



**SPECIAL COUNCIL
PUBLIC PLANNING
MEETING AGENDA**

WEDNESDAY, MAY 25, 2016

7 P.M.

**COUNCIL CHAMBERS
AURORA TOWN HALL**



**TOWN OF AURORA
SPECIAL COUNCIL – PUBLIC PLANNING
MEETING AGENDA**

Wednesday, May 25, 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:

5864-16 BEING A BY-LAW to Confirm Actions by Council Resulting from Special Council – Public Planning Meeting on May 25, 2016. pg. 20

5. ADJOURNMENT

AGENDA ITEMS

1. **PDS16-038 – Proposed Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment
Charlieville Developments Ltd.
45 Tyler Street
File Numbers: SUB-2015-03, OPA-2015-02 and ZBA-2015-06** pg. 1

RECOMMENDED:

THAT Report No. PDS16-038 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.



TOWN OF AURORA
PUBLIC PLANNING MEETING REPORT No. PDS16-038

SUBJECT: *Proposed Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment
Charlieville Developments Ltd.
45 Tyler Street
File Numbers: SUB-2015-03, OPA-2015-02 and ZBA-2015-06*

FROM: *Marco Ramunno, Director of Planning & Development Services*

DATE: *May 25, 2016*

RECOMMENDATIONS

THAT Report No. PDS16-038 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 and details related to the proposed Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment application submitted for 45 Tyler Street.

The purpose of the draft plan of subdivision application is to allow a residential plan of subdivision on a 2.94 hectare parcel of land and the development of 68 townhouse units. The purpose of the accompanying Official Plan and Zoning Bylaw Amendment applications is to provide an appropriate land use redesignation, development policies and Zoning By-law Amendment provisions with exceptions as required, to implement the residential development of the proposed Draft Plan of Subdivision.

BACKGROUND

History

The subject site operated as a tannery from 1912 to 1988. Since the closure of the tannery, the site had been leased for various commercial and industrial operations from 1988 to 2013. The subject site is not designated under the *Ontario Heritage Act* and has recently been removed from the Town's Register of properties with Historical Interest in 2014. The tannery building was demolished by permit in 2015.

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Public Notification

The subject Draft Plan of Subdivision, Official Plan Amendment and Zoning Amendment applications were submitted on June 15, 2015.

On October 1, 2015, a Notice of Complete Application respecting the Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments was published in the Auroran and Aurora Banner newspapers.

On May 5, 2016 a Notice of Public Planning Meeting was published in the Auroran and Aurora Banner newspaper and given by mail to all addressed property Owners within a minimum of 120 metres (393 feet) of the subject lands. A Notice of the Public Planning meeting sign was also posted on the subject lands. Public Meeting notification has been provided in accordance with the *Planning Act*.

At the time of finalizing this report staff received inquiries and comments from the surrounding residents regarding the proposals. Planning Staff have summarized the comments received from the public under the Public Comments section of this report. Any written or verbal comments provided at the Public Planning Meeting will be considered in the technical review of the applications and included in any future reports provided to Council.

Location/Land Use

The subject lands, municipally known as 45 Tyler Street, are located between Temperance Street and George Street and on the south side of Tyler Street (Figure 1). The property has a lot area of 2.94 and a frontage of 130.5 m on Tyler Street. The subject lands have the following characteristics:

- The subject site is surrounded by predominately single detached dwellings;
- A tributary of the Tannery Creek flows south to north through the eastern portion of the Site;
- The floodplain associated with this tributary is located within the East Holland River Watershed regulated by the Lake Simcoe Region Conservation Authority;
- The eastern portion of the Site is relatively flat with a portion gently sloping towards the tributary;
- The western boundary is a hill/berm which slopes upward towards the northwestern boundary;
- Stormwater drains from the southwestern portion of the Site running off into the tributary along the southern portion of the Site;
- The areas adjacent to the tributary are lined with natural vegetation which also connects to the southern and western boundaries of the Site.

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Site works including regrading and importing clean fill are currently proceeding on the property in accordance with permissions from the Lake Simcoe Region Conservation Authority. The permit allows the applicant to import 13,000 m³ of clean Table 1 fill. Trucks are restricted to 8:30 am to 4pm. All work is being done under the Soil Management/ Remediation Plan and supervision by the applicant's environmental engineer in accordance with the permits from LSRCA.

The surrounding land uses are as follows:

North: Residential;
South: Residential, Institutional and Lions Park
East: Residential Apartment;
West: Residential

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" and "Regional Greenlands System" 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.

The portion of the Site associated with the floodplain and tributary of the Tannery Creek forms part of the "Regional Greenlands System" and is identified as a "Key Hydrologic Feature."

The Region Official Plan recognizes that the housing market is faced with demand for a

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broader variety of housing types and sizes to meet the diverse range of needs of the Region's residents and workers. The mix and range of housing shall be consistent with York Region forecasts, intensification and density requirements.

Section 8.3.8 of the Region of York Official Plan states that amendments to local Official Plans may be exempt from Regional approval if they are of local significance and no Regional interest is adversely affected. The proposed Official Plan Amendment is considered a local matter by the Region and is exempted from approval by Regional Planning Committee and Council.

Town of Aurora Official Plan

The subject lands are designated as "Existing Employment-Brownfield Industrial", "Environmental Protection" and "Private Parkland" by the Town of Aurora Official Plan (Figure 2).

Existing Employment-Brownfield Industrial

The intent of the brownfield designation is to allow for appropriate redevelopment in accordance with the Aurora Promenade Concept Plan – Urban Design Strategy without having the Employment Area Conversion Policies being applied. According to the Aurora Promenade Concept Plan, the subject land is located within a character area identified as Neighbourhood: Promenade. The concept plan acknowledges the subject lands as an aging industrial use that can be designed with a higher density residential use. A vital aspect of the objective for creating a "complete and life-long" neighbourhood within the Aurora Promenade is to provide a higher density built form which provides a good transition from the higher density along Yonge Street and alternative to the typical single-family homes.

The design policies for the redevelopment on the subject lands are as follows:

- Lands associated with the regulated flood plain combined with the balance of the property to the east of the watercourse should remain as green open space providing a formalized pedestrian link between Tyler Street and the St George public school;
- Access into the site should be provided as an extension of Mill Street and aligned to frame the open space area to enhance its accessibility and safety;
- The balance of the lands should be of residential uses in low rise house forms that are compatible with the surrounding neighbourhood, such as row houses and garden apartments;
- All buildings should front or flank the streets and open spaces;
- Cultural and built heritage resources should be retained and/ or adapted to new uses where possible; and

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- A heritage interpretive element should be provided to identify the site's significance in Aurora's industrial history.

Private Parkland

The Private Parkland designation is intended to augment the Town's existing open space system by providing important physical and visual linkages.

As a result of the closure and demolished Tannery building, it is appropriate to consider another use of the subject site. The redevelopment of land designated Private Parkland is contemplated by the Official Plan, as Policy 12.4.3 e) states that:

"When private open space is proposed to be developed for another use, Council may require:

- i) An evaluation of the environmental impact;
- ii) Evidence that the proposed use is compatible with the surrounding uses;
- iii) An Official Plan, Secondary Plan and/or Zoning Bylaw amendment; and
- iv) A Plan of Subdivision and development, including the approval of the applicable agencies."

Environmental Protection

Portions of the subject lands are also designated as Environmental Protection. The Environmental Protection Designation are designed to identify and protect the environmental features and functions that will form a strong and permanent Greenland Systems.

As per Official Plan Policy 12.5.2a, the boundaries and extent of the lands designated Environmental Protection Area are approximate and minor adjustments and refinements can occur based on the results of an Environmental Impact Statement or Natural Heritage Evaluation.

As a result, the applicant has submitted an Official Plan Amendment and all associated environmental studies, including reports assessing the environmental impact of the proposed development.

Town of Aurora Zoning By-law

The subject lands are currently zoned "General Industrial (M2) Zone" and "Environmental Protection (EP) Zone" by the Town of Aurora Zoning By-law 2213-78, as amended. (Figure 3) The existing zoning reflects the industrial use of the former tannery building and the existing watercourse.

The Applicant has submitted an application to amend the zoning bylaw to implement the

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proposed Draft Plan of Subdivision. Exceptions to the Row Dwelling (R6) Zone standards of the Town's comprehensive bylaw have also been sought to implement the proposed residential Draft Plan of Subdivision. (Figure 4)

Reports and Studies

The Owner submitted the following documents as part of a complete application to the proposed Draft Plan of Subdivision, Official Plan and Zoning By-law Amendment applications:

Report Name	Report Author
Arborist Report	The MBTW Group
Stage 1 Archaeological Assessment	Archaeological Services Inc.
Benthic Invertebrate Study	EXP Services Inc.
Environmental Impact Study	Beacon Environmental
Floodplain Analysis Report	Cole Engineering Group Ltd.
Functional Servicing and Stormwater Management Report	Cole Engineering Group Ltd.
Hydrogeology Study	EXP Services Inc.
Phase One Environmental Assessment	EXP Services Inc.
Planning Justification Report	Groundswell Urban Planners Inc.
Slope Stability Assessment	Alston Associates Inc.
Soil Investigation Report	Soil Engineers Ltd.
Source Water Impact Assessment and Mitigation Plan	Cole Engineering Group Ltd.
Restoration Concepts for Tannery Creek	GEO Morphix Ltd.
Traffic Impact, Site Access and Parking Study	Cole Engineering Group Ltd.
Urban Design Guidelines	The MBTW Group
Phase two Environmental Assessment	EXP Services Inc.
Supplemental Phase two Environmental Site Assessment	EXP Services Inc.
Draft Official Plan and Draft Zoning By-law documents	Groundswell Urban Planners Inc.
Draft Plan of Subdivision	Groundswell Urban Planners Inc.
Proposed Site Plan	Groundswell Urban Planners Inc.
Risk Assessment	EXP Services Inc.

Proposal

Proposed Plan of Subdivision

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As illustrated on Figure 4, the proposed draft plan of subdivision is divided into four blocks over the 2.9 ha site. Block "A" represents the Residential Condominium development area for a total of 1.62 ha. Block "B" and Block "C" represent the Open Space area for a total of 1.3 ha. Block "D" represents a 0.3m Reserve.

The proposed townhouse development will be subject to a site plan application and a Draft Plan of Condominium. Currently, the applicant have not submitted a formal site plan application and Draft Plan of Condominium. However, for reference only, the applicant provided a conceptual site plan.

Conceptual Site Plan

The conceptual site plan proposes a total of 68 townhome condominium units. (Figure 5) The townhomes are slab on grade (i.e. no basements) and proposed to be 3 storeys in height. The majority of the townhouse units (55 units) will have a 1 car tandem garage option, with the remaining 13 units will have a 2 car garage option. There is a total of 23 visitor parking spaces. Two access points are proposed off Tyler Street, one access will line up with Mill Street to the North and the other access is situated further east along Tyler Street. The proposed access to the townhouse development will be a private condominium laneway.

Tannery Creek Restoration

The watercourse that flows through the subject property is a tributary of Tannery Creek, which is located in the East Holland River watershed. Based on the Environmental Impact Assessment by Beacon Environmental, the watercourse is not believed to provide direct fish habitat, and is located within a highly urbanized area. As such, Beacon Environmental recommends that a 5 m buffer from proposed physical top of bank would be sufficient to protect the feature and its function. In addition, the applicant is providing improvements to the existing channel corridor, including the removal of an existing concrete weir and culvert, creation of pools, channel platform stabilization, along with native plantings within the natural feature buffer.

Remediation of a Brownfield Site

When a brownfield property is being redeveloped for a new use, the owner must meet set requirements for assessing the environmental conditions of a property through environmental site assessments (ESA). The ESA ensures the subject site meets the applicable site condition standards or standards specified in a risk assessment. A risk assessment examines the risk posed to human health, plants, wildlife and the natural environment from exposure to a contaminant at the property. The risk assessment is evaluated by the Ontario Ministry of the Environment and Climate Change (MOECC). In addition, the Owner must submit a Record of Site Condition for filing in Ontario's Environmental Site Registry.

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The applicant submitted a Phase Two environmental site assessment to evaluate the subsurface conditions at the subject lands. The Phase two ESA involved several soil and ground water testing programs, a soil and ground water remediation program and review and inclusion of historical data.

In summary, the Phase Two ESA found 71 parameters which exceeded the Table 8 MOECC standards in the soil samples, 35 of which were successfully remediated, and 35 parameters exceeding the Table 8 MOECC standards in the ground water samples, 26 of which were successfully remediated. In addition, the ESA found nitrate and nitrite in the soil and ground water. The ESA notes that MOECC have no standards for nitrate and nitrite. These compounds are naturally occurring and are not considered toxic in soil. Nitrate and nitrite were evaluated in the Risk Assessment. Overall, it is the applicant's environmental consultant's professional opinion that all parameters found are considered to be standard contaminants from a former tannery site.

As a result, a Risk Assessment (RA) was completed in full compliance with the mandatory requirements contained in O. Reg. 153/04 – Records of Site Condition under the Environmental Protection Act, R.S.O. 1990, c. E. 19. The RA is prepared and has been submitted to MOECC for review, comments and final approval. The RA concluded that no unacceptable risk is anticipated as a result of soil, ground water and sediment contamination in the presence of risk management measures proposed in the RA.

Proposed Official Plan Amendment

As shown in Figure 6, the applicant is proposing to amend the existing Official Plan designation "Existing Employment – Brownfield industrial", "Environmental Protection" and "Private Parkland" to "Stable Neighbourhood" and "Environmental Protection" areas. It is proposed that the boundaries of these designations be refined to be consistent with the redevelopment concept.

Additional area consisting of private open space is proposed along the western boundary of the site. This area is proposed to be designated "Environmental Protection" for the purposes of maintaining the existing natural vegetation on the property.

Proposed Zoning By-law Amendment

As shown in Figure 7, the implementing zoning by-law for the proposed Draft Plan of Subdivision proposes to rezone lands from "General Industrial (M2) Zone" and "Environmental Protection (EP) Zone" to "Row Dwelling Residential (R6-X) Exception Zone" and "Environmental Protection (EP) Zone".

An amendment to the Zoning By-law is required to facilitate the proposed residential plan of subdivision. The existing zoning of the lands and surrounding area are detailed on Figure 7, attached.

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	Existing R6 Zone Requirement	Proposed R6 Exception Zone
Permitted Uses	Row housing, maisonettes, link houses, private home day care	Row housing, maisonettes, link houses, private home day care
Lot Area per dwelling unit (minimum)	Row housing 230 m ²	Row housing 137 m ² *
Lot Frontage (minimum)	Row Housing Total parcel (min.) 30 metres Per unit (min.) 6 metres	Row Housing * Total parcel (min.) 19.9 metres Per unit (min.) 5.5 metres
Front Yard (minimum)	7.5m	6.0 m *
Rear Yard (minimum)	7.5 m	7.0 m for ravine facing units, * 7.5 m elsewhere
Side Yard		
Exterior (minimum)	6.0 m	5.0 m (public road) * 3.0 m (condo road) *
Interior (minimum)	1.5 m	1.5m
Unobstructed Distance Between Buildings on the Same Lot (minimum)	3.0 m	3.0 m
Floor Area (minimum)	75 m ²	75 m ²
Lot Coverage (Maximum)	25 %	25 %
Height (maximum)	10 m	12.5 m *

*By-law exception required

The Owner has submitted a draft Zoning By-law Amendment which is currently under review by staff.

COMMENTS

Town Department/ Agency Comments

A preliminary review of the proposed Official Plan and Zoning By-law Amendment applications have been undertaken by internal departments and external agencies. Staff has identified the following matters to be addressed in greater detail prior to staff preparing a final report for Council's consideration:

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- The consideration of the subject application relative to existing and future surrounding land uses to assess the compatibility and appropriateness of the proposed Official Plan and Zoning By-law amendments;
- Verification of an approved Risk Assessment and a Record of Site Condition by the Ministry of Environment Climate Change is required;
- An Urban design peer reviewer will be retained to review the design plans vis a vis the urban design policies of the Official Plan and the Aurora Promenade Concept Plan – Urban Design Strategy; including height and the historical architectural styles of the area;
- A more detailed Site Plan showing all dimensions to verify the proposed development with zoning conformity;
- Autoturn analyses is required to conform fire truck manoeuvrability;
- Assessment of the proposed two access points onto the Tyler Street;
- The water and sanitary capacity analysis needs to be updated according to the Town's Engineering standards;
- Availability of servicing and acceptable grading subject to detailed engineering and site plan application; and
- Landscaping design should follow the Aurora Promenade design standards as it relates to design and materials. A vegetation management plan and compensation planting will be required through the site plan process to address tree removal and preservation.

The Lake Simcoe Region Conservation Authority (LSRCA) will review and provide written comments to the Town in context of all the applicable provincial policies as required under subsection 3(6) of the *Planning Act*. In addition, the LSRCA will provide review comments in regards to the Natural Heritage, Water Quality and Quantity, Source Water Protection, Stormwater Management and Sub-Watershed Plan. Furthermore, the LSRCA will provide advice to the Town on planning matters where other legislation may be applicable such as the *Environmental Assessment Act*, *Clean Water Act* and the *Endangered Species Act*. The full set of comments and recommended conditions from the LSRCA will be included in a future staff report for consideration.

PUBLIC COMMENTS

Planning Staff have received comments from the public circulation. At the time of writing

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this report, residents from the surrounding neighbourhood of the subject site provided written and verbal comments expressing their concerns and questions regarding the proposed planning application, summarized as the following issues:

- Decrease of the surrounding property values;
- Concerns regarding the area being a flood plain
- Believes this area should be naturalized not developed;
- Concerns regarding the loss of a wide variety of wildlife in this area;
- Concerns with the proposed basketball courts on the conceptual site plan and
- Concerns with the increase noise this development will bring to the area.

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.

SERVICING ALLOCATION

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

FINANCIAL IMPLICATIONS

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

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PREVIOUS REPORTS

None.

CONCLUSION

Town Staff will finalize their review of the subject applications including, but not limited to, matters addressed in this report, as well as the comments received from the public and Council and provide a comprehensive report at a future General Committee Meeting.

ATTACHMENTS


Figure 1: Location Plan
Figure 2: Existing Official Plan
Figure 3: Existing Zoning By-law
Figure 4: Proposed Draft Plan of Subdivision
Figure 5: Conceptual Site Plan
Figure 6: Proposed Official Plan
Figure 7: Proposed Zoning By-law

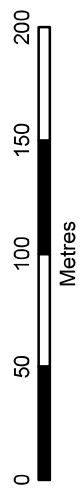
PRE-SUBMISSION REVIEW

Executive Leadership Team Meeting – May 5, 2016.

Prepared by: Lawrence Kuk, Planner, Ext. 4343


Marco Ramunno, MCIP, RPP
Director of Planning & Development
Services


Doug Naderozny
Chief Administrative Officer

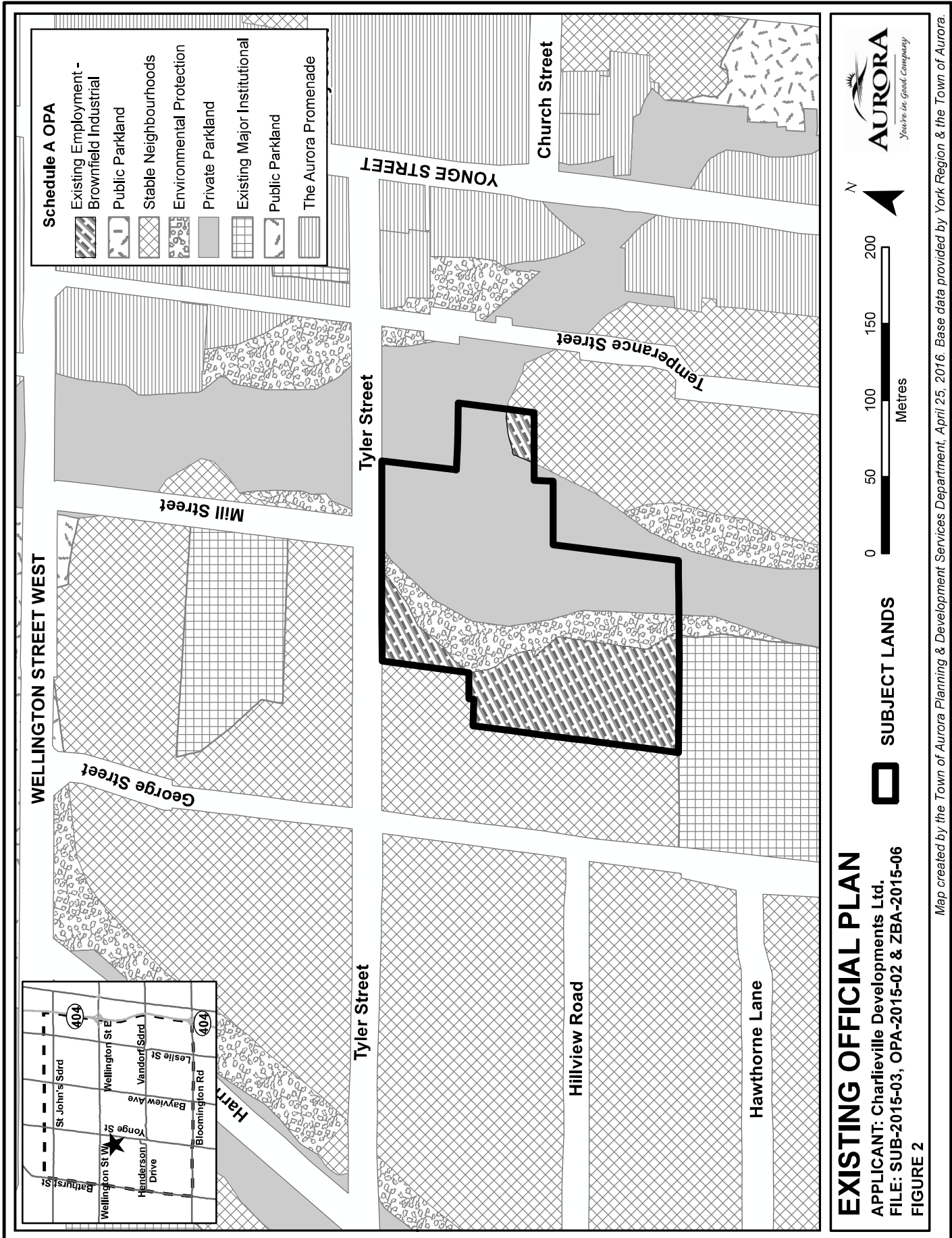


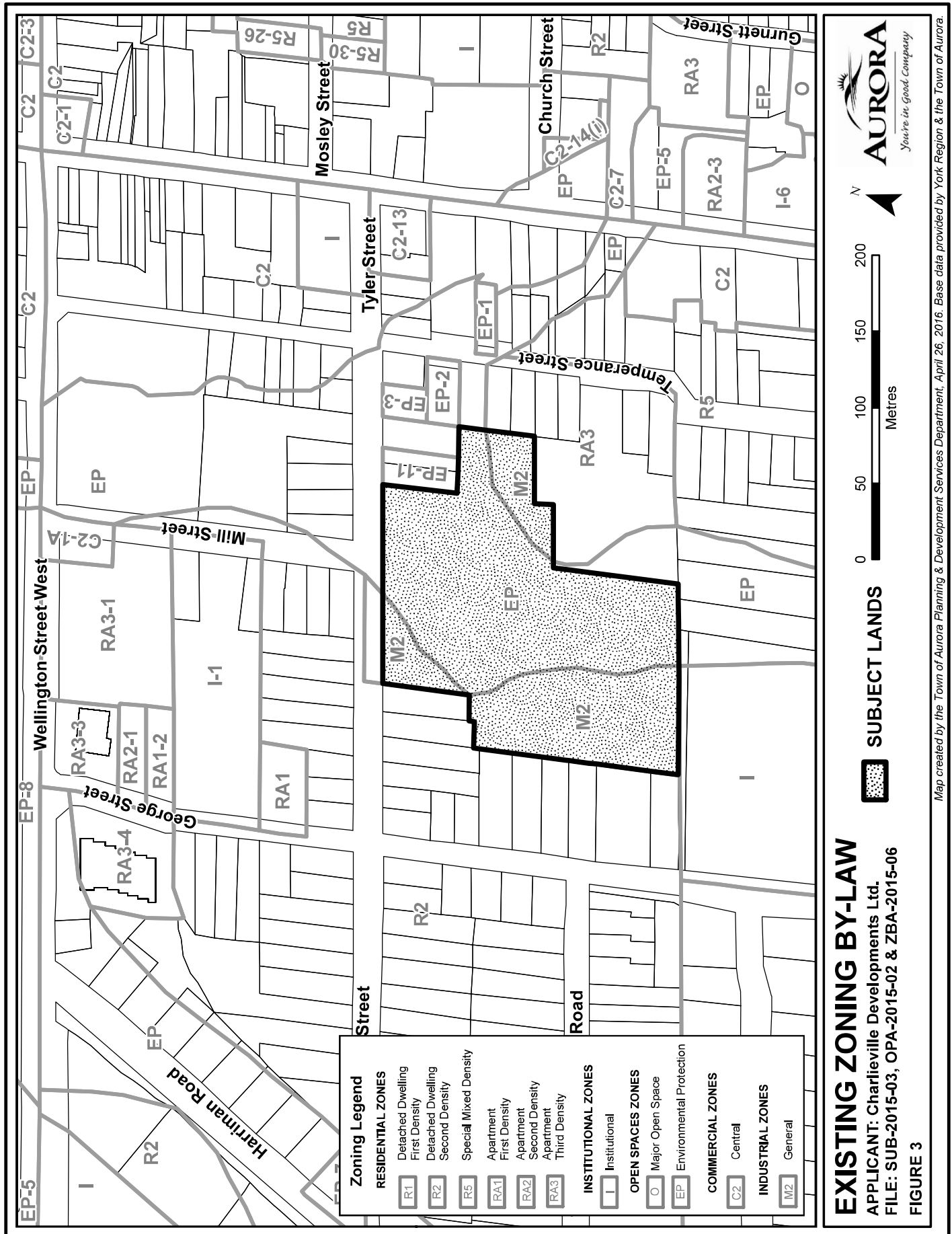
Subject Lands

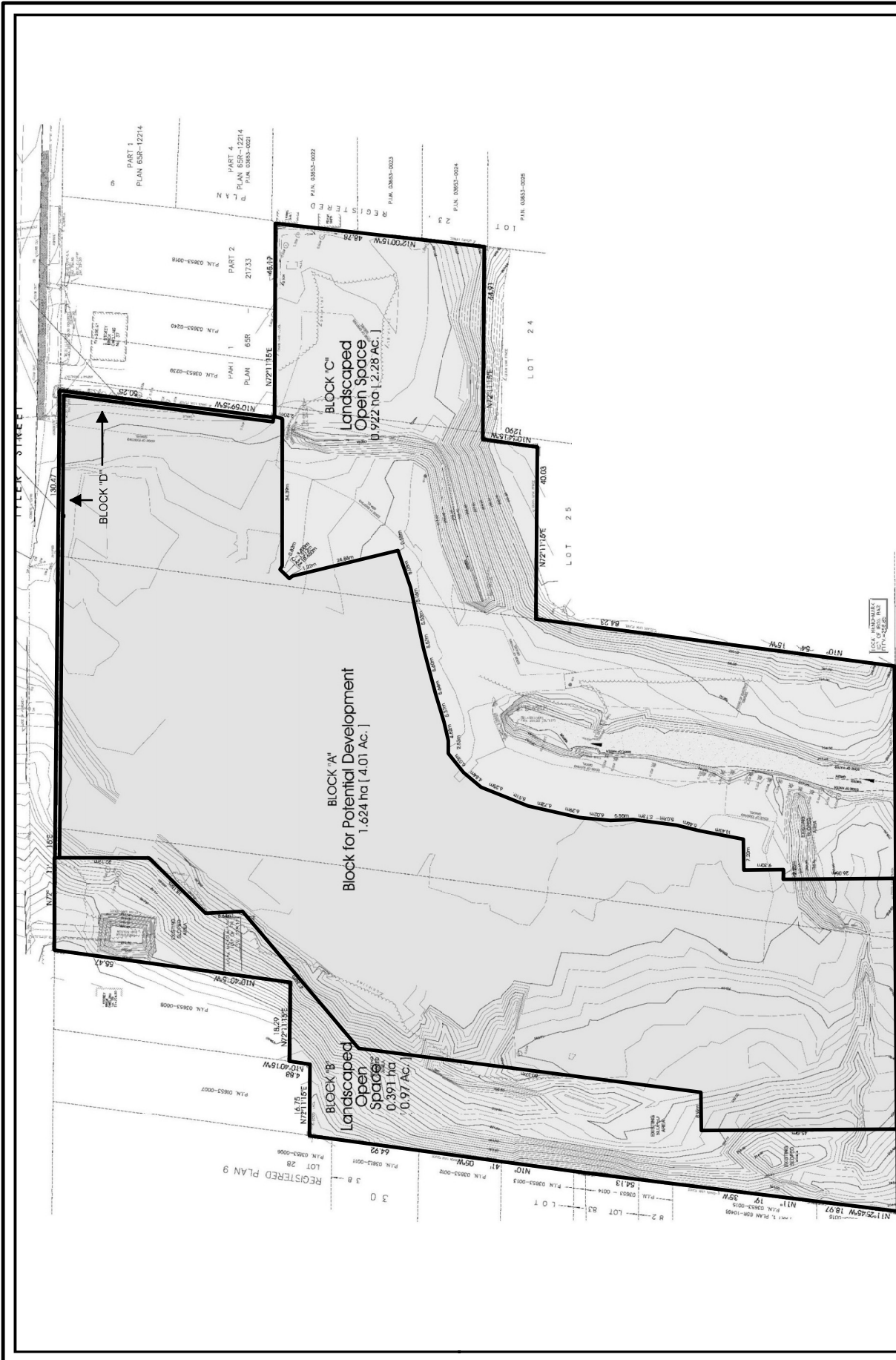


LOCATION PLAN
 APPLICANT: Charleville Developments Ltd.
 FILE: SUB-2015-03, OPA-2015-02 & ZBA-2015-06
FIGURE 1

Map created by the Town of Aurora Planning & Development Services Department, April 25, 2016. Base data provided by York Region & the Town of Aurora. Air Photos taken Spring 2015, © First Base Solutions Inc., 2015 Orthophotography.







PROPOSED DRAFT PLAN OF SUBDIVISION

APPLICANT: Charleville Developments Ltd.
 FILE: SUB-2015-03, OPA-2015-02 & ZBA-2015-06

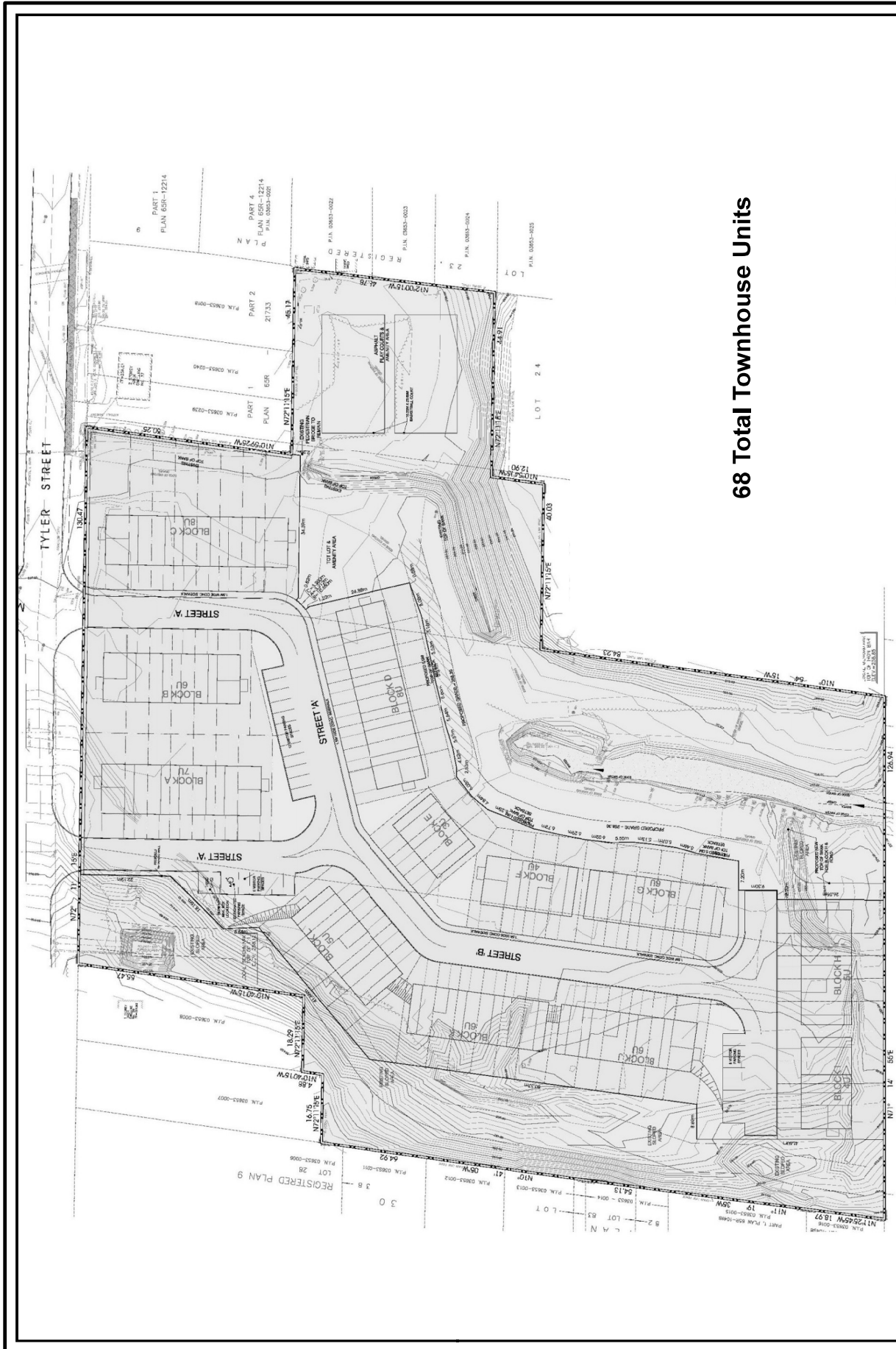
FIGURE 4



Map created by the Town of Aurora Planning & Development Services Department, April 26, 2016.

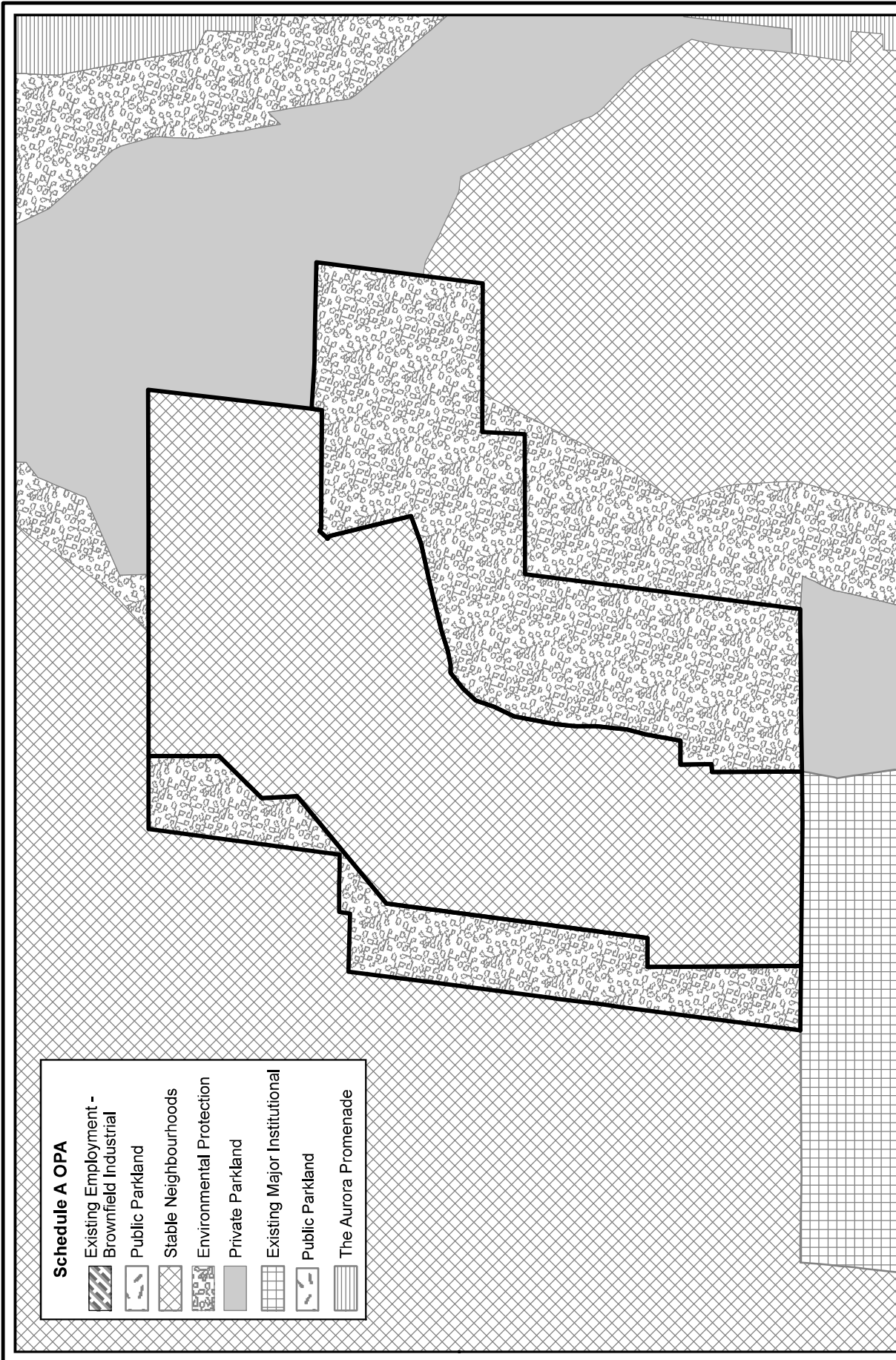



Map created by the Town of Aurora Planning & Development Services Department, April 25, 2016.



68 Total Townhouse Units

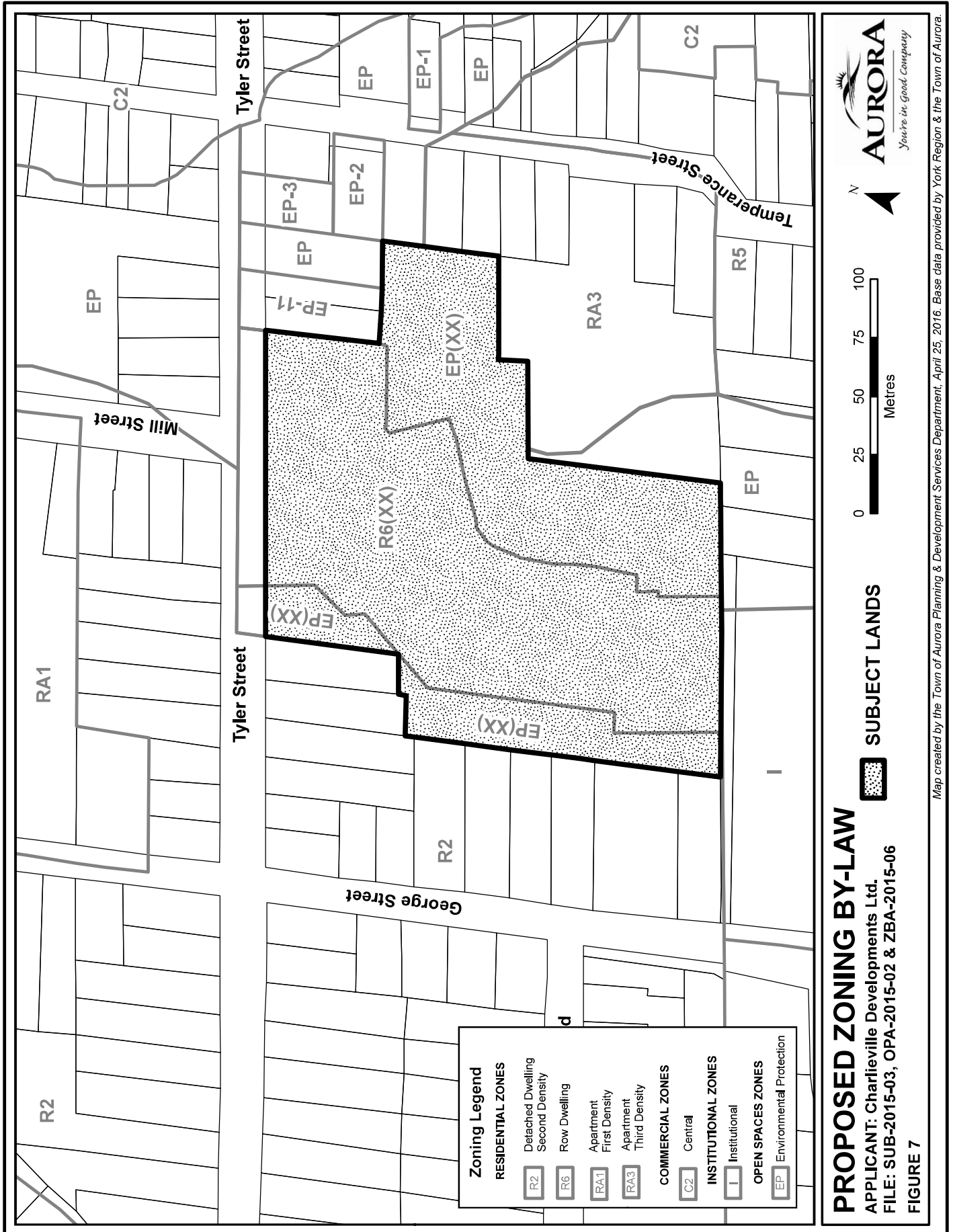
CONCEPTUAL SITE PLAN
 APPLICANT: Charleville Developments Ltd.
 FILE: SUB-2015-03, OPA-2015-02 & ZBA-2015-06
FIGURE 5



 **SUBJECT LAND ZONES**

PROPOSED OFFICIAL PLAN
 APPLICANT: Charleville Developments Ltd.
 FILE: SUB-2015-03, OPA-2015-02 & ZBA-2015-06
FIGURE 6

Map created by the Town of Aurora Planning & Development Services Department, April 26, 2016.



THE CORPORATION OF THE TOWN OF AURORA

By-law Number 5864-16

***BEING A BY-LAW to Confirm Actions by Council
Resulting from Special Council – Public Planning
Meeting on May 25, 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 May 25, 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 25TH DAY OF MAY, 2016.

READ A THIRD TIME AND FINALLY PASSED THIS 25TH DAY OF MAY, 2016.

GEOFFREY DAWE, MAYOR

PATTY THOMA, DEPUTY CLERK