

# SPECIAL COUNCIL PUBLIC PLANNING MEETING AGENDA

WEDNESDAY, MARCH 30, 2016 7 P.M.

**COUNCIL CHAMBERS AURORA TOWN HALL** 



# TOWN OF AURORA SPECIAL COUNCIL – PUBLIC PLANNING MEETING AGENDA

Wednesday, March 30, 2016 7 p.m. Council Chambers

- 1. DECLARATION OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF
- 2. APPROVAL OF THE AGENDA

RECOMMENDED:

THAT the agenda as circulated by Legal and Legislative Services be approved.

- 3. PLANNING APPLICATIONS
- 4. READING OF BY-LAW

RECOMMENDED:

THAT the following confirming by-law be given first, second, and third readings and enacted:

5833-16 BEING A BY-LAW to Confirm Actions by Council Resulting pg. 45 from Special Council – Public Planning Meeting on March 30, 2016.

5. ADJOURNMENT

### **AGENDA ITEMS**

1. PDS16-019 - Application for Zoning By-law Amendment

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Vello Holdings Inc. 330 McClellan Way Block 32 Registered

Block 32, Registered Plan 65M-2802

File Number: ZBA-2016-01

### RECOMMENDED:

THAT Report No. PDS16-019 be received; and

THAT comments presented at the Public Planning meeting be addressed by Planning & Development Services in a comprehensive report outlining recommendations and options at a future General Committee meeting.

2. PDS16-014 – Applications for Official Plan Amendment and

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Zoning By-law Amendment Carpino Construction Inc. 15278 Yonge Street

File Numbers: OPA-2015-04, ZBA-2015-10

Related File: SP-2015-08

### RECOMMENDED:

THAT Report No. PDS16-014 be received; and

THAT comments presented at the Public Planning Meeting be addressed by Planning & Development Services in a comprehensive report outlining recommendations and options at a future General Committee Meeting.

3. PDS16-012 - Proposed Zoning By-law Amendment
The Priestly Holding Corporation

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125 Edward Street File: ZBA-2015-03

### RECOMMENDED:

THAT Report No. PDS16-012 be received; and

THAT Application to Amend the Zoning By-law File: ZBA-2015-03 (Priestly Holding Corporation) be approved, to rezone the subject lands from "General Industrial (M2) Zone" to "General Industrial (M2-XX) Exception Zone" to allow a freestanding office building; and

THAT the implementing Zoning By-law Amendment be presented at a future Council meeting for enactment; and

THAT pursuant to section 34.17 of the *Planning Act*, Council has determined that no further public notice is required to implement any minor changes to the implementing Zoning By-law.



## TOWN OF AURORA PUBLIC PLANNING MEETING REPORT No. PDS16-019

SUBJECT: Application for Zoning By-law Amendment

Vello Holdings Inc. 330 McClellan Way

Block 32, Registered Plan 65M-2802

File Number: ZBA-2016-01

FROM: Marco Ramunno, Director of Planning & Development Services

DATE: *March 30, 2016* 

### RECOMMENDATIONS

THAT Report No. PDS16-019 be received; and

THAT comments presented at the Public Planning Meeting be addressed by Planning & Development Services in a comprehensive report outlining recommendations and options at a future General Committee Meeting.

### PURPOSE OF THE REPORT

The purpose of this report is to provide Council with background information related to the proposed Zoning By-law amendment application proposing additional commercial and institutional uses to the uses currently allowed by the Local Commercial (C1-1) Exception Zone. No physical changes to the subject lands are proposed.

### BACKGROUND

The subject lands are currently zoned Local Commercial (C1-1) Exception Zone, which permits a range of commercial and institutional uses listed in the Zoning By-law section of this report. The existing commercial plaza on the property was constructed in 1994. The owner has applied to amend the Zoning By-law to permit additional commercial and institutional uses. The owner has also proposed site specific provisions for building height, side and rear yard setbacks, and floor area, as well as site specific definitions of the proposed permitted uses.

### **Public Notification**

On March 10, 2016 a Notice of 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 metres of the subject lands. Notice of the Public Planning

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meeting signs were also posted on the subject lands fronting McClellan Way. Public Meeting notification has been provided in accordance with the *Planning Act.* 

### **Location and Land Use**

The subject lands, municipally known as 330 McClellan Way, are located between Bathurst Street and Cashel Court (Figure 1). The property has a lot area of 5260  $\text{m}^2$  and a frontage of 74.09 m on McClellan Way. An existing one storey building having a GFA of 1,130  $\text{m}^2$  is located on the subject property. 61 parking spaces and two (2) loading spaces are located on site.

The surrounding land uses are as follows:

North: Residential

South: Residential and McClellan Way

East: Residential West: Open Space

### **Policy Context**

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.

Staff will review the proposed development for consistency with the above mentioned provincial policies.

### York Region Official Plan (2010)

The subject lands are designated as "Urban Area" within the York Region Official Plan. York Region's vision for the Urban Area is to strategically focus growth while conserving resources and to create sustainable lively communities. Under the York Region's Official Plan, one regional urbanization goal is to enhance the Region's urban structure through city building, intensification and compact, complete communities.

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### Official Plan

The subject lands are designated as "Existing Commercial" by the Town of Aurora Official Plan (Figure 2) and further refined as "Convenience Commercial Area" by Schedule "C" of the Official Plan. The "Convenience Commercial Area" Designation is intended to recognize existing convenience and neighbourhood plazas. Permitted uses include convenience stores, food stores, variety stores, financial institutions, restaurants, personal service shops, and child care centres, subject to the development policies of the Official Plan.

The subject lands are designated "Oak Ridges Moraine Settlement Area" by Schedule "J". Schedule 'L' indicates that the subject lands are designated "Category 2 – Moderately Complex Landform". According to Schedule 'M', the subject lands are in a "High Vulnerability Aquifer Area". There are no Key Natural Heritage Features on the subject lands.

### Zoning By-law

The subject lands are currently zoned "Local Commercial (C1-1) Exception Zone" by the Town of Aurora Zoning By-law 2213-78, as amended (Figure 3). This zoning was approved in 1993 at the time of the development of the surrounding plan of subdivision. The C1-1 Zone permits retail stores, personal service shops, bake shops, public libraries, business and professional offices, banks or other financial establishments, and one apartment dwelling.

Schedule 'C' of By-law 4469-03.D indicates that the subject lands are within high aquifer vulnerability area. Schedule 'E' indicates the lands are in a "Category 2 – Moderately Complex Landform".

The proposed zoning provisions as applied for by the applicant are summarized in the following table.

	Existing Zone Requirement	Proposed Zone Requirement
Permitted Uses	As per C1-1 Zone	In addition to permitted uses: Animal hospital, clinic, private club, convenience retail store, day nursery, adult and intergenerational day centre, dry cleaning distribution, fitness centre, health and wellness centre, pet services, restaurant, commercial school, service shop, studio, veterinarian

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		clinic, residential dwellings above the commercial units*
Lot Area (minimum)	5000.0 m <sup>2</sup>	5000.0 m <sup>2</sup>
Lot Frontage (minimum)	90.0 m	90.0 m
Front Yard (minimum)	7.5 m	7.5 m
Rear Yard (minimum)	7.5 m	4.5 m*
Side Yards (minimum)	7.5 m	4.5 m*
Building Height	1 storey	1 storey for commercial unit
(maximum)		plus residential above*
Lot Coverage	30.0%	30.0%
(maximum)		
Floor Area (maximum)	Total complex: 1120.0 m <sup>2</sup>	Total complex: 1800.0 m <sup>2</sup> *
	Each unit: 225.0 m <sup>2</sup>	Each unit: No maximum
Parking Requirement	4.5 spaces for each 100 m <sup>2</sup>	4.5 spaces for each 100 m <sup>2</sup>
(minimum)	GFA	GFA
Buffer Strip adjacent to	Along property frontage: 3 m	Along property frontage: 3 m
residential use	Adjacent to western property	Adjacent to western property
(minimum)	line: 3 m grassed strip with an	line: 3 m grassed strip with
	earth berm and planting strip	an earth berm and planting
	or a 1.5 m grassed strip with	strip or a 1.5 m grassed strip
	a 1.5 m high wood privacy	with a 1.5 m high wood
	fence	privacy fence
Definitions	No site specific definitions	Site specific definition for
*D., la.,, a., a., tia., na n., ina		each permitted use*

<sup>\*</sup>By-law exception required

### **Reports and Studies**

The following reports and plans were submitted with the Zoning By-law amendment application:

- Draft Zoning By-law amendment prepared by MPlan Inc.;
- Planning Justification Report prepared by MPlan Inc.;
- Existing Site Plan prepared by Petroff Partnership Architects;
- Traffic and Parking Review prepared by Javar Consultants Inc.;
- Survey prepared by Donald E. Roberts Ltd.; and
- Source Water Protection preconsultation with York Region.

### COMMENTS

A preliminary review of the Zoning By-law amendment application has been undertaken by internal departments and external agencies. Staff have identified the following matters to be addressed in greater detail before staff prepare a final report for Council's consideration:

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- The application will be reviewed in the context of the applicable Provincial, Regional and Town policies;
- The consideration of the subject application relative to surrounding land uses to assess the compatibility and appropriateness of the proposed Zoning By-law amendment:
- Suitability of Residential use above first storey;
- Building height and floor area;
- Rear and side yard setbacks; and
- Site specific definitions.

### **Summary of Resident Comments**

No comments have been received from area residents as of the preparation of this report.

### **SERVICING ALLOCATION**

No new development or site changes are proposed. No servicing allocation is required.

### ALTERNATIVE(S) TO THE RECOMMENDATIONS

- 1. Direct staff to report back to Council addressing any issues that may be raised at the Public Planning Meeting; or
- 2. Refusal of the application with an explanation of the refusal.

### FINANCIAL IMPLICATIONS

Financial implications will be addressed when a technical review of the proposal is completed.

### **PREVIOUS REPORTS**

None.

### **CONCLUSIONS**

The above matters will be considered in the technical review of the application, together with comments received from the public and Council expressed at the Public Planning Meeting or in writing. A comprehensive report with recommendations and options will be presented to Council for consideration and direction at a future General Committee meeting.

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### **ATTACHMENTS**

Figure 1 – Location Map

Figure 2 – Official Plan Map

Figure 3 – Zoning Map

Figure 4 – Existing Site Plan

### **PRE-SUBMISSION REVIEW**

Executive Leadership Team Meeting – March 8, 2016.

Prepared by: Marty Rokos, Planner, Ext. 4350

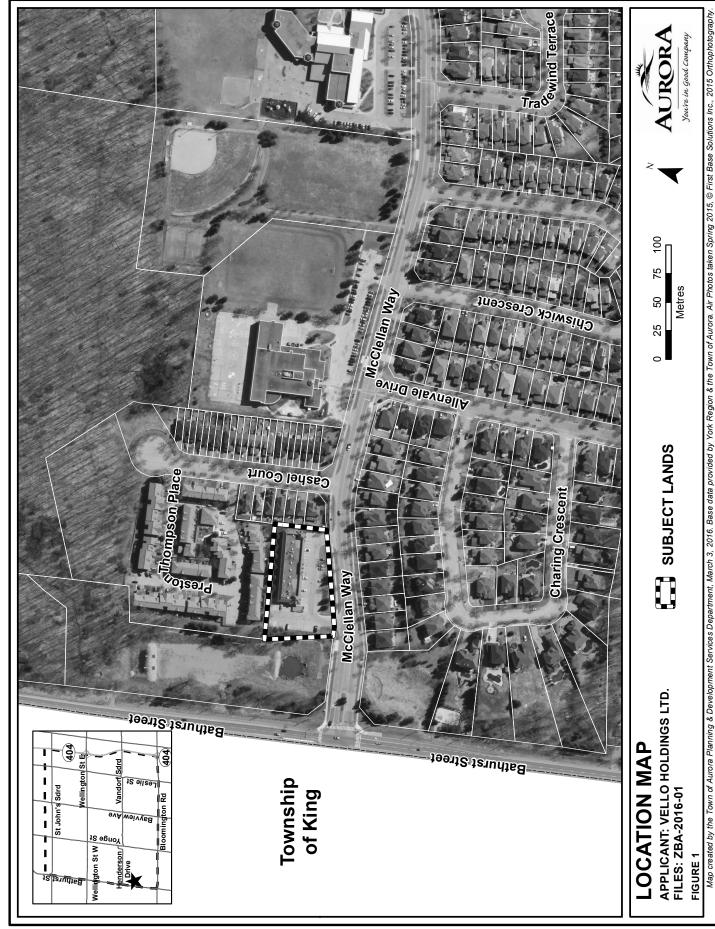
Marco Ramunno, MCIP, RPP

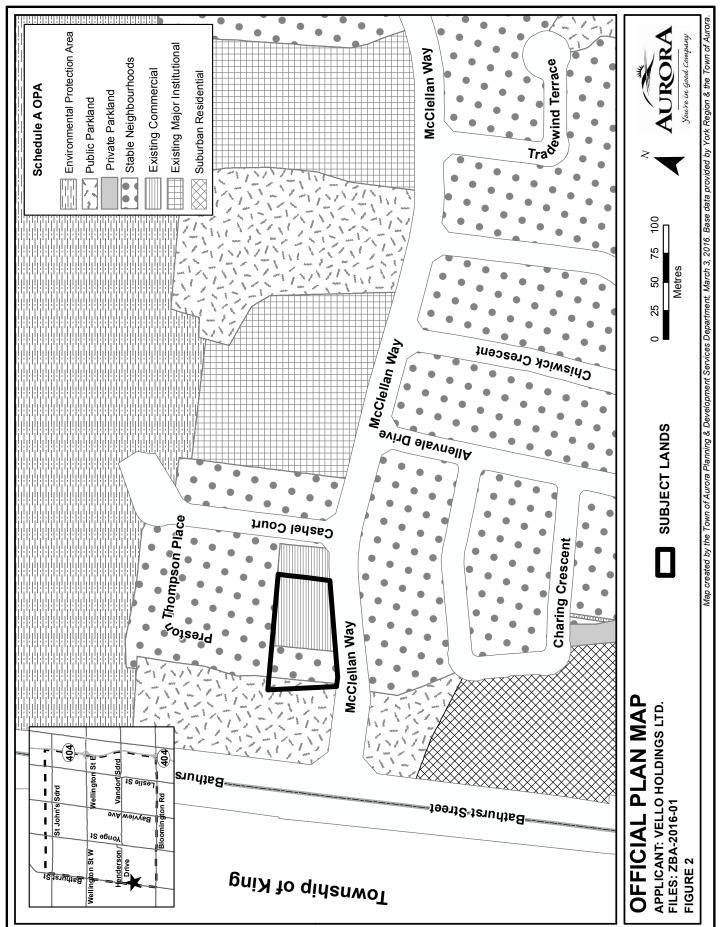
**Director of Planning & Development** 

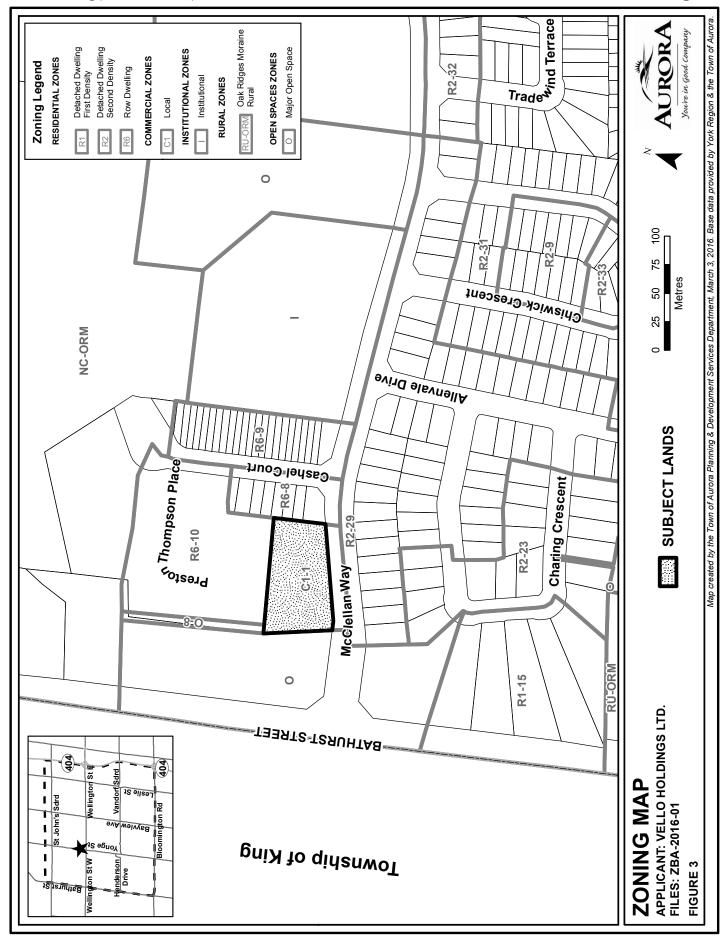
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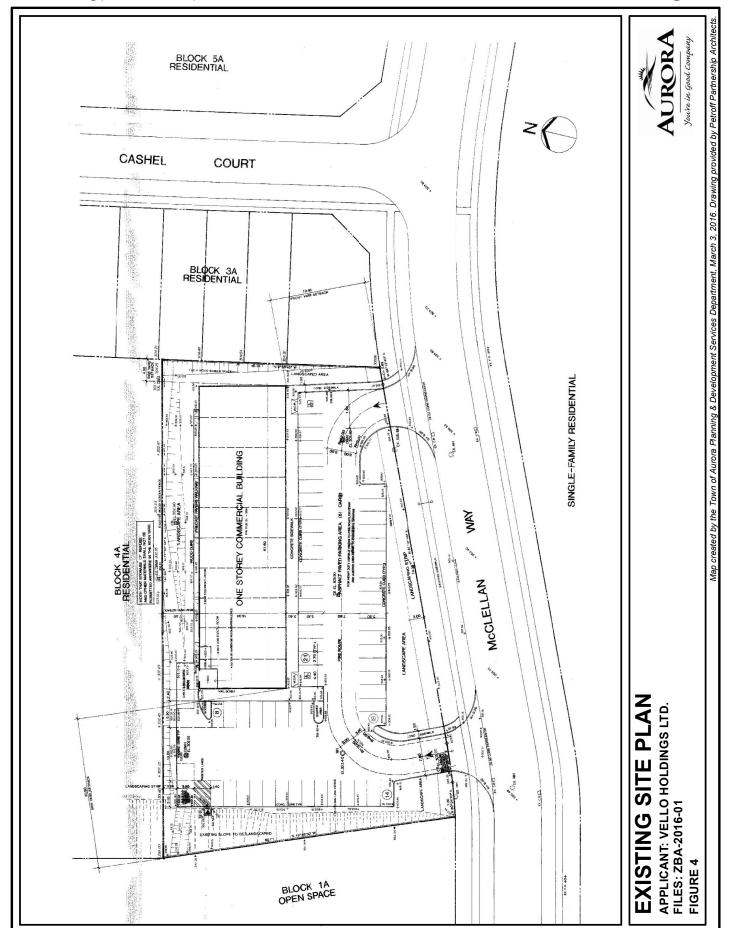
Doug Nadorozny

Chief Administrative Officer











### **TOWN OF AURORA** PUBLIC PLANNING MEETING REPORT No. PDS16-014

SUBJECT: Applications for Official Plan Amendment and

**Zoning By-law Amendment** Carpino Construction Inc.

15278 Yonge Street

File Numbers: OPA-2015-04. ZBA-2015-10

Related File: SP-2015-08

FROM: Marco Ramunno, Director of Planning & Development Services

DATE: March 30, 2016

### RECOMMENDATIONS

THAT Report No. PSD16-014 be received; and

THAT comments presented at the Public Planning Meeting be addressed by Planning & Development Services in a comprehensive report outlining recommendations and options at a future General Committee Meeting.

### PURPOSE OF THE REPORT

The purpose of his report is to provide Council with additional background information and details related to the Official Plan Amendment and Zoning By-law Amendment applications to permit 126 stacked, back-to-back townhouse units on the 1.1 hectare site.

### BACKGROUND

### History

The subject Official Plan and Zoning By-law Amendment applications were submitted on August 20, 2015. On September 10, 2015, a Notice of Complete Application respecting the Official Plan and Zoning By-law Amendments were published in the Auroran and Aurora Banner newspapers.

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A Public Planning Meeting was held on November 25, 2015. At that Public Planning Meeting Council passed the following resolution:

"THAT Report No. PL15-080 be received; and

THAT comments presented at the Public Planning meeting be addressed by Planning & Development Services in a comprehensive report outlining recommendations and options at a future **Public Planning** meeting."

### **Public Notification**

On March 10, 2016 a notice of the second Public Planning Meeting was given by mail to all interested parties.

### Location/ Land Use

The subject property is located on the west side of Yonge Street, municipally known as 15278 Yonge Street (Figure 1). The total area of land holding is 1.1 hectares in size and consists of two irregularly shaped parcels.

The subject lands have the following characteristics:

- Eastern portion of the site has 82.0 m of frontage on Yonge Street and the western portion has 38.5 m of frontage on Machell Avenue;
- Site generally slopes down from the southwest to northeast corner along Yonge Street;
- A 2,790 sqm (30,000 sqft) one storey building was previously located on site (former Liquidation World) has been demolished;
- Balance of the site was previously asphalt surface parking lot, which has since been removed; and
- Two full moves access points to the subject lands, one access from Machell Avenue and one access from Yonge Street.

The surrounding land uses are as follows:

North: Automotive service shops and vacant lot;

South: Dollarama store and Bank of Montreal;

East: Yonge Street, TD Bank and one storey retail/ commercial uses; and

West: Machell Avenue, single detached residential units and one six (6) storey apartment building.

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### **Policy Context**

All *Planning Act* development applications are subject to provincial policies. Brief overviews of the Provincial Policy Statement (PPS), Growth Plan for the Greater Golden Horseshoe (GGH), Lake Simcoe Protection Plan (LSPP), York Region Official Plan (2010), Town of Aurora Official Plan (Figure 2) and Zoning By-law 2213-78 (Figure 3), as amended were outlined in Planning Report PL15-080. A full review of the proposed development for consistency with the above mentioned provincial policies will be prepared at the time a recommendation report is presented to Council.

### **Reports and Studies**

A detailed list of reports and studies that the Owner submitted as part of a complete application to the proposed Official Plan, Zoning By-law Amendment and Site Plan application was previously outlined in Planning Report PL15-080. Since the Public Planning Meeting held on November 25, 2015 the Owner has submitted the following additional studies in support of the proposed applications:

- Commercial Needs Critique prepared by Urban Metrics Inc.;
- Preliminary Environmental Noise Report prepared by Jade Acoustics; and,

### **Proposal**

Site Plan

As previously stated in Planning Report PL15-080, the proposed site plan illustrates 126 stacked, back-to-back townhouse condominium dwelling units within six (6) separate buildings (Figure 4). Proposed buildings have a consistent level of architectural design and detail on each building façade. Each unit is two (2) stories in height, with a two (2) storey unit stacked on-top of another two (2) storey unit. Approximately two-thirds of all units will have two bedrooms with the remaining third of units having three (3) bedrooms. Each townhouse unit will have private amenity space of approximately 25.0 sqm/ unit. Ground floor units will have a ground floor porch, balcony or patio, while the upper units will have a balcony and roof top terrace.

The proposed buildings will be four (4) storeys in height with outdoor terraces on the rooftop. Residential parking will be located partially below ground, beneath the units. Visitor parking will be outdoors at ground level throughout the subject lands. Overall, 131 resident parking spaces and 17 visitor parking spaces will be provided on the subject lands. Circulation through the proposed redevelopment will be from a 6.0m wide private condominium road with access from Machell Avenue. No direct access from Yonge Street is proposed. The current driveway access to Yonge Street will be closed.

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Urban Design

Under the provisions of the Official Plan, the proposed development is subject to The Aurora Promenade – Concept Plan – Urban Design Strategy and Aurora Promenade Streetscape Design and Implementation Plan. The Urban Design Guidelines identify the subject property as a 'Key Visual Terminus Site' by the Aurora Promenade Urban Design Framework. As such, the proposed development is subject to an urban design and architectural peer review to the satisfaction of the Town. The Planning Partnership has been retained to peer review the urban design and architectural components of the development.

### **COMMENTS**

### **Comments received from Council**

At the Public Planning Meeting held on November 25, 2015, Council identified the following topics which required further evaluation by Town Staff:

- Potential for one-way traffic along Machell Avenue and Irwin Avenue;
- History of road re-surfacing/ road height along Machell Avenue;
- Potential for right turn lane/ expropriation onto Wellington Street West from Yonge Street;
- Commercial study/ providing at grade commercial for Blocks 5 and 6;
- Potential for Public Open Space to be provided on site; and,
- Historical significance of 'Machell's Corner'.

A discussion of these comments is provided below:

Possible one-way traffic along Machell Avenue and Irwin Avenue

At the November 25, 2015 Public Planning Meeting, residents had stated that the street width of Machell Avenue is too narrow to accommodate overnight on-street parking and two traffic lanes (one lane of traffic in both directions). As a potential solution, the concept of one-way traffic was proposed to the Town's Traffic Transportation Analyst for review and comment. The existing traffic volumes on Machell Avenue and Irwin Avenue are within the range of acceptable traffic volumes (road service level A for local roads) according to the 'Association of Transportation Canada' guidelines. The Town's Traffic Transportation Analyst stated that Machell Avenue and Irwin Avenue are classified as local roads in the Town's Official Plan, and do not carry a significant amount of traffic. From a traffic engineering perspective, one-way streets can experience high operating speeds due to the absence of oncoming traffic. Town Taffic/ Transportation Staff do not support the conversion to one-way streets. A traffic control Plan for the proposed development will be implemented to ensure traffic flows are maintained during construction in a safe manner.

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Town Traffic/ Transportation staff stated that Machell Avenue and Irwin Avenue have pavement widths of 6.7 metres. On-street parking, including overnight on-street parking has been permitted on Machell Avenue since 2015. The above mentioned roads are operating well within the existing configuration without any traffic issues with minimal reported traffic collisions. Traffic/ Transportation Staff believe the increase in traffic as a result of the proposed development and identified within the applicant's projected traffic report would not have a significant impact on local road traffic operations, as there is residual capacity on both roads.

### History of Machell Road Re-Surfacing

Based on the Town drawing database, two road reconstruction projects were conducted on Machell Avenue, occurring in 1976 and 2007. Through the 1976 road reconstruction project, a dry stone retaining wall was added to Machell Avenue which raised the street elevation on the west side of Machell Avenue by approximately 0.7 metres (Figure 5). The addition of the retaining wall in 1976 made it no longer possible for several lots on Machell Avenue to have direct road access to the public street. Road reconstruction in 2007 was to replace the dry stone retaining wall illustrated in Figure 5 with a concrete retaining wall.

### Potential right-turn lane:

Town Staff have met with York Region Staff on October 28, 2015. The purpose of this meeting was to discuss the future of the VIVA bus station on the west side of Yonge Street and the associated land requirements. York Region Transportation Planning Staff in co-ordination with Traffic Signal Operations, Development Engineering and York Region Transit (YRT)/ Viva have indicated no objection to the subject Official Plan Amendment application. As part of the related Site Plan application, the Owner has been advised that York Region is requiring conveyance of a 4.0m road widening along the full Yonge Street frontage to establish a 4.0m wide boulevard measured from the edge of the curb to the property line to accommodate the future viva Next station. The Owner has advised that they will revise their proposal to reflect the 4.0m road widening. Included within the 4.0m road widening will be provisions for a potential right turn lane (heading south) at the north-west corner of Yonge and Wellington Street.

### Commercial Feasibility Study

Since the November 25, 2015 Public Planning Meeting, the Owner has submitted a Commercial Needs Critique which provides an assessment of the demand for ground floor commercial space as part of the proposed development. This report supplements the Planning Justification Report that was previously undertaken in support of the proposed development. The study submitted by Urban Metrics concluded that the market opportunity for ground floor commercial space on the subject site is limited based on the following reasons:

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- The site has a long history of commercial failure;
- Similar projects in York Region have struggled to secure tenants for ground floor commercial space in mixed-use projects;
- Potential for duplication of nearby commercial space exists, thereby increasing the competition and leading to adverse impacts on the downtown commercial market; and,
- High vacancy rates, indicating a fragile commercial market.

The study further determined that the 126 unit stacked, back to back townhouse proposal would help to strengthen the economic vitality of downtown Aurora by eliminating a significant amount of vacant commercial space from the Study Area, by substantially increasing the local population in the area, and helping to supplement the customer base for existing commercial facilities in Downtown Aurora. Urban Metric's study concluded that ground-floor commercial space would not be viable as part of a mixed-use development on the subject site and should not be a requirement for approval of the project.

### Potential for Open Space (Public Realm) on the subject lands

The 'Public Realm Framework' provides the long-term vision and guidance for the elements of the Aurora Promenade that are in public ownership. Accordingly, the primary focus is on quality of streets and open spaces. The 'Public Realm Framework' of the Aurora Promenade concept plan outlines the subject lands as a potential site for public Open Space. By the nature of the Owner's proposal, they are unable to provide land to the Town to be dedicated as public Open Space. As compensation, the Owner shall pay cash-in-lieu of parkland to the Town rather than providing public Open Space. Private open space will also be provided on site, with an additional 25 sqm (approximately) of amenity space per unit in the form of patios and rooftop terraces also to be provided on the subject lands.

### Historical Significance of Machell's Corner

As described by Jaqueline Stewart, former curator of the Town of Aurora, the subject lands served as a blacksmith's shop and wagon-maker's premises from 1886 to 1920. The property from the 1920's to 1950's the subject lands transitioned from horse-drawn blacksmithing services to providing automotive and gasoline services. A supermarket was constructed in the mid 1960's which served the community until the late 2000's. The existing parking lot was expanded in the 1980's. A large Oak tree was saved on a small earth island surrounded by the newly constructed parking lot at that time.

On November 10, 2008, By-law 5053-08 was passed by Council to designate a Burr Oak tree under Part IV of the Ontario Heritage Act on the subject lands. The tree was known at the time as "The Blacksmith Tree" and was considered to have historical association with the growth of Aurora from a small industrial village to an established

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Town in the 21<sup>st</sup> Century. On August 17, 2010, Part IV Designation for the tree was removed by Council, and the tree was subsequently cut down after the repeal of the designation by-law. The tree was located where "Block 2" is proposed on the submitted site plan (Figure 4). The Town's Heritage Planner has requested a new Burr Oak tree be planted on the subject lands in a location visible from Yonge Street in commemoration of the former Blacksmith Tree that once existing on the subject lands.

### **Summary of Resident Comments**

The following is a summary of all local resident comments that have been received to date in regards to the above mentioned applications:

- Increase in stormwater runoff that will impede drainage as a result of the proposed development;
- Increased traffic along Yonge Street, Machell Avenue and Irvin Avenue;
- Emergency vehicle access to the subject lands;
- Enhanced pedestrian experience;
- Proposal not representing the policies of the Aurora Promenade and Aurora Promenade Urban Design Strategy;
- Proposal lacks the opportunity to promote mixture of uses;
- Concerns regarding no commercial uses proposed;
- Machell street width is too narrow:
- Lack of greenspace proposed;
- Building height is not in form and character with the surrounding area;
- Proposal is too dense for the area;
- Lack of snow storage addressed on the subject lands;
- Unimaginative urban design of the submitted proposal; and,
- Proposal fails to illustrate a collaborative development with property Owners to the north and south.

A discussion of these comments is provided below:

### Increased Stormwater run-off

In accordance with Town policy, all storm water run-off is to be controlled to the specified run-off rate adopted for the original subdivision, or to match the existing (predevelopment) level for all storms up to the 100 (one hundred) year event. Stormwater Management design shall be prepared in accordance with the Stormwater Management Practices Planning and Design Manual, Ministry of Environment and Energy 2003 (or latest amendment thereto). The proposed applications will conform to Town stormwater policy.

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Increased traffic along Yonge Street, Machell Avenue and Irwin

As previously stated in this report, Machell Avenue and Irwin Avenue are classified as local roads in the Town's Official Plan, and do not carry a significant amount of traffic. The Town's Traffic Transportation Analyst has reviewed the submitted transportation study and has determined that the increase in traffic as a result of the proposed development will not have a significant impact on the traffic operations, as there is residual capacity on both roads Machell Avenue and Irwin Avenue.

### Lack of Emergency Access to the Site

Central York Fire Services has reviewed the proposed applications and does not require an emergency vehicle access to the subject lands via Yonge Street.

### Enhanced Pedestrian Experience

The subject lands are located in the 'Upper Downtown' designation of the Aurora Promenade. As stated previously, the Planning Partnership has been retained to peer-review the urban design and architectural components of the development. Through their review, the Planning Partnership stated that the site consists of walkways along both sides of interior laneways, and pedestrian linkages throughout the site to allow for connectivity. As indicated by the Planning Partnership, the proposal demonstrates effective pedestrian circulation. Parks and Recreation Services staff will ensure the submitted landscape plans conform to the requirements of the Aurora Promenade Plan prior to approval.

### Proposal not representing the policies of the Aurora Promenade

The Planning Partnership in commenting on architectural and urban design issues stated that the buildings themselves are designed with a nice contemporary feel and are of an appropriate scale to provide for good transitioning from low density housing. The Planning Partnership feel the development will establish a positive precedence for future development along Yonge Street.

### Unimaginative Urban Design

The Planning Partnership also reviewed the proposed elevations submitted by the Owner and overall they support the proposed building designs. They state that the Owner has made good use of materials and pronounced architectural details which have created attractive and animated façades (Figures 6 & 7). The Planning Partnerships sole concern was with some of the grading issues, which have resulted in higher walls at the base of buildings. Town Staff are currently working with the Owner to alleviate the impact of the higher walls at the base of buildings on the Yonge Street streetscape and neighbouring areas through increased landscaping along Yonge Street.

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### Lack of Greenspace proposed

Public Open space parkland is not proposed as part of the subject development application. The Owner will be required to pay cash-in-lieu of parkland to the Town as compensation for no dedicated public open space to the Town. Private open space with an additional 25 sqm of amenity space in the form of patios and rooftop terraces are proposed for each dwelling unit on the subject lands.

Building height is not in form and character with the surrounding neighbourhood:

As stated previously in this report, the Planning Partnership, through their architectural and urban design review feel that the proposed development is an appropriate scale to provide for good transitioning from low density housing and will establish a positive precedence for future development along Yonge Street (Figure 7). As indicated in the Development policies of the 'Upper Downtown' Official Plan designation, all development within the 'Upper Downtown' designation shall be compatible with development on adjacent properties.

### Proposal lacks the opportunity to promote mixture of uses

The Owner has applied for an Official Plan Amendment to not require commercial floor plan as part of this development. In support of this, the Owner has submitted a 'Commercial Needs Critique' which provides an assessment of the demand for ground floor commercial space as part of the proposed development. The study submitted by Urban Metrics concluded that the market opportunity for ground floor commercial space on the subject site is limited based on high vacancy rates, indicating a fragile commercial market, the sites long history of commercial failure and the potential for duplication of nearby commercial space, creating undue competition and leading to adverse impacts on the downtown commercial market.

### Proposal is too dense for the area

The 'Upper Downtown' designation of the Aurora Promenade does not impose a maximum density requirement on the subject lands, but focuses on a built form to implement the policies of the Aurora Promenade. The development policies of the 'Upper Downtown' permit a maximum building height of five (5) storeys, plus an additional bonus storey (subject to specific bonusing requirements) and a maximum lot coverage of 90 percent. The proposed four (4) storey stacked, back-to-back townhouse development is below the maximum height and lot coverage requirements outlined in the Official Plan.

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Lack of snow storage on the subject lands

Snow storage location in relation to the subject lands is currently under review by the Town's Development Planning Engineer. Prior to the execution of the Site Plan Agreement, the Development Planning Engineer must be satisfied as to the proposed snow storage locations.

Subject lands are not accommodating overnight parking of adjacent (Machell Avenue) property Owners

No legal agreement, permission or easement is currently registered on title that grants Machell Avenue residents legal permission to enter and/or park their personal vehicles on the subject lands.

Collaborative development with adjacent property Owners along Yonge Street

The Owner of the subject lands approached adjacent property Owners to the north and south prior to application submission to the Town. Neither Owner was willing to sell their respective lands or develop in a collaborative development proposal at such time. The plans as submitted by the Owner do not impede or inhibit the abutting lands from development.

### LINK TO STRATEGIC PLAN

The proposed Official Plan and Zoning By-law Amendments support 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 proposed Official Plan and Zoning by-law amendment on the subject lands, the application will assist in working with the development community to ensure future growth includes housing opportunities for everyone and Work with the development community to meet intensification targets to 2031 as identified in the Town's Official Plan.

### **ALTERNATIVE(S) TO THE RECOMMENDATIONS**

- 1. Direct staff to report back to another Public Planning Meeting addressing any issues that may be raised at the Public Planning Meeting.
- 2. Refusal of the application with an explanation for the refusal.

# Special Council - Public Planning Meeting Agenda Wednesday, March 30, 2016

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Report No. PDS16-014

### **SERVICING ALLOCATION**

The proposed residential development would require the allocation of water and sanitary sewer capacity by Council, if approved.

### FINANCIAL IMPLICATIONS

At the time of Site Plan agreement, fees and securities will be applied to the development. Further financial implications will be addressed when a technical review of the future proposal is completed.

### **PREVIOUS REPORTS**

Public Planning Meeting Report No. PL15-080, November 25, 2015 – Official Plan and Zoning By-law Amendment Applications.

### CONCLUSIONS

The above matters, but not limited to, will be considered in the technical review of applications, together with comments received from the public and Council expressed at the Public Planning Meeting or in writing. A comprehensive report with recommendations and options will be presented to Council for consideration and direction at a future General Committee meeting.

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Report No. PDS16-014

### **ATTACHMENTS**

Figure 1 – Location Map

Figure 2 - Existing Official Plan Designation

Figure 3 – Proposed Zoning By-law

Figure 4 – Conceptual Site Plan

Figure 5 – Machell Avenue Road Reconstruction

Figure 6 - Conceptual Elevations - South and East Elevation

Figure 7 – Proposed Rendering (Yonge Street)

### **PRE-SUBMISSION REVIEW**

Executive Leadership Team Meeting- March 8, 2016.

Prepared by: Drew MacMartin, Planner - Extension 4347

Marco Ramunno, MCIP, RPP

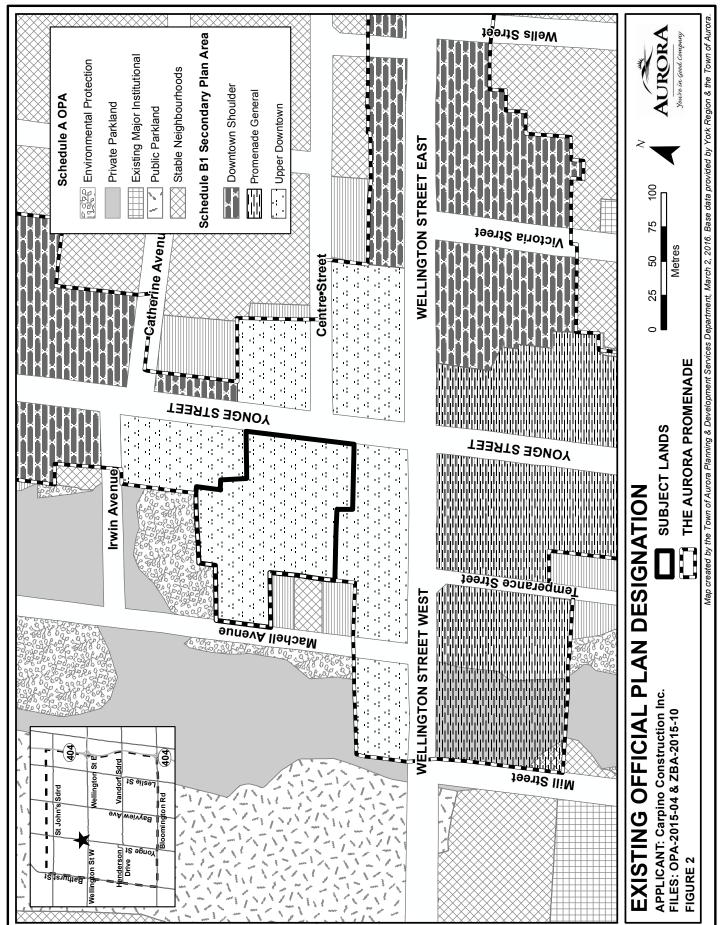
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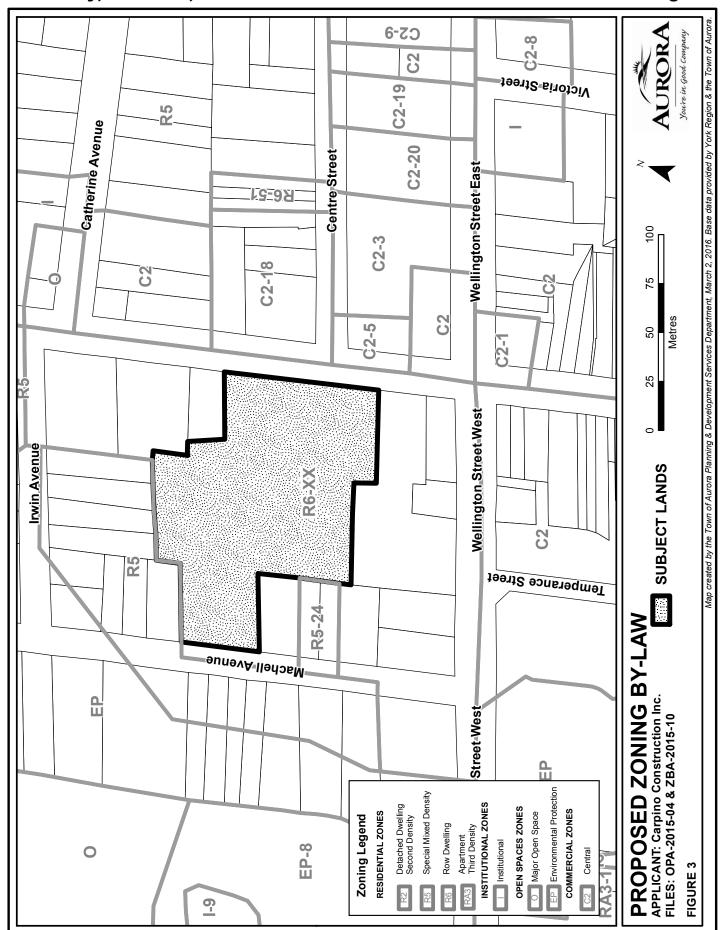
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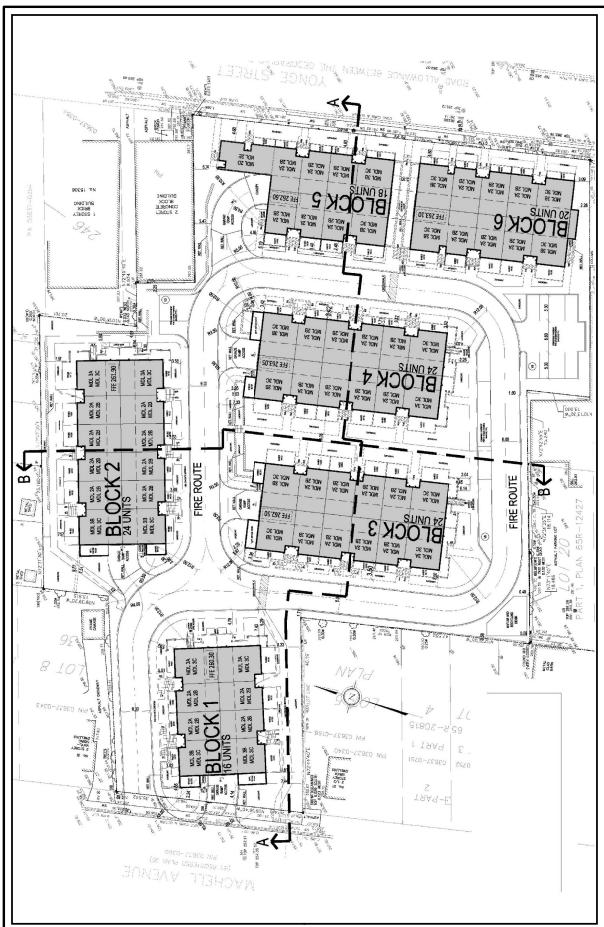
Doug Nadokozny

Chief Administrative Officer







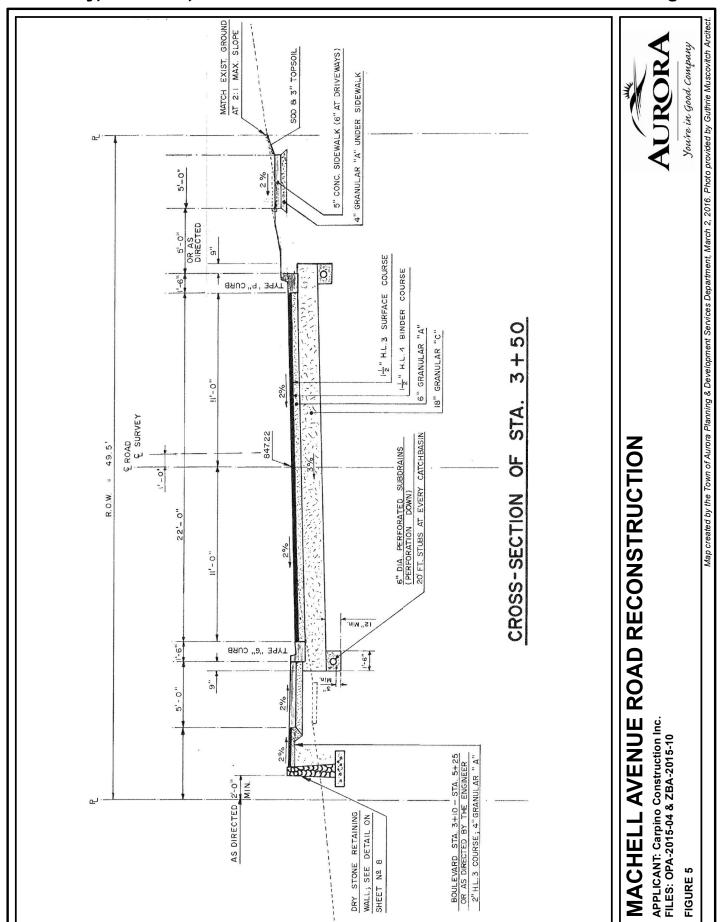


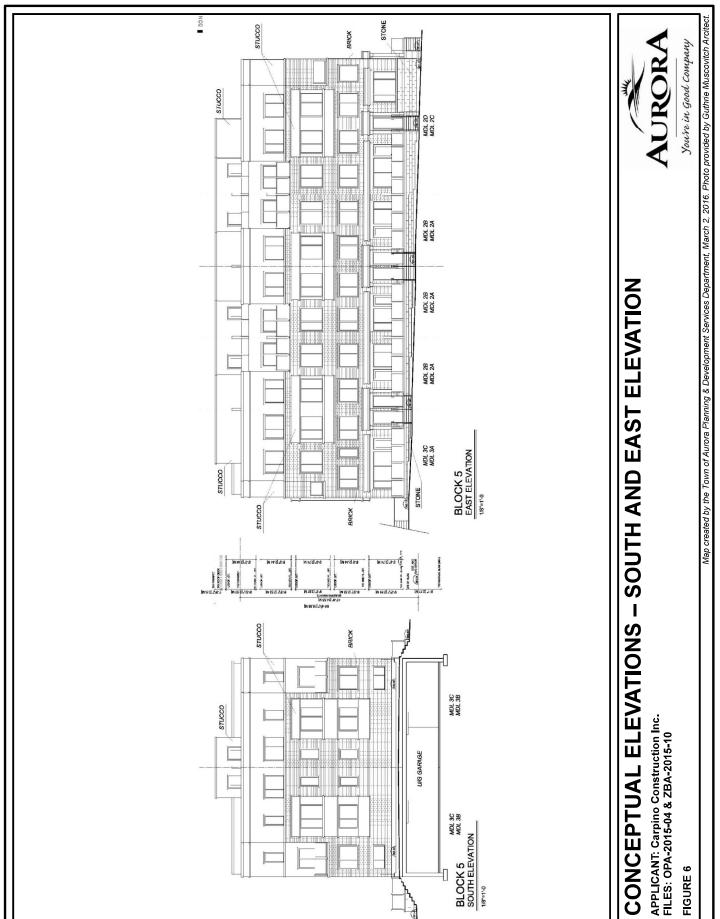


# **CONCEPTUAL SITE PLAN**

APPLICANT: Carpino Construction Inc FILES: OPA-2015-04 & ZBA-2015-10

IGURE 4









# PROPOSED RENDERING (YONGE STREET)

APPLICANT: Carpino Construction Inc. FILES: OPA-2015-04 & ZBA-2015-10



# TOWN OF AURORA PUBLIC PLANNING MEETING REPORT No. PDS16-012

SUBJECT: Proposed Zoning By-law Amendment

The Priestly Holding Corporation

125 Edward Street File: ZBA-2015-03

FROM: Marco Ramunno, Director of Planning & Development Services

DATE: *March 30, 2016* 

### **RECOMMENDATIONS**

THAT Report No. PDS16-012 be received; and

THAT Application to Amend the Zoning By-law File: ZBA-2015-03 (Priestly Holding Corporation) BE APPROVED, to rezone the subject lands from "General Industrial (M2) Zone" to "General Industrial (M2-XX) Exception Zone" to allow a freestanding office building;

THAT the implementing Zoning By-law Amendment be presented at a future Council meeting for enactment; and

THAT pursuant to section 34.17 of the Planning Act, Council have determined that no further public notice is required to implement any minor changes to the implementing zoning by-law.

### PURPOSE OF THE REPORT

The purpose of this report is to provide Council with background information and details related to the proposed Zoning By-law Amendment application submitted for 125 Edward Street proposing to permit the use of the existing building for business and professional office use (1,200m² Gross Floor Area) with by-law exceptions on the subject lands.

### **BACKGROUND**

According to the applicant, the existing office use on the subject lands at 125 Edward Street was at one time integrated with the industrial operations on 110 Connaught Avenue. However, Building & By-law Services advise that the existing office use at 125 Edward Street was built without a permit and the use of a standalone office building is not permitted by the M2 provision of the Zoning By-law. As such, the applicant has

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Report No. PDS16-012

applied for a zoning amendment application to rectify the existing situation on 125 Edward Street.

The proposed Zoning By-law Amendment application was heard at the Public Planning Meeting held on May 21, 2015.

At that meeting Council passed the following resolution:

"THAT Report No. PL15-044 be received; and

THAT comments presented at the Public Planning meeting be addressed by Planning and Development Services in a comprehensive report outlining recommendations and options at a future Public Planning meeting."

Since the Public Planning Meeting, the applicant has worked with Town staff in addressing comments raised during the Public Planning Meeting and circulation of the proposed Zoning By-law Amendment.

### Location/ Land Use

The subject lands are located on the east side of Edward Street, municipally known as 125 Edward Street and legally described as Part of Lot 11, all of Lots 12 to 15, Both Inclusive Registered Plan 120 (Figure 1). The subject lands have the following characteristics:

- The site area is approximately 0.14 ha with 39.23m frontage along Edward Street and 35.53m frontage along Connaught Avenue;
- The existing two storey office building has a gross floor area of approximately 1,200 m<sup>2</sup>; and
- The property has no vehicular access or parking on site.

The surrounding land uses are as follows:

North: Connaught Avenue and residential property;

South: Town owned property used as an vehicular access to the existing industrial buildings at 110 Connaught Avenue;

East: Existing Industrial use (110 Connuaght Avenue); and West: Existing residential use (single detached dwellings).

### **Policy Context**

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

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Report No. PDS16-012

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 (2010)

The subject lands are designated as "Urban Area" by the York Region Official Plan. York Region's vision for the Urban Area is to strategically focus growth while creating a vibrant and sustainable community. The subject lands are within a Wellhead Protection Area (WHPA-C).

Town of Aurora Official Plan – Aurora Promenade Secondary Plan

The subject lands are designated as "Promenade General Special Design Area" by the Official Plan (Figure 2). The existing Official Plan designation permits a mixture of uses that animate the streetscape and encourage foot traffic, such as offices and residential uses above the second floor.

Zoning By-law 2213-78, as amended

The subject lands are currently zoned "General Industrial (M2) Zone" by the Town of Aurora Zoning By-law 2213-78, as amended (Figure 3). The Industrial M2 Zone permits a wide variety of industrial related uses. An amendment to the Zoning By-law is required to facilitate the existing freestanding business and professional office building. Office use is permitted in the M2 zone but only as accessory to a permitted use on the property.

### **Proposal**

The Owner is proposing to rectify the existing situation on the subject lands by providing appropriate site specific exception to the M2 zone to allow the existing standalone business and professional office building to remain on 125 Edward Street.

### Background

The current owner of 125 Edward Street is The Priestly Holding Corporation. The adjacent property owner of 110/113 Connaught Avenue is 1359712 Ontario Inc. The applicant informed Staff that 1359712 Ontario Inc. is not affiliated with The Priestly Holding Corporation. The two corporations are separately held, with no common shareholders or directors.

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## Existing Tenants

According to the applicant, there are three tenants within the subject building on 125 Edward Street. The ground floor area is leased to Selig (sealing products manufacturer) and Flow Marketing which uses the area for office space purposes. The second floor is leased to Addiction Canada. The activities include office/ administrative work and a call centre. The applicant has confirmed that one evening a week, counselling sessions occur on the second floor.

## Parking / Traffic

Since the existing building on 125 Edward Street covers the majority of the subject property, there are no parking spaces available on the subject lands for the office building. The applicant is proposing to provide parking spaces on adjacent property to the east, which is controlled by 1359712 Ontario Inc. who is not affiliated with the Owner of 125 Edward Street (Priestly Holding Corporation). As such, the applicant obtained a letter from 1359712 Ontario Inc. to agree to allow a parking easement in favour of 125 Edward Street over the entire property of 110/113 Connaught Avenue. As part of the complete application, the applicant submitted a Traffic Impact Statement and Parking Assessment prepared by the MMM Group. In summary, the parking demands associated with the subject lands on 125 Edward Street can be accommodated by the available parking supply located to the east on 110/113 Connaught Avenue. The transportation engineer compared the trip generation between the as-of-right industrial uses with the existing office use. The result shows that there is no shortage of parking spaces and minimal impact on the traffic operations on the boundary road network.

## Existing Building

The applicant advised Staff that no changes to the subject site or the existing building is being proposed. However, the property Owner is aware that the existing 6 parking spaces located on Connaught Avenue along the northerly property line are considered as on-street public parking spaces. As such, current signage to restrict those parking spaces for private parking only will have to be removed.

## Zoning By-law Requirements

The subject lands are currently zoned "General Industrial (M2) Zone" by the Town of Aurora Zoning By-law 2213-78, as amended. The Industrial M2 Zone permits a wide variety of industrial related uses. An amendment to the Zoning By-law is required to facilitate the existing freestanding business and professional office building. Office use is permitted in the M2 zone but only as accessory to a permitted use on the property. The existing zoning of the lands and surrounding area are detailed on Figure 3, attached.

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Report No. PDS16-012

Site specific by-law exceptions will also be required to recognize the existing configuration of the building on the property (Figures 4 & 5). These exceptions include:

- To allow the existing front yard setback of 1.6m; whereas the by-law requires a minimum of 3.0m;
- To allow the existing rear yard setback of 6.0m; whereas the by-law requires a minimum of 9.0m:
- To amend the definition of Parking Area under section 3.96 to permit parking on a property upon which the principal use is not located;
- Notwithstanding the provisions of Section 6.26 the parking requirements for the subject lands shall be 24 parking spaces located on 110 and 113 Connaught Avenue:
- To allow a minimum 1.5 m landscape buffer strip to be located along the north property line, whereas the by-law requires a solid wood fence along with the 1.5m landscape strip.

The proposed zoning by-law amendment presented at the May 21, 2015 Public Planning Meeting focused on the subject lands known as 125 Edward Street. In order to comply with the existing parking by-law requirements, the applicant proposes to amend the original zoning amendment application and provide the required parking spaces on the adjacent site to the east (110 and 113 Connaught Avenue). Section 34.17 of the *Planning Act* permits changes to the proposed by-law after a public planning meeting is held, subject to Council's approval to determine if any further notice is required.

#### COMMENTS

## **Planning Considerations**

Provincial Policies

All *Planning Act* development applications are subject to provincial policies. Staff have evaluated the proposed zoning by-law amendment application to the Provincial Policy Statement (PPS), The Growth Plan for the Greater Golden Horseshoe and the Lake Simcoe Protection Plan.

Planning Staff are of the opinion that the subject zoning by-law amendment meets the general intent and purposes of the above noted provincial policies by optimizes existing infrastructure (section 1.6.3), encourage employment in locations that are well served by public services (section 1.8.1.c) and promote compact development (section 1.3.1 c). The subject lands are located within Wellhead Protection Area "C" (WHPA-C). Since the proposed zoning amendment application will not result in the disturbance of the existing site, the quality and quantity of the water supply will remain unchanged.

York Region Official Plan

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Report No. PDS16-012

The subject lands are designated as "Urban Area" by the York Region Official Plan. The proposed Zoning By-law Amendment application was circulated to York Region. York Region have no comments on the Zoning By-law Amendment application to permit Business office use with reduction in parking on 125 Edward Street.

## Town of Aurora Official Plan

As noted above, the subject lands are designated as "Promenade General Special Design Area" by the Official Plan. The existing Official Plan designation permits a mixture of uses including commercial and/or government offices, research and data processing facilities. In addition, the existing building meets the minimum building height of 2 storey as per Schedule "B2" of the Official Plan. Furthermore, in regards to parking standards, section 11.14.1 e) allows the applicant to provide alternative parking requirements through the implementing zoning by-law. As such, the applicant has applied for a Zoning By-law Amendment to provide an alternative parking arrangement. Given the discussion above, Planning Staff are of the opinion that the subject zoning by-law amendment meets the general intent and purposes of the Town's Official Plan policies

## Zoning By-law 2213-78, as amended

The proposed Zoning By-law Amendment application would permit office uses as a primary use and not as an accessory to a permitted use within the General Industrial (M2) Zone. In regards to the parking arrangement, the applicant is proposing to provide the required parking spaces on the adjacent property to the east. The applicant provided a detailed parking analysis for the existing uses within 125 Edward Street and the adjacent properties at 110 and 113 Connaught Avenue. According to the applicant, there are six tenants located on 110 and 113 Connaught Avenue. The existing tenants on 110 and 113 Connaught Avenue have a total gross floor area of 2,294.7m<sup>2</sup>. Based on the existing Zoning By-law parking requirement, 110 and 113 Connaught Avenue will require a total of 47 parking spaces. The existing two storey office building on 125 Edward Street has a gross floor area of 1,200 m<sup>2</sup>. As such, the existing office uses on 125 Edward Street will require 44 spaces based on the existing by-law parking requirement for an office use of 3.3 parking spaces per 90m<sup>2</sup>. As shown on Figure 6, in total there are 75 parking spaces on 110 and 113 Connaught Avenue. The applicant have demonstrated that the existing parking spaces on 110 and 113 Connaught Avenue can accommodate the parking space requirements for both 110 and 113 Connaught Avenue and 125 Edward Street. As such, Staff have no concerns with the proposed parking arrangement and recommend that the applicant to obtain a lease with the Owners of 110 and 113 Connaught Avenue for the purposes of vehicular parking for 20 vears.

Given the existing building have been in place for approximately 35 years, Staff have no concerns with the applicant's request to vary the setback requirements and parking

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standards. In addition, given the discussion above, Staff will not request the applicant to submit a site plan application. However, Building & By-law Services will require the applicant to comply with the up-to-date Building Code and fire code standards for safety issues.

As such, Planning Staff have no concerns with the proposed amendments to the Zoning By-law, subject to the registration of an easement for parking.

## **Agency Comments**

The proposed Zoning By-law Amendment application was circulated to internal and external agencies. All agencies have reviewed the proposed Zoning By-law Amendment application with no further comments.

## **Public Comments**

At the time of writing of this report, Planning Staff did not receive any additional comments from the surrounding residents. However, the following is a summary of the public comments raised at the May 21, 2015 Public Planning Meeting:

- concerns of the current uses within the office building;
- concerns with the existing noise, garbage, and lack of parking related to the existing office use.

The technical review of the proposed Zoning By-law Amendment and supporting studies has been completed by Town Staff. Public comments and issues related to relevant land use planning matters have been addressed within this report.

#### LINK TO STRATEGIC PLAN

Promoting economic opportunities that facilitate the growth of Aurora as a desirable place to do business: By rezoning the subject lands to permit service commercial uses, this will help Develop plans to attract businesses that provide employment opportunities for our residents.

The subject application supports the Strategic Plan goal of *supporting an exceptional quality of life for all* through its accomplishment in satisfying requirements in the following key objective within this goal statement:

Strengthening the fabric of our community: By permitting service commercial uses in an underutilized property at a secondary gateway of Aurora, the review of surplus lands and structures to facilitate growth and revitalization in the community action item is realised.

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Report No. PDS16-012

## **ALTERNATIVE(S) TO THE RECOMMENDATIONS**

- 1. Direct staff to report back to Council addressing any issues that may be raised at the Public Planning Meeting, or
- 2. Refusal of the applications with an explanation for the refusal.

#### SERVICING ALLOCATION

N/A

## FINANCIAL IMPLICATIONS

N/A

## **PREVIOUS REPORTS**

Public Planning Report No. PL15-044, May 21, 2015.

## CONCLUSIONS

The Planning and Development Services Department has reviewed the proposed Zoning By-law Amendment applications to allow the existing 2 storey office building on 125 Edward Street with site specific exemptions to the zoning performance standards. The applications are consistent with Provincial, Regional and Town Policy context, and compatible with the surrounding land uses.

In view of the above, Staff support the approval of the proposed Zoning By-law Amendment application subject to conveyance of an easement over adjacent lands for parking. The related Zoning By-law will be brought forward for enactment at a future Council meeting.

## **ATTACHMENTS**

Figure 1 – Location and Land use

Figure 2 – Existing OP

Figure 3 – Existing Zoning

Figure 4 – Proposed Zoning

Figure 5 – Site Plan showing the existing building

Figure 6 – Proposed Parking Plan

# Special Council - Public Planning Meeting Agenda Wednesday, March 30, 2016

March 30, 2016

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Report No. PDS16-012

## PRE-SUBMISSION REVIEW

Executive Leadership Team Meeting- March 8, 2016.

Prepared by: Lawrence Kuk, Planner – Extension 4343

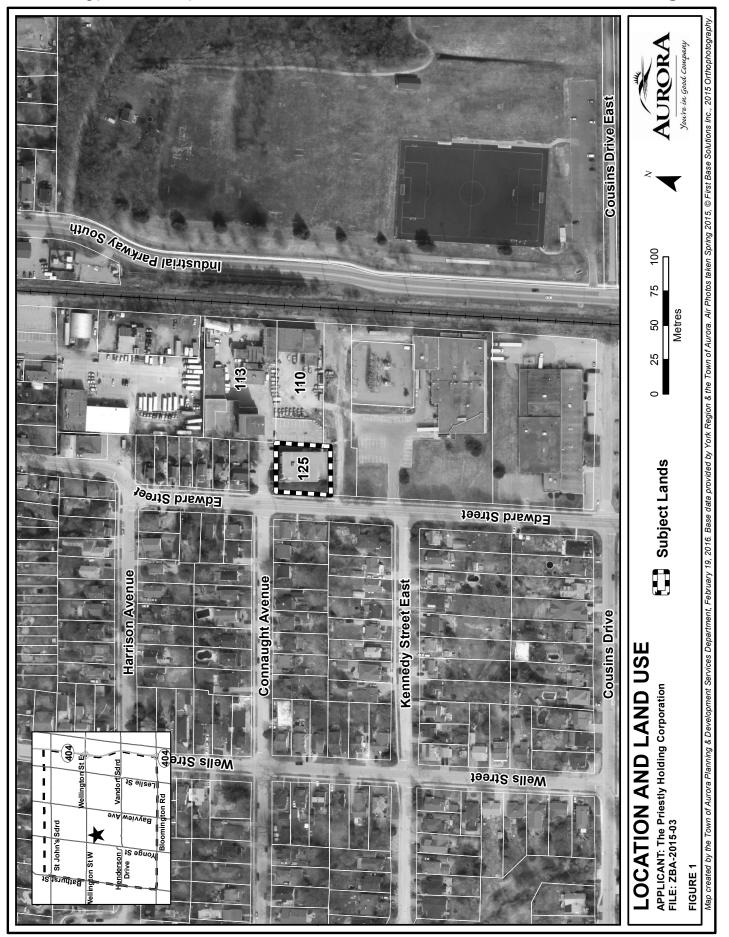
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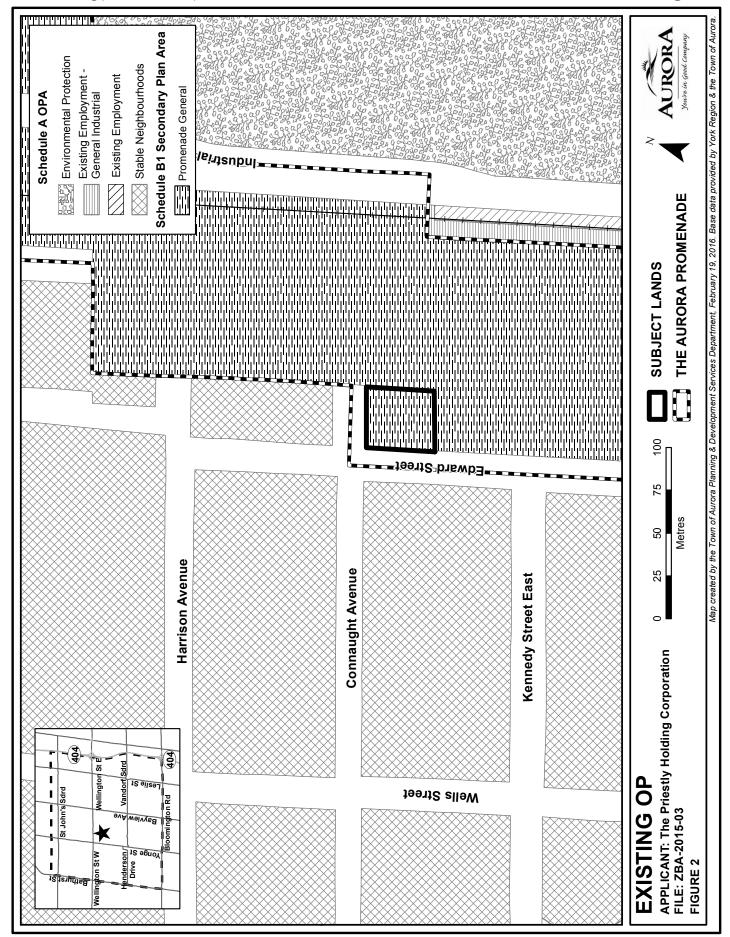
Director of Planning & Development

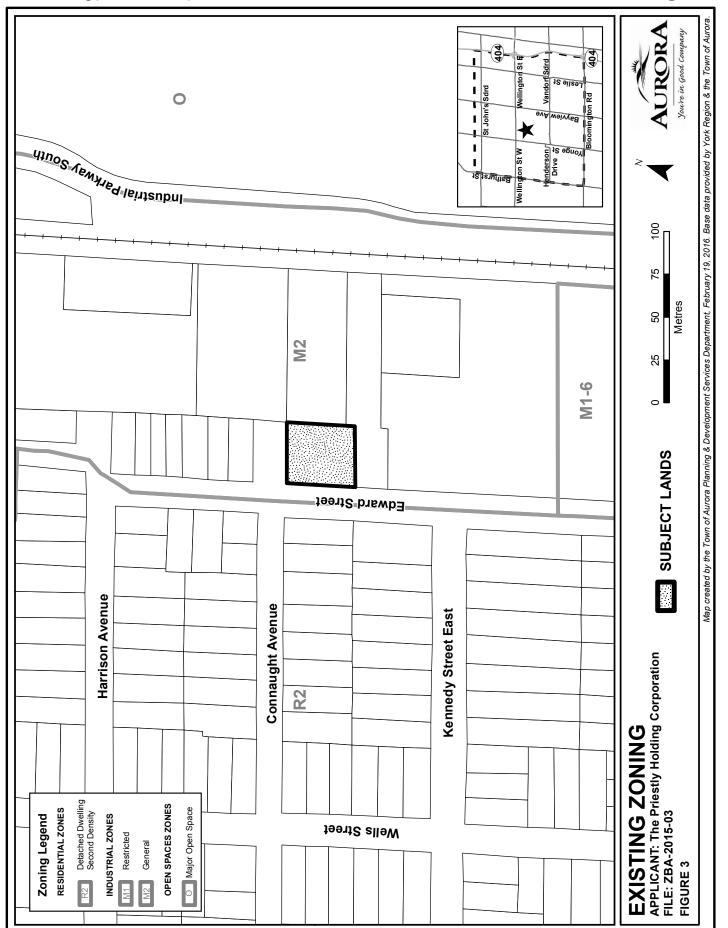
Services

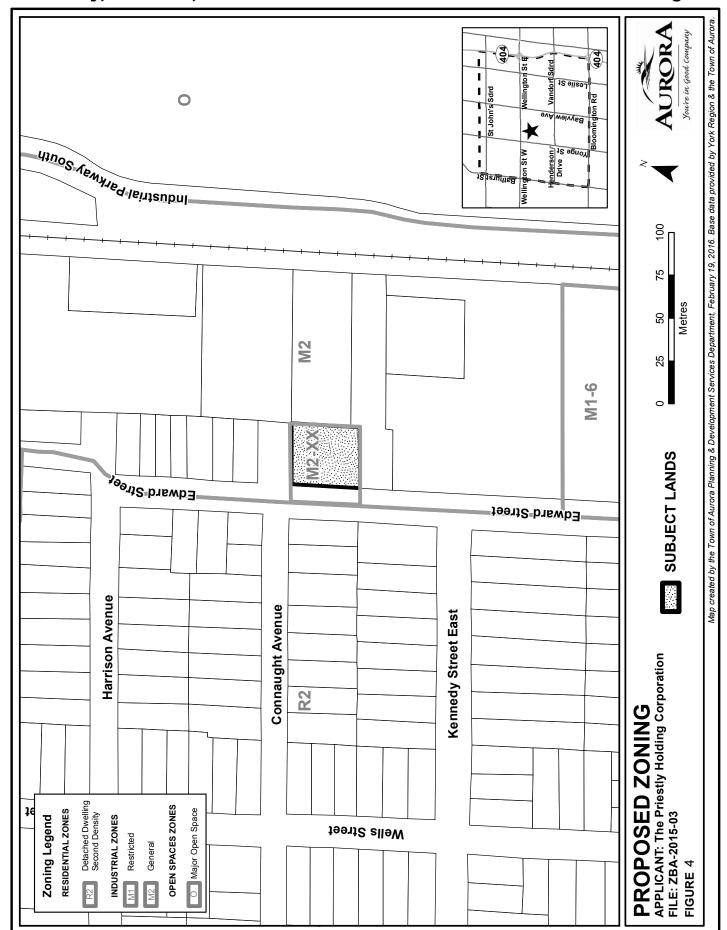
Doug Nadorozny

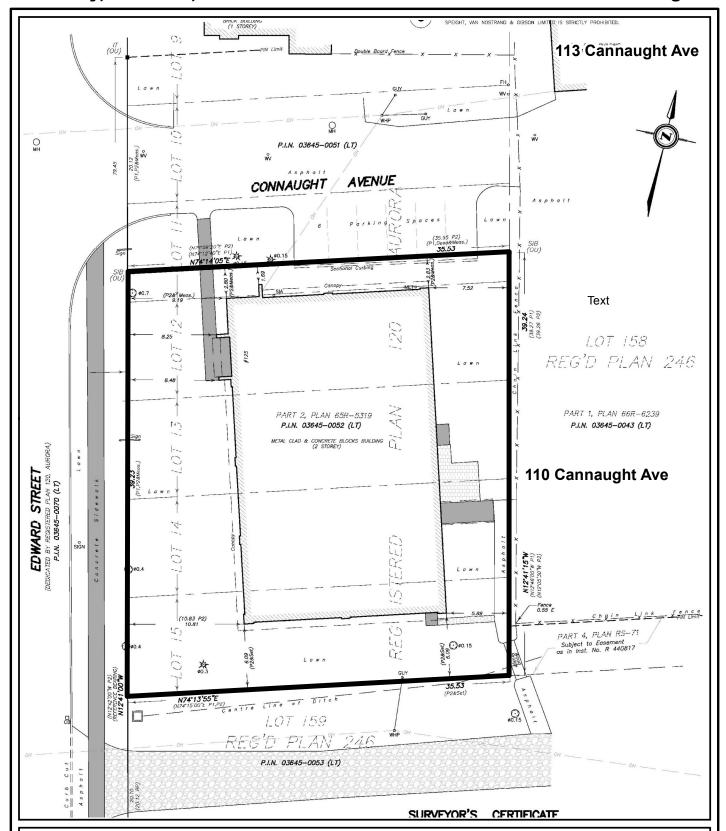
Chief Administrative Officer











## SITE PLAN SHOWING THE EXISTING BUILDING

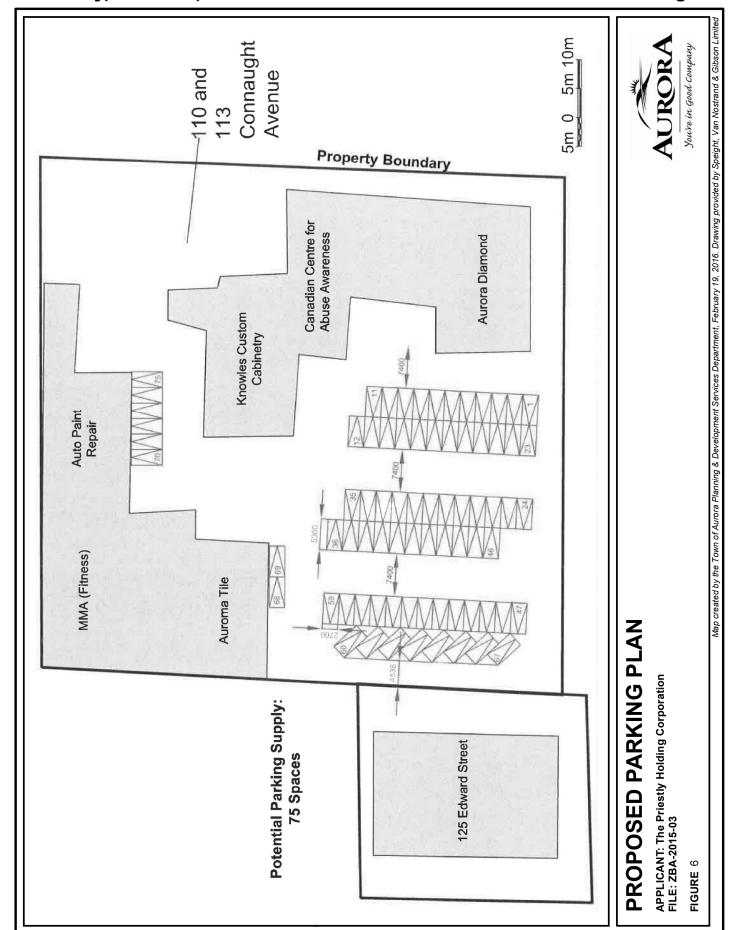
APPLICANT: The Priestly Holding Corporation FILE: ZBA-2015-03

FIGURE 5

■ SUBJECT LANDS



Map created by the Town of Aurora Planning & Development Services Department, February 19, 2016. Drawing provided by Speight, Van Nostrand & Gibson Limited



## THE CORPORATION OF THE TOWN OF AURORA

By-law Number 5833-16

BEING A BY-LAW to Confirm Actions by Council Resulting from Special Council – Public Planning Meeting on March 30, 2016.

THE COUNCIL OF THE CORPORATION OF THE TOWN OF AURORA HEREBY ENACTS AS FOLLOWS:

- 1. THAT the actions by Council at its Special Council Public Planning meeting held on March 30, 2016, in respect of each motion, resolution and other action passed and taken by the Council at the said meeting is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.
- 2. THAT the Mayor and the proper officers of the Town are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required and to execute all documents as may be necessary in that behalf and the Clerk is hereby authorized and directed to affix the corporate seal to all such documents.

READ A FIRST AND SECOND TIME THIS 30<sup>TH</sup> DAY OF MARCH, 2016.

READ A THIRD TIME AND FINALLY PASSED THIS 30<sup>TH</sup> DAY OF MARCH, 2016.

	GEOFFRE'	Y DAWE,	MAYOR
D	ATTY THOMA	DEDITY	CLERK