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Town of Aurora
General Committee Report
No. PDS20-071

Subject: Application for Draft Plan of Subdivision
15370 Leslie (Skale) Inc.
15370 Leslie Street
Part Lot 2, Concession 2
File Number: SUB-2019-02
Related File Numbers: ZBA-2017-02 and SP-2017-02

Prepared by: Matthew Peverini, Planner

Department: Planning and Development Services

Date: December 1, 2020

Recommendation

1. That Report No. PDS20-071 be received; and
2. That the Draft Plan of Subdivision file No. SUB-2019-02 to create one block on a plan of subdivision to facilitate the future development of four common elements condominium townhouse blocks be approved, subject to the conditions of approval attached hereto as Schedule 'A'.

Executive Summary

This report seeks Council's approval of a proposed Draft Plan of Subdivision application located at 15370 Leslie Street (the 'subject lands').

- The proposed Draft Plan of Subdivision will facilitate the future development of four townhouse blocks containing a total of 32 freehold units on parcels of tied land ('POTL');
- In September 2018, Council approved Zoning By-law Amendment (ZBA-2017-02) and Site Plan (SP-2017-02) applications, to facilitate a townhouse development;
- The proposed application is consistent with the Provincial Policy Statement;
- The proposed application is consistent with A Place to Grow: Growth Plan for the Greater Golden Horseshoe;

- The proposed application conforms to the Lake Simcoe Protection Plan;
- The proposed application conforms to the York Region Official Plan;
- The proposed application maintains the intent of the Town of Aurora Northeast 2C Secondary Plan (OPA 73), and the Town's Comprehensive Zoning By-law 6000-17, as amended;
- The proposed application was circulated to all internal and external agencies for review and comments. All circulated agencies are satisfied with the revisions and have no objections, subject to conditions of approval included as Schedule 'A'.

Background

Application History

The application for Draft Plan of Subdivision was deemed complete on November 6, 2019. A Statutory Public Planning Meeting was held on January 21, 2020, and at this meeting, Council passed a resolution referring the application back to Staff to address comments presented at the meeting, and report back to General Committee. Minutes of the Public Planning Meeting are attached as Appendix 'A'.

On September 18, 2018, Town of Aurora Council approved Zoning By-law Amendment application ZBA-2017-02 and Site Plan Application SP-2017-02, for the development of four townhouse blocks totaling 32 dwelling units on a private road. A history of previous planning applications for the subject lands is discussed in Public Planning Report PDS20-007, dated January 21, 2020.

Location / Land Use

The subject lands are municipally known as 15370 Leslie Street, and are located on the west side of Leslie Street, north of the intersection of Wellington Street East and Leslie Street (see Figure 1). The subject lands have a lot frontage of approximately 58.3 m (191 ft) and lot area of approximately 1.12 hectares (2.8 acres). A one-storey residential dwelling, accessory structure, and a man-made pond currently exists on the subject lands along with one driveway that provides access to Leslie Street at the northeast corner of the site. The site generally slopes from the southeast to the northwest toward the natural heritage lands located north of the subject lands. Vegetation exists on the subject lands, generally located around the perimeter of the lands.

Surrounding Land Uses

The surrounding land uses are as follows:

North: Low-medium density residential;
South: Salvation Army Northridge Community Church
East: Leslie Street, Stormwater Management Pond and the Smart Centres Regional Commercial Centre; and
West: Stewart Burnett Park

Policy Context

Provincial Policies

All development applications shall have regard for the Provincial Policy Statement ('PPS'), which provides policy direction on matters of Provincial interest. These policies support the development of strong communities through the promotion of efficient land use and development patterns.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe ('The Growth Plan') is a guiding document for growth management within the Greater Golden Horseshoe Area. The Growth Plan provides a framework which guides land-use planning.

The Lake Simcoe Protection Plan ('LSPP') provides policies which address aquatic life, water quality and quantity, shorelines and natural heritage, other threats and activities (invasive species, climate change and recreational activities) and implementation. The subject lands are located within the Lake Simcoe watershed and are subject to the applicable policies of the LSPP.

York Region Official Plan ('YROP')

The subject lands are designated as "Urban Area" within the YROP, and are located on Regional Road 12 (Leslie Street). York Region's 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 are located within the 10-25 Year Wellhead Protection Area (WHPA-D) Zone. The subject lands are also located within 120 metres of a Regional Greenland System, and a wetland is identified at the northern boundary of the subject lands. The

subject lands are not located within the Oak Ridges Moraine Conservation Plan (ORMCP) area.

Aurora 2C Secondary Plan ('OPA 73')

The subject lands are designated "Urban Residential 2" by the Aurora 2C Secondary Plan (OPA 73) (see Figure 2). This designation permits townhouses and low-rise apartments with a maximum height of 6 storeys or 20 metres (whichever is less). This designation also permits density levels ranging from 35 and 50 units per net residential hectare. No amendments to OPA 73 are proposed.

Zoning By-law 6000-17, as amended.

On June 25, 2019, Council adopted By-law Number 6189-19, which rezoned the subject lands from "Institutional (I) Zone" and "Rural RU (29) Exception Zone" to "Townhouse Dwelling Residential R8(511) Exception Zone", "Environmental Protection (EP) Zone" and "Private Open Space (O2) Zone" (See Figure 3). No further amendments to the Zoning By-law are proposed.

Reports and Studies

Reports and Studies submitted as part of a complete application are listed in Planning and Development Services Report No. PDS20-007.

Proposed Applications

The proposed Draft Plan of Subdivision will facilitate the future development of four townhouse blocks with a total of 32 freehold units on parcels of tied land ('POTL')

As shown on Figure 5, the applicant has submitted a draft plan of subdivision application to legally create one block on a plan of subdivision. The subject application is technical in nature, and facilitates a future POTL development, whereby the proposed townhouse lots will be freehold and tied to common elements of a future plan of condominium (see Figure 4).

To create freehold lots, a Part Lot Control Exemption application and related By-law is required after the plan of subdivision has been registered. Additionally, a future Draft Plan of Common Elements Condominium application is required to establish the

common element components of the development (private road, visitor parking, stormwater management, landscaped area).

The proposed development is consistent with the Zoning By-law and Site Plan application approved by Council in September 2018. Through the Site Plan process, the landowner has undergone detailed design (engineering, landscaping, etc.) for the proposed development. Staff are concurrently drafting the Agreement for the Council approved in principle site plan application SP-2017-02.

Analysis

Planning Considerations

In September 2018, Council approved a Zoning By-law Amendment (ZBA-2017-02) and Site Plan (SP-2017-02) applications, to facilitate a townhouse development

After Council's approval of the zoning and site plan applications, the Owner shifted the contemplated tenure of the development from standard condominium to a common part lot control exemption to create the freehold parcels to be conveyed to purchasers. A Part Lot Control By-law to create the proposed POTLs may only be approved on a whole block on a registered plan of subdivision.

As the subject draft plan of subdivision application is technical in nature, Staff maintain the opinion that the overall development concept is consistent with, and conforms to Provincial, Regional, and Municipal policy documents, as previously outlined in Planning and Development Services report PDS18-097 (which recommended approval of applications ZBA-2017-02 and SP-2017-02), and the new PPS and Growth Plan (2020).

The proposed application is consistent with the PPS

The subject lands are located within a Settlement Area, which is intended to be the area of focus for growth and development within the Province. The proposed development achieves the objectives of intensification within settlement areas, capitalizes on existing infrastructure, contributes to a range of housing stock within the Town, and avoids development patterns that result in environmental concerns. Staff is satisfied that the proposed application is consistent with the PPS.

The proposed application is consistent with the Growth Plan

The proposed application meets the Growth Plan objective of providing a diverse range and mix of housing options to accommodate the needs of all household sizes and incomes, by facilitating the development of freehold townhouse units on lots tied to common elements on a plan of condominium. The application implements the approved development under planning applications ZBA-2017-02 and SP-2017-02, whereby the development is located within the delineated built-up area, and utilizes community infrastructure and planned municipal infrastructure. Staff is satisfied that the proposed application is consistent with the Growth Plan.

The proposed application conforms to the LSPP

The LSRCA has reviewed the proposed application, has no objection to its approval, subject to conditions included in Schedule 'A' to this report. Detailed design of the development has also been reviewed by the LSRCA through site plan application SP-2017-02. Staff is satisfied that the proposed application conforms to the LSPP.

The proposed application conforms to the YROP

The subject lands are designated as "Urban Area" in the YROP, which promotes the growth and development of healthy, well-planned and complete vibrant communities. The proposed application facilitates the development of townhouse units with a freehold tenure, tied to common elements and thus contributing to the variety of housing stock and tenure within the Town.

The subject lands are also located within 120 metres of a Regional Greenand System, and a wetland is identified at the northern boundary of the subject lands. The Region of York relies on the LSRCA to comment on any natural hazard and heritage matters. As mentioned, the LSRCA has reviewed the proposed application, and has no objection, subject to conditions included in Schedule 'A' to this report.

The proposed application is also consistent with the YROP objective of achieving a sustainable natural environment. Through the Site Plan application and agreement, the applicant will be required to provide an integrated and innovative approach to water management, landscape treatment, and low impact development measures where appropriate. Staff is satisfied that the proposed application conforms to the YROP.

The proposed application maintains the intent of OPA 73 and the Town's Comprehensive Zoning By-law 6000-17, as amended

The proposed draft plan of subdivision application is technical in nature, and facilitates the development of the approved townhouse development concept on the subject lands under Site Plan application SP-2017-02. The proposed application does not trigger the requirement for an Official Plan Amendment, or any additional Zoning By-law amendments. Staff are satisfied that the proposed application maintains the intent of OPA 73 and the Council adopted site-specific Zoning By-law Amendment.

Department / Agency Comments

The proposed application was circulated to all internal and external agencies for review and comments. All circulated agencies are satisfied with the revisions and have no objections, subject to conditions of approval.

All circulated agencies are satisfied with the revisions and have no objection to the draft plan of subdivision application, subject to the fulfillment of conditions of approval included as Schedule 'A' to this report. The following section provides a summary of high-level comments received from the application circulation (note: technical development matters were resolved under Site Plan application SP-2017-02).

Landscaping/Trails

Landscaping on the subject lands shall be in accordance with the minimum landscape standards as set out in the Town's 'Landscape Design Guidelines'.

Development Engineering

Conditions of draft plan approval have been included to address any private wells on and external to the subject lands. Conditions require that a report be prepared by a Hydrogeological Consultant to study wells to the satisfaction of the Town. The consultant shall be retained by the Owner to monitor the groundwater table prior to any site alteration, and on a yearly basis, to summarize and identify groundwater fluctuations (if any), and provide qualified justification for possible fluctuations (including recommendations to mitigate construction impacts, if any, and any modifications required as a result of carrying out the monitoring and design).

Municipal Servicing

Servicing allocation for 32 units was assigned by Council in September 2018, upon approval of Site Plan application SP-2017-02.

Lake Simcoe Region Conservation Authority ('LSRCA')

The LSRCA has reviewed the proposed draft plan of subdivision and have no objections subject to conditions outlined in Schedule 'A' to this report. Technical detailed design matters have been addressed through Site Plan application SP-2017-02.

Regarding stormwater management, the existing man-made pond will be relocated to the west side of the subject lands. The new pond will be equipped with an outlet structure to provide for peak flow attenuation. Runoff from the internal driveways and parking areas will be directed to a series of storm sewers located along the private driveway.

A hybrid bioswale system to convey external drainage from the Leslie Street right-of-way, and overflow from the upstream Salvation Army pond (a bioswale underlain by an exfiltration pipe) has been designed to protect the ecological corridor and allow for the safe conveyance of water, while reducing sideslope concerns. In small to medium size rain events, this system will provide interflow through pores in the pipe and the granular medium surrounding it. A portion of the surface water from the site would sheet drain to the shallow bioswale at the rear of the yards. During larger events, drop structures would protect the buildings by allowing for overflow to enter the exfiltration pipe.

Regional Municipality of York

Detailed design of the subject lands has been dealt with through the related Site Plan application SP-2017-02. York Region has no objection to draft approval of the proposed draft plan of subdivision subject to conditions outlined in Schedule 'A' to this report.

Public Comments

No public comments were received on the subject application at the January 2020 public meeting.

Advisory Committee Review

No communication is required.

Legal Considerations

Subsection 51(34) of the *Planning Act* states that if Council refuses the Draft Plan of Subdivision application or fails to make a decision on it within 180 days after the receipt of the application, the applicant (or the Minister) may appeal the application to the Local Planning Appeal Tribunal ('LPAT'). The application was received in 2019, and therefore the applicant may appeal to the LPAT at any time.

Financial Implications

Should Council approve the presented draft plan of subdivision, the Town will collect all applicable development fees owing as they arise over the course the development.

Communications Considerations

On November 14, 2019, a Notice of Complete Application respecting the Draft Plan of Subdivision application was published in the *Auroran* and *Aurora Banner* newspapers.

On December 19, 2019, a Notice of Public Planning Meeting respecting the Draft Plan of Subdivision application was published in the *Auroran* and *Aurora Banner* newspapers. In addition, the notices were issued 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 was provided in accordance with the requirements of the *Planning Act*.

All interested parties were notified that the subject application would be presented at the December 1, 2020 General Committee Meeting. Public notification of the General Committee meeting was given in accordance with the requirements of the *Planning Act*.

Link to Strategic Plan

The proposed application supports the Strategic Plan goal of supporting an exceptional quality of life for all, by strengthening the fabric of our community. Through the addition of 32 townhouse units, housing is provided in accordance with the objective to collaborate 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 has reviewed the proposed Draft Plan of Subdivision application against relevant Provincial plans, Regional and Town Official Plans, the Town's Comprehensive Zoning By-law and municipal development standards. The development proposal is considered good planning and conforms to Provincial and Regional policies and is consistent with policies of the Town's Official Plan. Therefore, Staff recommend the approval of Draft Plan of Subdivision File SUB-2019-02.

Attachments

Figure 1 – Location Map

Figure 2 – Existing Official Plan Designation

Figure 3 – Existing Zoning By-Law

Figure 4 – Development Concept

Figure 5 – Proposed Draft Plan of Subdivision

Appendix 'A' – January 21, 2020 Public Planning Meeting Minutes

Schedule 'A' – Conditions of Draft Plan Approval

Previous Reports

Public Planning Report No. PDS20-007, dated January 21, 2020;

General Committee Report No. PDS19-047, dated May 21, 2020;

General Committee Report No. PDS18-097, dated September 11, 2018; and,

Public Planning Report No. PDS17-048, dated June 28, 2017.

Pre-submission Review

Agenda Management Team review on November 12, 2020.

Approvals

Approved by David Waters, Director, Planning and Development Services

Approved by Doug Nadorozny, Chief Administrative Officer