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Town of Aurora

General Committee Report

No. PDS22-023

Subject: Applications for Zoning By-law Amendment, Site Plan and Heritage Permit
2578461 Ontario Inc.
15356 Yonge Street
PLAN 246 LOT 13 PT LOT 14 RP 65R31151 PARTS 1 TO 3
File Number: ZBA-2017-06, SP-2017-05, and HPA-2022-05

Prepared by: Brashanthe Manoharan, Planner

Department: Planning and Development Services

Date: June 21, 2022

Recommendation

1. That Report No. PDS22-023 be received;
2. That Zoning By-law Amendment Application ZBA-2017-06 be approved to rezone the subject lands from "Promenade Downtown Shoulder- Special Mixed Density 'PDS4(380)' Exception Zone, Environmental Protection 'EP(381)' Exception Zone, and Environmental Protection (EP) Zone" to ""Promenade Downtown Shoulder- Special Mixed Density 'PDS4(380)' Exception Zone and Environmental Protection 'EP' Zone";
3. That an implementing Zoning By-law Amendment be brought forward to a future Council Meeting for enactment;
4. That Site Plan Application SP-2017-05 be approved to permit the development of a four-storey residential apartment with 35 units with two levels of underground parking;
5. That Heritage Permit Application HPA-2022-05 be approved to permit the restoration of the Knowles-Readman House;
6. That servicing be allocated to service the development with 35 units (60 persons equivalent); and
7. That in accordance with Section 45 (1.4) of the Planning Act, 1990 R.S.O., as amended, an exemption to the two-year moratorium on minor variance applications after adoption of a privately initiated zoning by-law amendment be granted to permit

the submission of a minor variance application(s), if required, for consideration by the Committee of Adjustment.

Executive Summary

This report seeks Council's approval of Zoning By-law Amendment, Site Plan, and Heritage Permit applications for 15356 Yonge Street. The following is a summary of the planning applications:

- The applicant is proposing to rezone the subject lands from "Promenade Downtown Shoulder- Special Mixed Density 'PDS4(380)' Exception Zone, Environmental Protection 'EP(381)' Exception Zone, and Environmental Protection (EP) Zone" to ""Promenade Downtown Shoulder- Special Mixed Density 'PDS4(380)' Exception Zone and Environmental Protection 'EP' Zone" for the development of a a four-storey residential building
- The subject land is currently occupied by the Knowles-Readman House (designated under Part V of the *Ontario Heritage Act*), which is proposed to be retained in situ and integrated into the new development for a four-storey residential building
- The proposed Zoning By-law Amendment, Site Plan, and Heritage Permit applications are consistent with Provincial, Regional and Municipal policy documents
- The proposed development represents good planning and is appropriate and compatible with the host neighbourhood
- All circulated agencies and Town Staff are satisfied with the proposed development and have no objections to the proposed applications

Background

Application History

The subject Zoning By-law Amendment application was submitted to the Town on September 28, 2017, together with a site plan application to construct a 4 storey apartment building comprising of 37 units.

A Statutory Public Planning Meeting was held on November 22, 2017 whereby concerns related to compatibility with neighbouring properties as well as the Hillary House, encroachment into floodplain, scale and height of building, access point change in relation to an existing easement, etc. were raised.

As such, Council passed the following resolution at the November 2017 meeting:

1. That Report No. PBS17-083 be received; and
2. That comments presented at the Public Planning meeting be addressed by Planning and Building Services in a comprehensive report outlining recommendations and options at a future Public Planning meeting.

A second Public Planning Meeting was held on January 18, 2022. At this meeting, Council passed the following resolution:

1. That Report PDS22-003 be received; and
2. That comments presented at the Public Planning Meeting be addressed by Planning and Development Services in a report at a future General Committee meeting.

Location / Land Use

The subject land is municipally known as 15356 Yonge Street, and is located on the west side of Yonge Street, north of Irwin Avenue and immediately south of the Hillary House (Figure 1). The subject lands are approximately 2,556 m² (27,512.56 ft²) in area, with a frontage of approximately 20.16 m (66.14 ft).

The property contains a 2 ½ storey solid brick house, known as the Knowles-Readman House (the “House”) and constructed in an Edwardian Classicism architectural style. The House has a rectangular layout, with a projection towards the rear of the north side that gives the house a slight ‘L’ shape. The House has a wood clad two storey tail wing.

Surrounding Land Uses

The surrounding land uses are as follows:

North: Existing Institutional - Hillary House

South: Existing office use (Horton Hall) and single detached dwellings

East: Existing Institutional – Our Lady of Grace Roman Catholic Church

West: Single Detached residential dwellings

The subject property is located immediately south of the Hillary House. The subject property is adjacent to two properties designated under Part IV of the *Act* – Hillary House (15372 Yonge Street) and Horton Hall (15342 Yonge Street), and across the street from Our Lady of Grace Roman Catholic Church (15347 Yonge Street).

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 land is designated “Urban Area”, “Regional Greenlands System”, and “Regional Corridor” by the YROP. York Region’s vision for the Urban Area is to strategically focus growth while conserving resources to create sustainable lively communities. Under the YROP, a regional urbanization goal is to enhance the urban structure through city building, intensification, and compact, complete communities. York Region’s vision for the Regional Greenlands System is to identify, protect and enhance the Greenlands System and its functions to ensure a healthy system rich in native biodiversity.

Yonge Street is a regional road. Regional Corridors serve a critical role as the primary locations for the most intensive and greatest mix of development within the Region. They are planned to be an urban form and design that is compact, mixed-use, oriented to the street, pedestrian and cyclist-friendly, and transit supportive.

The subject land is located within Wellhead Protection Area B. The subject land is not located within the Oak Ridges Moraine Conservation Plan area.

Town of Aurora Official Plan

The subject land is designated as “The Aurora Promenade”. More specifically, it is designated as “Downtown Shoulder” and “Promenade General” by the Town of Aurora Official Plan (Figure 2). Residential uses (including apartment buildings) are permitted within the “Downtown Shoulder” and “Promenade General” designations.

The intent of the “Downtown Shoulder” is to protect and reinforce the Area’s heritage ‘residential’ character and identity. There is potential for infill development, so long as it is sensitive to heritage resources and adjacent neighbourhoods. Careful regulation of land uses and control over the scale and placement of infill structures is required to enhance the pedestrian experience.

The intent of the “Promenade General” is to promote transformation into a vibrant, pedestrian oriented mixed-use area. Change will primarily occur through the introduction of higher densities in high quality mid-rise forms placed close to the street, while providing appropriate transitions to adjacent neighbourhoods.

Schedule “D” of the Official Plan identifies the property as designated under Part V of the *Ontario Heritage Act*.

Northeast Old Aurora Heritage Conservation District Plan

In 2006, Town Council passed By-Law 4804-06.D to designate an area of the Town known as Northeast Old Aurora as a Heritage Conservation District, which area includes 15356 Yonge Street. Town Council also passed By-Law 4809-06.D to adopt the “Northeast Old Aurora Heritage Conservation District Plan” as the document to guide the preservation, redevelopment and alteration of the properties and streetscapes located within the boundaries of the District. The intent of the District Plan is to establish objectives, policies, and guidelines to ensure the conservation of heritage resources and to guide future development so that it enhances the area’s special heritage character.

As per Section 9.5.3.5 of the District Plan, the subject land is considered a High Value Heritage Property, whereby existing buildings will be conserved, any new construction on the lands will be at the rear of the lots, and any new construction will be architecturally sympathetic to the principal building.

Zoning By-law 6000-17, as amended

The subject land is currently zoned Promenade Downtown Shoulder- Special Mixed

Density 'PDS4(380)' Exception Zone, Environmental Protection 'EP', and Environmental Protection 'EP(381)' Exception Zone by Zoning By-law 6000-17, as amended (Figure 3). The 'PDS4(380)' Exception Zone permits a site specific development of 6 dwelling units comprising of one single detached dwelling and one block of Townhouse Dwelling with a maximum of 5 units. The EP(381) Exception Zone permits private open space, decks and fences related to Townhouse Dwellings. The existing site-specific Zoning By-law was approved by Council in 2009. The Site Plan application for the townhouse proposal was never executed by the owner.

An amendment to the Zoning By-law is required to facilitate the development of the proposed four (4) storey residential apartment building on the subject land.

Reports and Studies

Reports and Studies submitted as part of a complete application were outlined in Report No. PBS17-083 dated November 22, 2017.

Proposed Applications

Zoning By-law Amendment

The applicant is proposing site specific amendments to the Promenade Downtown Shoulder-Special Mixed Density 'PDS4(380)' Exception zone, "Environmental Protection – EP" and "Environmental Protection – EP(381) – Exception" zone categories to permit a four (4) storey apartment building with 35 units and the retention of the existing detached dwelling on the subject lands, which is counted as an additional 1 unit for a total of 36 units (Figure 5). The applicants propose to utilize a portion of the EP lands for the development and maintain the remaining westerly portion of the EP lands.

The applicant is requesting to allow all permitted uses within the PDS4 Parent Zone on the lands, which includes a variety of low and medium density residential uses and limited commercial uses such as Offices, Day Care Centres, Personal Service Shops and limited Retail uses. It is noted that the existing detached dwelling on the lands (the Knowles-Readman House) is proposed to be restored and used as a detached residential use comprising one dwelling unit.

Site Plan Application

A site plan application (SP-2017-05) has also been submitted concurrently with the Zoning By-law Amendment application. As illustrated in Figure 5, the proposed site plan application is to conserve and restore the Knowles-Readman House and integrate the

House into the development of a four-storey residential apartment building with 35 units, with two levels of below-grade parking on the subject lands.

The House is proposed to be used as a single residential dwelling unit, therefore totaling 36 residential units proposed on the subject lands.

For vehicular access to the lands, the proposal proposes a single access point from Yonge Street. The access point is proposed to be shared between the subject lands and the Hillary House property to the north. The Ontario Heritage Trust (OHT) holds a heritage easement agreement on the Hillary House property. As such, a heritage easement is proposed to preserve the House on the subject lands, making the OHT the final approval authority over the shared access to the Hillary House.

Heritage Permit Application

A heritage permit application (HPA-2021-14) for the removal of the entire tail wing located at the rear of the House was approved by Council on November 23, 2021. The removal of the tail wing will allow the construction of underground parking, loading, and waste storage areas.

A further heritage permit application (HPA-2022-05) has been submitted to permit the restoration and integration of the Knowles-Readman House (the "House") into the new development. The House will be treated as a separate building with one residential unit, with parking for the House provided in the underground parking garage of the proposed development. The front and the majority of the south side yards adjacent to the House will be retained as green space as will some of the rear of the property. Vehicle access to the property will be from a northern expansion of the existing driveway at Yonge Street, which will service both the subject property and the Hillary House property.

The following section will outline the extent of the proposed conservation and restoration works of the House:

- **Retaining Wall** - The portion of the retaining wall extending beyond the west wall of the House is proposed to be removed to facilitate a walkway to the north of the House and a new curved portion of retaining wall built.
- **Fire Escape** - The metal Fire Escape attached to the House is proposed to be removed and discarded. It has been determined that it is not required for the reuse of the House. All associated openings and the required brick and mortar repairs will be done.

- **Front Porch** -The existing front porch will be inspected to determine whether the structural elements remain sound, resulting in only conservation works in situ. In the event that the porch is not structurally sound, it will be delicately dismantled, documented, and discarded.
- **Foundation Plantings** - All existing foundation plants are proposed to be removed in a manner that will not damage the House. The planting will be discarded and the ground will be temporarily leveled to prevent damage to the House.
- **Restoration/ Conservation – Exterior**
 - **Foundation** – The poured concrete and concrete block portions of the foundation will be waterproofed to ensure that drainage is away from the House and will be matched to the closest extent possible. Footings for the porches will be confirmed for structural integrity and rebuilt as required.
 - **Masonry** – Cracks, areas of deterioration, opening, etc. will be infilled and repointed as required. Where replacement of bricks is required, they will match the original bricks to the closest extent possible. Sills and lintels will be moulded and repointed where necessary.
 - **Chimneys** – Two (2) existing chimneys are to be retained. Masonry will be inspected, repaired and repointed as required. Through inspections, if it is determined that the chimney(s) are not functional, they will be capped to permit its ventilation.
 - **Masonry Cleaning and Waterproofing** –Areas of tars, caulking, and other sealants found on bricks may be removed using non-abrasive techniques (i.e., sandblasting, sanding, hydro blasting).
 - **Roofing, Soffits, Frieze, Fascia, and Eaves Troughing** – Roof cladding is to be replaced with asphalt shingles in a grey colour. Existing roof boards will be inspected for damages and repaired accordingly. Existing soffits, frieze, fascia, and eaves troughing may be retained, except in the roof gables, but must be repaired if damaged.
 - **Roof Gables** – The gables on the east, north, and south elevations and dormer window are attributes of the House. East and north gables are to be restored to their original condition. Restoration of the gables may require removal of paint and synthetic materials. South dormer may be repaired as required.
 - **Porches** – Front and north side porch have been altered. The porches will be restored to their original appearance. Front porch will be restored using salvaged materials from the existing front porch and new materials

designed with salvaged materials as templates. The restored front porch will continue to maintain the triple corner posts and the full balustrade in both upper and ground levels. A new unobtrusive barrier will be installed behind the upper floor balustrade. North side porch will be restored to incorporate a single post and balustrade identical to the front porch. Stairs on the front and side porches may remain as concrete steps.

- **Windows** – The intent is to restore the original appearance of all windows on the south, east, and north elevations, except for upper floor window of east elevation, which has been previously enlarged. Window frames and sashes will be repaired and duplicated as necessary. Upper floor window on the east elevation will be repaired and reconstructed to match the 1982 photograph (Figure 5.16 of Attachment 1).
- **Doors** – Front door on east elevation will be restored. Wooden storm doors will be added to all door openings on east elevation. Door opening on south and west elevations is proposed to be removed.
- **Exterior Painting** – The existing exterior paint colours are cream in colour on all trim, white on cedar cladding in the gables, and dark brown for the doors. The paint in the cedar cladding in the gable will be removed to leave the natural wood finish.
- **Landscaping** – The intent is to retain and enhance the front and south side yard landscape features. Proposed tree removal is detailed further in this report.
- **Restoration/ Conservation – Interior**
 - Although a Heritage Permit is not required for interior alterations, Section 5.4 of the Preliminary Conservation Plan details restorations of the interior elements. This includes but is not limited to the restoration of the staircase, window and door casings, etc.
- **Proposed Rear Development - Four-storey residential apartment building with 35 units** - The residential apartment is designed with wood-style paneling, warm materials and colour palette, vertical and horizontal articulation on the north building façade (Appendix A).

Analysis

Since the January 18, 2022 Public Planning meeting, the applicants worked extensively in collaboration with Planning and Heritage staff to respond to comments and have focused on various technical matters such as the site design, servicing, sustainable design elements, and landscaping.

Planning Considerations

Provincial Policy Statement (PPS)

In accordance with Section 3 of the Planning Act, all land use decisions in Ontario shall be consistent with the PPS. The PPS recognizes the importance of local context and character. Policies are outcome oriented and provide for flexibility in their implementation, provided that provincial interests are satisfied.

The proposed development provides for intensification of an underutilized site in an efficient and cost-effective form within an area promoted for revitalization and intensification. The proposal includes a mix of 1, 2 and 3 bedroom apartment units and one single detached dwelling unit within the existing Knowles-Readman House. Cumulatively, this mix of unit types and forms is able to accommodate varying household sizes whereas the existing housing stock in the area and Town as a whole is predominately larger, single-detached dwellings.

The proposal will supplement the range of housing types available in the Town and the Aurora Promenade, in a location with quick access to local and regional transit. The proposal also represents an intensified development in a more urban form compared to the previously approved plan for the Subject Site. Therefore, staff is of the opinion that the proposed application is consistent with the PPS.

Places to Grow Plan for the Greater Golden Horseshoe

The Growth Plan intends to guide land development by encouraging compact built form, diverse land uses, a range of housing types and using existing infrastructure. The Growth Plan encourages the concentration of population and employment growth to locate within built up settlement areas and promotes the development of complete communities that offers access to local amenities, and connections to municipal water and wastewater systems. Staff is satisfied that the proposed application is consistent with the Growth Plan.

To support the achievement of complete communities, municipalities are also required to consider using tools to require a mix of unit sizes which accommodate a diverse range of household sizes and incomes to be incorporated into multi-unit residential developments. Though the proposed apartment is relatively small compared to many other multi-unit residential developments, it still incorporates a mix of 1, 2 and 3 bedroom units. These units are likely smaller in size than much of the existing housing stock in the Town and so should offer relatively affordable housing options.

It is Planning Staff's opinion that the proposed development supports the objective of complete communities by providing for a mix of housing types and tenures to the community, while providing an appropriate built form transition to the existing community.

Lake Simcoe Protection Plan (LSPP)

The subject lands are located within the regulated area of the LSPP. The proposed development also constitutes major development under the LSPP (defined as the construction of a building or buildings within a ground floor area of 500 m² or more).

All floor levels in the development will be above both the 100 year and regional flood elevations. Specifically, the lowest floor in the building (P2 level) has a finished floor elevation of 255.3 metres while the lowest floor with any residential units (level 1), has a finished floor elevation of 261 metres. Small portions of these floors project above areas of the site that are within the floodplain, and are supported by piers which allow floodplain storage to continue to be provided beneath the building. Beyond this, the remainder of the rear area will be maintained in a natural state and enhanced with new on- and off-site landscaping and an infiltration basin to promote groundwater infiltration.

The Zoning By-law Amendment is required to rezone a small part of the rear portion of the site from EP to the PDS4-380 exception zone that will permit the proposed development. This applies to the small areas where building floors are projecting well above the floodplain. The LSRCA is satisfied in this regard. All grading, landscaping and building design details will be implemented through the Site Plan application to ensure that the stormwater and floodplain management strategies are successfully implemented.

The LSRSA has provided conditions of approval to assist with this detailed implementation and does not have any concerns with the proposal. Therefore, staff are of the opinion that the proposed development conforms with the applicable designated policies of the Lake Simcoe Protection Plan.

York Region Official Plan (YROP)

Section 1.0 of the YROP, provides the triple bottom line objectives towards a sustainable Region. These objectives include: having a sustainable natural environment, creating healthy communities, and ensuring economic vitality.

The Regional Municipality of York has reviewed the subject Zoning By-law Amendment application and have no objection. York Region's comments pertain to matters that will

be required to be address through the Site Plan Agreement. Planning Staff have reviewed the YROP, and support Regional Staff's comments.

Town of Aurora Official Plan

The proposed residential apartment is permitted within the "Downtown Shoulder" and "Promenade General" designations, therefore an amendment to the Official Plan is not required to facilitate the proposed development.

Section 3.2 identifies the Aurora Promenade as consisting of the Yonge Street and Wellington Street corridors, which "have been identified as strategic areas planned to accommodate new growth through intensification". Being within the built boundary and the Aurora Promenade, the proposed development is considered as intensification. Further, the retention and restoration of the existing Knowles-House Readman House will maintain its prominent location along Yonge Street while also being easily accessible by active transportation and public transit.

Planning Staff are of the opinion that the proposed application complies with the land-use and development policies of the OP and is compatible with surrounding land uses. Further, the proposal respects the existing character of the host neighbourhood through compatible and complementary building siting, massing, height and scale.

Northeast Old Aurora Heritage Conservation District Plan

In addition to the subject property being located within the Aurora Promenade, it is also located within the Northeast Old Aurora Heritage Conservation District Plan. The proposed development will preserve and restore the Knowles/Readman House and provide a generous separation between the new and existing buildings, locating the new building on the western edge of the District. This will preserve the village-like streetscape and character along this stretch of Yonge Street while allowing for appropriate growth and intensification within an intensification area and Regional Corridor.

The District encompasses three (3) heritage properties of very high value including Horton Place, Readman House, and Hillary House, all on the west side of Yonge. This was once the prestige residential area of the Town, with Doan Castle and the Fleury Mansion on the church site on the east side of the street. As per section 9.5.3.2 of the District Plan, new development should respect and enhance the historic built form of their host neighbourhoods. As such, the proposed development will consider the view sheds and heritage context in relation to the Hillary House.

As per Section 9.5.3.5 of the District Plan, the subject land is considered a High Value Heritage Property, whereby existing buildings will be conserved, any new construction on the lands will be at the rear of the lots, and any new construction will be architecturally sympathetic to the principal building. The new building will be located at the rear of the subject property. As such, the design of the new building will have secondary importance to persons viewing the area from Yonge Street. Further, the new apartment building, including balconies and canopy, will be set back between 13.2 metres (43.4 feet) and 17.4 metres (57 feet) from the House above grade. The new building is contemporary in design and will introduce a modern architectural style while utilizing exterior materials that relate to the heritage buildings on and adjacent to the subject property (see Appendix A).

Staff note that significant changes to the proposed development's massing have been successfully made (i.e., reduction in height and GFA reduces appearance, refinements to the exterior materials have made the proposed development more sympathetic to the surrounding neighbourhood, screening to the exposed portions of below-grade parking via masonry and wood-style panelling).

A Preliminary Heritage Conservation Plan (Appendix B) prepared by a professional architect and by a recently retired member of the Canadian Association of Heritage Professionals addresses conservation efforts for the exterior of the House, interior of the House, and the front and south side yard landscapes.

The work to implement the Conservation Plan will occur in the following sequence:

- Demolition and, where necessary, salvaged;
- Masonry work – both brick cladding and concrete foundation;
- Exterior woodwork including window repairs and restoration of porches;
- Exterior painting; and
- Interior woodwork.

As part of the restoration efforts, the Conservation Plan has documented a number of historic photographs of the exterior of the House as well as the front yard. This has enabled the basis for the restoration so that the attributes can be accurately preserved and restored. As outlined in Section 3.4 of the Plan, the exterior appearance of the two and a half storey, red brick, residential structure will be maintained and restored through inspections, masonry repairs, non-abrasive cleaning techniques, and recreation of missing features. Openings that are not original to the House (i.e., upper floor door on north elevation may be removed. No new openings on any of the elevations are permitted.

It is recommended that the owner commemorate the heritage value of the property and the House through the erection of a plaque, which would provide information about the House. Plaque wording and location will be approved by the Planning Division.

Cost estimates for implementing the Plan will be finalized once the Site Plan has been approved. 100 per cent of the submitted cost estimate will be collected as a security through the site plan agreement process. Securities will be released upon submission of documentation of completed site works and site visits from Town staff.

As a condition of Site Plan Approval, the owner is required to enter into a Heritage Easement Agreement. As such, staff are satisfied that the proposed restoration works for the House will improve the overall appearance and will restore the original heritage character of the building.

The proposed application is appropriate and compatible with the surrounding neighbourhood.

Planning staff are of the opinion that the subject application is appropriate and compatible with adjacent and neighbouring development, and that the By-law exception is appropriate to facilitate the development. The rezoning which resulted in the current zone provisions for the subject property established detailed provisions that were tailored around the previous townhouse proposal. As the existing dwelling will be retained, the amendments consider the provisions as it relates to the proposed apartment building.

Further, should Council grant approval to Zoning By-law Amendment application ZBA-2017-05 the implementing Zoning By-law Amendment will include a sunset clause.

Planning Staff's analysis of how each amendment is appropriate and compatible is outlined below.

Permitted Uses

The proposed Zoning By-law Amendment will introduce one apartment building in addition to the uses permitted in Section 8.1 of the Zoning By-law while recognizing the existing Knowles-Readman House as a single detached dwelling.

Interior Side Yard Setbacks and Separation Distance

The existing interior side yard setbacks allow for a more dense, urban form of development that is reflective of a downtown environment. The proposed setbacks are a relatively minor deviation from the existing setbacks that will allow an adequate separation from the surrounding buildings and abutting properties.

Further, recognizing the unique and existing context of the subject property, the proposed amendment requires the apartment building to have a minimum separation distance of 12m from the existing Knowles-Readman House. This is significantly greater than the required 2.0m. This is considered an appropriate separation and will clearly distinguish the new building from the existing House.

Lot Coverage and Height

The existing maximum lot coverage is 35 per cent for the Downtown Shoulder area of the Aurora Promenade. The requested 45 per cent lot coverage will allow the proposed development footprint which includes the proposed apartment building as well as the existing detached dwelling.

Regarding the proposed height, the proposed apartment building is four-storeys in height, which is under the maximum allowable height requirement in the Official Plan. The maximum height of 20m for the proposed apartment building represents an appropriate transition in accordance with the policies of the OP.

Manoeuvring Space and Natural Hazard (NH) Overlay Zone

The Zoning By-law requires parking aisles with 90-degree parking to have a minimum width of 7.0. The underground parking garage in the proposed development includes aisles with functional widths ranging from 6 to 6.5 metres. The applicant has demonstrated to the satisfaction of the Town's traffic/Transportation Analyst that the proposed 6.0m maneuvering space is sufficient for site circulation.

The new By-law identifies the western portion of the subject property as being within the Natural Hazard Overlay Zone, in recognition of the regional floodplain where parking spaces cannot be provided in the overlay zone. Recognizing that parts of the underground parking project horizontally into the overlay zone but that the floors are above the geodetic elevation of the floodplain, the amending By-law includes a provision exempting the subject site from this provision.

Amenity Area

With the proposed mix of built-forms on the subject lands, the Amenity Area provisions of the Zoning By-law may be difficult to calculate and administer – especially as the previous townhouse proposal does not commonly have an internal amenity area as the By-law requires. The proposed development provides a combination of communal indoor and outdoor amenity space and private outdoor amenity space, exceeding the overall requirement. The Draft Zoning By-law provides specific requirements for indoor and outdoor amenity areas, in order to ensure compliance with the Zoning By-law.

Landscape Strip

The subject property has a compact footprint which necessitates a compact built form. The Zoning By-law requires a 3.0m continuous landscaped strip along the side lot lines. Given the existing site conditions, there are some areas of the site which provide a slightly reduced landscape buffer which other areas will provide substantial buffers with a combination of landscaping, setbacks, and fencing. The applicants are proposing significant on-site landscaping, as well as significant off-site landscaping on the Hillary House site and other neighbouring properties.

The amending Zoning By-law incorporates the varying landscape buffer conditions, which will ensure that landscape buffers are provided in all areas, including larger buffers in strategic locations such as the rear property line. Further, the landscape matters were considered by the Heritage Advisory Committee on May 2, 2022, whereby the Committee expressed their strong support to the approval of the applications and did not identify any landscaping concerns.

The owner will also be providing a financial contribution to the Town for additional tree planting elsewhere in the area. As such, the proposed development maintains the intent of the Landscape Design Guidelines and will provide for an improved landscaped condition for the property.

Department / Agency Comments

All circulated agencies and Town Staff are satisfied with the proposed development and have no objections to the proposed applications

The proposed applications were circulated to all internal and external agencies for review and comments. In general, all circulated agencies are satisfied with the revisions and have no further comments at this time. Any technical matters will be resolved prior to the execution of the site plan agreement.

Planning and Development Services – Development Engineer

The Town's Development Engineer has no objections to approval, in principle, of the Site Plan application and are accepting of the Green Development Standards report and Construction Management Report submitted as part of the third submission. Any remaining comments on the latest technical submission will be addressed prior to execution of the site plan agreement.

Ontario Heritage Trust (OHT) and Aurora Historical Society (AHS)

In an e-mail dated December 8, 2021, the OHT expressed their general support for the location of the shared access as the new proposal that retains more of the existing trees, the design of the apartment building, its materials, and colour scheme. The Trust believes that the trees retained during construction and the proposed new plantings after construction will provide sufficient natural screening between the two properties.

Further, the President, Aurora Historical Society (AHS), spoke in support of the proposed development during the January 18, 2022 Public Planning meeting, noting that the applicant, in consultation with the AHS and the OHT, has taken into consideration ways to mitigate any impacts to the Hillary House and preserve its heritage value. It was further noted that the applicant has entered into a binding legal agreement with the AHS to ensure the measures are followed.

Parks Division

A complete arborist report with tree preservation, removal, and compensation recommendations have been prepared and reviewed by staff. Earlier on in the process, the site layout was revised to shift the building further south in order to preserve as many trees as possible to minimize impacts on the Hillary House, a designated National Historic Site. Notwithstanding this, the owner has proposed and committed to significant off-site landscape improvements, as mentioned previously.

Further, there has been on-going collaboration with the neighbouring property owners for several years and now whereby the landscape plans and proposed off-site landscaping have been discussed. The property owners have offered their support of the proposed off-site planting and prefer that this occur following construction in order to optimally site the new trees to maximize their benefit for buffering.

Staff note that the additional landscaping will provide further screening from adjacent properties, including the Hillary house, and will further enhance the natural aesthetic of

the area. Significant off-site landscape is proposed to provide additional screening, increased privacy, noise attenuation for adjacent properties and residents.

Lake Simcoe Region Conservation Authority

The EIS submitted by the applicant has confirmed through background and investigations that the proposed development will occur within an anthropogenic area where no natural heritage features are present. Further, the portion of the building that will be within the EP(381) lands generally incorporate the “footprint of the building, albeit at the upper levels which are well above the floodplain in terms of geodetic elevation. The only “structure” at grade and within the floodplain are piers on which the upper levels of the building sit and cantilever over. There are no residential uses in this within the refined flood line, only parking, some amenity, storage, and certain walkways.

Further, there is a small off-site wooded area which does not meet the criteria to be considered significant and Tannery Creek is approximately 100 m from the proposed development. As such, that portion of the EP lands in the rear will be maintained. This has been accepted by the LSRCA.

The applicant has prepared and submitted a Stormwater Management Plan, detailed engineering grading plans, and a Floodplain Impact Assessment to assess potential impacts on both stormwater and the floodplain. The Stormwater Management Plan demonstrates that stormwater on the subject site will be captured, controlled and released at a rate that is equal to the pre-development 2-year storm flow, thus ensuring that existing drainage patterns are maintained. The Floodplain Impact Assessment determined that there will be negligible impacts on the floodplain, with upstream properties not anticipated to be impacted.

The applicants have engaged regularly and directly with the Lake Simcoe Regional Conservation Authority (LSRCA) to finalize technical documents related to stormwater management and the floodplain. The applicant’s have received LSRCA’s sign-off on the Floodplain Impact Assessment and have provided their conditions of approval to be included in the site plan agreement.

Central York Fire Services

Central York Fire Services (CYFS) has reviewed the application and have confirmed that all comments have been addressed satisfactorily. As such, CYFS has no objection to site plan approval.

Public Comments

Planning Staff have received comments from the public on the proposed planning application. Comments provided at the Public Planning Meeting include the following:

Concerns relating to impacts on neighbouring properties including sewage/drainage systems from the new development, storm water run-off, snow thaw during Spring months, safety issues during and post construction, overflow parking into neighbourhood, and landscaping concerns.

Response to Public Comments

Further to the commitments made to Council and Staff during the planning process, the applicants have continued to freely meet and engage with area residents and provide responses to their questions and concerns.

The applicants and owner hosted an in-person meeting in Aurora on April 25, 2022, with 5 area residents to respond to specific concerns and comments they had raised at the January 18, 2022 Public Planning meeting. Although some background related to changes to the proposed development were presented again, the primary focus was on matters related to construction management and landscape enhancements. More specifically, a detailed review of the proposed Construction Management Plan was provided, including addressing working hours on site, noise and vibration, erosion and sediment control, dust and mud control, pedestrian safety, temporary trade parking and truck access and routes, as well as the health and safety plan and lines of communication.

Residents have expressed satisfaction in how the Applicant and Planning Team have openly engaged and responded to their concerns, firstly in making changes to the proposal and subsequently in providing additional details and commitment for the construction stage through the construction management plan and an open line of communication. Lastly, those residents who were in attendance who live directly adjacent to the proposed development are in support of the proposal to provide off-site landscape enhancement with some additional planting for screening and prefer that the planting occur following construction such that it is optimally sited to maximize the benefit.

Advisory Committee Review

The Heritage Advisory Committee discussed Heritage Permit Application HPA-2022-05 at its meeting on May 2, 2022. The Committee and staff further discussed about the

site-specific zoning requirements and compliance with the Northeast Old Aurora Heritage Conservation District Plan. The Committee expressed their strong support for the application.

Legal Considerations

Section 34(11) of the *Planning Act* states that if Council refuses a 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. This application was received on September 28, 2017 and therefore, the applicant may appeal to the Tribunal at any time.

Further, in accordance with section 41 of the *Planning Act*, the owner may appeal a site plan application if Council fails to approve the application within thirty (30) days of the application being submitted. The owner may also appeal any of the Town's conditions, including the terms of a site plan agreement. There is no right of appeal for any other person. If Council approves this application, Legal Services will review any agreements required to implement final approval.

Under Section 42 of the *Ontario Heritage Act*, any developments or alterations that would potentially impact the heritage character of a property located within a Heritage Conservation District requires Council's consent. This legislative requirement is implemented in the Town of Aurora through the process of a Heritage Permit Application, which is subject to Council's approval in consultation with the Heritage Advisory Committee. Council must make a decision on a heritage permit application within 90 days after the notice of receipt is served on the applicant, otherwise Council shall be deemed to have consented to the application. The 90-day deadline for this permit application is July 7, 2022. Council may extend the review period of a heritage application in a heritage conservation district without any time limit under the *Ontario Heritage Act* provided it is agreed upon by the owner.

If Council refuses the application, the owner may appeal the refusal to the Ontario Land Tribunal.

Financial Implications

All applicable development fees and charges in this regard have been and will continue to be collected by the Town as required.

Communications Considerations

On November 2, 2017, a Notice of Complete Application and Public Planning Meeting was published in the Auroran and Aurora Banner newspapers and given by mail to all addressed property owners within a minimum of 120 m (393.7 ft) of the subject lands. A Notice of Public Planning Meeting sign was also posted on the subject lands fronting Yonge Street.

On December 23, 2021, a Notice of Public Planning Meeting was published in the Auroran and Aurora Banner newspapers, issued by mail to all addressed property owners within 120 metres (393.7 ft) of the subject property, and all interested parties of the applications. Signage on the property was posted on December 22, 2021, with information regarding the public meeting. Public 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.

Public notification of the General Committee meeting was given in accordance with the requirements of 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. However, the applicant is applying several design elements that will mitigate the impact on GHG emissions such as Low Impact Development (LID) strategies that will take the run-off from the development and will discharge to an infiltration bed to maintain the water balance for the site. The applicants are also proposing drought resistant and native plant/tree species planting to ensure that the landscaped areas are healthy and can survive the Canadian climate.

The project increases the Town's ability to adapt to climate change by incorporating the white roof feature to help lower the temperature of the building on warm days while also supporting the reduced air conditioning usage. Additionally, there is increased insulation on the roof for securing the gear during winter months. Building upon the efficiency of the building materials, further energy modeling has been conducted to maximise energy efficiency. This includes tailoring solar heat gain coefficient of glazing to benefit from solar gain during the winter months but not summer months.

A key element of the proposal is sensitive infill development that will support the creation of a compact and mixed-use growth community. The proposed development encourages walking, transit use and supports transit infrastructure and provides for additional housing options in an area that is well served by other services and amenities, creating more vibrant streets and sustainable living. This project supports the objectives from the Community Energy Plan, and Section 5 of the Official Plan.

Link to Strategic Plan

The proposed Zoning By-law Amendment supports 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, housing opportunities are created that collaborates with the development community to ensure future growth includes housing opportunities for everyone.

Alternative(s) to the Recommendation

1. That Council provide direction.

Conclusions

Planning and Development Services reviewed the proposed Zoning By-law Amendment, Site Plan, and Heritage applications in accordance with the provisions of the Provincial, Regional, the Town's Official Plan, Zoning By-law and municipal development standards respecting the subject lands. The development proposal represents good planning, conforms to Provincial and Regional policies, and will provide a diversified housing stock for the Town.

The proposed application is considered to be in keeping with the development standards of the Town. Therefore, staff recommend approval of the proposed Zoning

By-law Amendment application ZBA-2017-06, Site Plan application SP-2017-05 and Heritage Permit application HPA-2022-05.

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 6 – Proposed Elevations – North

Figure 7 – Proposed Elevations – South

Figure 8 – Proposed Elevations – West

Figure 9 – Proposed Elevations – East

Figure 10 – Street view Rendering

Appendix A – Materials Board

Appendix B - Preliminary Heritage Conservation Plan

Previous Reports

Public Planning Report No. PBS17-083 - dated November 22, 2017

Public Planning Report No. PDS22-003, January 18, 2022

Heritage Memorandum - Heritage Permit Application File: HPA-2022-05 – May 2 2022

Pre-submission Review

Agenda Management Team review on June 6, 2022

Approvals

Approved by Marco Ramunno, Director, Planning and Development Services

Approved by Doug Nadorozny, Chief Administrative Officer