

On October 7, 2021, a Notice of Complete Application respecting the Draft Plan of Subdivision and Zoning By-law Amendment Applications was published in the *Auroran* and *Aurora Banner* newspapers.

On May 25, 2022, notices were issued to all addressed property owners within 120 m of the subject lands. Signage on the subject lands was posted on May 19, 2022 with information regarding the Public Meeting. On May 26, 2022, 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*.

## **Climate Change Considerations**

The proposal is anticipated to generate an increase in greenhouse gas (GHG) emissions due to the increase in density. To better understand the impacts, staff will be requesting

a Green Development Report in accordance with Section 5 of the Official Plan as part of a future Site Plan application.

## **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 through the key objective within this goal statement, including: Collaborating with the development community to ensure future growth includes housing opportunities for everyone.

## **Alternative to the Recommendation**

1. Direct staff to report back to another Public Planning Meeting addressing any issues that may be raised at the June 14, 2022 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 to be received from the Public and Council at the June 14, 2022 Public Planning Meeting.

## **Attachments**

Figure 1 – Location Map  
Figure 2 – Existing Official Plan Designation  
Figure 3 – Existing Zoning  
Figure 4 – Proposed Plan of Subdivision  
Figure 5 – Proposed Landscape Master Plan  
Figure 6 – Proposed Zoning

## **Previous Reports**

Not applicable.

## **Pre-submission Review**

Agenda Management Team review on May 30, 2022



## **Approvals**

**Approved by Marco Ramunno, Director of Planning and Development Services**

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