



General Committee Meeting Agenda

**Tuesday, June 4, 2019
7 p.m.**

**Council Chambers
Aurora Town Hall**



Town of Aurora General Committee Meeting Agenda

Tuesday, June 4, 2019
7 p.m., Council Chambers

Councillor Gilliland in the Chair

1. Approval of the Agenda

Recommended:

That the agenda as circulated by Legislative Services be approved.

2. Declarations of Pecuniary Interest and General Nature Thereof

3. Community Presentations

- (a) Shelley Ware, Recreation Supervisor, Special Events
Re: Festivals & Events Ontario (FEO) Awards**

4. Delegations

5. Consent Agenda

6. Advisory Committee Meeting Minutes

Recommended:

That the following Advisory Committee Meeting Minutes item A1 be received:

A1. Accessibility Advisory Committee Meeting Minutes of May 8, 2019

Recommended:

1. That the Accessibility Advisory Committee meeting minutes of May 8, 2019, be received for information.

7. Consideration of Items Requiring Discussion (Regular Agenda)

**R1. PDS19-039 – Stable Neighbourhood Study – Recommendation Report:
Zoning Standards**

Recommended:

1. That Report No. PDS19-039 be received; and
2. That the staff refinements presented in this report be approved; and
3. That the implementing Zoning By-law be presented at a future Council meeting for enactment; and
4. That staff finalize the Urban Design Guidelines and report back to a future Council meeting.

R2. OPS19-014 – Tennis Court Resurfacing – David English Park

Recommended:

1. That Report No. OPS19-014 be received; and
2. That this report satisfy Council's conditional approval of Capital Project No. 73231 – Tennis Court Resurfacing – David English Park in the amount of \$20,000.

**R3. OPS19-015 – Municipal Streetscape Partnership Program – Kwik Kopy
Trail Improvements**

Recommended:

1. That Report No. OPS19-015 be received; and

2. That an application be submitted to the Regional Municipality of York for funding under the Municipal Streetscape Partnership Program (MSPP) in the amount of \$150,000 for a one-third cost of the streetscape enhancements and improvements to St. John's Sideroad and Yonge Street as part of Capital Project No. 73107 – Kwik Kopy Trail; and
3. That the Mayor and Town Clerk be authorized to execute the Agreement between the Town of Aurora and the Regional Municipality of York, and any and all documents and ancillary agreements required to give effect to same, for the maintenance of the improvements within the Regional right-of-way once constructed.

**R4. PDS19-048 – Transfer of Servicing Allocation and Application for Removal of (H) Holding Provision
Shimvest Investments Ltd., Prato Estates Inc., and
Preserve Homes Corp.
323 River Ridge Boulevard
Block 156, Plan 65M-4485, Block 231, Plan 65M-3971 and
Block 164, Plan 65M-3946
File Number: ZBA(H)-2017-09
Related File Numbers: ZBA-2017-09 and SUB-2017-04**

Recommended:

1. That Report No. PDS19-048 be received; and
2. That an allocation of 81 persons be granted from the reserve to service the development of 25 single detached dwellings on the approved Draft Plan of Subdivision; and
3. That the Application to Remove the (H) Holding Provision (File ZBA(H)-2017-09) from Lots 1 to 25 inclusive on the approved Draft Plan of Subdivision (SUB-2017-04) be approved; and
4. That the amending By-law to remove the (H) Holding Provision be presented for enactment at a future Council meeting; and
5. That the Mayor and Town Clerk be authorized to execute any and all agreements, documents and ancillary agreements required to give effect to the development.

8. Notices of Motion

9. New Business

10. Closed Session

11. Adjournment



**Town of Aurora
Accessibility Advisory Committee
Meeting Minutes**

Date:	Wednesday, May 8, 2019
Time and Location:	7 p.m., Holland Room, Aurora Town Hall
Committee Members:	John Lenchak (Chair), Hailey Reiss (Vice Chair), Matthew Abas, Jo-anne Spitzer, and Councillor Rachel Gilliland
Members Absent:	Gordon Barnes and Max Le Moine
Other Attendees:	Mat Zawada, Accessibility Advisor, and Nicole Trudeau, Committee Coordinator

The Chair called the meeting to order at 7 p.m.

1. Approval of the Agenda

**Moved by Councillor Gilliland
Seconded by Jo-anne Spitzer**

That the agenda as circulated by Legislative Services be approved.

Carried

2. Declarations of Pecuniary Interest and General Nature Thereof

There were no declarations of pecuniary interest under the *Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50.*

3. Receipt of the Minutes

Accessibility Advisory Committee Meeting Minutes of April 3, 2019

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**Moved by Councillor Gilliland
Seconded by Matthew Abas**

That the Accessibility Advisory Committee meeting minutes of April 3, 2019, be received for information.

Carried

4. Delegations

None

5. Matters for Consideration

1. Round Table Discussion Re: National AccessAbility Week

Staff provided an update on the activities taking place during National AccessAbility Week, being recognized from May 26 to June 1, 2019, including an open house on Friday, May 31, 2019, from 4:00 p.m. to 6 p.m., at the Aurora Family Leisure Complex, along with external communication initiatives (Twitter, Facebook and advertising posters).

**Moved by Jo-anne Spitzer
Seconded by Matthew Abas**

1. That the comments and suggestions regarding National AccessAbility Week be received and referred to staff for consideration and action as appropriate.

Carried

2. Round Table Discussion Re: Town of Aurora Accessibility Plan 2018 to 2024

Staff provided an update on the status of project Item #11-2010 in Appendix "B" – Recommended Accessibility Items 2018-2024 of the Accessibility Plan, for captioning to be included for streaming of Council and Committee meetings.

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The Committee agreed that Item #11-2010 should be removed from Appendix “B” – Recommended Accessibility Items 2018-2024 and that the associated costs of \$15,000 per year be reallocated.

**Moved by Jo-anne Spitzer
Seconded by Hailey Reiss**

1. That the comments and suggestions regarding the Town of Aurora Accessibility Plan 2018 to 2024 be received and referred to staff for consideration and action as appropriate.

Carried

**3. Round Table Discussion
Re: Accessibility Trailer – Whitchurch-Stouffville**

Staff provided an update on the financial contributions made to the Town of Whitchurch-Stouffville to fund the accessible trailer, including donations from community fundraising, Magna International, Town of Newmarket, Town of Georgina, and York Region.

The Committee continued to discuss the financial contributions made to Whitchurch-Stouffville to fund the accessible trailer, including the donation from the Town of Aurora, along with suggestions to give or exchange information with community contacts and affected municipalities, together with their accessibility advisory committees, as the Chair will be the lead on behalf of the Committee.

**Moved by Councillor Gilliland
Seconded by Matthew Abas**

1. That the comments and suggestions regarding the Accessibility Trailer – Whitchurch-Stouffville be received and referred to staff for consideration and action as appropriate.

Carried

**4. Round Table Discussion
Re: Changes to Social Assistance**

Ms. Reiss provided an overview of the changes to social assistance through Ontario's two social assistance programs, Ontario Works and the Ontario Disability Support Program.

The Committee discussed limited rate increases, earned income exemptions and the changes to the definition of disability, along with the impact on those individuals currently on and applying for Ontario Works and the Ontario Disability Support Program in the future.

**Moved by Matthew Abas
Seconded by Jo-anne Spitzer**

Recommended:

1. That the comments and suggestions regarding the Changes to Social Assistance be received for information.

Carried

6. Informational Items

In response to the Committee wanting to reach out to inspire businesses to become more inclusive, staff noted that a handbook from the Ontario BIA Association called "The Business of Accessibility: How to Make Your Main Street Business Accessibility Smart" will be added to the Accessibility Advisory Committee agenda on June 5, 2019, for discussion, as the handbook offers no-cost and low-cost suggestions.

7. Adjournment

**Moved by Councillor Gilliland
Seconded by Matthew Abas**

That the meeting be adjourned at 8:05 p.m.

Carried



**Town of Aurora
General Committee Report No. PDS19-039**

Subject: Stable Neighbourhood Study – Recommendation Report: Zoning Standards
Prepared by: Andria Sallese
Department: Planning and Development Services
Date: June 4, 2019

Recommendation

- 1. That Report No. PDS19-039 be received;**
- 2. That Council approve the Staff refinements presented in this report;**
- 3. That the implementing Zoning By-law be presented at a future Council meeting for enactment; and,**
- 4. That Staff finalize the Urban Design Guidelines and report back to a future Council meeting.**

Executive Summary

The purpose of this report is to outline options to amend Comprehensive Zoning By-law 6000-17 (the “By-law”) in order to address compatibility of additions and new builds in the Stable Neighbourhood Study Area (the “Study Area”) (see Figure 1).

This report will summarize the work undertaken as part of the public outreach program, which zones within the Study Area require amendments, and provides final recommendations to amend the By-law, outlined as follows:

- The unique characteristics of the Study Area have been identified and evaluated.
- Key planning issues regarding residential redevelopment in the Study Area have been identified and evaluated.
- Planning tools have been identified to further respect and reinforce the distinct character of the Study Area’s mature, stable neighbourhoods.
- Town Staff are proposing minor refinements to the performance standards presented in the March 27, 2019 report.

- Public input obtained through various methods has been received and used to refine the consultant's recommendations.

Background

Application History

At a Public Planning meeting of March 27, 2019, Council directed Staff to address comments presented at that meeting and outline recommendations and options in a comprehensive report at a future General Committee meeting. A timeline of the Study process and additional background information on the Study can be found in Attachment 3.

This report presents the recommended amendments to the By-law to address issues raised related to: lot coverage, building height, dwelling size, setbacks and the placement and size of garages.

Analysis

The unique characteristics of the Study Area have been identified and evaluated.

The Study Area boundary was determined by identifying areas within existing Stable Neighbourhoods that contained older housing stock, and in some areas, where they were predominantly single-storey dwellings. Staff limited the Study Area to Regency Acres, Town Park and Aurora Heights, as described in report No. PDS18-007, dated January 23, 2018.

As noted in the Background section of this report (Attachment 3), Council added Temperance and Tyler Streets to the Study Area at its meeting on May 29, 2018. Some properties on Temperance Street and Tyler Street did not meet the criteria related to a low density zoning classification, or did not front these two streets. At the June 27, 2018 Public Planning Meeting, Council removed Tyler Street from the Study Area.

To help achieve the Study objectives, Council directed Staff to retain a consultant (The Planning Partnership) to peer review their initial findings, study the historical built form in each of the four study areas, and provide recommendations on amendments to the By-law. This historical built form is described in previous Staff reports (PDS18-040 and PDS19-025), the consultant's Peer Review (dated January 16, 2019), and the Draft

Urban Design Guidelines (dated March 8, 2019). For reference purposes, Staff have included the characteristic lot patterns of each area in Attachment 1 of this report.

Key planning issues regarding residential redevelopment in the Study Area have been identified and evaluated.

Following a review of relevant information, Town Staff and the consultant identified the following key planning issues within the Study Area:

- Some new residential development was out-of-scale and not in keeping with the existing physical character of the surrounding area;
- Residents voiced concerns with the adverse impact of infill development that was out-of-scale with its context (e.g. privacy, overlook and shadowing). Similarly, while the R3 zoning provisions were similar to zoning provisions for mature neighbourhoods in other municipalities, some residents felt the in-force zoning provisions did not consistently reflect the historic built form pattern of the Study Area; and,
- Additional planning tools were required to ensure new residential development and additions to existing dwellings would respect and reinforce the existing built form and open space character within the Study Area.

Staff and the consultant undertook an evaluation of the above issues and further information on the Study findings are included within this report.

Tools have been identified to further respect and reinforce the distinct character of the Study Area's mature, stable neighbourhoods.

To date, Staff have identified, and in some cases already implemented, planning tools to help protect, as well as respect and reinforce, the distinct character of the Study Area's mature and stable neighbourhoods.

The Site Plan Control By-law was amended on June 27, 2018 (PDS18-040), implementing a scoped Site Plan Control process whereby development within the Stable Neighbourhood Study Area would be reviewed against prescribed criteria, including by-laws specific to the Area. The site plan review process will be supported by Urban Design Guidelines that will be refined by each study area and presented to Council at a future date for information.

Urban Design Guidelines are a place-making tool consisting of a set of written guidelines, illustrative plans, diagrams and images of buildings and places. The Stable Neighbourhood Urban Design Guidelines will be used as a tool to help ensure new development is compatible with, and respects and reinforces, the Study Area's existing Stable Neighbourhoods. The Guidelines will also promote a contextual response that supports architectural and streetscape continuity, while allowing for and encouraging flexibility and diversity.

Staff and the Consultant are in the process of finalizing the Urban Design Guidelines and will report back with a final document at a future General Committee meeting.

Town Staff are proposing minor refinements to the performance standards presented in the March 27, 2019 report.

Proposed Zoning Standards

Consultant Recommendations

The Town's consultant identified a number of proposed amendments to the R3 Zone within the By-law, which were presented and discussed at a Public Planning meeting on March 27, 2019 (PDS19-025). The proposed amendments were a result of work carried out in the Stable Neighbourhoods Study Peer Review (January 16, 2019) and the draft Infill Design Guidelines for Stable Neighbourhoods (March 8, 2019).

The amendments proposed by the consultant, along with the new definitions noted below, are intended to be considered together with the applicable R3 and R7 Zone standards to establish a regulatory regime that will promote infill development that is more in keeping with its existing neighbourhood character. The zoning provisions are also sufficiently flexible to continue to encourage ongoing investment in the Study Area.

The zoning standards include:

- A maximum building height of 9.0 metres (29.5 ft.) measured as per the existing By-law;
- The maximum height for a detached garage shall be 3.5m (11.5 ft.).
- A maximum lot coverage (building footprint) of 235m² (2,530 ft²) for a dwelling with an incorporated garage or 35%, whichever is less;

- A maximum lot coverage (building footprint) of 215m² (2,314 ft²) or 40% , whichever is less;
- A maximum gross floor area (“GFA”) of 370m² (3,983 ft²);
- A maximum GFA of 40m² (431 ft²) for a detached garage; and
- A rear yard setback of 7.5m (24.6 ft) or 25% of the total lot depth, whichever is greater.

These zoning provisions are described in more detail below.

Dwelling and Garage Height

The consultant recommends reducing the building height from 10.0 metres (32.8 ft.) to 9.0 metres (29.5 ft.). Reducing the current height limit in the By-law conforms to the Town of Aurora Official Plan (Policy 8.1.3.f), and promotes a built form that is more compatible with the existing single- and two-storey built form context of the four Stable Neighbourhoods.

In 2016, Staff commenced a comprehensive review of the By-law, which had been in effect since 1978, to bring it into conformity with the Official Plan, as well as update and improve its definitions and general provisions to meet modern zoning standards.

Among these amendments, the zoning provision regulating the building height of accessory structures was increased from 3.5 metres (11.5 ft.) to 4.5 metres (14.8 ft.) for lots larger than 460m² (4,951 ft²), with the intention that on a larger lot, an increased height could accommodate a structure with a higher roofline, while still maintaining the structure to be subordinate to the main dwelling.

After further consideration, the Town’s consultant has recommended that the maximum height of an accessory detached garage be restricted to a maximum height of 3.5 metres (11.5 ft.), irrespective of lot size, in the Study Area, to further ensure that the structure remains visually smaller in scale, and clearly accessory to the detached dwelling.

Lot Coverage and Gross Floor Area

The intent in regulating the building footprint of a dwelling and lot coverage is to better manage the relationship between built form and open space (front, rear and side yards) on a lot. A building footprint and lot coverage provision, together, can reinforce and

respect the existing pattern of buildings on lots, especially where lot areas vary in size. Attachment 1 notes the characteristics of lot patterns in the four study areas.

The Town's consultant has recommended the following amendments to the By-law:

- A maximum Building Footprint for any Detached Dwelling with Incorporated Garage Space of 235m² (2,530 ft²) or a maximum Lot Coverage of 35 percent, whichever is less;
- A maximum Building Footprint for any Detached Dwelling with an Accessory Detached Garage of 215m² (2,314 ft²), or a maximum Lot Coverage of 40 percent, whichever is less.

The building footprint of a detached garage would be included in the maximum lot coverage calculation.

The goal of regulating GFA is to manage the overall scale of new buildings and structures. Together with the height, building footprint and lot coverage regulations, a maximum GFA establishes clear parameters for managing change within Stable Neighbourhoods.

Currently, the By-law does not include integral 'parking spaces' in its calculation of GFA, nor does the By-law include GFA provisions for residential zones. For the purposes of the proposed performance standards, the consultant proposes including garage space and car ports in the calculation of GFA. This approach reflects the consultant's statistical analysis and calculation using the Town's data to determine the appropriate maximum gross floor area, which included car ports and garages.

The consultant notes that the built form character of the four Stable Neighbourhood Areas is, generally, integral single car garages or a carport. The consultant is recommending that 'Incorporated Garage Space' (described in the 'New Definitions' section of this report) be included in the new gross floor area provision for the Study Area, as follows:

- The maximum Gross Floor Area for any Detached Dwelling, inclusive of Incorporated Garage Space, shall be 370 m² (3,983 ft²).

Where an Accessory Detached Garage is proposed, the consultant recommends decreasing the maximum GFA for a detached dwelling by 20m² (215 ft²), which is

roughly the size of a single car garage or carport, to 350m² (3,767 ft²). The maximum gross floor area for an Accessory Detached Garage be limited to 40m² (431 ft²).

At its meeting of March 27th, 2019, Council asked Staff and the consultant to explore increasing the GFA of an accessory garage to accommodate two cars. While Staff asked the consultant to explore this request, Staff believe that, based on modern construction standards, 40m² (431 ft²) can reasonably accommodate two vehicles.

Refining the density provisions within the Study Area implements Policies 5.2.8.b and e) of the YROP, as well as Policies 8.1.3a), b), and 8.1.4a.iv) of the Town's Official Plan, further promotes compatibility, transition in scale, appropriate and compatible development, and built form that complements, as well as respects and reinforces, the scale of existing residential properties.

Rear Yard Setback

The Town's consultant has proposed a rear yard setback standard for the Study Area of 7.5 metres (24.6 ft.) or 25 percent, whichever is greater. The goal of establishing a different approach to the Rear Yard Setback provision within the Study Area is to maintain a more consistent rear wall condition, particularly in blocks with variable lot depths, which is characteristic of the lot pattern in the Town Park and Tyler Street Areas.

Main Front Wall

The intent of adding a provision to the By-law that regulates the location of the garage and its placement related to the main front wall of a building is to mitigate the impact of garage doors on the streetscape.

In their analysis, the consultant noted that the streetscape and front yard condition in the Study Area is characterized by landscapes, building façades with front entryways, large windows, and porches. To further reinforce the existing streetscape and front character of the Study Area, and ensure garage doors do not project toward the street beyond the main front wall, the consultant recommends a performance standard that requires integral garages to be flush with, or set back from, the main front wall of a dwelling.

This provision will help achieve a front façade condition that complements the character of the Study Area and minimizes the visual effect of garage doors on the streetscape, thereby implementing Policies 4.2.f.v.iii) of the Official Plan, which encourages new parking that is substantially uniform with the setbacks from the street, and Policy 8.1.4a.v), that new development respect and reinforce the physical character of setbacks from the street.

New Definitions

Lot Coverage and Building Footprint

The definition of Lot Coverage is currently defined in the By-law as: “the percentage of a Lot covered by all buildings, but excluding decks attached to the Main Building, balconies, open porches and decks, bay windows, fireplaces, landings and steps, pools including perimeter decking which forms part of an above-ground pool, and any part of a building which is completely below grade.”

The consultant has recommended adding “Building Footprint” as a definition in the proposed By-law as follows:

“means the area of a Lot covered by all buildings, including car ports, but excluding decks attached to the Main Building, balconies, open porches and decks, bay windows, fireplaces, landings and steps, pools including perimeter decking which forms part of an above-ground pool, and any part of a building which is complete below grade.”

Accessory Detached Garage

Currently, the By-law defines an Accessory Building or Structure as: “a detached building or structure which is naturally and normally incidental, subordinate, and exclusively devoted to a Principal Use or building which is located on the same Lot.”

The consultant has recommended adding “Accessory Detached Garage” as a definition in the proposed By-law, as follows:

“Accessory Detached Garage: means a detached building or structure located on the same Lot, which is naturally and normally incidental and subordinate to the Main

Building. An Accessory Detached Garage is accessed by a driveway and garage door and is intended to be used primarily for the storage of vehicles.”

Staff have reviewed the consultant’s recommendation and are implementing it by relying on the existing By-law definition, which achieves the same intent. As such, Staff are recommending that the term “Accessory Detached Garage” be added to the Definitions section of the By-law, but that it refer back to the definition of “Accessory Building or Structure.”

Incorporated Garage Space

The Town’s consultant has recommended adding “Incorporated Garage Space” as a definition in the proposed By-law, as follows:

“means the aggregate of the floor area between the exterior faces of any exterior walls of the Main Building, that is wholly integrated with the Main Building, and that is accessed by a driveway and garage door. Integrated Garage Space is intended to be used primarily for the storage of vehicles.”

Adding this definition to the proposed By-law will help clarify the intent of the Gross Floor Area provisions, which are described in more detail in this report.

STAFF REFINEMENTS

Staff are proposing minor refinements to the zoning standards presented at the March 27th, 2019 Public Planning meeting that maintain the intent of the consultant’s recommendations.

Accessory Structure Height and Overall Dwelling Height

Staff recommend that the maximum 3.5 metre (11.5 ft.) height limit for an Accessory Detached Garage extend to enclosed accessory structures such as cabanas and sheds.

Staff are also recommending an overall height provision for Detached Dwellings, to mitigate variable rooflines and styles, of 9.9 metres (32.5 ft.) to the peak of the roof, and an overall height for Accessory Structures of 4.5 metres (14.8 ft.) to the peak of the roof. This approach allows for greater regulatory control over the overall height of dwellings and structures, as well as variable roof styles, respectively.

Policy 8.1.3.f) of the Town's Official Plan enables Council to implement zoning that is more restrictive than the height limits in the Official Plan, based on the specific context of a neighbourhood or area within the Town. Some of the newer infill homes within the Study Area present as three storeys from the street, which is not in keeping with the scale of dwellings in the Study Area, which is predominantly one-storey, one-storey and a half, and two storeys. An overall height provision in the By-law will help ensure that the scale and character of new residential development, and additions to existing dwellings, is more in keeping with the existing scale and character of the Study Area.

Rear Main Wall

In addition to the consultant's refinement to the rear yard setback, and main front wall provision, Staff are recommending a provision to help regulate the alignment of the rear wall of dwellings: a minimum sideyard setback of 3.0 metres (9.8 ft.) when the rear wall of a proposed dwelling extends beyond the main rear wall of adjacent properties. This by-law provision would double the current sideyard setback in an R3 and R7 zone of 1.5 metres (4.9 ft.).

This performance standard will ensure a more consistent rear wall condition on neighbouring properties, notably with irregular lot depths, reduces long walls that extend beyond the main rear wall of adjacent dwellings and issues related to overlook.

Staff also recommend the definition for 'Main Wall' be added to the By-law:

"means the exterior front, side or rear wall of a building, and all structural members essential to the support of a fully enclosed space or roof."

This comprehensive approach to rear yard setbacks will help mitigate impacts related to privacy, overlook, reduced landscape area, and potentially, shadowing.

The table below summarizes the performance standards presented at the March 27th Public Planning meeting and the minor refinements proposed by Staff.

	March 27th, 2019 Recommendations	Staff Refinements
Lot Coverage and Building Footprint	<p>235m² (2,530 ft²) maximum building footprint with an incorporated garage, or a maximum 35% of the lot area, whichever is less</p> <p>215m² (2,314 ft²) maximum building footprint with a detached garage, or a maximum 40% of the lot area, whichever is less</p>	<p>The definition has been simplified.</p> <p>235m² (2,530 ft²) with incorporated garage, or a maximum 35% of the lot area, whichever is less</p> <p>215m² (2,314 ft²) with a detached garage or a maximum 40% of the lot area, whichever is less</p>
Gross Floor Area	370m ² (3,983 ft ²)	370m ² (3,983 ft ²) (No change)
Dwelling Height	9.0m (29.5 ft.) maximum measured to the midpoint of the roof (per the Zoning By-law)	9.0m (29.5 ft.) to the midpoint (per the Zoning By-law) or 9.9m (32.5 ft.) to the peak of the roof , whichever is less
Accessory Structure Height	3.5m (11.5 ft.) (maximum) to the midpoint (per the Zoning By-law)	3.5m (11.5 ft.) (maximum) to the midpoint (per the Zoning By-law) or 4.5m (14.8 ft.) to the peak of the roof , whichever is less
Maximum Gross Floor Area	40m ² (431 ft ²) (maximum) for a detached garage	40m ² (431 ft ²) (maximum) for all accessory structures
Rear Yard Setback	7.5m (24.6 ft.) or 25% of the total lot depth, whichever is greater.	7.5m (24.6 ft.) or 25% of the total lot depth, whichever is greater. (No change)
Alignment of Main Front Wall	Integral Garages flush with, or set back from, the Main front wall of the dwelling.	Integral Garages flush with, or set back from, the Main front wall of the dwelling. (No change).
Alignment of Main Rear Wall	None	Sideyard setback of 3.0m (9.8 ft.) beyond the rear main wall of the adjacent dwelling.

Implementation

The Staff refinements will be presented in the form of a zoning by-law amendment for Council adoption. The proposed By-law will apply to properties within the four (4) Study Areas identified in Figures 2 to 5.

These Study Areas are comprised of predominantly of properties within the R3 and R7 Zones. Given the similarities between the zoning provisions for detached dwellings in these two zones, the consultant recommends properties within the Study Area that are zoned R3 and R7, be amended to reflect the recommended zoning amendments herein. This approach is consistent with Staff's recommendations in its June 27, 2018 report to Public Planning. Given that the recommendations will only apply to properties zoned R3 and R7, two properties in the Town Park Study Area with R4 and R5 zoning have been excluded from the study area.

The rear and front yard provisions in the proposed by-law will not apply to the property at 24 Larmont Street [R7(474)], which is currently used as office space, and has a site specific exception for front and rear yard setbacks. Similarly, the rear and side yard setback provisions, as well as height, will not apply to the property at 71 Victoria Street, which has a site specific exception for the number of units, height, parking, and rear and sideyard setbacks. Finally, the properties in the Study Area that fall within the R3(37) exception zone, which have a site specific provision of 4.5m (14.8 ft.) for an exterior sideyard setback, will continue to prevail.

To implement the proposed amendments, properties within the Study Area will be identified in the By-law using a suffix (SN) to the R3 and R7 Zone.

Non-Compliance

The proposed by-law amendments may result in some existing properties being in a condition of non-compliance. The By-law indicates that 'Non-Complying' means, "a lot, building or structure that does not meet the zone requirements of this By-law for the zone in which the lot, building or structure is located."

The consultant recommends including a transition clause that recognizes the concept of a building legally authorized before the approval of the proposed amendments to the By-law outlined in this report. As such, a transition clause has been added to the By-law

which recognizes legal non-conforming buildings before the date the proposed by-law is enacted.

Public input obtained through various methods has been received and used to refine the consultant's recommendations.

Since the initiation of the Study, Planning Staff have received a significant amount of feedback from the public regarding the proposed performance standards, which have been summarized in previous Staff reports from May 29, 2018 (PDS18-040), January 30, 2019 (PDS19-010), and the consultant's Peer Review dated January 16, 2019. Comments from the March 27th, 2019 meeting are included in Appendix 9.

Comments received since January 16, 2019, including feedback received on the Town's Public engagement forum, "PlaceSpeak", are generally summarized below:

- Concerns with compatibility of new dwellings with the existing fabric of the community, mainly with respect to built form, height, architectural style and scale;
- Concerns with issues related to privacy, overlook and impact on sunlight in amenity areas;
- Preserving the integrity of the landscaped pattern of front and rear yards, notably with mature trees and large front lawns;
- Sideyard setbacks (the open space between dwellings) forms part of the neighbourhood character;
- The existing zoning provisions (R3) do not reflect what is in the ground today, especially lot coverage;
- The floodplain can limit development and siting of additions and new builds in the Greenlands System;
- Concerns with gross floor area as an added restriction in the By-law and how that number was achieved;
- Urban Design Guidelines are a good tool to help with 'fit' for new infill development;
- Each of the four neighbourhoods within the Study Area are unique and require an appropriate and tailored response;
- The Study Area is 'in transition' and while stable, is not static.
- The Study Area requires a regulatory framework that allows for flexibility in architectural style while respecting and reinforcing the existing neighbourhood character;

- How grade is currently measured in the By-law, and the slope of a property, affects the character of a lot relative to the street, in particular building height;

Staff believe that many of the planning issues raised by the public related to compatibility, conformity, and transition, can be addressed by implementing the zoning standards presented in this report.

Legal Considerations

The *Planning Act* requires that a public information meeting be held prior to passing the zoning by-law amendment. As outlined in this report and in Attachment 3, the statutory public meeting has been held, in addition to other public meetings. No later than fifteen (15) days after the zoning by-law amendment is passed by Council, Staff will provide the requisite notice to each person or public body that requested to be notified and to any other person or public body required under the *Act*. Any person or public body that provided oral or written submissions at a public meeting or to Council will have the opportunity to appeal the zoning by-law amendment within twenty (20) days of receiving the notice.

Financial Implications

A future report will be presented to the General Committee to lift the condition to hold the Capital account for the Study funding.

Communications Considerations

Public Consultation

Preparing the zoning by-law amendments outlined in this report involved consultation with Development Review and Zoning staff, as well as relevant stakeholders and residents.

Further to Council direction on January 30, 2019 to undertake a substantive public outreach program to encourage public participation, the Town's Communications Division developed and implemented the following strategies:

- An online consultation platform and discussion forum to enable residents and stakeholders to provide their input on the proposed recommendations;
- Posts on the Town's Social Media sites (Twitter and Facebook);

- Lawn/bag signs posted in various locations within the Study Area;
- “Door hangers” providing information on how to participate in the study process. The door hangers were individually delivered by Town Staff to all the homes within the Study Area.

The public outreach strategies described above go beyond the *Planning Act* requirements for public notice and consultation.

At the time of this report, the online consultation on PlaceSpeak (placespeak.com/stableneighbourhoods) generated approximately 734 unique views (i.e. viewed by 734 individuals), 106 comments and 123 people have completed the online survey. The comments received on PlaceSpeak form part of the public record and the planning-related comments are summarized thematically in this report.

The Draft Infill Design Guidelines for Stable Neighbourhoods and the Peer Review prepared by The Planning Partnership, as well as past Planning reports for the Study, have been posted on the Town’s Stable Neighbourhood Study webpage. The Town’s study webpage has had approximately 1700 page views by approximately 1,000 visitors to the website.

Twenty-five (25) road signs with information on the study were posted in various locations within the Study Area, and approximately 2,400 door hangers were distributed in each of the four communities. A Notice of Public Planning Meeting published in the Aurora Banner and Aurora newspaper on March 7, 2019, and distributed by mail to property owners within the Study Area.

Notification to the public with respect to this matter was provided to all those in the notification area, those who requested notice and/or attended previous public engagement events for the Study, including the March 27th, 2019 Public Planning Meeting. Comments received at the March 27th meeting are included in Appendix 4 to this report.

Link to Strategic Plan

The Stable Neighbourhood Study and proposed amendments to the By-law supports the Strategic Plan Goal of, “Supporting an exceptional quality of life for all through its accomplishment in satisfying requirements in particular, the following key objective within this goal statement:

Objective 5: Strengthening the fabric of our community

- Collaborate with the development community to ensure future growth includes housing opportunities for everyone; and
- Prepare and regularly update the Town's Official Plan and Zoning By-law.

Alternative(s) to the Recommendation

None.

Conclusions

This report summarizes the proposed zoning standards recommended by the Stable Neighbourhood Study, which were the subject of a Public Planning meeting on March 27, 2019. This report also outlines the public comments received on the draft zoning performance standards on Place Speak.

Staff are of the opinion that the proposed amendments stated herein conform to, and are consistent with, the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe, and are in keeping with the Region and the Town's Official Plan respecting the subject lands (Attachment 2).

As such, Staff recommend that Council approve Option 2 outlined in this report, which addresses many of the planning related comments raised by the public during the Study process related to: compatibility, "fit", and respecting and reinforcing the existing character of the Study Area.

Attachments

Figure 1: Stable Neighbourhood Study Areas

Figure 2: Proposed Zoning for Study Area #1

Figure 3: Proposed Zoning for Study Area #2

Figure 4: Proposed Zoning for Study Area #3

Figure 5: Proposed Zoning for Study Area #4

Attachment 1: Stable Neighbourhood Lot Pattern

Attachment 2: Stable Neighbourhood Policy Context

Attachment 3: Stable Neighbourhood Study Background

Attachment 4: March 27th, 2019 Public Planning, Public Feedback

Attachment 5: Stable Neighbourhood Consultant Recommendations

June 4, 2019

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Report No. PDS19-039

Previous Reports

General Committee Report No. PL14-059, dated September 2, 2014.
General Committee Report No. PDS18-007, dated January 23, 2018.
Special Meeting of Council Report No. PDS18-040, dated May 29, 2018.
Public Planning Report No. PDS18-084, dated June 27, 2018.
General Committee Report No. PDS18-089, dated July 17, 2018.
Public Planning Report No. PDS19-010, dated January 30, 2019.
Public Planning Report No. PDS19-025, dated March 27, 2019.

Pre-submission Review

Agenda Management Team review on May 16, 2019

Departmental Approval

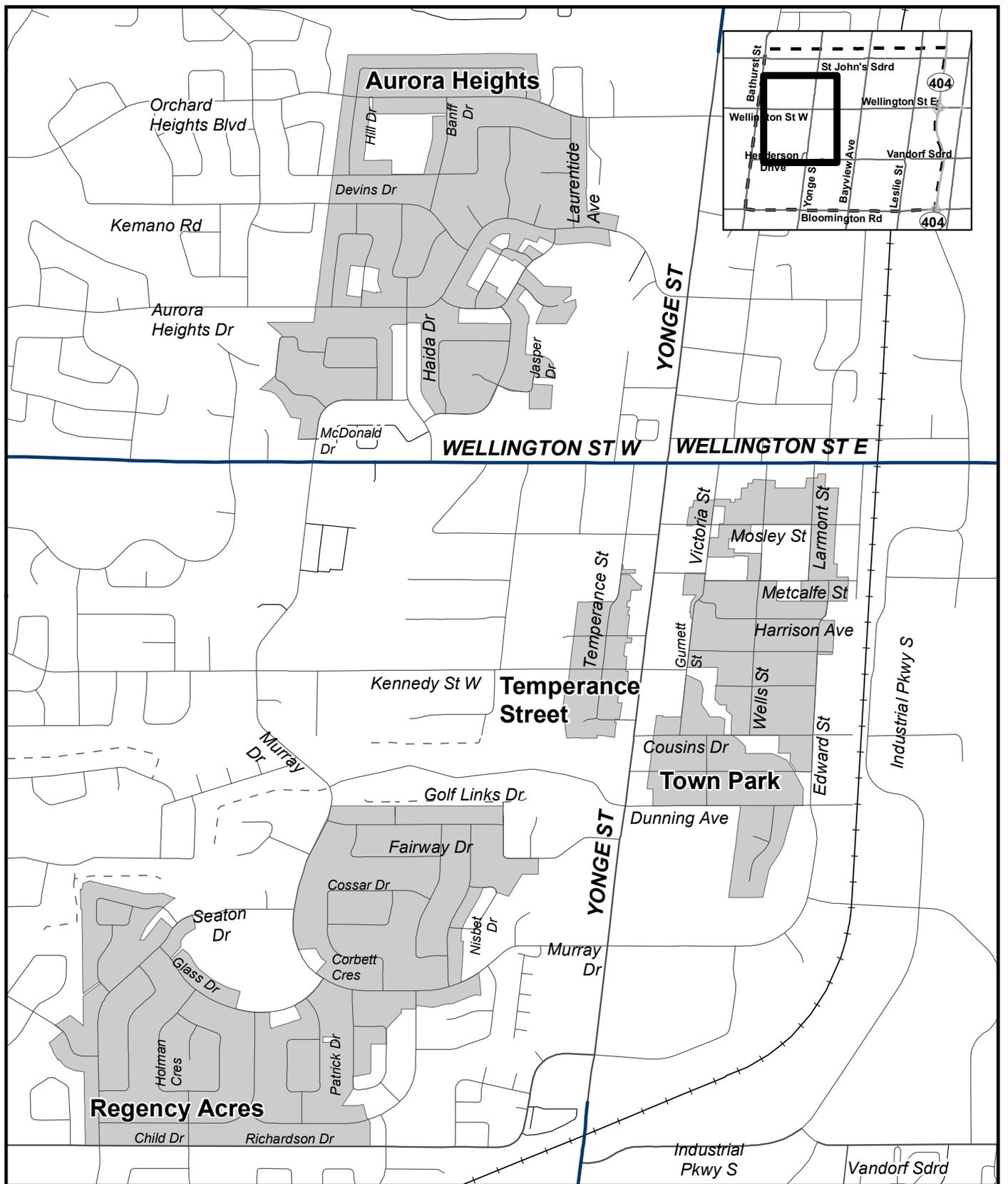


**David Waters, MCIP, RPP, PLE
Director
Planning and Development Services**

Approved for Agenda



**Doug Nadorozny
Chief Administrative Officer**



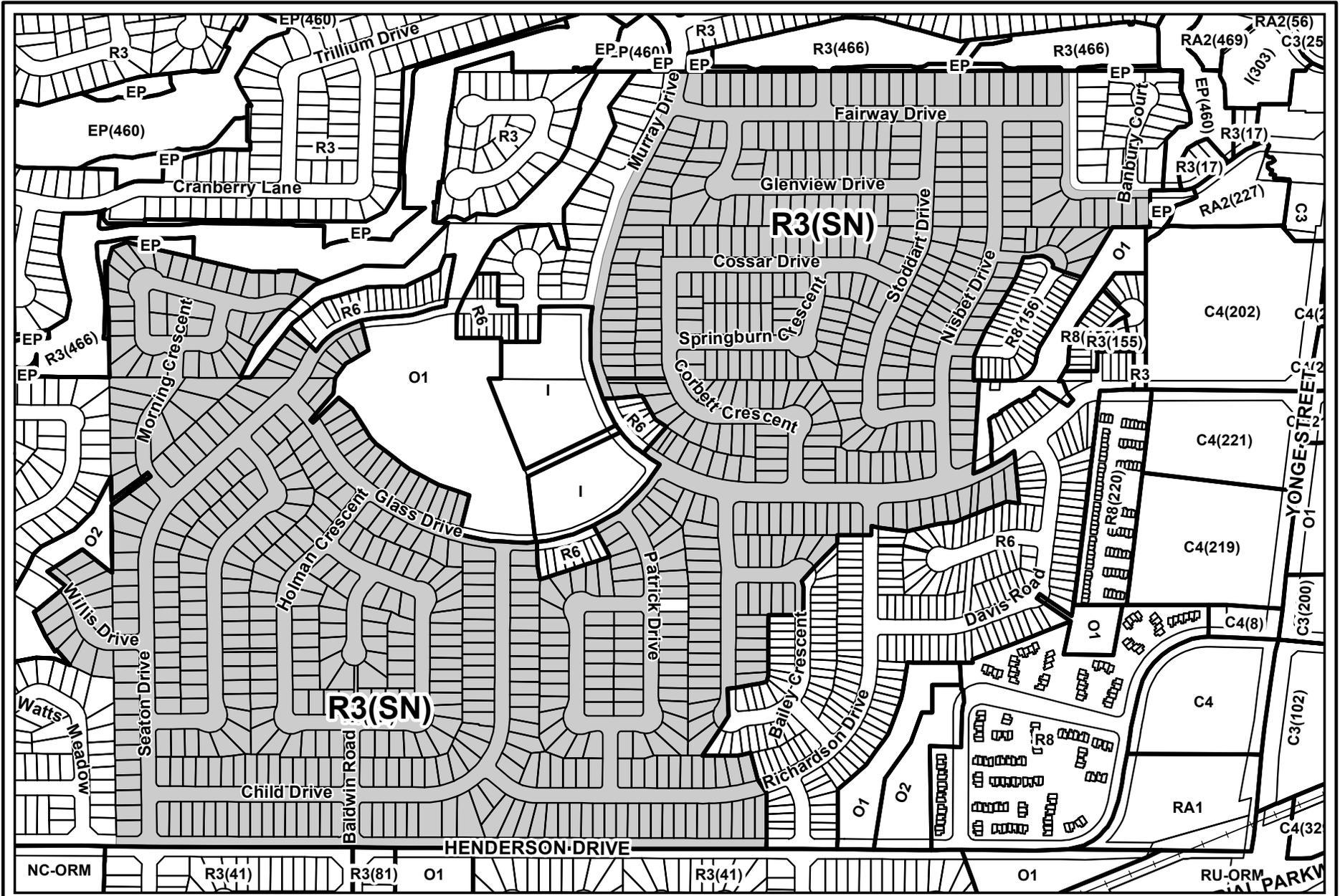
Stable Neighbourhood Study Areas

▭ STUDY AREA



FIGURE 1

Map created by the Town of Aurora Planning and Building Services Department, May 17, 2019. Base data provided by York Region & the Town of Aurora.



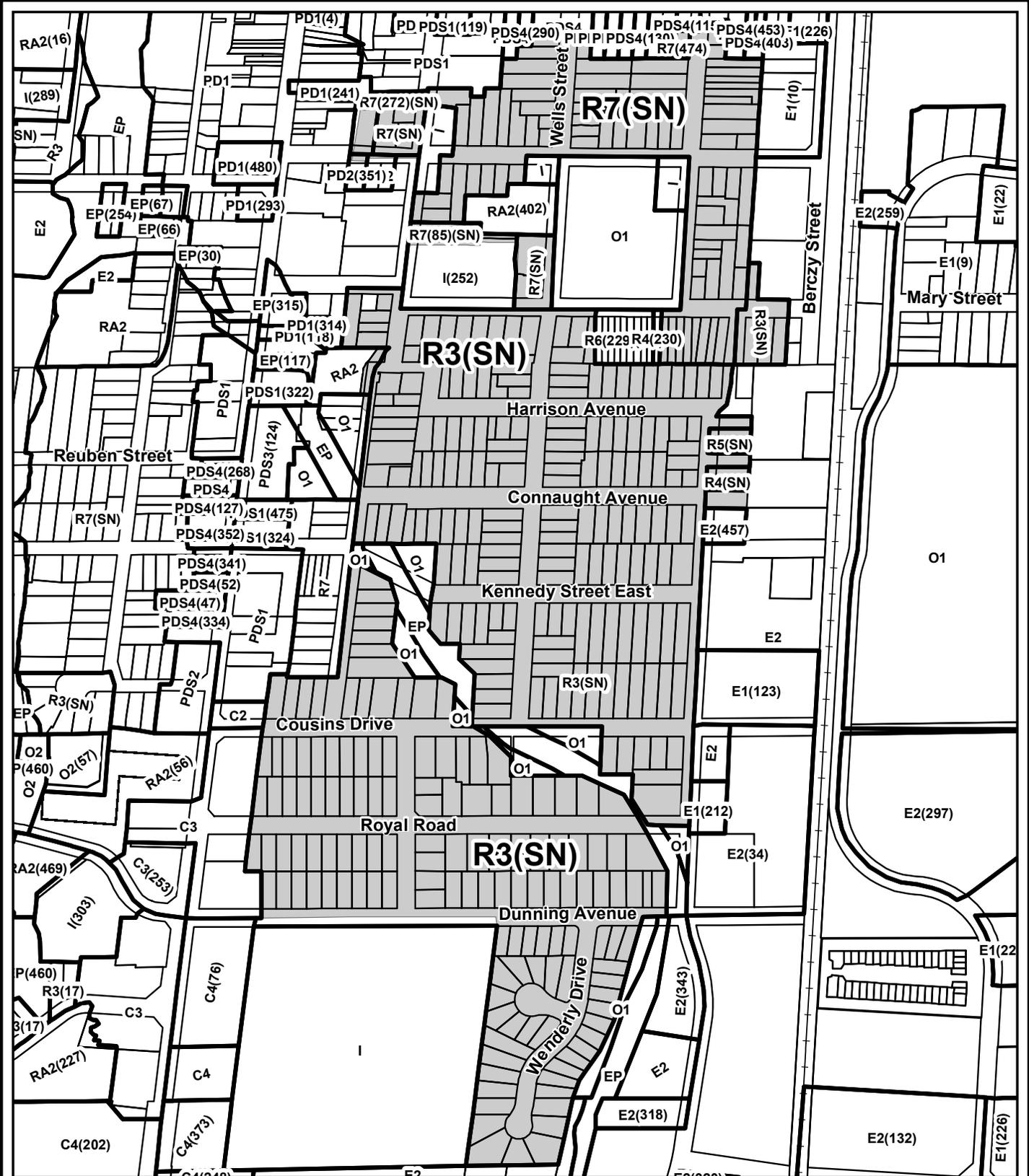
Proposed Zoning for Study Area #1

FIGURE 2

■ Properties with (SN) Suffix



Map created by the Town of Aurora Planning and Building Services Department, May 3, 2018.



Proposed Zoning for Study Area #2


Properties with (SN) Suffix

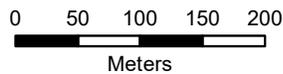


FIGURE 3



Proposed Zoning for Study Area #5

▒ Properties with (SN) Suffix

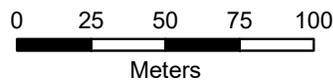


FIGURE 5

Attachment 1

Stable Neighbourhood Lot Pattern

Lot frontage and lot area form part of the neighbourhood character and, by nature of their dimensions and size, can affect the resultant built form. Town Staff undertook an analysis of the historical built form and lot patterns in each of the four study areas using MPAC and GIS data to supplement the consultant’s initial findings in the Study Area. That analysis is described in the table below:

Regency Acres	Aurora Heights	Town Park	Temperance Street
Median Lot Frontage: 16.8m (55.1 ft.) Median Lot Area: 671m ² (7,223 ft ²)	Median Lot Frontage: 16.8m (55.1 ft.) Median Lot Area: 603m ² (6,491 ft ²)	Median Lot Frontage: (North): 16.8m (55.1 ft.) (South): 16.8m (55.1 ft.) Median Lot Area: (North): 655m ² (7,050 ft ²) (South): 755m ² (8,127 ft ²)	Median Lot Frontage: 16.2m (53.2 ft.) Median Lot Area: 756m ² (8,138 ft ²)

Attachment 2

Stable Neighbourhood Policy Context

Provincial Policy

Planning Act

Section 34 of the *Planning Act* provides provisions for Zoning By-Laws, which allows municipalities to pass Comprehensive Zoning By-laws and amending housekeeping or site-specific by-laws. Furthermore, Section 27(1) of the *Planning Act* requires Council to amend Zoning By-laws to be in conformity with the Town's Official Plan and the Region of York Official Plan.

The Provincial Policy Statement

The Provincial Policy Statement (PPS) 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians and include:

- building strong healthy communities;
- wise use and management of resources;
- and protecting public health and safety.

The PPS recognizes that local context and character is important. The PPS also directs that long-term economic prosperity be supported by encouraging a sense of place and promoting well-designed built form.

Policy 1.1.1 of the PPS states that healthy, liveable and safe communities should be sustained by:

- promoting efficient development and land use patterns; accommodating an appropriate range and mix of uses;
- promoting cost-effective development patterns and standards;
- improving accessibility for persons with disabilities and older persons by identifying, preventing and removing land use barriers which restrict their full participation in society;
- and that necessary infrastructure is or will be available to meet current and projected needs.

The PPS provides for efficient development and land use patterns that sustain the financial well-being of the Province and municipalities over the long term. Policy 1.1.3.2 states that land use patterns within settlement areas shall be based on densities and a

Attachment 2

mix of land uses which are transit supportive, where transit is planned, exists or may be developed, supports active transportation, and provides for a range of uses.

Policies 1.1.3.3, 1.1.3.4, 1.1.3.5 and 1.1.3.6 direct authorities to identify appropriate locations and promote opportunities for intensification and redevelopment, and that appropriate development standards be promoted which facilitate intensification based on local conditions.

The PPS (Policy 1.4.3) directs planning authorities to provide for an appropriate range and mix of housing types and densities to meet current and future needs of residents, including permitting and facilitating all forms of housing and residential intensification in accordance with Policy 1.1.3.3.

The PPS also acknowledges that zoning by-laws are an important tool to implement the policies of the PPS and directs planning authorities to keep zoning by-laws up-to-date with their official plan and the PPS. Finally, the PPS recognizes the Official Plan as the most important vehicle for implementing the policies in the PPS, and that comprehensive, integrated and long-term planning is best achieved through official plans.

Council's planning decisions are required by the *Planning Act* to be consistent with the PPS.

Growth Plan for the Greater Golden Horseshoe

The Growth Plan builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the Greater Golden Horseshoe region. The Growth Plan establishes a land use planning framework that supports the achievement of a number of objectives, including the creation of complete communities and directing growth to existing built-up areas.

The policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. The 2017 Growth Plan promotes well-designed communities with high quality built form and an attractive and vibrant public realm. Site design and urban standards will help achieve these attractive and vibrant places to support walking, cycling and transit use.

Policy 5.1 of the Growth Plan states that where a municipality must decide on a planning matter before its official plan has been amended to conform with this Plan, or before other applicable planning instruments have been updated accordingly, it must

Attachment 2

still consider the impact of its decision as it relates to the policies of the Growth Plan, which require comprehensive municipal implementation.

Council's planning decisions are required by the *Planning Act*, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Planning Staff have reviewed the draft by-law amendments for consistency with the PPS and for conformity to the Growth Plan. Staff have determined that the draft by-law amendments are consistent with the PPS and conforms to the Growth Plan. The by-laws would support many policy objectives of the PPS and Growth Plan, including establishing and implementing minimum targets for intensification and redevelopment within built-up areas, and identifying appropriate locations and promoting opportunities for intensification, which takes into account existing housing stock or areas and the availability of suitable existing or planned infrastructure.

York Region Official Plan (YROP)

The Region's urban structure is composed of a series of centres and corridors surrounded by the Urban Area. These areas play a part in accommodating the forecasted growth while still maintaining their character. Intensification within the Urban Area will accommodate a significant portion of the planned growth in the Region. Regional Centres and Corridors will be prominent locations for the highest levels of intensification. While the form and character of growth will vary across the Region, all development will be held to a high standard.

The lands within the Study Area are designated Urban Areas and Regional Greenlands System in the YROP. A main objective of the YROP is to protect and enhance the Regional Greenlands System and its functions (Map 2 of the YROP), and to control new development and site alteration within the vicinity of the System.

The YROP (Policy 3.1.3) requires high-quality urban design and pedestrian-friendly communities that provide safety, comfort and mobility so that residents can walk to meet their daily needs. Policy 3.1.4 encourages citizen engagement and shared responsibility in decisions affecting individual and community health and well-being. Policy 3.5.4 requires local municipal official plans and zoning by-laws that permit a mix and range of housing types, lot sizes, unit sizes, functions, tenures and levels of affordability within each community.

Attachment 2

Another important objective of the YROP is the creation of high-quality, sustainable communities, as well as vibrant and sustainable urban areas. Policy 5.2.8 of the YROP promotes the highest standard of urban design, which:

- a. provides pedestrian scale, safety, comfort, accessibility and connectivity;
- b. complements the character of existing areas and fosters each community's unique sense of place;
- c. promotes sustainable and attractive buildings that minimize energy use;
- d. promotes landscaping, public spaces and streetscapes;
- e. ensures compatibility with and transition to surrounding land uses;
- f. emphasizes walkability and accessibility through strategic building placement and orientation; and,
- h. creates well-defined, centrally-located urban public spaces.

Staff have reviewed the draft zoning by-law amendments and are satisfied that it meets the intent of the policies of the YROP, notably with respect to promoting compatibility with, and transition to, surrounding land uses.

Town of Aurora Official Plan

The Town of Aurora Official Plan (TAOP) is the primary tool in managing development and growth for both the short and long term and setting the vision, principles and supporting policies to guide growth within the Town.

A fundamental principle of the TAOP is promoting design excellence through high-quality buildings, and well-designed and functioning streetscapes. As the Town grows, the value of its public realm – its streets and publicly accessible spaces – as well as the design of infill development in creating a vibrant and livable urban environment, becomes more and more important. Appropriate transition, as well as the integration between existing and new development and connected open spaces, help define places and the spaces in between.

TAOP Policy 4.0 'Ensuring Design Excellence' recognizes the importance of high quality urban design and architecture as an essential part of Town-building. Specifically, that new development and redevelopment will complement natural landscapes and grades, vegetation, existing or proposed adjacent buildings through the design of buildings, their massing, siting, exterior, access and public areas.

Attachment 2

Section 4.0 of the Official Plan also encourages sun penetration on outdoor spaces, façade treatment that encourages human scale development so that the pedestrian does not feel over-powered by the built environment. Similarly, Policy 4.2.f viii) encourages new parking that allows for substantially uniform setbacks from the street. Policy 6.4b of the Official Plan sets out that density can be used to define the amount of development permitted on a lot, however, as a planning tool, it cannot be used in isolation, and is a product of the relationship between built form, height and lot coverage.

The Official Plan (Policy 6.5a) defines ground related housing as single detached and semi-detached dwellings and townhouses. Ground-related residential uses in the form of single detached dwellings are the predominant built form in the Town's Stable Neighbourhoods Study Area. The Official Plan (Policy 6.5d) also directs that careful consideration be given to ensure that the built form of development, the frontage and size of any new lots, maintain the character of the existing streetscape and is compatible with the surrounding neighbourhood.

Aurora's existing neighbourhoods, both older and newer are not only a defining element of Aurora's character and urban structure, but also an asset and attractor for new residents and investment interests. TAOP (Section 8.0) seeks to ensure stability and vibrancy of these existing neighbourhoods by protecting them from the negative impacts of potential incompatible development and growth pressures. Infill is to be compatible with, and sympathetic to, the established community character, building scale and urban design (Policies 8.1.1 and 8.1.3a).

Policy 8.1.3 f) sets out the maximum heights of new development in Stable Neighbourhoods as 3 storeys or 9 metres (29.5 ft.), whichever is less. The policy states that implementing Zoning may provide more restrictive height limits based on the specific context of a neighbourhood or area within the Town.

Policy 8.1.4a) also directs that new development within Stable Neighbourhoods respect and reinforce the existing physical character and uses of the surrounding area, including the:

- Pattern of lots, streets and blocks;
- Size and configuration of nearby lots;
- Building type; and
- Pattern of front, rear and sideyard setbacks.

Attachment 2

The word “compatible” is defined in the Official Plan as development that may not necessarily be the same or similar to the existing buildings in the vicinity, but nonetheless, enhances an established community and coexists with existing development without causing any undue adverse impact on surrounding properties. Staff have reviewed the draft zoning by-law amendments and are satisfied they meet the intent of, as well as implement, the policies of the Official Plan, notably with respect to: promoting compatibility with, as well as respecting and reinforcing, the built form character of existing development, including building type, height, and scale, described in more detail in this report.

Attachment 3

Stable Neighbourhood Study Background

In October 2017, Council directed Staff to undertake a review of Stable Neighbourhood policies and by-laws governing development in its stable and mature neighbourhoods. The purpose of the study was to ensure that the intent of the Stable Neighbourhood policies of the Town's Official Plan were being "realized and reflected" in the current By-law provisions. The purpose of the study was also to address resident concerns around infill in the form of additions to existing dwellings, conversion of existing floor area and the demolition of buildings for the construction of larger, more intense forms of development.

On December 12, 2017 Council passed a resolution citing that protecting the integrity of "Stable Neighbourhoods" was of utmost importance, and that the Town was experiencing pressure to accommodate infill residential development. At that meeting, Staff were directed to present an Interim Control By-law (ICBL) for Council consideration and approval, to be in effect for a period not exceeding one year, prohibiting the use of land, buildings or structures for specific purposes in a defined area.

On January 30, 2018, Council enacted an ICBL, which restricted development or alterations not permitted by the By-law within areas of existing "Stable Neighbourhoods" designation that contained older housing stock with predominantly single-storey dwellings for the period of one year. The purpose of the ICBL was to restrict new residential dwellings or additions to existing residential dwellings that exceeded the current zoning by-law standards until Staff had an opportunity to report back to General Committee with recommendations. In that report, Staff also identified a proposed Study Area boundary for Council consideration.

On February 28, 2018, Staff held a Public Open House in Council Chambers to obtain public feedback on the Official Plan policies for Stable Neighbourhoods and zoning by-law standards within these areas that was attended by approximately 200 people. Written and oral comments were received representing a broad range of perspectives and interests.

At a May 29, 2018 Special Meeting of Council, Planning Staff provided Council with a compilation of feedback received to date and outlined options related to the Stable Neighbourhood Study for Council direction. At that meeting, Council directed Temperance Street and Tyler Street be added to the Study Area.

Staff also advised that the Town of Aurora Official Plan (Section 8.1.3 d) directs that all development within the Stable Neighbourhood designation may be subject to Site Plan

Attachment 3

Control, and that Council may use those provisions to control, “building materials, colour and architectural detail.” Council directed staff to consider, at a future Public Planning Meeting, a number of implementation tools under the *Planning Act* for the Study Area, including urban design guidelines.

At the June 27, 2018 Public Planning Meeting, Council directed Staff to amend the Site Plan Control By-law to apply Site Plan Control to all development greater than 50m² (538 ft²) within the Study Area. At this same meeting, Council removed Tyler Street from the Study Area.

At the Public Planning meeting on September 18, 2018, Council directed Staff to retain a consultant that was experienced with development in mature residential neighbourhoods to evaluate the Town’s approach to Stable Neighbourhoods and report back to Council.

In January 2019, the Town retained The Planning Partnership to peer review the Town’s current zoning by-law standards and best practices to address new builds and additions within the Study Area. Staff summarized The Planning Partnership’s findings in a January 30, 2019 report to the Public Planning Committee. At that meeting, Council directed staff to report back to the March Public Planning with a report on, among other matters, Council-approved Design Guidelines, and to undertake a substantive public outreach program to ensure all affected landowners had a chance to understand and respond to all the changes being proposed to the By-law.

Attachment 3

Study Purpose, Scope and Objectives

The purpose of the Stable Neighbourhood Study was to create additional prescribed criteria in the Comprehensive Zoning By-law to further reinforce the historical built form and implement the Official Plan policies that seek to preserve neighbourhood character.

The Stable Neighbourhood Study scope included the following activities:

- a) Reviewing existing policies and provisions in the Growth Plan, PPS, Regional and Local Official Plan, and Zoning By-law;
- b) Conducting background work and research;
- c) Undertaking public engagement activities;
- d) Determining which zones require amendments;
- e) Providing options to amend the Comprehensive Zoning By-law; and
- f) Selecting the preferred option.

Previous reports (PL14-059; PDS18-007; PDS18-040; PDS18-084; PDS19-010; and PDS19-025) describe and summarize the work undertaken to satisfy a), b) and e), as noted above. This report summarizes the recommendations on the preferred option to amend the Comprehensive Zoning By-law.

The Study objectives are summarized as follows:

- a) Define and establish boundaries for the Stable Neighbourhoods Study Area;
- b) Identify and evaluate the unique qualities and characteristics within Stable Neighbourhoods;
- c) Identify and evaluate key issues regarding infill development in the Study Area, particularly large-scale redevelopment, that are of concern to residents;
- d) Outline options and recommendations to further respect and reinforce the existing built form and open space character within the Study Area; and
- e) To develop and propose possible planning tools to achieve the above, including amendments to the Town's Comprehensive Zoning By-law.

This report also summarizes how Town Staff and the consultant have achieved the above objectives in selecting the preferred option.

Attachment 4

Public Feedback from the March 27th, 2019 Public Planning Meeting

- Support for:
 - Changes to control building scale and height
 - Proposed building height measured to roof peak
 - Proposed gross floor area
- Opposition to:
 - More rules
 - Proposed Zoning By-law amendments
 - Proposed restrictions of design guidelines
 - Same zoning for all Stable Neighbourhoods
 - Proposed building height
 - Proposed gross floor area
 - Colour restrictions
 - Consultant's recommendations
- Questions regarding:
 - Inclusion of new builds in calculation of gross floor area
 - Inclusion of basement in gross floor area
 - Angular plane of 45 degrees in relation to shallow roof line
 - Permeable driveway/buffer zone where foundation can't accommodate
 - Cost-benefit ratio and Town expectations of revenue
 - Implications of legal non-compliance and risk to Town
 - Enactment of restrictive covenants
 - Enforcement of Zoning By-law and design guidelines
 - Staff report's Link to Strategic Plan section re collaboration with development community vs. residents
 - Timing of Stable Neighbourhood designation and why parts of streets are not designated
 - Proposed maximum lot coverage of 35 percent
 - Consideration of lot shape and natural encumbrances, e.g., flood plain
 - Criteria used for averaging age of houses in study
- Concerns regarding:
 - Impact on property value and retirement income
 - Impact of down-zoning
 - Gross floor area measurement methodology
 - Affordable housing in Town
 - Privacy, lighting, and shading issues

Attachment 4

- Outreach of ratepayer associations
- Protection of mature trees
- Developers who employ repetitive design
- Proposed minimum rear yard setback of 7.5 metres (24.6 ft.)
- Alignment of Zoning By-law with Official Plan
- Compatibility of new homes
- Potential increase in transition to rental properties
- Boundaries of Regency Acres Stable Neighbourhood core area vs. inclusion of Golf Glen
- Report data skewed, assumptions and guidelines not realistic
- Protection of distinctiveness of neighbourhoods
- Use of social media to conduct consultation and tone of responses
- Communication, timing, language, and outreach of Town's Stable Neighbourhood Study online PlaceSpeak survey
- Single-storey dwelling built to 9-metre (29.5 ft.) height excessive
- Suggestions:
 - Extend proposal to entire Town or abandon proposed changes
 - Larger garage and driveway width
 - Respect Town's Official Plan
 - Clearer building height measurement process
 - Encourage tree protection
 - Remove three homes on Metcalfe Street from Stable Neighbourhood designation
 - Exclude large homes/anomalies from data analysis
 - Exclude Aurora Heights from Stable Neighbourhood designation
 - Find compromise/middle ground; protect opportunities for existing and new homeowners
 - Further study and implementation of survey by Town
 - Neighbourhood-specific guidelines, including approval process and timelines
 - Flood plain area to be included in square footage of lot size

Attachment 5

Stable Neighbourhood Consultant Recommendations

Dwelling and Garage Height

The consultant recommends reducing the building height from 10.0 metres (32.8 ft.) to 9.0 metres (29.5 ft.). Reducing the current height limit in the By-law conforms to the Town of Aurora Official Plan (Policy 8.1.3.f), and promotes a built form that is more compatible with the existing single- and two-storey built form context of the four Stable Neighbourhoods.

In 2016, Staff commenced a comprehensive review of the By-law, which had been in effect since 1978, to bring it into conformity with the Official Plan, as well as update and improve its definitions and general provisions to meet modern zoning standards.

Among these amendments, the zoning provision regulating the building height of accessory structures was increased from 3.5 metres (11.5 ft.) to 4.5 metres (14.8 ft.) for lots larger than 460m² (4,951 ft²), with the intention that on a larger lot, an increased height could accommodate a structure with a higher roofline, while still maintaining the structure to be subordinate to the main dwelling.

After further consideration, the Town's consultant has recommended that the maximum height of an accessory detached garage be restricted to a maximum height of 3.5 metres (11.5 ft.), irrespective of lot size, in the Study Area, to further ensure that the structure remains visually smaller in scale, and clearly accessory to the detached dwelling.

Lot Coverage and Gross Floor Area

The intent in regulating the building footprint of a dwelling and lot coverage is to better manage the relationship between built form and open space (front, rear and side yards) on a lot. A building footprint and lot coverage provision, together, can reinforce and respect the existing pattern of buildings on lots, especially where lot areas vary in size. Attachment 1 notes the characteristics of lot patterns in the four study areas.

The Town's consultant has recommended the following amendments to the By-law:

- A maximum Building Footprint for any Detached Dwelling with Incorporated Garage Space of 235m² (2,530 ft²) or a maximum Lot Coverage of 35 percent, whichever is less;

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- A maximum Building Footprint for any Detached Dwelling with an Accessory Detached Garage of 215m² (2,314 ft²), or a maximum Lot Coverage of 40 percent, whichever is less.

The building footprint of a detached garage would be included in the maximum lot coverage calculation.

The goal of regulating GFA is to manage the overall scale of new buildings and structures. Together with the height, building footprint and lot coverage regulations, a maximum GFA establishes clear parameters for managing change within Stable Neighbourhoods.

Currently, the By-law does not include integral 'parking spaces' in its calculation of GFA, nor does the By-law include GFA provisions for residential zones. For the purposes of the proposed performance standards, the consultant proposes including garage space and car ports in the calculation of GFA. This approach reflects the consultant's statistical analysis and calculation using the Town's data to determine the appropriate maximum gross floor area, which included car ports and garages.

The consultant notes that the built form character of the four Stable Neighbourhood Areas is, generally, integral single car garages or a carport. The consultant is recommending that 'Incorporated Garage Space' (described in the 'New Definitions' section of this report) be included in the new gross floor area provision for the Study Area, as follows:

- The maximum Gross Floor Area for any Detached Dwelling, inclusive of Incorporated Garage Space, shall be 370 m² (3,983 ft²).

Where an Accessory Detached Garage is proposed, the consultant recommends decreasing the maximum GFA for a detached dwelling by 20m² (215 ft²), which is roughly the size of a single car garage or carport, to 350m² (3,767 ft²). The maximum gross floor area for an Accessory Detached Garage be limited to 40m² (431 ft²).

At its meeting of March 27th, 2019, Council asked Staff and the consultant to explore increasing the GFA of an accessory garage to accommodate two cars. While Staff asked the consultant to explore this request, Staff believe that, based on modern construction standards, 40m² (431 ft²) can reasonably accommodate two vehicles.

Attachment 5

Refining the density provisions within the Study Area implements Policies 5.2.8.b and e) of the YROP, as well as Policies 8.1.3a), b), and 8.1.4a.iv) of the Town's Official Plan, further promotes compatibility, transition in scale, appropriate and compatible development, and built form that complements, as well as respects and reinforces, the scale of existing residential properties.

Rear Yard Setback

The Town's consultant has proposed a rear yard setback standard for the Study Area of 7.5 metres (24.6 ft.) or 25 percent, whichever is greater. The goal of establishing a different approach to the Rear Yard Setback provision within the Study Area is to maintain a more consistent rear wall condition, particularly in blocks with variable lot depths, which is characteristic of the lot pattern in the Town Park and Tyler Street Areas.

Main Front Wall

The intent of adding a provision to the By-law that regulates the location of the garage and its placement related to the main front wall of a building is to mitigate the impact of garage doors on the streetscape.

In their analysis, the consultant noted that the streetscape and front yard condition in the Study Area is characterized by landscapes, building façades with front entryways, large windows, and porches. To further reinforce the existing streetscape and front character of the Study Area, and ensure garage doors do not project toward the street beyond the main front wall, the consultant recommends a performance standard that requires integral garages to be flush with, or set back from, the main front wall of a dwelling.

This provision will help achieve a front façade condition that complements the character of the Study Area and minimizes the visual effect of garage doors on the streetscape, thereby implementing Policies 4.2.f.v.iii) of the Official Plan, which encourages new parking that is substantially uniform with the setbacks from the street, and Policy 8.1.4a.v), that new development respect and reinforce the physical character of setbacks from the street.

Attachment 5

New Definitions

Lot Coverage and Building Footprint

The definition of Lot Coverage is currently defined in the By-law as: “the percentage of a Lot covered by all buildings, but excluding decks attached to the Main Building, balconies, open porches and decks, bay windows, fireplaces, landings and steps, pools including perimeter decking which forms part of an above-ground pool, and any part of a building which is completely below grade.”

The consultant has recommended adding “Building Footprint” as a definition in the proposed By-law as follows:

“means the area of a Lot covered by all buildings, including car ports, but excluding decks attached to the Main Building, balconies, open porches and decks, bay windows, fireplaces, landings and steps, pools including perimeter decking which forms part of an above-ground pool, and any part of a building which is complete below grade.”

Accessory Detached Garage

Currently, the By-law defines an Accessory Building or Structure as: “a detached building or structure which is naturally and normally incidental, subordinate, and exclusively devoted to a Principal Use or building which is located on the same Lot.”

The consultant has recommended adding “Accessory Detached Garage” as a definition in the proposed By-law, as follows:

“Accessory Detached Garage: means a detached building or structure located on the same Lot, which is naturally and normally incidental and subordinate to the Main Building. An Accessory Detached Garage is accessed by a driveway and garage door and is intended to be used primarily for the storage of vehicles.”

Staff have reviewed the consultant’s recommendation and are implementing it by relying on the existing By-law definition, which achieves the same intent. As such, Staff are recommending that the term “Accessory Detached Garage” be added to the Definitions section of the By-law, but that it refer back to the definition of “Accessory Building or Structure.”

Attachment 5

Incorporated Garage Space

The Town's consultant has recommended adding "Incorporated Garage Space" as a definition in the proposed By-law, as follows:

"means the aggregate of the floor area between the exterior faces of any exterior walls of the Main Building, that is wholly integrated with the Main Building, and that is accessed by a driveway and garage door. Integrated Garage Space is intended to be used primarily for the storage of vehicles."

Adding this definition to the proposed By-law will help clarify the intent of the Gross Floor Area provisions, which are described in more detail in this report.



**Town of Aurora
General Committee Report No. OPS19-014**

Subject: Tennis Court Resurfacing, David English Park
Prepared by: Sara Tienkamp, Manager Parks & Fleet
Department: Operational Services
Date: June 4, 2019

Recommendation

- 1. That Report No. OPS19-014 be received; and**
- 2. That this report satisfy Council's conditional approval of Capital Project No. 73231 – Tennis Court Resurfacing – David English Park in the amount of \$20,000.**

Executive Summary

This report provides information to satisfy the conditional approval of Capital project No.73231:

- Considerable surface issues exist at David English Park tennis court including potential safety hazards;
- David English Park tennis court surfaces require repair as per the Town's asset management plan;
- Surface has met recommended lifecycle threshold; and
- Significant capital costs could be incurred by not repairing current surface.

Background

David English Park is located at the corner of Vandorf Side Road and Bayview Ave in the Brookvalley Development. The facility was constructed in 2012/2013 and includes a playground, lit pathways, gazebo and two (2) tennis courts.

Analysis

Considerable surface issues exist at David English Park tennis courts, including potential safety hazards.

During the recent Capital Budget discussions, Council did not feel the tennis court surface required maintenance.

The photos attached (E1 and E2) depict the existing conditions and illustrate a number of issues that need addressing. There are numerous spider cracks in the surface, some as wide as two (2) centimeters and surface depressions in which water pools. In addition, the area surrounding the net post has heaved over six (6) centimeters above grade posing a significant safety hazard to users.

David English Park tennis court surfaces require repair as per the Town's asset management plan.

Industry standards dictate that tennis courts should be resurfaced every four (4) to eight (8) years. The Town's approved asset management has adopted a standard of resurfacing the Town's tennis courts every seven (7) years. The Town has built its ten (10) year repair and replacement plan for all Town tennis court surfaces upon this standard. The David English Park tennis courts surfaces now require repair as per this noted standard.

Surface has met recommended asset lifecycle threshold.

As per industry standards for tennis court resurfacing, these works should be completed every four (4) to eight (8) years. The Town has adopted a standard of resurfacing every seven (7) years and this is reflected for all tennis courts in the Council Ten (10) year Capital Plan.

Tennis court resurfacing includes cleaning of the existing surface, re-application of colour material because the old surface is worn, filling and repairing of minor cracks to retard water penetration to the subsurface, leveling minor low spots where water stands, replacing tennis equipment and posts, and perhaps retying loose segments of fence.

Significant capital costs could be incurred by not repairing current surface.

When resurfacing is not completed within the recommended industry timeframe, cracks continue to expand and pooling of water persists. Without repair, degradation of the surface is prolonged allowing for water penetration and saturation of the base surfacing. These conditions significantly increase risk to users.

As a result, the tennis court re-construction would need to be completed in advance of the typical 20-year lifecycle. Costs associated with a full re-construction of surface, including repair of base, new asphalt and surface coating are over \$100,000.

Advisory Committee Review

Not applicable.

Legal Considerations

Failure to repair the identified hazards may result in injury to tennis court users and may lead to personal injury claims.

Financial Implications

The tennis court resurfacing for the David English Park project, received conditional budget approval and funding in the 2019 Capital Budget. This report is to lift the condition, allowing the project to commence.

Staff anticipate that the current conditionally approved amount of \$20,000 for this project should be sufficient for the noted planned repair work. If this necessary repair work is not completed at this time, the anticipated useful life for these tennis courts will be reduced thus resulting in a much more significant resource requirement earlier than planned.

Communications Considerations

Communications will share information with the public regarding any construction and closures on site.

Link to Strategic Plan

This project supports the Strategic Plan Goal of Supporting an Exceptional Quality of Life for all by improving transportation, mobility and connectivity. This project maintains a well-managed and fiscally responsible Municipality.

Alternative(s) to the Recommendation

1. Council may chose not to approve Capital Project No.73231.

Conclusions

Staff recommends that Capital Project No. 73231, Tennis Court Resurfacing – David English Park be approved.

Attachments

- Attachment #1 – Capital Project No.73231
- Attachment #2 – E1 Existing Conditions
- Attachment #3 – E2 Existing Conditions

Previous Reports

None.

June 4, 2019

Page 5 of 5

Report No. OPS19-014

Pre-submission Review

Agenda Management Team Review on May 16, 2019

Departmental Approval

 per:

**Allan D. Downey
Director of Operations
Operational Services Department**

Approved for Agenda



**Doug Nadorozny
Chief Administrative Officer**

**Town of Aurora
Capital Projects**

Project	73231 Tennis Court Resurface- David English Park		
Department	Operational Services		
Version	Final Approved Budget	Year	2019

Description
TARGET START DATE AND END DATE: Use format Q4 2017 - Q1 2018
Project conditionally approved pending a further report to Council as per Budget Committee on February 2, 2019
PROJECT DESCRIPTION:
Provide a brief overview of the project and include the key goals, objectives and performance measures. To replace tennis court surfacing.
PROJECT JUSTIFICATION/CAPITAL SERVICE LEVEL IMPACT:
Provide the reasons the project should be approved and what will be the impact of the project to service levels. Tennis court surfaces need rehabilitation every eight to ten years as small cracks appear and water starts to pool. As well, lines and surfacing fade and the surface can become slick in high water areas such as the baseline. Resurfacing will provide improved playing conditions and increase safety for all user groups. This project has been included in the most recent 10 year capital plan.
PROJECT BENEFITS:
Explain the benefits of the project which could include Citizen/Client, compliance, financial, internal, learning & growth or utility benefits To increase the functionality of the surfacing and safety.
IMPACT TO THE ORGANIZATION IF THE PROJECT WAS NOT APPROVED:
Please provide an explanation of what the outcomes would be if the project was not approved. Infrastructure would continue to degrade and can lead to more significant repairs to the base layer and the Town could be liable due to unsafe conditions.

Budget		Total	2019	2020	2021	2022	2023	2024	Future
Expenditures									
Estimated Expenditures									
CONTRACTS		20,000	20,000						
		20,000	20,000						
	Expenditures Total	20,000	20,000						
Funding									
Infrastructure Sustainability Reserves									
PARKS R&R RESERVE CONT'N		20,000	20,000						
		20,000	20,000						
	Funding Total	20,000	20,000						
	Total Over (Under) Funded								

CORPORATION OF THE TOWN OF AURORA
Operations Department-PARKS DIVISION



DAVID ENGLISH PARK
2019 Tennis Court Re-Surfacing
Carrisbrooke Circle, Aurora, ON

EXISTING CONDITIONS **E1**

CORPORATION OF THE TOWN OF AURORA
Operations Department-PARKS DIVISION



DAVID ENGLISH PARK
2019 Tennis Court Re-Surfacing
Carrisbrooke Circle, Aurora, ON

EXISTING CONDITIONS **E2**



**Town of Aurora
General Committee Report No. OPS19-015**

Subject: Municipal Streetscape Partnership Program – Kwik Kopy Trail Improvements
Prepared by: Sara Tienkamp, Manager Parks & Fleet
Department: Operational Services
Date: June 4, 2019

Recommendation

- 1. That Report No. OPS19-015 be received; and**
- 2. That an application be submitted to the Regional Municipality of York for funding under the Municipal Streetscape Partnership Program (MSPP) in the amount of \$150,000 for a 1/3 cost of the streetscape enhancements and improvements to St. Johns Sideroad and Yonge St as part of Capital Project No: 73107 Kwik Kopy Trail; and**
- 3. That the Mayor and Town Clerk be authorized to execute the Agreement between the Town of Aurora and the Regional Municipality of York, and any and all documents or ancillary agreements, for the maintenance of the improvements within the Regional right-of-way once constructed.**

Executive Summary

This report provides information to make an application to York Region, to cost share in the streetscape improvements and enter into a formal agreement:

- Streetscape enhancement will significantly improve the appearance of the St. Johns Sideroad and Yonge Street intersection.
- Cost estimates for boardwalk and intersection streetscape are within budget, with the requested construction from York Region.
- Agreement required with York Region in order for Town to maintain streetscape improvements within right-of way.

Background

On May 15, 2018, staff presented Report No. OPS2018-013 Boardwalk at Kwik Kopy Trail to Council requesting a budget increase to construct a boardwalk to complete Phase 2 of the trail connection which was approved by Council.

Staff retained a design consultant through RFP 2018-81-OPS-P to prepare a design, specifications/drawings for tender. The boardwalk project required consultation with the Region of York as the trail alignment crosses the Regional right-of-way to gain access to St. Johns Sideroad and Yonge Street intersection. Through design discussions, York Region made staff aware of the MSPP which allows for a 1/3 cost share of any improvements on the Regional right-of-ways.

Analysis

Streetscape enhancement will significantly improve the appearance of the St. Johns Sideroad and Yonge Street intersection.

Currently the intersection is rural in appearance, with steel guardrails and natural vegetation (Attachment #1). This intersection really acts as the entrance point to Aurora even though the municipal boundary is 200m north.

The proposed enhanced intersection, Regional right-of-way design (Attachment #2, #3) includes upgraded guardrails, an inviting open entrance into the trail with decorative pavers, benches and wood boardwalk. In addition, the upgraded guardrail walls will also include the Town logo (Attachment #4.) In essence, this will start to urbanize the intersection and act as the formal entry to Aurora. This guardrail wall detail could be mirrored in future on the east side on Yonge Street to enhance the intersection further.

Cost estimates for boardwalk and intersection streetscape are within budget with the requested construction from York Region.

The estimated project cost of the above mentioned enhancement works is in the order of \$450,000. If the MSPP funding application is approved, the Region will contribute 33.33% of the construction cost within the right-of-way. The final cost to the Town would therefore be approximately \$300,000. Should the Town be successful in its cost share application, there will be sufficient funding available within the approved budget for Capital Project no. 74107.

Agreement required with York Region in order for Town to maintain streetscape improvements within right-of- way.

The ongoing maintenance of the proposed improvements at St Johns Sideroad and Yonge Street within the Region's road allowance will be the responsibility of the Town's Operation staff once constructed. It will be necessary for the Town and the York Region to enter into a formal maintenance agreement, similar to other agreements in place for other locations in Aurora.

Advisory Committee Review

Not applicable.

Legal Considerations

Legal Services will assist in the preparation of the agreement, which will include clauses that deal with the Town's obligations to maintain, repair and replace the proposed improvements. The agreement will also contain insurance and indemnification clauses.

Financial Implications

As noted above the estimated cost for the proposed streetscape enhancements and improvements to the St Johns Sideroad and Yonge Street intersection is \$450,000.

Should Council authorize staff to proceed with a cost sharing application for this said work, and the Town is successful in obtaining one third of the total cost for this work from the Region, the existing total approved budget of \$815,000 for capital project no. 73107 would be sufficient in covering the Town's remaining two thirds of these planned works cost.

However, should the Town be unsuccessful in its cost sharing application, this capital project's current total approved budget may be insufficient in covering the full costs of the planned enhancements. In this instance, should the budget be deemed to be insufficient, staff will bring a report to Council requesting the necessary increase to the total budget for Capital Project No. 73107.

Approved Budget	
Capital Project 73107	\$815,000
Total Approved Budget	\$815,000
*Less previous commitments (Design consultant)	\$57,230
Proposed right-of way intersection improvements	\$450,000
Proposed estimate construct boardwalk outside of right-or-way	\$380,000
Proposed project funding	\$887,230
Less Regional cost share	\$150,000
Total Project Cost Estimate	\$737,230

Communications Considerations

Should funding be approved, future communications regarding the funding from the Region will be acknowledged in media releases and any other appropriate communications regarding the trail.

Link to Strategic Plan

This project supports the Strategic Plan Goal of Supporting an Exceptional Quality of Life for all by improving transportation, mobility and connectivity. This project maintains a well-managed and fiscally responsible Municipality.

Alternative(s) to the Recommendation

1. Council may choose not to direct staff to make application for funding through the York Region Municipal Streetscape Partnership Program.

Conclusions

Staff recommends that Council direct staff to proceed with applying for the Municipal Streetscape Program funding and to enter into an agreement with York Region.

Attachments

- Attachment #1 –Kwik Kopy – Existing Conditions
- Attachment #2 – KK Guardrail Detail - LD1
- Attachment #3 – KK Trailhead Plaza – L1
- Attachment #4 – Kwik Kopy – Proposed Guardrail

Previous Reports

OPS2018-013 Boardwalk Kwik Kopy Trail, May 15, 2018

Pre-submission Review

Agenda Management Team Review on May 16, 2019

Departmental Approval

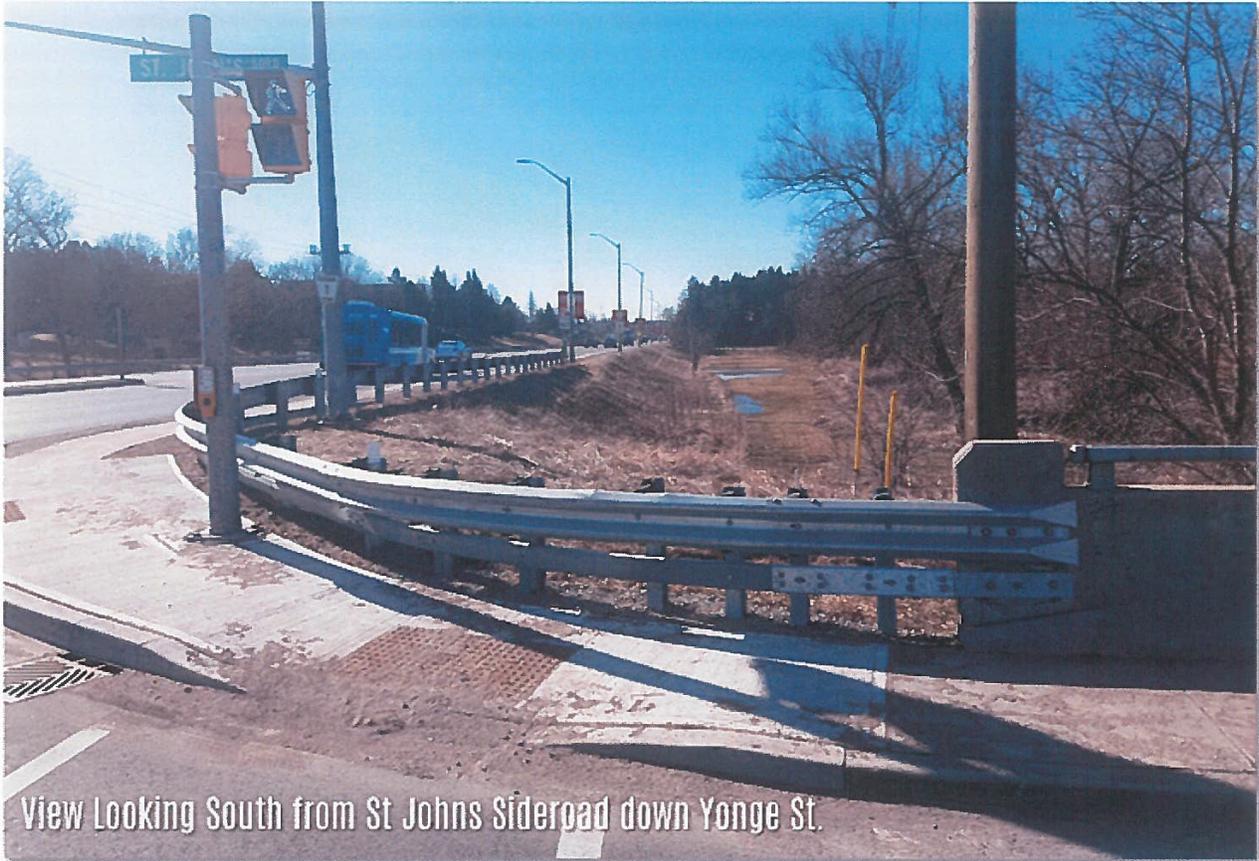


Allan D. Downey
Director of Operations
Operational Services Department

Approved for Agenda



Doug Nadorozny
Chief Administrative Officer

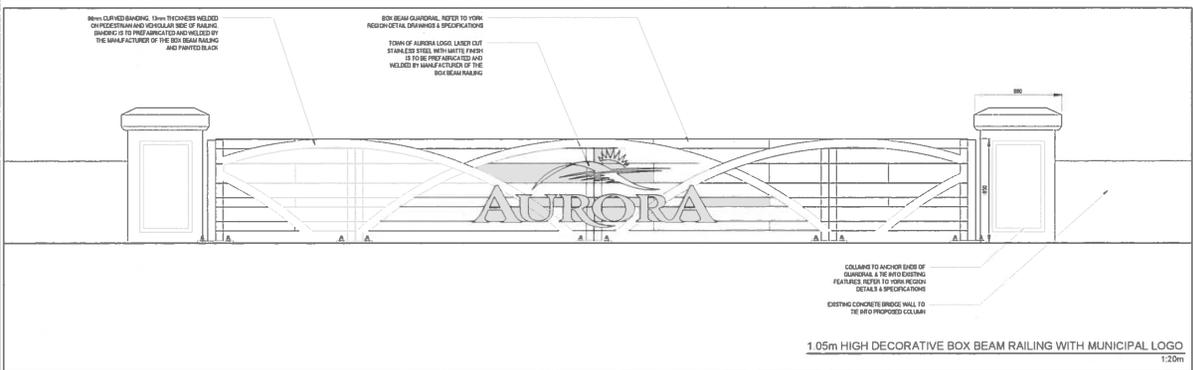
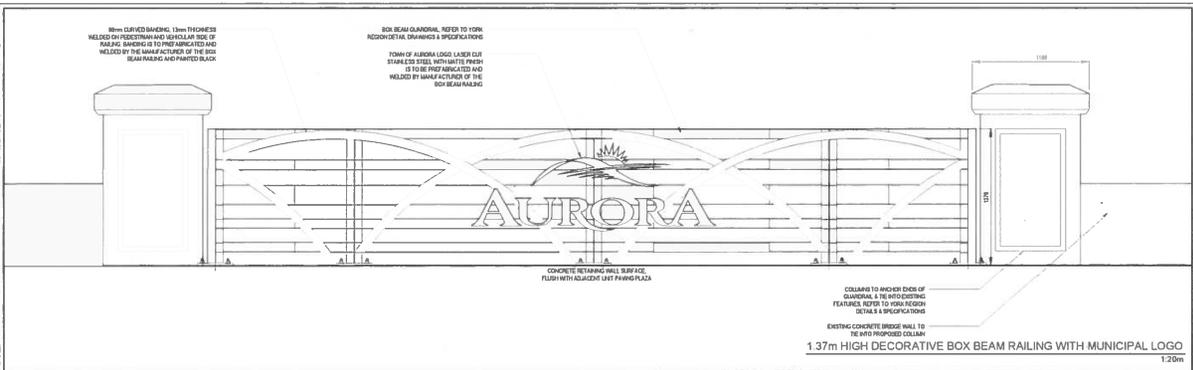


View Looking South from St Johns Sideroad down Yonge St.



View Looking North-West, St-Johns Sideroad West

Kwik Copy - EXISTING CONDITIONS



client
 Town of Aurora

consultants

no	revision	date	by

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 website: marksetterassociates.com

reviewed by
 M.S.
 drawn by
 K.F.
 date
 May 2019
 scale
 As Shown

drawing title
 Landscape
 Details & Notes

drawing number
 LD-1
 project title
 Aurora Boardwalk
 St. John's Sideroad & Yonge Street,
 Aurora, Ontario
 Regional Municipality of York
 project number
 2018-033



Kwik Copy - PROPOSED GUARDRAIL

Attachment 4



**Town of Aurora
General Committee Report**

No. PDS19-048

**Subject: Transfer of Servicing Allocation and Application for Removal of (H) Holding Provision
Shimvest Investments Ltd., Prato Estates Inc. and Preserve Homes Corp.
323 River Ridge Boulevard
Block 156, Plan 65M-4485, Block 231, Plan 65M-3971 and Block 164, Plan 65M-3946
File Number: ZBA(H)-2017-09
Related File Numbers: ZBA-2017-09 and SUB-2017-04**

**Prepared by: Matthew Peverini, Planner
Department: Planning and Development Services
Date: June 4, 2019**

Recommendations

- 1. That Report No. PDS19-048 be received;**
- 2. That Council grant an allocation of 81 persons from the reserve to service the development of 25 single detached dwellings on the approved Draft Plan of Subdivision;**
- 3. That the Application to Remove the (H) Holding Provision (File ZBA(H)-2017-09) from Lots 1 to 25 inclusive on the approved Draft Plan of Subdivision (SUB-2017-04) be approved;**
- 4. That the amending By-law to remove the (H) Holding Provision be presented for enactment at a future Council Meeting; and,**
- 5. That the Mayor and Town Clerk be authorized to execute any and all agreements, documents and ancillary agreements required to give effect to the development.**

Executive Summary

This report seeks Council's approval to:

- Grant an allocation of 81 persons from the reserve to service the development of 25 single detached dwelling units for the approved Draft Plan of Subdivision File Number SUB-2017-04 (Shimvest Investments Ltd., Prato Estates Inc. and Preserve Homes Corp.); and,
- Remove the (H) holding provision from the "Holding – Detached Third Density Residential-Exception 512 (H)(R3-512) Zone" and "Holding – Detached Fourth Density Residential-Exception 513 (H)(R4-513) Zone" from lots 1 to 25 inclusive.

The applicants are proposing to develop three remnant parcels of land together under one Zoning By-law Amendment (ZBA) and Draft Plan of Subdivision (DPS) application to facilitate the creation of 25 single detached residential lots, a vista block, and pedestrian walkway.

- The ZBA and DPS Applications were appealed to the Ontario Municipal Board, as it then was (OMB) and the Local Planning Appeal Tribunal (LPAT). The LPAT issued its Order to approve both the ZBA and DPS applications in March 2019. However, the Order did not allocate servicing.
- The proposed applications conform to Official Plan Amendment Number 30 – Bayview Northeast Area 2B Secondary Plan (OPA 30); and,
- Provided Council grants servicing allocation to the proposed development, Planning Staff is of the opinion that all provisions for removal of the (H) have been satisfied.

Background

Application History

On March 19, 2018, The Owners filed an appeal (File No. PL180272) of the ZBA application file ZBA-2017-09, to the OMB, as it then was, pursuant to Section 34(11) of the *Planning Act* for Aurora Council's failure to make a decision on the Application within 120 days of the Town deeming the Application complete.

On July 9, 2018, the Owners filed an appeal (File No. PL180657) of the DPS application file SUB-2017-04, to the LPAT pursuant to Section 51(34) of the *Planning Act* for Aurora Council's failure to make a decision on the Application within 180 days of the Town deeming the Application complete.

A Prehearing Conference for the ZBA application and Case Management Conference for the DPS application occurred on February 19, 2019. At these meetings, LPAT Ordered that both applications be approved.

The approved Amending Zoning By-law Number 6160-19 included holding provisions to restrict development until the criteria have been satisfied. In general, the provisions are as follows:

- The Town of Aurora to approve a transfer of servicing allocation to the development; and,
- Compliance with the relevant policies of the Bayview Northeast Area 2B Secondary Plan (OPA 30).

Location / Land Use

The applicants are proposing to develop three remnant parcels of land under the proposed DPS application. All three parcels of land are blocks within an approved and registered plan of subdivision (65M-4485, 65M-3971 and 65M-3946).

The subject lands are located north of Wellington Street East, between Bayview Avenue and Leslie Street. The remnant parcels are located on the eastern edge of the existing Bayview Meadows community (See Figure 1). Road access to the subject lands is provided through River Ridge Boulevard. The subject lands are irregular in shape and have a total area of 1.88 hectares. The subject lands are currently vacant.

Surrounding Land Uses

The surrounding land uses are as follows:

North: Stormwater Management Facility, Environmental Protection Buffer Area, single detached residential dwellings;

South: Environmental Protection Buffer Area and single detached residential dwellings;

East: Environmental Protection Buffer Area and Public Open Space

West: River Ridge Boulevard and single detached residential dwellings.

Policy Context

Planning Act

Pursuant to Section 36 of the *Planning Act*, lands subject to a holding provision cannot be used for the permitted use(s) indicated by the underlying zone until specified requirements have been met. Council must approve an amending By-law authorizing the removal of the holding provision in order for the lands to be developed.

Provincial and Regional Plans

All *Planning Act* development applications are subject to provincial and regional policies.

Through the LPAT proceedings, evidence before the Tribunal was found in the Appellant Case Synopsis and the Appellants' Appeal Record. This evidence provided support for the Tribunal to make findings of consistency with the Provincial Policy Statement 2014, conformity with the Growth Plan for the Greater Golden Horseshoe 2017, the Lake Simcoe Protection Plan, the Region of York Official Plan, the Town Official Plan and concerning the criteria in Section 51(24) of the Act regarding the requested draft plan approval.

Further, to the above noted decision, the Tribunal had also determined it had sufficient evidence to make a decision on the appeal of the ZBA application.

Zoning By-law 6000-17, as amended

The subject lands are zoned "Holding – Detached Third Density Residential-Exception 512 (H)(R3-512) Zone", "Holding – Detached Fourth Density Residential-Exception 513 (H)(R4-513) Zone", and "Public Open Space (O1) Zone" by the Town of Aurora Zoning By-law 6000-17, as amended (see Figure 3). These zoning provisions reflect the approved residential DPS (SUB-2017-04) (Figure 5).

Sections 24.512.1 and 24.513.1 of the approved amending Zoning By-law number 6160-19 generally states that before the (H) prefix is removed on the subject lands, the Town must allocate servicing to the proposed development; and that the development

must comply with the relevant policies of the Bayview Northeast Area 2B Secondary Plan (OPA 30).

Proposed Application

Proposed Zoning By-law Amendment to remove the (H) Holding Provision

The applicants have made an application to the Town to request removal of the holding provisions on the residential exception zones within the approved draft plan of subdivision. The holding provisions extend over residential lots 1 to 25 inclusive (see Figure 3). Approval of this application implements a "Detached Third Density Residential-Exception 512 (R3-512) Zone" and a "Detached Fourth Density Residential-Exception 513 (R4-513) Zone" (Figure 4). The removal of the (H) prefix is not a public process, and in this case only requires the approval of a transfer of servicing allocation, and compliance with the relevant policies of OPA 30.

Analysis

Planning Considerations

The proposed development requires servicing allocation.

As outlined by the Order issued by the LPAT in March 2019, a modified version of the draft amending Zoning By-law was approved by the LPAT. One of these modifications included the addition of a (H) holding provision to ensure that Council approves a transfer of servicing allocation to the proposed development.

Typically a report to General Committee recommending approval of a Draft Plan of Subdivision Application would include a recommendation to allocate servicing the development. However, the applications were appealed to the LPAT by the applicants, and the LPAT does not have the authority to grant servicing allocation as part of an Order to approve.

The pool of available servicing allocation is tracked by number of persons. Different built forms have different average household sizes. There is an average of 3.23 persons per unit (PPU) for a single detached dwelling. As such, the proposed development requires the allocation of 81 persons from the reserve to the approved Draft Plan of Subdivision. Should Council approve the transfer of servicing allocation

(as recommended at the outset of this report), then this holding provision criteria will be satisfied.

The proposed development is in compliance with the relevant policies of OPA 30.

The subject lands are designated “Low-Medium Density Residential” by OPA 30. Section 3.2.2(a) of OPA 30 provides policies for the Low-Medium Density Residential designation. A chart outlining how the proposed development conforms to the requirements of Section 3.2.2(a) of OPA 30 is attached to this report as Appendix A.

In addition to the LPAT Ordering approval of the subject applications, Planning Staff are of the opinion that the proposed development conforms to the relevant policies of OPA 30. As such the holding provision requiring compliance with OPA 30 is satisfied.

Department / Agency Comments

The proposed removal of the (H) Holding Provision application was not circulated to internal and external agencies for review and comment. The nature of the (H) is solely a Planning matter as it relates to the availability of servicing allocation, and compliance with OPA 30. The Town’s Policy Planning Division has advised that there is servicing capacity available in the reserve for purposes of transferring allocation to the proposed development.

Public Comments

The application to remove an (H) Prefix is not a public process, and does not require a statutory public meeting.

Advisory Committee Review

No Communication Required

Legal Considerations

Pursuant to section 36(3) of the Planning Act, the application to remove the holding provision may only be appealed by the applicant if Council refuses the application or refuses to make a decision within 150 days after the receipt of the application. The last day for Council to make a decision is September 6, 2019.

Should Council approve this application Legal Services will also review any By-laws required implementing the final approval of this application.

Financial Implications

A surcharge fee will be collected before the passing of the implementing Zoning By-law. The future development of the site would be subject to a subdivision agreement; as such fees and securities will be required with the implementing Subdivision Agreement. The future development of this site will also generate Development Charges that will be collected at the time of the Building Permit application.

Communications Considerations

Pursuant to section 8(2) in O.reg 545/06 of the *Planning Act*, municipality must “give the public reasonable notice” of Council’s intention to pass an amending by-law.

As such, a Notice of Council’s Intention to Remove a (H) Holding Provision will be published in the Aurora Banner and Auroran newspapers.

All interested parties were notified that the proposed Removal of (H) Application will be heard at the June 4, 2019 General Committee Meeting.

Link to Strategic Plan

The proposed Removal of (H) 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 objectives within this goal statement:

Strengthening the fabric of our community: Through the proposed removal of (H) holding provision on the subject lands, the application will assist in ensuring future growth includes housing opportunities for everyone.

Alternatives to the Recommendation

None.

Conclusions

Planning and Development Services have reviewed the proposed Removal of (H) Holding Provision application in accordance with the provisions of the Provincial and Regional policies, the Town's Official Plan, Zoning By-law and municipal development standards respecting the subject lands. The criteria for removal of the (H) on the subject lands have been satisfied. Therefore, Staff recommends approving application ZBA(H)-2017-09, to remove the (H) prefix on the subject lands for lots 1 to 25 inclusive.

Attachments

- Figure 1 – Location Map
- Figure 2 – Existing Official Plan Designation
- Figure 3 – Existing Zoning By-Law
- Figure 4 – Proposed Zoning By-law
- Figure 5 – Approved Draft Plan of Subdivision

Appendix A – OPA 30 Policy Analysis

Previous Reports

- Public Planning Report No. PDS18-005, dated January 24, 2018
- Public Planning Report No. PDS18-048, dated April 25, 2018
- Closed Session Report No. PDS19-014, dated February 12, 2019

Pre-submission Review

Agenda Management Team Meeting review on May 16, 2019

Departmental Approval



**David Waters, MCIP, RPP, PLE
Director
Planning and Development Services**

Approved for Agenda



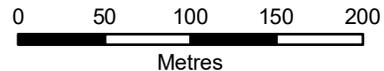
**Doug Nadorozny
Chief Administrative Officer**



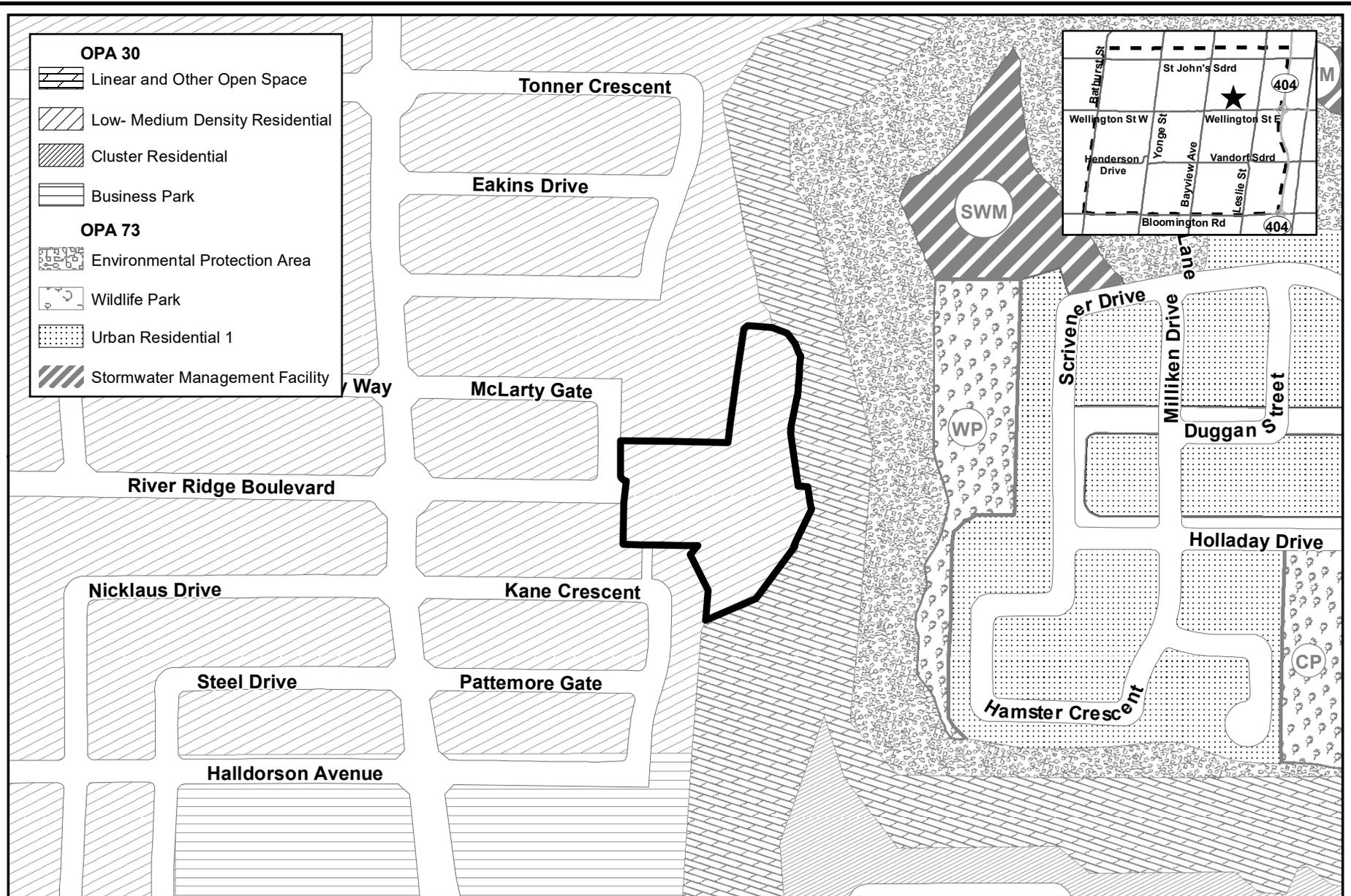
LOCATION MAP

APPLICANT: Shimvest Investments Ltd.,
 Prato Estates Inc. & Preserve Homes Corp.
 FILE: ZBA-2017-09 & SUB-2017-04
 FIGURE 1

 **SUBJECT LANDS**



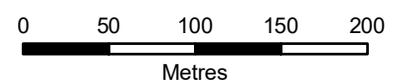
Map created by the Town of Aurora Planning and Building Services Department, February 7, 2019. Base data provided by York Region & the Town of Aurora. Air Photos taken Spring 2018. © First Base Solutions Inc., 2018 Orthophotography.



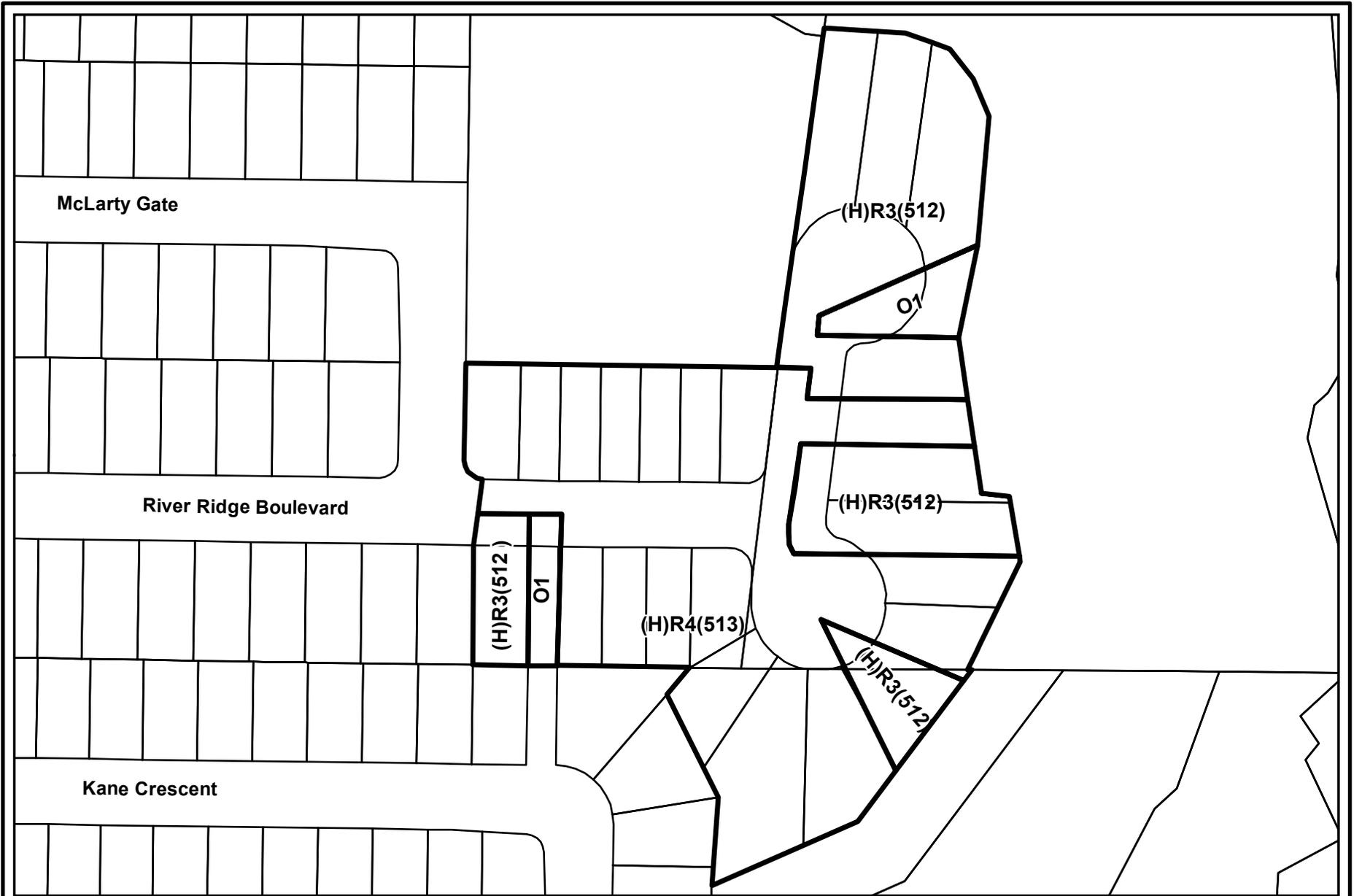
EXISTING OFFICIAL PLAN DESIGNATIONS

APPLICANT: Shimvest Investments Ltd.,
 Prato Estates Inc. & Preserve Homes Corp.
 FILE: ZBA-2017-09 & SUB-2017-04
 FIGURE 2

SUBJECT LANDS



Map created by the Town of Aurora Planning and Building Services Department, February 7, 2019. Base data provided by York Region & the Town of Aurora.



EXISTING ZONING BY-LAW

APPLICANT: Shimvest Investments Ltd.,
Prato Estates Inc. & Preserve Homes Corp.
FILE: ZBA-2017-09 & SUB-2017-04

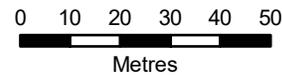


FIGURE 3

Map created by the Town of Aurora Planning & Development Services Department, February 7, 2019. Base data provided by York Region & Aurora - GIS.



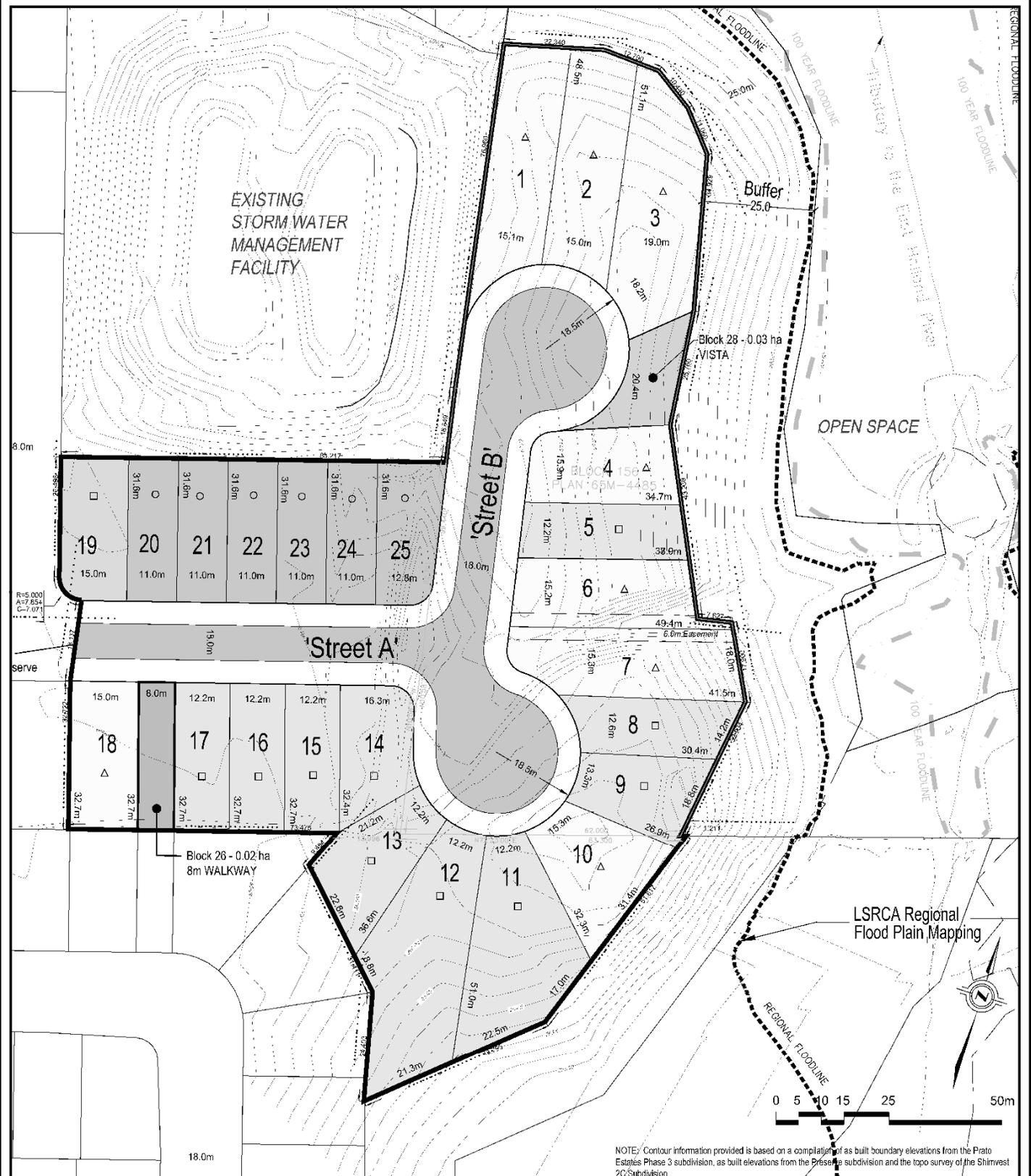
PROPOSED ZONING BY-LAW AMENDMENT

APPLICANT: Shimvest Investments Ltd.,
Prato Estates Inc. & Preserve Homes Corp.
FILE: ZBA-2017-09 & SUB-2017-04



FIGURE 4

Map created by the Town of Aurora Planning & Development Services Department, February 7, 2019. Base data provided by York Region & Aurora - GIS.



DRAFT PLAN OF SUBDIVISION

APPLICANT: Shimvest Investments Ltd.,
Prato Estates Inc. & Preserve Homes Corp.
FILE: ZBA-2017-09 & SUB-2017-04
FIGURE 5





Appendix A – OPA 30 Policy Analysis

OPA 30 Policy	Policy Analysis
<p>Policy 3.2.2 a) i):</p> <ul style="list-style-type: none"> Low-Medium Density Residential shall include primarily at grade housing forms such as single detached dwellings, duplexes, semi-detached dwellings, triplexes, quadruplexes, street rowhouses and/or block rowhouses. A mix of housing types shall be provided, subject to the maximum density and building heights. 	<p>The subject applications propose 25 single detached residential units on the subject lands. The uses comply with the single-detached at-grade housing forms permitted by OPA 30.</p>
<p>Policy 3.2.2 a) ii)</p> <ul style="list-style-type: none"> Overall density shall not exceed 25 units per net residential hectare (10 units per net acre). The maximum density for any individual residential lot and/or block on lands designated Low-Medium Density Residential shall be 44 units per net residential hectare (18 units per net acre). 	<p>The overall density is 18.3 units per hectare, which is below the maximum of 44 units per hectare and the overall density of 25 units per net residential hectare.</p>
<p>Policy 3.2.2 a) iv)</p> <ul style="list-style-type: none"> The least intensive residential uses are encouraged on lands adjacent to lands designated Linear and Other Open Space and the Recommended Environmental Protection Line as shown on Schedule “AA”; 	<p>The proposed built form is the least intensive residential use, and is positioned adjacent the Linear and Other Open Space designation. Larger lot sizes are positioned adjacent this designation, while smaller lots are concentrated to the western portion of the subject lands.</p> <p>The width of the buffer is the required amount as shown on Schedule “AA”.</p>
<p>Policy 3.2.2 a) v)</p> <ul style="list-style-type: none"> Building heights shall not exceed three storeys. 	<p>The proposed dwellings will be two storeys, with a maximum height of 11 metres.</p>