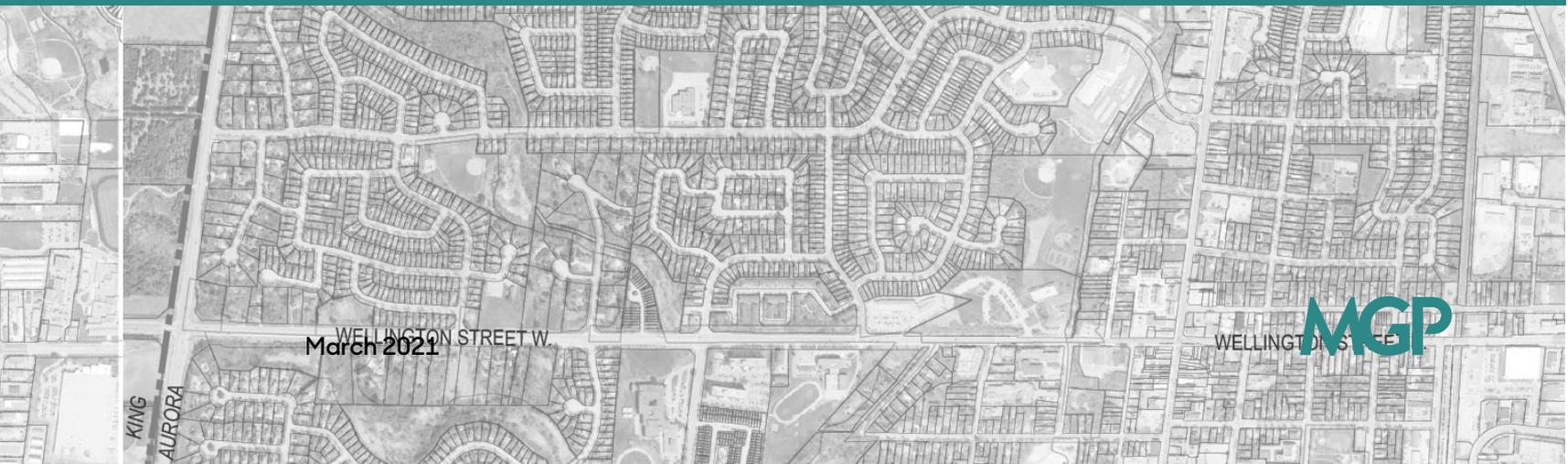


# PLANNING OPINION REPORT

Official Plan & Zoning By-law Amendments and Draft Plan of Subdivision  
162, 306, 370, 434 & 488 St. Johns Sideroad, Aurora

Prepared For:  
Shining Hill Estates Collection Inc.



Wellington Street W.  
March 2021

WELLINGTON STREET W.  
**MGP**



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*Official Plan Amendment  
Zoning Bylaw Amendment  
Draft Plan of Subdivision*

## **Planning Opinion Report**

**Shining Hill Estates Collection Inc.  
Aurora, ON**

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# Executive Summary

Shining Hill Estates Collection Inc. (“Shining Hill”) is seeking to develop 155 hectares (~385 acres) of lands into a complete community consisting of a diverse range of uses where people can live, work and shop. These lands, owned entirely by Shining Hill, are located at the northwest corner of Yonge Street and St. John’s Sideroad straddling the Town of Aurora and Town of Newmarket municipal boundary (“Shining Hill Lands”). The development concept at full build-out is proposed to have 3,300+ residential units in low, medium and high-density built forms, parks and open space, institutional uses, stormwater management facilities, and service commercial uses.

This proposal represents a unique community building opportunity. It is rare for such a large contiguous area of land, under singular ownership, to be available for comprehensive planning and development within the urban area. This assembly of lands will allow for the creation of a complete community that locates development in appropriate areas while protecting identified natural heritage features.

Shining Hill is developing its lands in multiple phases. This report supports the Shining Hill Central Aurora portion of the development, consisting of 32 hectares in the Town of Aurora (“Subject Lands”). Shining Hill Central Aurora is of key importance to the larger development concept, both in terms of location and quantum, accounting for almost a quarter (21%) of its landholdings.

The purpose of this report is to provide a planning opinion with respect to the proposed development which consists of approximately 288 dwelling units (88 single-detached dwellings and a 10-storey apartment building with approximately 200 dwelling units), a future location of the St. Anne’s All-Girls Private School (which is under the umbrella of St. Andrew’s College), a centrally located neighbourhood park, and a network of public roads and private condominium roads.

This proposal requires Official Plan and Zoning By-law Amendments and a Draft Plan of Subdivision which are being submitted concurrently. The St. Anne’s School and apartment block will require future planning applications prior to development, including but not limited to Site Plan Control.

This re-designation will also feed into the Region’s Land Needs Assessment prepared as part of their Municipal Comprehensive Review (“MCR”). At a Regional level, the goal of the application is to indicate that the developable portions of the Subject Lands are to be brought into the Urban Area. It is our understanding that should this application be adopted by local Council; the final approval will occur when the Region approves their Regional Official Plan Amendment (ROPA) as part of their MCR process.

Figure ES-1: Phasing of the Overall Shining Hill Landholdings

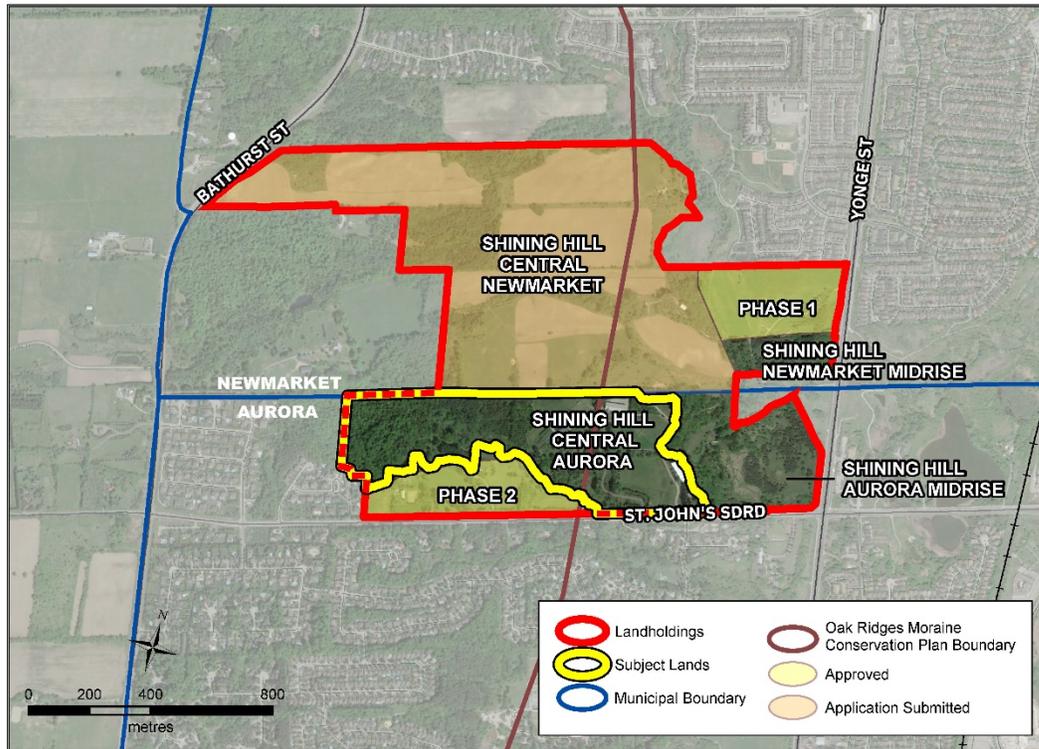
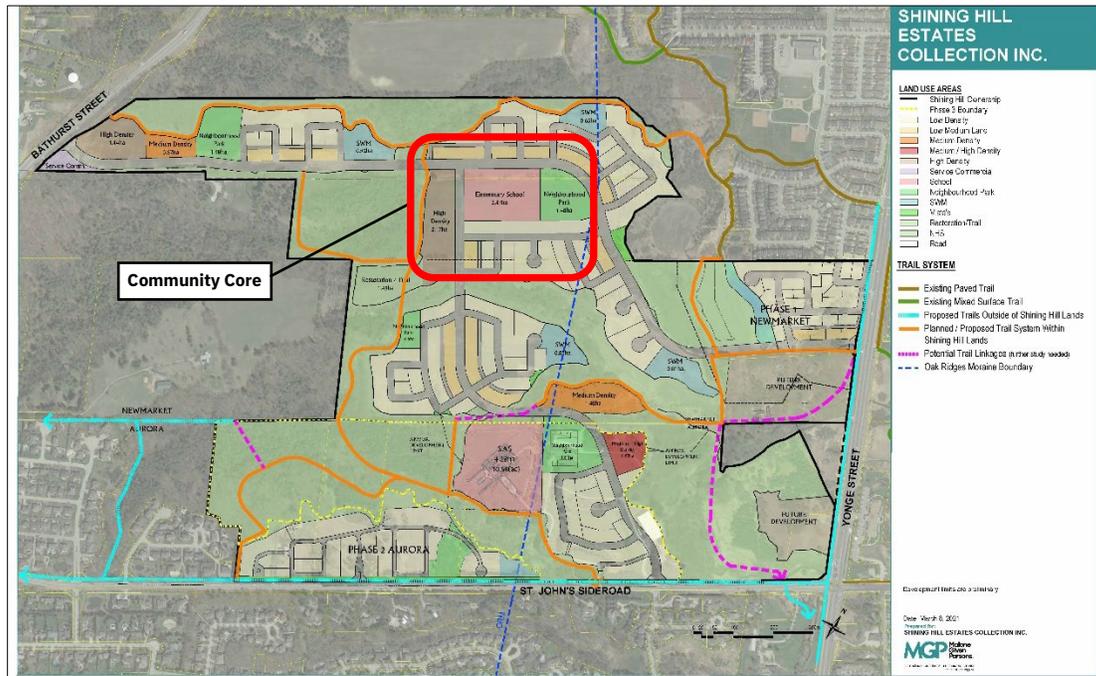


Figure ES-2: Shining Hill Development Concept



It is anticipated that approximately 288 residential units of the proposed 3,300+ will be accommodated on the Subject Lands in a variety of low and high-density residential built forms. Through the approvals process, approximately 18 hectares of natural heritage lands will also be transferred to the Town of Aurora and made publicly accessible.

The majority of the Subject Lands are undeveloped (save and except for the large estate house formerly owned by Mr. Andrew Dunin) and are either actively being farmed or contain natural heritage features. The proposed urban uses will be located exclusively on the farmed acreage.

The Town of Aurora Official Plan designates the Subject Lands as *Suburban Residential (SR-1)*, *Supporting Area Open Space*, *Core Area Open Space* and *Existing Major Institutional*. An Official Plan Amendment is required to re-designate the Subject Lands to permit development as proposed. This Report has been prepared in support of the required application.

### **THE PROPOSED DEVELOPMENT IS GOOD PLANNING**

Development of the Subject Lands minimizes land consumption and servicing costs by making efficient use of vacant land in an area where servicing can be provided with minimal extensions to infrastructure. This is especially important considering the constraints posed by the delayed Upper York Wastewater Treatment Plant. Shining Hill is conducting its own Inflow and Infiltration investigation to locate potential capacity for the development of the Subject Lands and other parts of Aurora/Newmarket.

The Subject Lands, and the greater Shining Hill Lands, remain privately owned. The overall development concept for the entirety of the Shining Hill landholdings proposes to transfer approximately 78 hectares of natural heritage green space to public ownership, of which approximately 19 hectares are located in the Subject Lands. This will allow the Town to extend its existing trail and path system and connect to systems that currently terminate at the privately-owned lands (a conceptual trail network is shown in the Concept Plan).

Development of the Subject Lands will also assist the Town in meeting its growth targets. Presently, the Town of Aurora is mostly built-out. Any future growth will have to be accommodated through intensification, mostly within the Promenade.

Development of the Subject Lands, in combination with the Town's intensification efforts in its corridors and centres, will allow the Town to provide a broad complement of housing options that will serve all sizes, incomes, and ages of households in accordance with provincial and regional policies.

The reality is that easily developable land is growing increasingly scarce and housing affordability is eroding. The Shining Hill development represents an opportunity to create a complete community that provides a mixture of ground-oriented and high-density dwellings while protecting identified natural heritage features.

This Planning Opinion Report demonstrates that the proposal implements the policies of the Growth Plan, Oak Ridges Moraine Conservation Plan, the York Region Official Plan and the Town of Aurora Official Plan. It is consistent with the Provincial Policy Statement (2020), and Lake Simcoe Protection Plan.



# 1.0

## Background

*Malone Given Parsons Ltd. has been retained by Shining Hill Estates Collection Inc. to assist in obtaining planning approvals for a development comprised of a mix of residential, institutional, and open space uses.*

*This report supports the following development applications:*

- *Official Plan Amendment (OPA) to the Town of Aurora Official Plan to re-designate the Subject Lands to Stable Residential with site-specific policies, Existing Major Institutional, Suburban Residential (SR-1), Public Parkland, Environmental Protection, Supporting Area Open Space and Core Area Open Space.*
- *Zoning By-law Amendment (ZBA) to Bylaw 6000-17 to re-zone the lands to permit the residential and institutional development*
- *Draft Plan of Subdivision to define the lands for development and the extent of the natural heritage system.*

### 1.1 Overview

Malone Given Parsons Ltd. (MGP) are the planning consultants for Shining Hill Estates Collection Inc. (Shining Hill) owners of 155 hectares (~385 acres) at the northwest quadrant of Yonge Street and St. John's Sideroad straddling the Town of Aurora and Town of Newmarket municipal boundary ("Shining Hill Lands").

Shining Hill is proposing to develop its large consolidation of land into a complete community consisting of a diverse range of land uses where people can live, work and shop. Development of the Shining Hill Lands represent a unique community building opportunity. It is rare for such a large contiguous area of land, under singular ownership, to be available for comprehensive planning and development that is immediately abutting urban development. The Shining Hill Lands are proposed to be developed in phases, with parts of its landholdings already in varying stages of development. The proposed overall development is composed of the following:

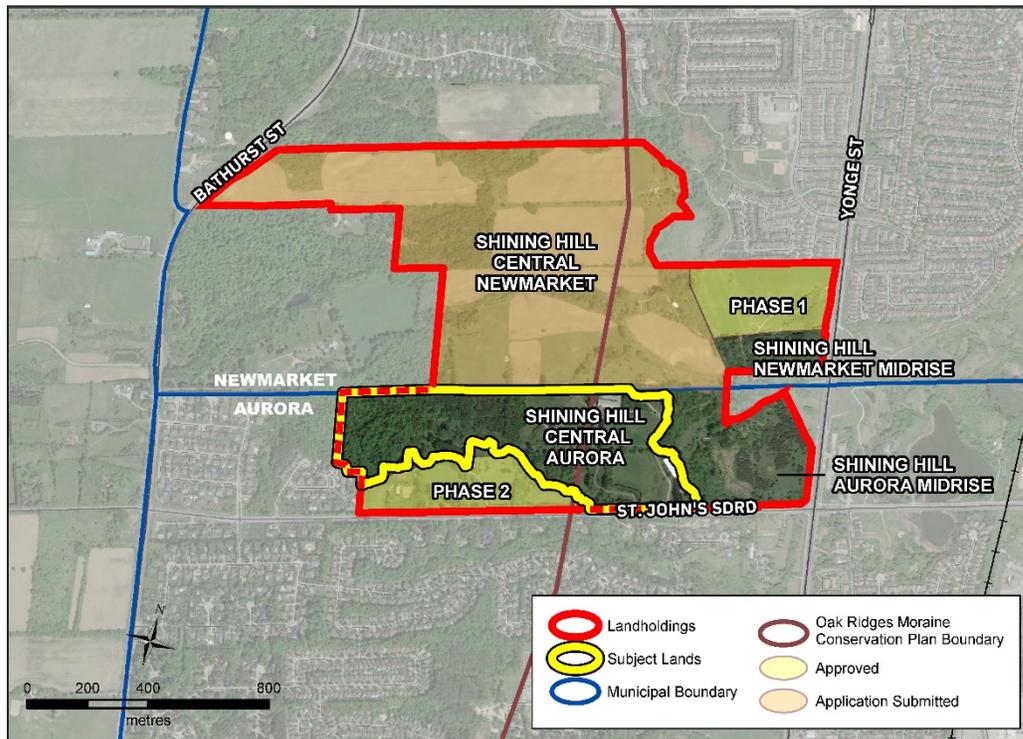
- **Phase 1 (Approved):** A 14-hectare (34 acre) portion of the Shining Hill landholdings along Yonge Street, north of St. John's Sideroad in the Town of Newmarket was recently approved. It consists of 179 residential units with a mix of singles, semis and townhomes. (OPA 21/ZBA 2018-17/19TN-2018-01)

**Phase 2 (Approved):** Official Plan and Zoning Bylaw Amendment applications to allow a residential subdivision consisting of 90 single-detached dwellings has been recently approved by the Town of Aurora. (OPA-2081-01/ZBA-2018-02/SUB-2018-02). The lands are within Aurora's Built-Boundary and have been previously

designated for large estate lots.

- **Shining Hill Central Newmarket (Ongoing):** Consists of the majority of the remaining area in the Shining Hill Lands within the Town of Newmarket. A range of urban uses are proposed on the lands currently used for farming. The existing significant natural features and their associated buffers (31 hectares - non-farmed lands) are to be protected. The proposed development concept includes a mix of low, medium and high density residential units, parks, school, and commercial uses. An east-west collector road stretching from Yonge to Bathurst is also proposed. A public meeting is scheduled for January 11, 2021.
- **Shining Hill Central Aurora (this phase):** Consists of the lands remaining within the Town of Aurora. The proposed development consists of a mix of low and high density residential units, a private school and a park. The development will require Official Plan and Zoning Bylaw Amendments to re-designate the lands for residential uses.
- **Shining Hill Newmarket Midrise:** An 8 acre parcel located immediately south of the Phase 1 lands adjacent to Yonge Street. These lands are proposed for high-density residential uses to maximize the transit investment planned on Yonge Street. Approximately 1,000 units are contemplated in two mid-rise buildings.
- **Shining Hill Aurora MidRise:** A parcel located along Yonge Street, north of St. Johns Sideroad. These lands are proposed for high-density residential uses to maximize the transit investment planned on Yonge Street. Approximately 700 units are contemplated in mid-rise buildings.

Figure 1.1 Overall Shining Hill Development Phasing



The purpose of this report is to provide a planning opinion in support of the Shining Hill Central Aurora lands (herein referred to as the “Subject Lands”) of the development. This component of the development will require applications for an Official Plan Amendment (OPA) and Zoning Bylaw Amendment (ZBA), in addition to a Draft Plan of Subdivision, to permit the development as proposed.

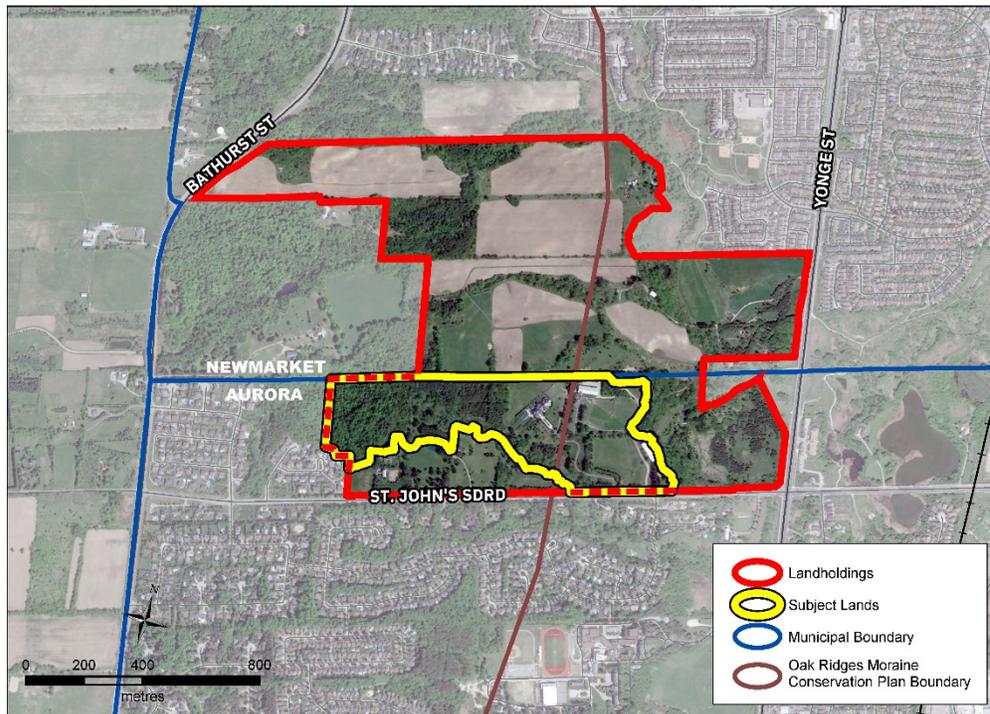
## 1.2 Location and Context

The Subject Lands are located on the north side of St. John’s Sideroad, west of Yonge Street in the Town of Aurora and are municipally known as 162, 306, 370, 434 & 488 St. Johns Sideroad. The full legal description is provided in Table 1.1. It should be noted the southwestern portion of the parcels is not subject to this application and is part of the approved Shining Hill Phase 2 application.

Table 1.1 Legal Description

#	Legal Description of Property	Municipal Address
1	PT LT 86, CON 1 (KING), PT 1, PL 65R26049; AURORA	162 St. John’s Sideroad
2	PT LOT 86, CON 1 KING, PART 2, PLAN 65R37588 TOWN OF AURORA	306 St. John’s Sideroad
3	PT LT 86 CON 1 KING PART 2 ON 65R36724 TOWNSHIP OF KING	370 St. John’s Sideroad
4	PT LT 86 CON 1 KING PT 1, PLAN 65R37588 TOWN OF AURORA	434 St. John’s Sideroad
5	PT LT 86 CON 1 (K) PT 1 ON 65R36724 TOWNSHIP OF KING	488 St. John’s Sideroad

Figure 1.2 Subject Lands and Surrounding Context



### 1.3 Description of the Lands

The Subject Lands are mostly vacant, save for the estate dwelling formerly belong to Mr. Andrew Dunin (proposed to be adaptively re-used into the St. Anne’s All-Girls Private School), a single detached dwelling, and a horse stable with associated structures. A large natural heritage system comprises the majority of the western portions of 434 & 488 St. John’s Sideroad, with a smaller natural heritage corridor traversing the middle of 370 St. John’s Sideroad and the southern portion of 306 St. John’s Sideroad.

The surrounding community consists of existing and proposed residential homes and environmental areas. The following summarizes the surrounding uses:

To the West

- Bathurst Street, Vacant Lands, Estate Residential Dwellings

To the South

- St. John’s Sideroad
- Estate Residential Dwellings
- Future Single Detached Dwellings (Phase 2)

To the East:

- Yonge Street
- 4-storey apartment building

To the North:

- Proposed Future Development

Figure 1.3 provides context of the surrounding area showing urban uses to the south, north and east. Development of the Shining Hill lands is a logical extension of the surrounding communities and can be serviced with minimal extensions to existing infrastructure.

## **1.4 Transit**

Transit service is currently provided by York Region Transit with bus routes 22 (King City – temporarily suspended), 31 (Aurora North – temporarily suspended), 96 (Keele-Yonge), and 98 (Yonge) providing local bus service along Yonge Street with a stop at the intersection of Yonge and St. John’s Sideroad, which is within walking distance of the Subject Lands. In addition, VIVA Blue provides high-frequency bus service (at 15-minute intervals) along Yonge Street with a stop at Savage Road/Joe Persechini Drive (~1.5km). This section of Yonge Street is expected to be upgraded to dedicated Rapidways in the future, similar to just north of the Subject Lands.

In addition, GO Transit line (Route #69) along Yonge Street provides regional connections to other areas of the Greater Toronto Area.

## **1.5 Purpose of Application**

Given the scale of the proposed application and complexity of the planning policy framework, the purpose of this Report is to provide a planning opinion with respect to the proposed development of approximately 288 dwelling units consisting of 88 single-detached dwellings and a 10-storey apartment building with approximately 200 dwelling units, the St. Anne’s School (all-girls school under the umbrella of St. Andrew’s College), a centrally located neighbourhood park, and a network of public roads and private condominium roads.

This proposal requires Official Plan and Zoning By-law Amendments and a Draft Plan of Subdivision which are being submitted concurrently. The St. Anne’s School and apartment block will require future planning applications prior to development. This re-designation will feed into the Land Needs Assessment prepared as part of the Region’s Municipal Comprehensive Review (“MCR”). At a Regional level, the goal of the application is to indicate that the developable portions of the Subject Lands should be brought into the Urban Area.

It is our understanding that should this application be adopted by local Council; the final approval will occur when the Region approves their Regional Official Plan Amendment (ROPA) as part of their MCR process.

It is also our understanding that the Region intends to bring these lands into the Urban Area and thus for the purposes of this report, it is assumed that the Subject Lands are located within the settlement area.

This Planning Opinion Report is supported by technical studies including:

- Phase 1 Environmental Site Assessment
- Geotechnical Study;
- Hydrogeological Study;
- Noise Study;
- Urban Design Brief;
- Functional Servicing and Stormwater Management Report;
- Natural Heritage Evaluation;
- Tree Preservation Report;
- Stage 1-2-3 Archaeological Assessment; and,

- Transportation Mobility Study.

## 1.6 Public Consultation Strategy

As part of the public consultation process, the applicant and project team will provide project-related information to relevant stakeholders including the Town of Aurora for the purpose of public viewing and accessibility. We will be seeking feedback related to the project submission from all interested parties to help inform future decisions.

We plan to convey key information to the public during the consultation process detailing the proposed development concept outlined in Section 2.1 of this report including discussing the proposed range and mix of housing, open space system, natural heritage system and maximization of infrastructure investment.

The desired outcomes of the consultation process will be to provide interested parties with project-related information and satisfy the Town’s consultation requirements. We want to provide full, clear and accurate information to all stakeholders to ensure sufficient project information is available to them. Furthermore, we will strive to incorporate public feedback into the development plan as warranted.

The scope of the consultation process will include the area within a 120-metre radius from the boundary of the site. The distance determined is based on the prescribed notice area in the *Planning Act*. This will include stakeholders in the community that may be impacted from the proposed development. There are several uses in the immediate area and groups that will potentially take interest to this development may include:

- Neighbouring residents;
- Adjacent business owners;
- York Region District School Board; and,
- York Region Catholic District School Board.

The consultation strategy will be to engage stakeholders and other interested parties through the Town’s Public Consultation process as part of the development application process.

The primary method of consultation will include the statutory Public Meeting (date to be determined) required by the *Planning Act*. The impact area will be notified of the development application and public meeting date by the installation of the “Notice of Application” sign on the property by the applicant. The posted sign will be in accordance with the Town of Aurora standards.

The Town Planner assigned to the application will be listed on the development application sign and available for communication with any interested parties. Stakeholders can express comments and questions about the project directly to the assigned Planner on the application.

As feedback from stakeholders is received, necessary updates to the application will be made through subsequent document submissions. We will ensure the process is transparent by providing stakeholders with responses to comments and questions brought up through the consultation process. Any changes to the project will be clearly noted and responses to comments will be provided along with updated submission materials.

# 2.0

## Proposed Concept Plan

### 2.1 Proposed Development Concept

The proposed Draft Plan of Subdivision, as illustrated in Figure 3 and Appendix A, proposes to develop the Subject Lands to accommodate approximately 288 dwelling units (88 single-detached dwellings and a 10-storey apartment building with approximately 200 units), the St. Anne's All-Girls Private School, a neighbourhood park and a natural heritage system.

The 88 single detached residential units will range in frontage from 12.2m (40') to 15.24m (50'), with 9 single detached dwellings accessed through a rear lane. Based on the net developable area (excluding the natural heritage system), the proposed density of the development will be approximately 20 units per gross developable hectare (Table 3).

St. Anne's All-Girls School will be located on the western portion of the Subject Lands (located on a 4.28ha block). The school will adaptively re-use the existing Dunin Estate home with the addition of temporary portables and utilize the existing infrastructure as part of its initial Phase 1 opening plan. St. Anne's School will serve girls from all over York Region and its neighbouring regions with classes offered in Grades 5 through 9 in its first year and adding a grade in each subsequent year of operation until reaching Grade 12. The school will offer a day program at the outset with plans for a boarding program in the future. The school will operate under the St. Andrew's College umbrella. St. Andrews is located approximately 1 kilometre to the south and has established itself over the past 120 years as an internationally recognized institution.

The overall master plan for St. Anne's School includes the following:

- **Recreation Centre** – this building is planned to be located along the Newmarket frontage and is proposed to contain sports courts and training areas.
- **Academic Building** – an additional building for classrooms is planned to be built at the southern portion of the property and will be connected to the main campus building
- **Dormitories** – multiple dormitories are planned to be built along the western portion of the property overlooking the quad. It is anticipated approximately 100 students will live here at ultimate build-out

Additional components of the proposed development include a 1.61 hectare neighbourhood park, and a 17.7 hectare natural heritage / open space area, which will be conveyed to the Town and provide opportunities to enhance the Towns trail system. The neighbourhood park will be programmed with the assistance of St. Anne's School, which will have a shared operations agreement with the Town. Bleachers are planned to be located on the St. Anne's



Figure 4: Proposed Site Plan (Phase 1 and Master Plan)



## 2.2 Development Statistics

The following tables illustrate the development statistics of the Concept Plan:

Table 2.1: Land Use and Areas

Land Use	Units	Area (ha)
Single Detached (min 15.24m)	31	2.00
Single Detached (min 13.7m)	34	1.89
Single Detached (min 12.2m)	23	1.02
Mid / High Rise Residential	200	0.87
St. Anne's School		4.28
Neighbourhood Park		1.61
Natural Heritage / Open Space		17.72
Servicing Block		0.02
Trail Head		0.02
Road Widening		0.21
0.3m Reserves		0.01
23.0m ROW		1.02
18.0m ROW		0.81
15.0m ROW		0.16
9.2m Condo Road		0.14
<b>TOTAL</b>	<b>288</b>	<b>31.79</b>

Table 2.2: Estimate of Population and Jobs

Residential & Institutional Uses based on Concept Plan	Number of Residential Units	Persons per Unit	Total People /Jobs
Single Detached Dwelling	88	3.57	314
Apartment Dwellings	200	1.84	368
<b>Total Residential Dwellings</b>	<b>288</b>		
<b>Units per Net Hectare</b>	<b>20.4</b>		
<b>Total People</b>			<b>682</b>
St. Anne's School			115
<b>Total Jobs</b>			<b>115</b>
<b>Total People &amp; Jobs</b>			<b>797</b>
<b>Residents &amp; Jobs per Hectare</b>			<b>57</b>

Note: PPU based on Town of Aurora Development Charges Background Study (Watson & Associates, 2019); Resident and unit per hectare calculation based on total size of draft plan excluding natural heritage (14.1ha.).

It should also be noted that it is expected approximately 100 students will be living in the proposed dormitories at full build-out of St. Anne's School.

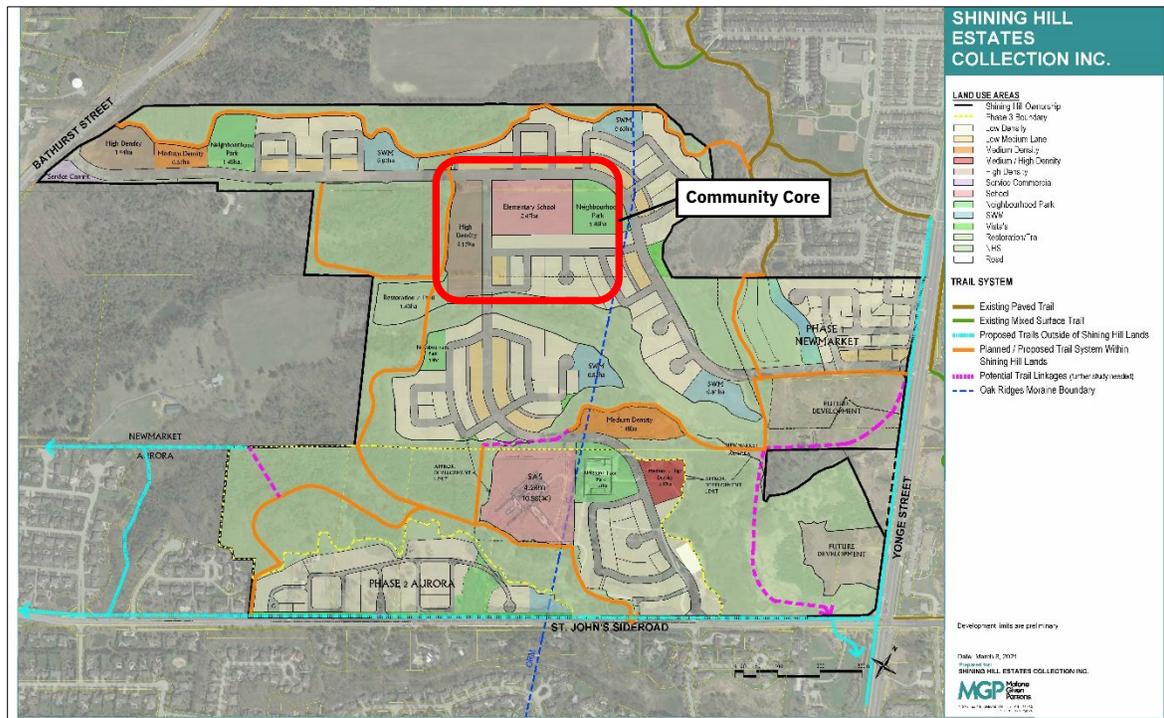
### 2.3 Overall Conceptual Development Summary

As discussed, the proposed development of the Subject Lands is one phase of the multi-phased development concept that Shining Hill envisions for its landholdings. It is useful to review the proposed development against the overall development concept to better understand how this Central Aurora phase of the development fits into the larger comprehensive plan. The proposed overall development of the Shining Hill Lands is illustrated in Figure 2.1 below.

The overall concept proposes a complete community that straddles the Town of Newmarket and Town of Aurora municipal boundary consisting of a mix of low, medium and high-density residential uses, parks and open spaces, an elementary school, stormwater management uses and service commercial uses. At full build-out, the development concept proposes approximately 3,300+ residential units at a density of over 70 residents and jobs per hectare, net of the proposed natural heritage areas.

The Subject Lands, outlined in the dashed yellow line, are a subset of the Shining Hill Lands.

Figure 2.5 Proposed Development Concept



Key aspects of the overall proposed development include:

#### **Range and Mix of Housing**

The proposed development consists of a wide-ranging mix of housing options to serve the needs of the Town of Aurora and Newmarket. The Shining Hill lands represent one of the few remaining vacant properties in both Towns within the settlement area that can accommodate this scale of ground-oriented housing while also providing an opportunity to deliver higher

density housing in proximity to rapid transit corridors and primary collector roads.

### ***Central Hub***

A community core is envisioned at the centre of the development at the intersection of two new proposed primary collector roads. The core will consist of medium and higher density residential uses, community commercial uses, a potential school or institutional block, a neighbourhood park and multiple trail connections.

### ***Road Network***

A new east-west Primary Collector road (26.0 m right-of-way) will provide access from Yonge Street to Bathurst Street via the extension of Street 'A', which has been provided for in the approved Phase 1 development. This connection will provide an alternate east-west connection to St. John's Side Road between these Yonge and Bathurst and will act as a mid-block collector.

An additional north-south Primary Collector road is proposed to connect to the new east-west road and St. John's Sideroad, aligning with the existing Willow Farm Lane. The remainder of the road network consists of 18.0m ROW local roads and 9.0m ROW condominium roads,

### ***Open Space System***

The proposed development will provide a comprehensive approach to protecting the existing natural features while also providing an open space system composed of a hierarchy of parks, parkettes, trails and passive/active recreational uses. The assembled ownership will allow the Towns of Aurora and Newmarket to extend its existing trail system and connect systems that terminated at these lands prior to Shining Hill's consolidation.

### ***Natural Heritage System***

The development concept proposes that the natural heritage features and appropriate buffers will be transferred from private ownership to the Towns of Aurora and Newmarket. An estimated 76 hectares of natural heritage lands – representing just under half (49%) of the entire Shining Hill landholdings – will be conveyed and made publicly accessible. Newmarket and Aurora can protect or use the conveyed lands to meet the recreational space needs while protecting wildlife habitats.

Additionally, conveyance of these lands will allow the Town of Aurora and Newmarket to protect a wildlife corridor stretching south from Coventry Hill Trail to St. John's Sideroad, which the LSRCA strongly supports.

### ***Maximizing Existing and Future Infrastructure Investment***

York Region has led all Greater Toronto Area and Hamilton regions in recognizing the importance of upgrading transit to support growth.

The Shining Hill Lands are proximate to the YRT/VIVA lines, which are planned to be upgraded to a dedicated Bus Rapid Transit, and a GO Transit line (Route #69) along Yonge Street, VIVA Blue, and YRT Routes (#22A, 31, 98 and 99). Development of these lands would provide additional growth near transit to optimize the Region's investment in the YRT/VIVA/GO infrastructure.

York Region's 2018 Capital Works Budget has confirmed that the proposed Upper York Waste

Water Treatment Plant will not be in operation until beyond 2027 at the earliest to process sanitary sewage capacity. These servicing constraints impact the timing in which municipalities located in upper York Region can deliver units to accommodate growth.

Shining Hill is undertaking an Inflow and Infiltration investigation to identify if sewage conveyance capacity might become available through remediation and replacement to existing infrastructure. This study has the potential to create capacity for Shining Hill (and other parts of Newmarket) and could allow for development prior to the operation of the Upper York Plant. The determination of the ability to increase capacity of existing infrastructure through remediation aligns with the Region's priority to assign growth with available infrastructure.

***Development of Subject Lands***

The Subject Lands are the central piece to the proposed development concept measuring ~33 hectares (81 acres) accounting for approximately 21% of the entire Shining Hill Lands. The proposed development consists of approximately 288 dwelling units consisting of 88 single-detached dwellings and a 10-storey apartment building with approximately 200 dwelling units, the St. Anne's School (all-girls school under the umbrella of St. Andrew's College), a centrally located neighbourhood park, and a network of public roads and private condominium roads.

Development of the Subject Lands will provide for a connection to a future east-west collector road between Yonge Street and Bathurst Street. The development of the Subject Lands will also transfer approximately 19 hectares of natural heritage space to the Town of Newmarket and be made publicly accessible.



# 3.0

## Planning Policy Framework

*Provincial, regional and municipal policies and regulations provide a framework for the proposed conceptual development on the Subject Lands. The proposed conceptual development is consistent with the Provincial plans and compliant with the Region of York, and the Town of Newmarket Official Plan.*

This section of the report provides an analysis of the proposed development on the Subject Lands in the context of the following Provincial, Regional and Municipal documents:

- Provincial Policy Statement (2020);
- A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019);
- Oak Ridges Moraine Conservation Plan (2017);
- Lake Simcoe Protection Plan (2009);
- Region of York Official Plan (2010); and,
- Town of Newmarket Official Plan (2008).

### 3.1 Provincial Policy Statement

The Provincial Policy Statement 2020 (“PPS”) provides policy direction on matters of provincial interest related to land use planning and development. In particular, it provides long-term guidance for the development of healthy, liveable, and safe communities, a clean and healthy environment, and a strong economy. To achieve this, the PPS provides direction for focusing development in existing settlement areas, away from sensitive environments, and natural or human-made hazards. Planning decisions must be consistent with the policies of the PPS.

It is our understanding that the Subject Lands are intended to be located within a *Settlement Area* under the PPS, following the completion of the Regional MCR.

The proposed development is consistent with the PPS for the following reasons:

- Development of the Subject Lands minimizes land consumption and servicing costs by making efficient use of vacant land within an area where roads, sanitary, and municipal services can be provided with minimal extensions to existing infrastructure.

The Shining Hill development concept strives to achieve a cost-effective development pattern by proposing development at a density that efficiently uses the available developable land (*Section 1.0 – Building Strong Health Communities*).

- The proposed development is located within a *Settlement Area* where growth and development are to be focused.

*Settlement Areas* are generally defined as urban areas that are built-up with concentrated development and lands which have been designated in an official plan for development. The Subject Lands are within an active urban environment and are designated *Settlement Area* in the ORMCP and it is our understanding through discussion with staff that it will be included in the *Urban Area* through the MCR process (*Section 1.1.3 – Settlement Areas*).

- The PPS states that no settlement boundary expansion shall occur if there are sufficient opportunities to accommodate forecasted growth to the horizon of this Plan through intensification, redevelopment and in the Designated Growth Areas.

The majority of the Subject Lands are considered a Designated Growth Area and as such, priority should be given to the development of these lands before a settlement boundary expansion in York Region occurs. (*Section 1.1.3.8a*).

- The proposed development will provide a mix of housing types and densities to meet the needs of current and future residents. Approval of the Shining Hill application will assist the Town in maintaining its ability to provide land to accommodate a three-year minimum supply of residential units (*Section 1.4 – Housing*)
- The proposed development will rely on the extension of existing municipal sewer and water services, minimizing the need for new infrastructure. Given that servicing constraints in York Region are not likely to improve until beyond 2027, it is imperative to utilize lands which can be serviced immediately in a cost-effective manner, to maintain a healthy supply of housing in the Region. (*Section 1.6.1 – Infrastructure and Public Service Facilities*).
- The PPS provides direction on the protection and management of natural heritage resources. As mentioned, a Natural Heritage Evaluation has been prepared by Beacon Environmental in support of this application that characterizes and inventories the natural heritage features and wildlife activity on the Subject Lands and establishes principles to protect these features. (*Section 2.1 – Natural Heritage*)

For the reasons above, it is our opinion that the proposed development of the Subject Lands is consistent with the policies of the PPS.

### **3.2 Growth Plan for the Greater Golden Horseshoe (2019)**

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (“Growth Plan”) provides policy guidance to managing growth and development in the Greater Golden Horseshoe. Through its policies, the Growth Plan guides decisions on a range of issues including land use planning, urban form, protection of natural heritage, and efficient use of infrastructure. Development must conform with the policies of the Growth Plan.

As mentioned earlier, the Subject Lands are intended to be brought into the Urban Area within the York Region Official Plan following the completion of the Regional MCR. Assuming this is the case, the Subject Lands will be within a *Designated Greenfield Area* (DGA) as per the Growth Plan. DGAs are defined as lands within *Settlement Areas* but outside of *delineated built-up areas* that have been designated in an official plan for development.

In alignment with the PPS, the Growth Plan states that a settlement boundary expansion shall only occur if sufficient opportunities to accommodate forecasted growth to the horizon of the Growth Plan are not available through intensification and in the *designated greenfield area* (Section 2.2.8.2a).

The Town of Aurora anticipates that the majority of intensification will occur within the Promenade. Section 3.5 of this Report will discuss how intensification to date has not met forecasted expectations and the challenge for the Town to meet its growth targets. As such, priority should be given to development in the DGAs that can more readily provide residential units (such as what is proposed on the Subject Lands) to assist the Town in achieving its growth targets prior to any settlement area boundary expansions.

### ***Designated Greenfield Areas***

New development taking place in DGAs will be planned, designated, zoned and designed in a manner that:

- Supports the achievement of complete communities;
- Supports active transportation; and,
- Encourages the integration and sustained viability of transit services (Section 2.2.7.1).

DGAs will be planned to achieve a minimum density target that is no less than 50 residents and jobs combined per hectare for York Region. It should be noted that the density target does not apply to individual parcels of land and is measured across the entirety of the DGA.

It is anticipated that the projected population and jobs for the proposed development in the Subject Lands will aid the Town of Aurora in achieving its density targets surpassing the required minimum density target.

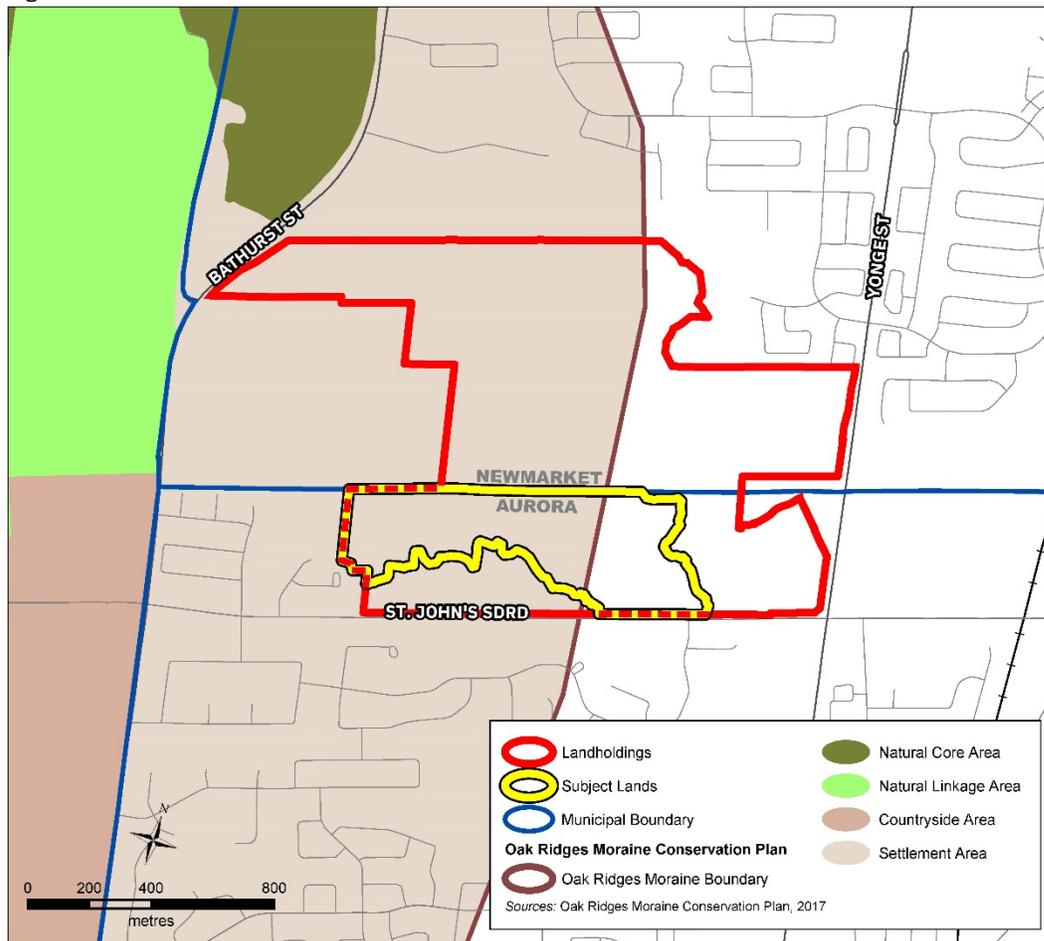
The proposed development conforms to the Growth Plan as it will contribute to the creation of a complete community within an existing settlement area by providing a range and mix of housing types located within walking distance recreational trails and dedicated cycling paths. In addition, the proposed development will provide a major institutional use through the proposed St. Anne's All-Girls School and a new neighbourhood park. Collectively, these uses will assist in meeting the long-term needs of the community.

It is our opinion that the proposed application conforms to the goals and objectives of the Growth Plan. It should be noted that the Province has released a proposed Amendment 1 to the Growth Plan which extends the planning horizon to 2051 and clarifies that the population targets are minimums. The proposed application conforms to the goals and objectives of the Growth Plan, as amended.

### 3.3 Oak Ridges Moraine Conservation Plan (2017)

The Oak Ridges Moraine Conservation Plan, 2017 (“ORMCP”) provides a land use and resource management framework for lands located within the Oak Ridges Moraine. The purpose of the ORMCP is to provide the necessary land use policies to protect the Moraine’s ecological and hydrological features and functions. The ORMCP designates the western portion of the Subject Lands as *Settlement Area*, where the St. Anne’s School and a small portion of the park is proposed.

Figure 3.1 ORMCP – Land Use Plan



*Settlement Areas* are designated for development of an urban type permitting a range of residential, commercial, industrial and institutional uses. Its purpose is to focus and contain urban growth by encouraging the following:

- development of mixed-use communities with a wide range of uses at transit supportive densities;
- mitigating the impact of development on the natural ecological functions and hydrological features; and
- providing for the continuation of urban land uses consistent with growth management

strategies from official plans.

*Settlement Areas* have a broad list of objectives including maintaining the health of key natural heritage features, accommodating trail connections and promoting strong communities. All uses allowed by the applicable official plan are permitted subject to the provisions of the ORMCP.

Section 19(3) of the ORMCP notes that land in Settlement Areas are subject to the following provisions: Sections 21 – 26, 27(3), 28 – 29, 30(1)(12)(13), 41(1)(4)(5) and 42 – 47. These provisions of the ORMCP generally relate to minimizing disturbances to natural features, ground water, and ensuring property drainage and minimizing site alteration. The following table provides a brief summary of how the proposed development conforms to these policies.

**Table 3.1: ORMCP Settlement Area Policies**

Policy	Summary
Section 21 – Minimum area of influence and minimum vegetation protection zone	Sections 21 – 26 outline the need to identify and protect the key natural heritage (KNHF)/hydrological sensitive features (HSF) and associated minimum vegetative protection zone, through a natural heritage evaluation and watershed/conservation plans.
Section 22 – Key natural heritage features	The significant woodland boundary on the west end of the property and the wetland on the west end of the property were staked with the LSRCA in July 2020. It should be noted, other features were also staked however they are located outside the ORM. Section 21(1b) establishes the rules for Minimum Vegetation Protection Zones (MVPZ) relating to key natural and hydrogeological features which are described in the Table found in Part III of the Plan.
Section 23 – Natural Heritage Evaluation	However, Section 21(3) notes that for lands that are in a Settlement Area on April 22, 2002 (which the Subject Lands are) any provision referred to in 21(4) prevails clause 21(1b) should there be a conflict.
Section 24 – Watershed Plans	Sections 21(4) states: <i>(4) Subsection [21](3) applies with respect to a provision of the applicable official plan or zoning by-laws, as the case may be, that is adopted on the basis of,</i>
Section 25 – Water budgets and conservation plans	<ul style="list-style-type: none"> <li><i>(a) environmental studies, or</i></li> <li><i>(b) infrastructure planning including, without limitation, environmental assessments, infrastructure servicing</i></li> </ul>

<p>Section 26 – Hydrologically sensitive features</p>	<p><i>studies and master environmental servicing studies.”</i></p> <p>As such, consistent with section 21(4) the appropriate MVPZ or buffer can be established on a site-specific basis through environmental studies like an EIS irrespective of the MVPZs provided in the Table found in Part III of the ORMCP.</p> <p>The Natural Heritage Evaluation prepared by Beacon Environmental submitted in support of this application (effectively presenting an update to the environmental study completed in support of OPA 37) establishes an appropriate MVPZ to the significant woodland and wetland and has determined that the proposed buffers are adequate to ensure there are no negative impacts to the features and its functions.</p> <p>As such, the proposed Draft Plan of Subdivision will protect or enhance the KNHF and HSF in accordance with the policies of these sections, as supported by the Natural Heritage Evaluation.</p> <p>Subsection 24(8) (b)(ii) requires demonstration that there is an adequate water supply for the development, which does not compromise the ecological integrity of the Plan Area. The proposed development will be developed on full municipal water and sanitary sewer servicing and, as per the Hydrogeological Study completed by Golder Associates in March 2021, the proposed development will not negatively affect the water supply and the ecological integrity of the surrounding area.</p> <p>Section 25 notes that municipalities shall begin preparation of a water budget and conservation plan.</p> <p>Section 26 provides a list of hydrogeologically sensitive features and prohibits development and site alteration with respect to land within such features or the related MVPZ with limited exceptions (26(2)) and requires a hydrological evaluation for development/site alteration within the minimum area of influence (26(3)). No development is proposed within the MVPZ of any hydrogeologically sensitive features.</p>
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<p>Section 27 – Subwatersheds</p>	<p>Subsection 27(3) requires the approval authority to consider the importance of ensuring that natural vegetation is maintained, and if possible, improved or restored, and that impervious surfaces are minimized to reduce stormwater runoff. The application proposes to retain and protect the identified on-site natural features and minimize disturbance to existing landform, which will maximize the extent of natural vegetation retained as part of the development to reduce impervious surface and control stormwater.</p>
<p>Section 28 – Wellhead protection areas</p>	<p>Section 28 prohibits waste disposal sites/facilities, the storage of certain harmful materials and the generation and storage of hazardous waste. The Draft Plan of Subdivision does not propose a waste disposal site/facility and will not be used for the storage of noxious and toxic substances. As such, these policies are satisfied.</p>
<p>Section 29 – Areas of high aquifer vulnerability</p>	<p>Section 29 addresses areas of high aquifer vulnerability; however, the policies within the York Region Official Plan are more restrictive. Specifically, Policies 7.3.49 to 7.3.51 in the YROP relate to development proposals in areas of high aquifer vulnerability. For areas that have high aquifer vulnerability, Policy 7.3.50 specifically restricts waste disposal sites/facilities, the generation and storage of hazardous waste, organic soil conditioning sites and snow storage/disposal facilities, waste and storage tanks that do not have a secondary containment device and storage of a contaminant listed in Schedules to Ontario regulations. The proposed development does not propose waste disposal uses, storage of any noxious or toxic substances, will not be used for snow disposal and will have full municipal water and sewage services and therefore, these policies are satisfied. Hydrogeological details can be found in the report prepared by Golder Associates dated March 2021.</p>

<p>Section 30 – Landform conservation areas</p>	<p>Any application for development shall identify planning, design and construction practices that will mitigate disturbances to landform character. On all lands within a landform conservation area, significant landform features (i.e. steep slopes, kames, kettles and ravines) shall be maintained and undisturbed.</p> <p>A landform conservation plan must accompany any major development application. Such a plan must contain a development strategy, maps of elevation contours, and an analysis of the site by slope type, significant landform features and all water bodies as per the requirements identified in subsections 30(5) to (9).</p> <p>Subsection 30(13) further notes:  <i>“With respect to land in Settlement Areas, in considering applications for development or site alteration within landform conservation areas (Category 1 and 2) the approval authority shall consider the importance of adopting planning, design and construction practices that will keep disturbance to landform character to a minimum, so as to satisfy the requirements of subsections (5) to (11) if possible.”</i></p> <p>As demonstrated in the Engineering submission prepared by SCS Consulting Group, grading is kept to a minimum to keep any disturbances to the landform character to a minimum.</p>
<p>Section 41 – Transportation, infrastructure and utilities</p>	<p>Subsections 41(1), (4) and (5) prohibit the crossing of key natural heritage/hydrogeological sensitive features by transportation, infrastructure and utilities unless it has been demonstrated, among other things, that there is a need for the project and there is no reasonable alternative. The application proposes to retain and protect the natural heritage features that traverses the Subject Lands and, furthermore, appropriate measures have been undertaken to appropriately convey and protect the natural heritage features as part of the development</p>
<p>Section 43 – Sewage and water services</p>	<p>Section 43 requires that a sewage and water system plan demonstrate, among other things, that the quantity / quality of ground water and surface water will be maintained. A Functional Servicing Report completed by SCS Consulting Group proposes the use of bioswales which will be designed to provide quality and quantity control.</p>
<p>Section 44 – Partial services</p>	<p>Section 44 prohibits the construction or expansion of partial services, unless it is addressing a serious health or environmental concern. This application does not propose</p>

<p>Section 45 – Stormwater management</p>	<p>Section 45 requires an application for major development to be accompanied by a stormwater management plan that demonstrates the planning, design and construction practices will protect water resources, which must follow the requirements set out in Section 46. The proposed redevelopment is considered major development, as per subsection 3(1) of the ORMCP, which defines ‘major development’ as either the creation of four or more lots, construction of a building/buildings with a ground floor area greater than 500 m<sup>2</sup>, or the establishment of a major recreational use. As such, a Stormwater Management Plan is incorporated into the Functional Servicing Report submitted in support of this application.</p> <p>Furthermore, subsections 45(7) and (8) specifically prohibit the disposal of stormwater into kettle lakes and the establishment of new ponds in areas with KNHF’s and HSF’s. There are no kettle lakes on the site and stormwater will be accommodated through a variety of measures. Further details are provided in the Function Servicing Report prepared by SCS Consulting Group.</p>
<p>Section 47 – Rapid infiltration basins and columns</p>	<p>Section 47 prohibits new rapid infiltration basins and columns. No rapid infiltration basins and columns are proposed as part of this application.</p>

### 3.4 Lake Simcoe Protection Plan (2009)

The Lake Simcoe Protection Plan (“LSPP”) is a watershed-based plan approved under the authority of the Lake Simcoe Protection Act. It establishes policies aimed to improve water quality of Lake Simcoe, protect the watershed’s natural heritage services, and manage the effects of climate change and the impacts of invasive species.

The LSPP applies to all lands within the Lake Simcoe Watershed, in which the Subject Lands are located. Decisions under the Planning Act are required to conform to the designated policies of the Lake Simcoe Protection Plan.

As per the LSPP, the Appendix “Schedule of Applicable Policies” provides a table which lists the policies within the Plan that applications made under the Planning Act must either “have regard” for or “conform with”.

Table 3-2 provides the list of relevant policies and summarizes how the proposed Draft Plan of Subdivision satisfies those policies.

Table 3-2: Relevant Policies of LSPP

Policy		Response
<b>General</b>		
1.1 (DP)	In relation to any matter affected by a policy in this Plan, the boundary of the Lake Simcoe watershed that applies to the matter is the boundary that was in effect at the time the matter is commenced. Whether a matter is considered commenced shall be determined in accordance with the rules specified in the General Regulation under the Lake Simcoe Protection Act, 2008.	The site is located within the Lake Simcoe watershed boundary; therefore all applicable provisions will be considered.
<b>Stormwater Management</b>		
4.7 (DP)	<p>Municipalities shall incorporate into their official plans policies related to reducing stormwater runoff volume and pollutant loadings from major development and existing settlement areas including policies that:</p> <ul style="list-style-type: none"> <li>a) encourage implementation of a hierarchy of source, lot-level, conveyance and end-of-pipe controls;</li> <li>b) encourage the implementation of innovative stormwater management measures;</li> <li>c) allow for flexibility in development standards to incorporate alternative community design and stormwater techniques, such as those related to site plan design, lot grading, ditches and curbing, road widths, road and driveway surfaces, and the use of open space as temporary detention ponds;</li> <li>d) support implementation of programs to identify areas where source control or elimination of cross connections may be necessary to reduce pathogens or contaminants; and,</li> <li>e) support implementation of source control programs, which are targeted to existing areas that lack adequate stormwater controls.</li> </ul>	<p>Noted. The proposed development complies with Town of Aurora Stormwater Management policies.</p> <p>Please see the Functional Servicing Report prepared by SCS Consulting Group Inc. submitted under separate cover.</p>

<p>4.8 (DP)</p>	<p>An application for major development shall be accompanied by a stormwater management plan that demonstrates:</p> <ul style="list-style-type: none"> <li>a) consistency with stormwater management master plans prepared under policy 4.5, when completed;</li> <li>b) consistency with subwatershed evaluations prepared under policy 8.3 and water budgets prepared under policy 5.2, when completed;</li> <li>c) an integrated treatment train approach will be used to minimize stormwater management flows and reliance on end-of-pipe controls through measures including source controls, lot-level controls and conveyance techniques, such as grass swales;</li> <li>d) through an evaluation of anticipated changes in the water balance between pre-development and post-development, how such changes shall be minimized; and</li> <li>e) through an evaluation of anticipated changes in phosphorus loadings between pre-development and post-development, how the loadings shall be minimized.</li> </ul>	<p>Please see the Functional Servicing Report prepared by SCS Consulting Group Inc. submitted under separate cover.</p>
<p><b>Construction and Mineral Aggregate Resource Activities</b></p>		
<p>4.20 (DP)</p>	<p>Municipalities shall ensure that the following measures are incorporated into subdivision agreements and site plan agreements:</p> <ul style="list-style-type: none"> <li>a) keep the removal of vegetation, grading and soil compaction to the minimum necessary to carry out development activity;</li> <li>b) removal of vegetation shall not occur more than 30 days prior to grading or construction;</li> <li>c) put in place structures to control and convey runoff;</li> <li>d) minimize sediment that is eroded offsite during construction;</li> <li>e) seed exposed soils once construction is complete and seasonal conditions permit; and</li> <li>f) ensure erosion and sediment controls are implemented effectively.</li> </ul>	<p>These measures shall be incorporated into the subdivision and site plan agreements.</p>

<b>Policies Applying to Both Lake Simcoe and Streams</b>		
6.10 (DP)	Where, in accordance with the policies of the Plan, development or site alteration is permitted within 120 metres of the Lake Simcoe shoreline, other lakes in the Lake Simcoe watershed, or any permanent or intermittent stream or a wetland, the development or site alteration should be integrated with and should not constrain ongoing or planned stewardship and remediation efforts.	The proposed redevelopment is within 120 m of wetland/stream located on the Subject Lands. Measures are proposed to ensure that the proposed redevelopment has no impact on the watercourse and wetland. Please see the Natural Heritage Evaluation prepared by Beacon Environmental.
6.13 (DP)	Upon completion of the shoreline management strategy, municipal official plans shall be amended to ensure they are consistent with the recommendations of the strategy.	Noted. The proposed redevelopment complies with policies of the Town of Aurora OP.
<b>Settlement Areas</b>		
6.32 (DP)	Policies 6.32 - 6.34 apply to existing settlement areas and areas of Lake Simcoe adjacent to these lands, including the littoral zone, and these areas are not subject to policies 6.1 – 6.3, 6.5, 6.11 and policies 6.20 - 6.29.	The proposed redevelopment will conform with policies 6.32-6.34 as the subject site is within an existing settlement area.

6.33 (DP)	<p>An application for development or site alteration shall, where applicable:</p> <ul style="list-style-type: none"> <li>a) increase or improve fish habitat in streams, lakes and wetlands, and any adjacent riparian areas;</li> <li>b) include landscaping and habitat restoration that increase the ability of native plants and animals to use valleylands or riparian areas as wildlife habitat and movement corridors;</li> <li>c) seek to avoid, minimize and/or mitigate impacts associated with the quality and quantity of urban run-off into receiving streams, lakes and wetlands; and</li> <li>d) establish or increase the extent and width of a vegetation protection zone adjacent to Lake Simcoe to a minimum of 30 metres where feasible.</li> </ul>	<p>Please see the Functional Servicing and Stormwater Management Report prepared by SCS Consulting Group Limited and the Natural Heritage Evaluation prepared by Beacon Environmental.</p> <ul style="list-style-type: none"> <li>a) The implementation of buffers on the natural feature system insulates the riparian corridor and aquatic fish habitat. In addition, the feature buffers will be planted with an edge management plan as part of the detailed design, which will increase the overall feature area and enhance biodiversity along the feature edge.</li> <li>b) Sediment and erosion control plans will be implemented to ensure that sediments are contained on the site. Clean roof runoff will be directed to pervious surfaces. Runoff from roads and driveways will be directed to the stormwater management facilities for treatment; and</li> <li>c) Does not apply as the subject site is not adjacent to Lake Simcoe.</li> </ul>
6.34 (DP)	<p>Where, through an application for development or site alteration, a buffer is required to be established as a result of the application of the PPS, the buffer shall be composed of and maintained as natural self-sustaining vegetation.</p>	<p>Buffers (where required) will contain native self sustaining vegetation. Please see the Natural Heritage Evaluation prepared by Beacon Environmental</p>
<b>Recharge Areas</b>		
6.36 (DP)	<p>A significant groundwater recharge area is an area identified,</p> <ul style="list-style-type: none"> <li>a) as a significant groundwater recharge area by any public body for the purposes of implementing the PPS;</li> </ul>	<p>Noted.</p>

	<p>b) as a significant groundwater recharge area in the assessment report required under the Clean Water Act, 2006 for the Lake Simcoe and Couchiching/Black River Source Protection Area; or</p> <p>c) by the LSRCA in partnership with MOE and MNR as an ecologically significant groundwater recharge area in accordance with the guidelines developed under policy 6.37.</p>	
6.38 (DP)	Once identified, municipalities shall incorporate significant groundwater recharge areas into their official plans together with policies to protect, improve or restore the quality and quantity of groundwater in these areas and the function of the recharge areas.	Noted. The proposed redevelopment complies with the policies of the PPS, York Region and Aurora Official Plans, and proposes the use of low impact development techniques to maximize groundwater recharge. The Hydrogeology report submitted concurrent with this application by Golder Associates addresses the quality and quantity of groundwater related to the proposed development.
7.14 (HR)	Where, in accordance with the policies of the Plan, development and site alteration is permitted within 120 metres of the Lake Simcoe shoreline or a permanent or intermittent stream or a wetland, the development or site alteration will be integrated with existing or proposed parks and trails to the extent feasible.	There are parks and trails being proposed on the Subject Lands as part of the development that will integrate with the existing and proposed parks and trails.
8.4 (DP)	Municipal official plans shall be amended to ensure that they are consistent with the recommendations of the subwatershed evaluations.	Noted. The proposed redevelopment complies with the York Region and Aurora OPs.

Based on the findings set out in the above table, it is our opinion that the proposed Draft Plan of Subdivision conforms to the policies of the Lake Simcoe Protection Plan.

### 3.5 York Region Official Plan (2010)

The York Region Official Plan, 2010 (YROP), approved by the Ministry of Municipal Affairs and Housing on September 7, 2010, provides the requisite framework for guiding economic, environmental and community building decisions to manage growth within York Region. Development within the Region must conform with the policies of the YROP. York Region is currently undertaking a Municipal Comprehensive Review (“MCR”) that is expected to be complete in 2021.

The Subject Lands are designated *Urban Area* and *Rural Area* with a *Regional Greenlands*

*System* overlay in the YROP. The designations are identified in a variety of maps in the YROP, specifically:

- Map 1 – Regional Structure (Figure 3.2);
- Map 4 – Key Hydrologic Features (Figure 3.3);
- Map 5 – Woodlands (Figure 3.4); and
- Map 8 – Agricultural and Rural Area (Figure 3.5).

The westerly portion of the Subject Lands are located within the *Rural Area* of the York Region Official Plan. The easterly portions of the Subject Lands are designated “Whitebelt”. As illustrated on Maps, 4 and 5 (see Figures 3.3 – 3.4), it is evident that the regional designation of the Subject Lands is very much a ‘hole in the doughnut’ being otherwise surrounded by Urban Area. Mixed-use development such as those contemplated is not permitted within the Whitebelt and does not comply with the Rural Area policies of the YROP.

At a local policy level (which is discussed further in this report), the Subject Lands contain urban land use designations including “Suburban Residential (SR-1)” and “Existing Major Institutional”. There is a disconnect between the local and regional policy context as many of the uses that would be permitted in the local urban land use designations would not be permitted in the Whitebelt or *Rural Area* designation in the YROP.

Through our discussions with York Region planning staff, it is our understanding that the Subject Lands will be reviewed as part of the ongoing MCR and will be re-designated *Urban Area*. This report is provided in support of the process that would re-designate the Subject Lands to *Urban Area* and refine the *Regional Greenlands System* overlay to permit development of the Subject Lands as proposed.

For the purpose of the policy analysis included in this report, it is assumed that the Subject Lands will be designated *Urban Area* with a *Regional Greenlands System* overlay.

Figure 3.2 York Region Official Plan – Map 1: Regional Structure Excerpt

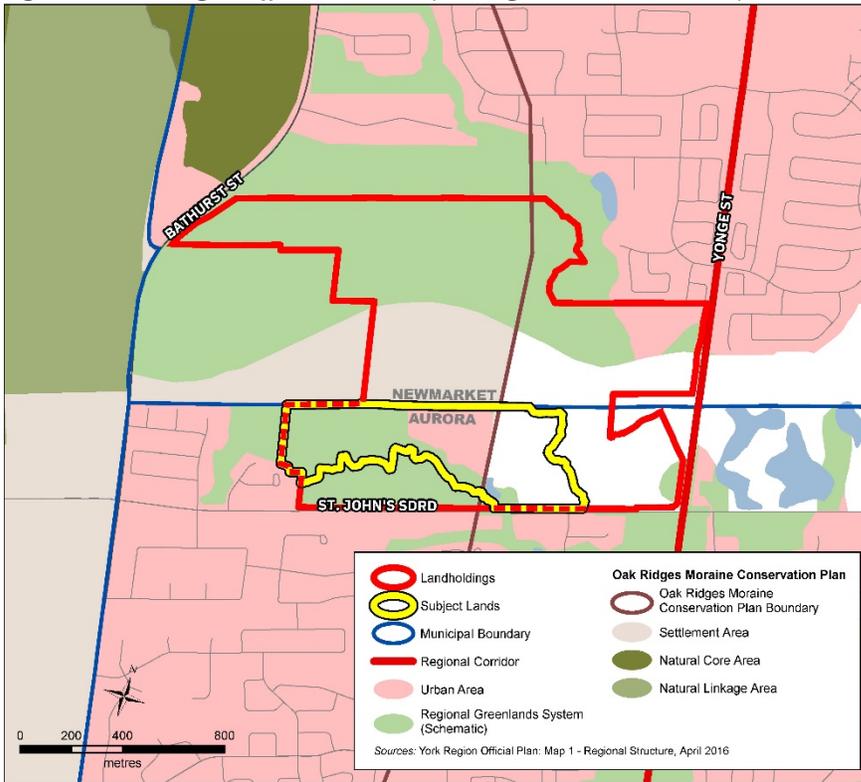


Figure 3.3 York Region Official Plan – Map 4: Key Hydrologic Features Excerpt

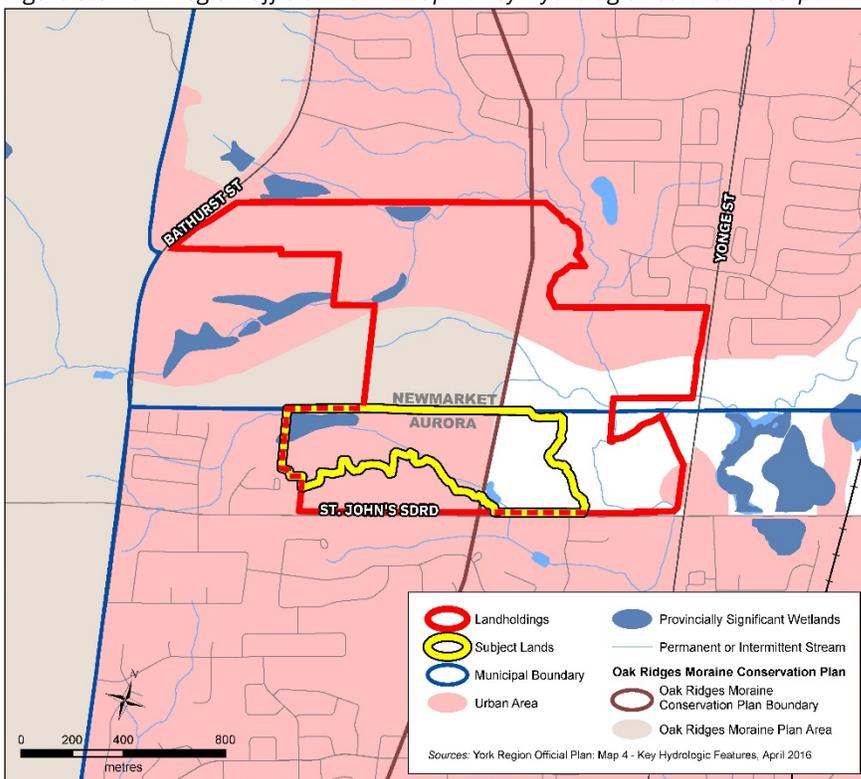


Figure 3.4 York Region Official Plan – Map 5: Woodlands Excerpt

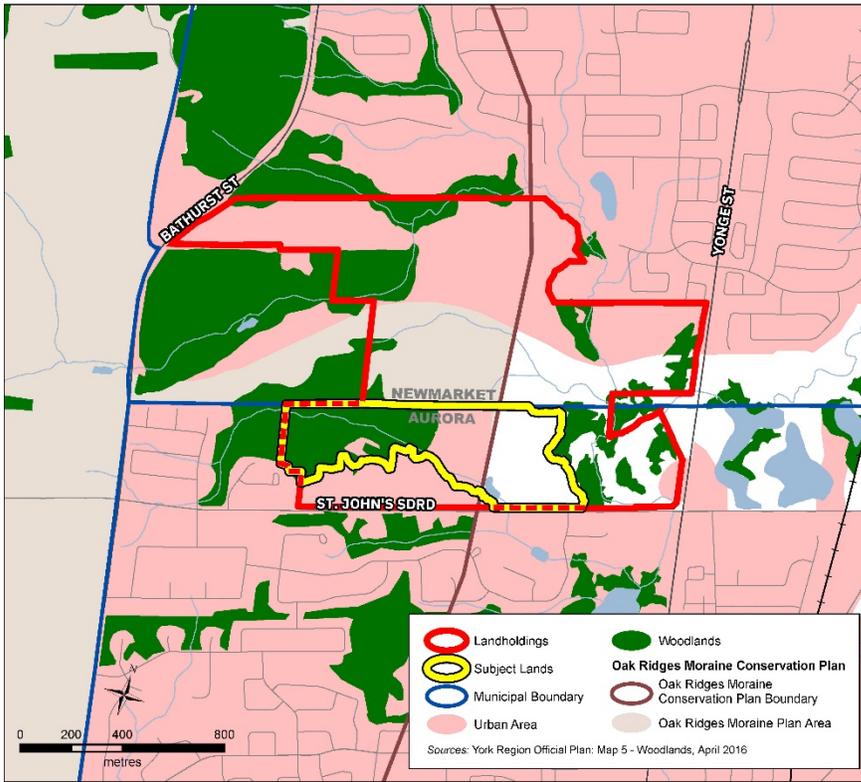
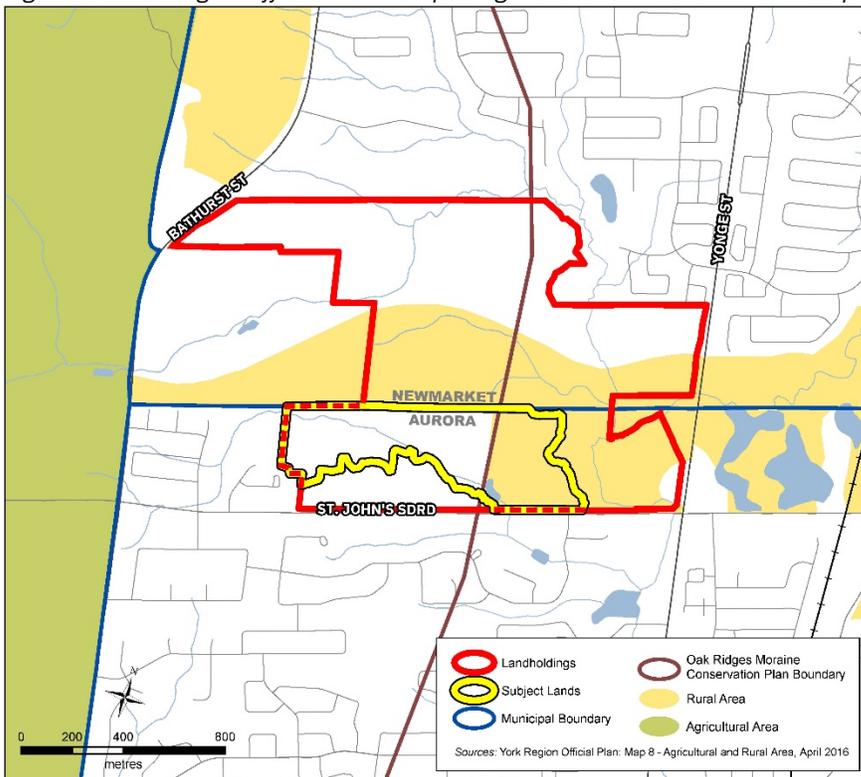


Figure 3.5 York Region Official Plan – Map 8: Agricultural and Rural Areas Excerpt



### Urban Area

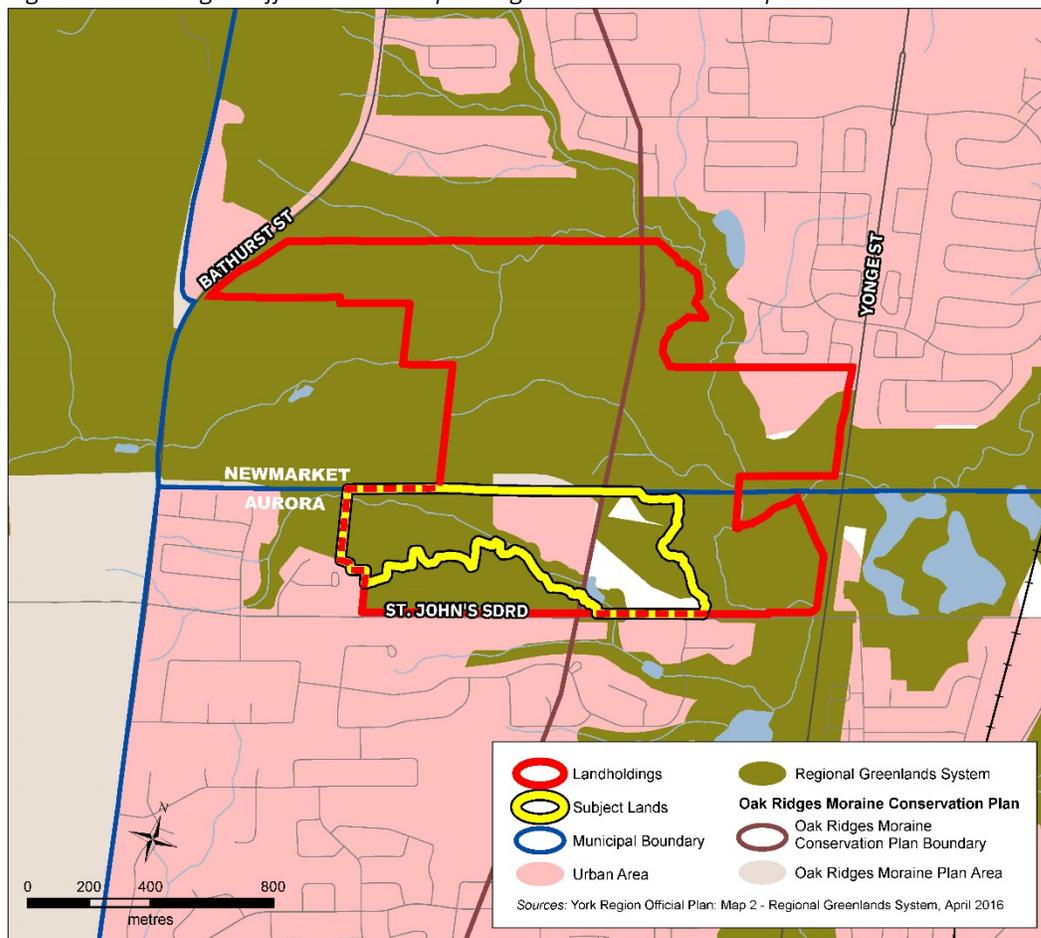
The intent of the *Urban Area* designation is to strategically focus growth to these areas to conserve resources and create sustainable and lively communities. A range of uses are permitted within the *Urban Area* including the residential and institutional uses, proposed in the development concept.

The proposed development conforms to the *Urban Area* policies of the YROP.

### Regional Greenlands System

An objective of the YROP is to identify, protect and enhance the *Regional Greenlands System* and its functions. The *Regional Greenlands System* includes the *Oak Ridges Moraine Conservation Plan Natural Core Area* and *Natural Linkage Area* designations, the Natural Heritage System within the *Protected Countryside* of the Greenbelt Plan, key natural heritage features, key hydrologic features and functions, and the lands necessary to maintain these features within a system (Section 2.1.2).

Figure 3.6 York Region Official Plan – Map 2: Regional Greenlands Excerpt



The YROP permits refinements to the boundaries of the *Regional Greenlands System* through approved planning applications supported by technical studies, including environmental impact studies. Any refinement will be incorporated into the YROP through periodic updates by the Region and will not require a regional amendment (Section 2.1.9). A Natural Heritage Evaluation has been prepared by Beacon Environmental in support of this application that identifies the key natural heritage and hydrologic features within the Subject Lands and proposes the required protections to maintain their function.

It should be noted that both Phase 1, approved in Newmarket, and Phase 2, approved in Aurora, of the larger Shining Hill development concept proposed urban uses on lands designated *Regional Greenlands System*. An environmental study was provided in both phases that supported the refinement of the *Regional Greenlands System* as permitted through Section 2.1.9 of the YROP. In the case of Phase 2 in Aurora, the lands are also within the ORMCP and predominantly designated *Regional Greenlands System*, the same as the Subject Lands.

### Housing

The housing policies of the YROP promote a diverse range and mix of housing options and densities that support the achievement of the minimum intensification and density targets of the Plan and contribute to the creation of complete communities (Section 3.5.4).

The proposed conceptual development of the Subject Lands will provide for an appropriate range and mix of housing types required to meet the stated density targets. At the proposed density, the development of the site would provide a mixture of densities and housing forms within the Subject Lands, complimenting the immediately surrounding community that currently consists of a mixture of estate residential lots and larger single detached residences. The development concept is proposing a complete community that meets the daily needs of residents of all ages through an accessible mix of housing, a school, a park, public and active transportation options, and public service facilities.

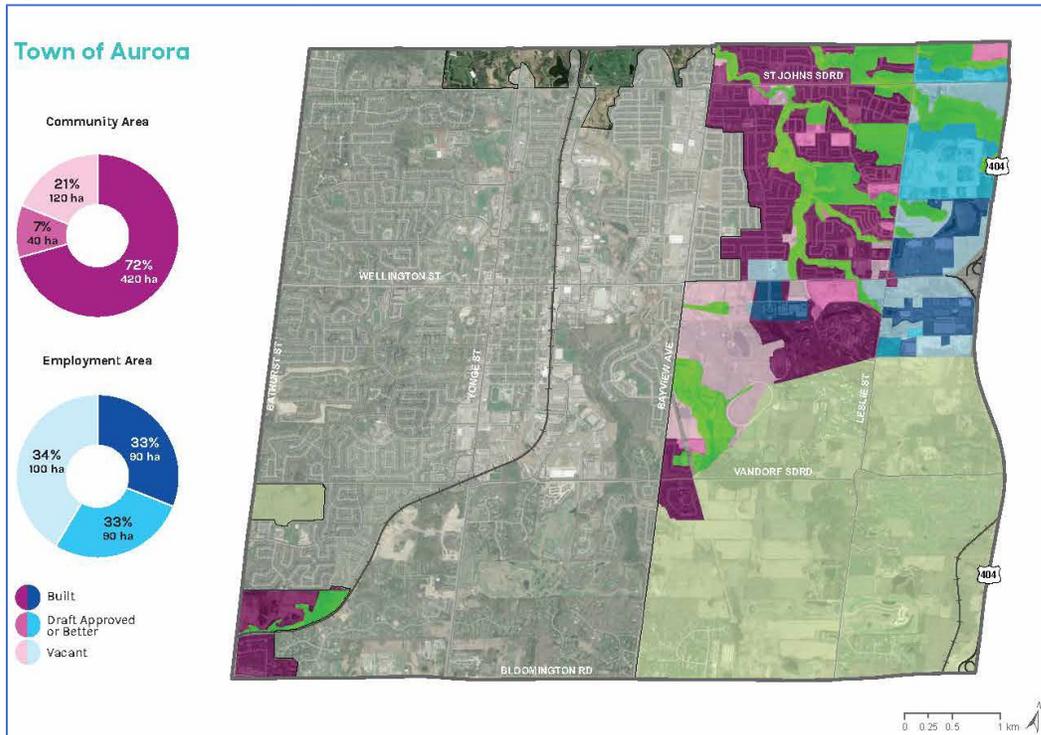
### York Region's Municipal Comprehensive Review and Preferred Growth Scenario

As part of the Region's ongoing Municipal Comprehensive Review (MCR), the Region developed a Preferred Growth Scenario to forecast population and employment growth to 2041 in conformity with the 2006 Growth Plan. The Region will need to update its review again to be in conformity with the 2020 Growth Plan, which extends the horizon to 2051, which it is currently undertaking.

The Preferred Growth Scenario indicated that Aurora had a population of 59,100 in 2016 (the closest forecast year to present day) and was allocated a 2041 population of 79,000, which requires growth of approximately 19,900 from 2016 to 2041.

Through Geographic Information System (GIS) analysis and land budgeting prepared by MGP, it is estimated that Aurora has a limited supply of remaining vacant *Designated Greenfields* (~120ha), as shown in Figure 3.7. Consequently, the majority of the remaining growth would need to be accommodated through intensification.

Figure 3.7 Aurora Land Supply



The majority of intensification in Aurora is expected to occur within the Aurora Promenade. However, growth to-date within this area has not met forecasted expectations. According to the 2018 Development Activity Summary prepared by York Region, Aurora has approved 1,374 residential units in the past five years. This is likely an indication that intensification is more challenging than *Greenfield* development due to issues related to compatibility, immediate impact to the surrounding community, and market absorption.

The Region’s 2041 Preferred Growth Scenario forecasts that Aurora will accommodate 9,360 new residential units between 2011 and 2041, an average of approximately 312 units/year. Per the 2018 Development Activity Summary, the average number of dwellings approved in the past five years has been ~274 units/year. It has been our experience that infill development becomes more complicated as the more straightforward intensification sites get redeveloped. As some of the larger infill sites redevelop, future intensification sites often require further land consolidation and neighbour arrangements lengthening the timelines for these parcels to redevelop.

There is a challenge for the Town to meet its current growth forecasts. The development of the Subject Lands will assist Aurora in providing residential units to achieve its mandated growth targets. This will be of even more importance with the Growth Plan having an extended planning horizon to 2051.

Growth through intensification is generally limited to higher density units, such as mid- to high-rise units, due to the infill nature of intensification, economics and scarcity of land. The development of the subject lands will provide ground-oriented housing forms that are geared towards families, and will assist the Town in providing a range of housing (with the addition of

higher density units) that best serves the needs of Aurora residents.

The Subject Lands represents one of the last remaining potential for significant development in the *Designated Greenfields*. Development of the Subject Lands, in combination with the Town's intensification efforts in the Promenade, will allow the Town to provide a broad complement of housing options that will serve all sizes, incomes, and ages of households in accordance with the policies of the 2020 Growth Plan and 2020 PPS.

### New Community Areas

The YROP contains policies that address the comprehensive planning of new community areas (Section 5.6). The proposed overall conceptual development of the Subject Lands will be designed to meet or exceed a minimum density of 20 units per hectare and 70 residents and jobs per hectare while containing a wide range and mix of housing types, sizes, and affordability. The proposed conceptual development contains a community core area within walking distance of the majority of the development, intended to be the focus of community services, educational and recreational facilities as well as provide connections to rapid transit. The street network is designed to provide continuous collector streets that run both north-south and east-west and connect to the existing regional street network. The proposed concept plan protects all of the key natural heritage features and key hydrologic features while delineating locations for an integrated trail system that connects to the community, including the proposed open space system. The proposed open space system has the potential to support both active and passive recreation opportunities.

The new community area policies of the YROP are satisfied through the above-mentioned characteristics of the proposed development concept plan.

### Mapping and Figures

According to the mapping and figures provided in the 2010 YROP, the Subject Land is:

- Designated Urban Area, Regional Greenlands System and Rural Area (however it is our understanding that this will be revised to Urban Area through the Region's MCR (Map 1);
- Identified (portions) within the Regional Greenlands System (Map 2);
- Not identified containing any Environmentally Significant Areas and Areas of Natural and Scientific Interest (Map 3);
- Identified (portions) to contain Key Hydrologic Features (Map 4);
- Identified (portions) to contain Woodlands (Map 5);
- Located within a Wellhead Protection Area - WHPA-B, WHPA-C, WHPA-C1 and WHPA-D) (Map 6);
- Located within an area of High Aquifer Vulnerability (Map 7);
- Identified (portions) as a Rural Area (Map 8) however, it is our understanding that this will be revised in the Region's MCR to be Urban Area;
- Not identified to contain Mineral Aggregate Resources (Map 9);
- Not identified within a Significant Groundwater Recharge Area (Map 13);
- Identified within a Highly Vulnerable Aquifer (Map 14)
- Identified Within an Oak Ridges Moraine Landform Conservation Areas (Figure 1);
- Not identified as Strategic Employment Land (Figure 2)

The proposed Official Plan Amendment implements the general intent and objectives of the 2010 YROP. The proposed development of the Subject Lands will not negatively impact the character of the area or compromise the natural or ecological integrity of the *Regional Greenlands System*.

### **3.6 Town of Aurora Official Plan**

The Town of Aurora Official Plan (“Aurora OP”), approved in September 2010, establishes the vision, corresponding principles, and supporting policies to guide the Town’s evolution and development to the year 2031. The Plan was written to direct change in accordance with Provincial and York Region policies, emphasizing change management within the existing developed areas.

The Aurora OP also incorporates site-specific policies from previously approved Official Plan Amendments. The western portion of the Subject Lands are located within Official Plan Amendment 37 (“OPA 37”). OPA 37 was approved by the Region on February 13, 2001. It encompasses approximately 50 hectares of land located on the Oak Ridges Moraine at the northeast corner of Bathurst Street and St. John’s Sideroad and is referred to as the “Northwest Aurora Planning Area”.

Development applications must conform to the policies of the Aurora OP.

#### Land Use Designations

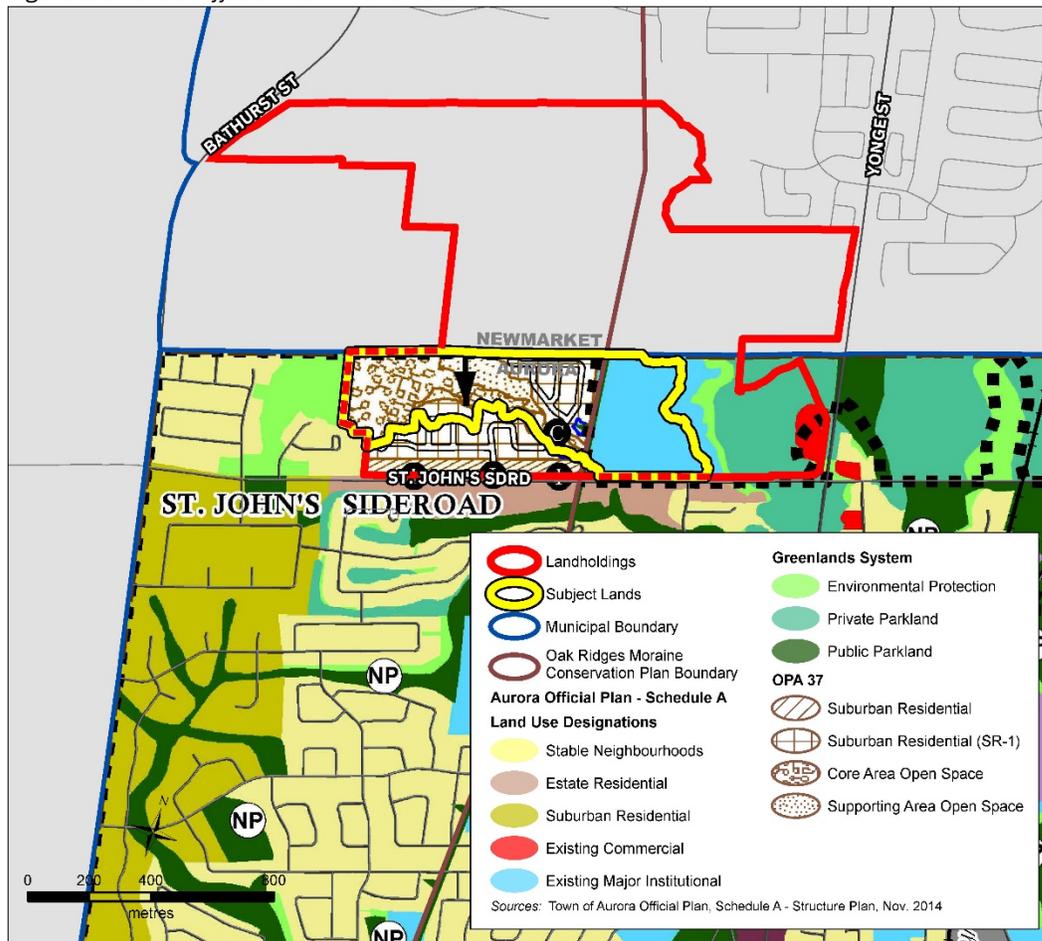
The Aurora OP designates the Subject Lands as *Existing Major Institutional, Suburban Residential (SR-1), Core Area Open Space* and *Supporting Area Open Space*. To permit the development as proposed, an Official Plan Amendment is required to re-designate the Subject Lands (see Section 4.0 of this report).

#### Western Portion of the Subject Lands – OPA 37 Lands

The western portion of the Subject Lands is designated *Suburban Residential (SR-1), Core Area Open Space (COS)* and *Supporting Area Open Space (SOS)* on Schedule A – Structure Plan of the Aurora OP (within OPA 37). A further description of these land use designations is provided below. The intent of OPA 37 is to accommodate the development of a “*primarily low-intensity, environmentally sensitive residential development on full urban services with the maximum number of units within the Planning Area being 260*”.

There are no further residential single detached units being proposed on this portion of the Subject Lands, with only minor additions to the existing Dunin Estate to accommodate the St. Anne’s All-Girls School. As such, this portion of the proposed development meets the stated intent of providing environmentally sensitive low intensity, ground-oriented development on full municipal services, while being below the maximum permitted number of units (the latter as demonstrated in the Phase 2 Aurora approvals).

Figure 3.8 Aurora Official Plan – Land Uses



Existing Major Institutional

The Subject Lands are designated as *Existing Major Institutional*, which recognizes existing public/private schools, municipal community services and homes for the aged, in addition to facilitating the development of other major institutional uses.

These lands are intended to be developed on the basis of a Town-approved Comprehensive Development Plan with the minimum density target of 50 jobs per hectare, which is contingent on attracting new major institutions.

While these lands require an amendment to permit the residential uses, the vision for this designation is being implemented on the lands immediately to the west that are designated Suburban Residential (SR-1) with the proposed St. Anne’s School. Further details are provided in Section 4.0 (Proposed Official Plan Amendment).

Suburban Residential (SR-1)

The *Suburban Residential (SR-1)* designation permits single detached dwellings on full municipal services with frontages generally greater than 24 metres and areas generally greater than 800m<sup>2</sup>. Other permitted uses in the SR-1 designation include accessory uses,

home occupations, and neighbourhood-oriented support services such as schools and parks (Section 16.5.2.a). This portion of the Subject Lands contains St. Anne’s School, which is a permitted use. As such, no Official Plan Amendment is required for this portion of the proposed development.

#### Core Area Open Space

The *Core Area Open Space* (COS) designation is comprised of open space, approved stormwater management facilities, and approved road and municipal service crossings. Other than the uses previously listed, areas designated COS are to remain in their natural state with only passive recreation uses being permitted (Section 16.5.2.c.). Lands within the COS are comprised of two ecological elements; the riparian corridor and the highest quality vegetation community. No new development is proposed in this portion of the Subject Lands.

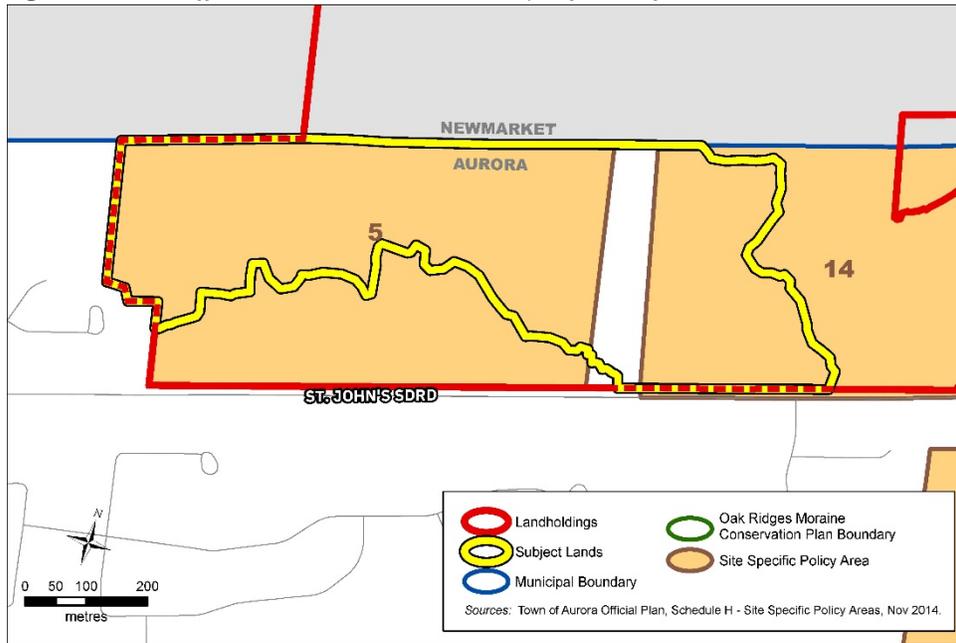
#### Supporting Area Open Space

The *Supporting Area Open Space* (SOS) designation additionally supports trails and passive use parks (including potentially tot lots) over and above what is permitted in the COS designation. Boundaries and natural edges shall be defined, in detail, through the subdivision approval process. Lands within the SOS are comprised of two ecological elements; the supporting vegetation communities and the valley land forms. No new development is proposed in this portion of the Subject Lands and the Official Plan Amendment will seek to provide further environmental protections by increasing the area designated *Core Area Open Space*.

#### Site Specific Policies

The Subject Lands are additionally identified as Site-Specific Area 5 and Area 14, as per Schedule H on the Aurora Official Plan (as shown in the Figure below) and are subject to the site-specific policies as outlined in Section 16.5 and Section 16.14.

Figure 9: Aurora Official Plan, Schedule 'H': Site Specific Policy Areas



### Section 16.5

#### **General Principles**

Section 16.5.1b) outlines the general principles that will guide the review of plans of subdivision which include:

- i. lot grading practices shall protect vegetation communities at grade;
- ii. activities within the dripline of protected vegetation features shall be controlled through subdivision lotting design, zoning by-law siting specification, and site planning practices, where appropriate and necessary;
- iii. naturalized landscaping shall be encouraged adjacent to the greenlands system; and
- iv. erosion and sediment control plans shall be implemented for those areas that drain to the open space system.

As part of the future site plan application for St. Anne's School, details will be provided on the proposed grading and erosion and sediment control plan, which will aid in addressing Subsection i and iv.

The proposed development is entirely outside the LSRCA staked dripline (July 2020) and the development is sited so that the school will be located outside of the associated vegetative protective zone. As per the submitted Natural Heritage Evaluation prepared by Beacon Environmental, the full buffer area will be re-vegetated with a naturalized planting plan following construction.

As per Section 16.5.1.c), all development shall occur in accordance with the environmental reports and addendum's which were submitted in support of OPA 37. These reports include:

- Environment Background Report, dated August 2000, prepared by ESG International;
- Hydrogeology Study, dated September 2000, prepared by Dillon Consulting;
- Traffic Impact Study, dated September 2000, prepared by MMM Group; and
- Functional Servicing Report, dated September 2000, prepared by Sabourin Kimble & Associates Ltd.

As part of this development application submission, an update has been provided for all the above reports to address present day conditions.

**Transportation – Road and Entrance Locations**

Section 16.5.3 outlines the policies related to transportation, which are detailed below:

**Table 3.3: Aurora OP Section 16.5.3 Policy Conformity Analysis**

Policy No.	Policy	Response
<b>16.5.3a</b>	The location of the proposed new intersections along St. John’s Sideroad and Bathurst Street shall be consistent with the locations shown on Schedule ‘A’. Minor flexibility in these locations may be permitted subject to approval of the Region of York, the Town and affected landowners.	The development proposes one access point onto St. John’s Sideroad outside of the OPA 37 lands, which eliminates the requirement for a creek crossing. Given that there is no residential development proposed on this portion, the internal road design is not required. As such, while the road network is not consistent with what is shown on Schedule A, the proposed development achieves a better overall design.
<b>16.5.3b</b>	All new lots shall have access to internal streets only. Plans of subdivision shall provide new access locations for existing residential dwellings from internal streets and existing entrances to St. John’s Sideroad and Bathurst Street shall be closed as part of the execution of individual subdivision agreements.	No new residential lots are proposed on the OPA 37 lands. The existing driveway that provides access off of St. John’s Sideroad will be closed in the long-term once the St. Anne’s School secures permanent access.
<b>16.5.3c</b>	The location of the internal streets shall be in general conformity with the locations as shown on Schedule ‘A’. Alteration to the road pattern may be considered provided consideration is given to the location of roadways on adjacent properties and subject to approval of the Town	No internal public road network is required as part of this proposed development.

	and affected landowners.	
<b>16.5.3d</b>	The location of the proposed creek crossing shall be in the location shown on Schedule 'A' and be designed to the satisfaction of the Town and the Lake Simcoe Region Conservation Authority.	This phase of the proposed development does not propose any development on the northeast corner of OPA 37. Access to these lands is proposed off of the northerly extension of Willow Farm Lane. This design eliminates the need for the proposed creek crossing.
<b>16.5.3e</b>	A road connection(s) to the Town of Newmarket may be considered subject to approval by the Town of Aurora, Town of Newmarket and affected landowners.	A road connection to the Town of Newmarket is proposed through Street A, which in the fullness of time, is anticipated to provide access to the St. Anne’s School.
<b>16.5.3f</b>	Prior to approval of any plan(s) of subdivisions the Owner(s) shall have prepared by a qualified transportation consultant, a functional transportation report/plan outlining the required Regional Road improvements for the development area. The report/plan, submitted to the regional Transportation and Works Department for review and approval, shall explain all transportation issues and shall recommend mitigative measures for these issues.	Please see the Transportation Mobility Plan prepared by Dillon Consulting submitted in support of this application.
<b>16.5.3g</b>	Prior to final approval of any plan(s) of subdivision the Owner(s) shall submit development staging plans to clearly identify road improvements necessary at the start of each phase of development. The developers group will be required to enter into an agreement with the Region outlining the developer’s obligation for constructing the road improvements and timing.	This will be completed as part of the detailed design stage.

### **Urban Design/Landscaping**

Section 16.5.4 generally describes the policies relating to landscaping features and urban/architectural guidelines. The overall character of the proposed subdivision will be governed by future urban design guidelines that will guide development through design features such as street light design, sidewalk materials and locations, street tree planting and open space design. The design and appearance of proposed homes materials will be included in the Architectural Control Guidelines prepared at the detailed design stage of the application to ensure a variety of building forms is experienced on local streets.

In accordance with 16.5.4d), a Noise Impact Study prepared by HGC Engineering (dated March 2021) has been submitted under separate cover. As per Section 5.4 of that report, warning clauses are recommended.

### **Servicing**

As per Section 16.5.5, a Functioning Service Report prepared by SCS Consulting Group Ltd. (dated March 2021) has been submitted under separate cover.

### **Compatibility with Development to the South**

As per Section 16.5.2.b, the proposed development is to be compatible with the existing estate and suburban residences on the south side of St. John's Sideroad. The proposed development maintains the built-form of the existing Dunin Estate and no additional residential development is proposed. As such, this policy is satisfied.

### **Parkland**

As per Section 16.5.6a, parkland dedication shall be in accordance with Section 3.5 (now Section 11.10.1 and 11.10.2) of the Town's Official Plan. Council will require the dedication of 5% of the land within a residential Plan of Subdivision to be conveyed to the Town as parkland and 2% for institutional uses. The proposed development will be required to provide 0.58 ha of parkland calculated as 2%/5% of the total developable area of 14.1 ha.

Currently, the Draft Plan is proposing 1.61 ha. of parkland, which represents an over-dedication of parkland. Residents in the proposed development are within walking distance of the proposed park, which will provide opportunities for recreation and facilities programming as determined by the Town, in association with St. Anne's School through a shared operations agreement.

The applicant is also dedicated to improving the existing trail system and is proposing to convey Block 92 of the Draft Plan into Town ownership to improve trails and the natural heritage system.

### **Growth Management & Housing**

Section 3.3 provides growth forecasts that form the basis for the Town's Growth Management Strategy and related policies. By the year 2031, the Town of Aurora is expected to grow to 70,200 residents and 34,200 jobs (Aurora OP Table 1). From Section 3.3.e), projected new population growth is to be accommodated through a combination of intensification and new development within identified Greenfield Residential Areas.

*Approximately 66% of new residential growth, being approximately 8,680 persons, is to be accommodated within the identified Greenfield Residential Area. All new residential greenfield development, not approved prior to the adoption of this Plan, will be accommodated within Area 2C, west of Leslie Street, as identified on Schedule 'B'. This area will also be planned to accommodate approximately 250 new population-related jobs. Development within the Residential Greenfield Area of the Area 2C Secondary Plan shall achieve a minimum gross density of 50 persons and jobs per hectare.*

The Subject Lands are not located within Aurora 2C however, given that these lands are now intended to be brought into the Urban Area, and were not contemplated by the Official Plan at the time, it is appropriate to consider these lands for growth in order to meet the Provincial directives to provide a market range of housing that meets the future needs of residents.

The Subject Lands represents a viable option for growth due to its location, which immediately abuts urban uses (and will be brought into the settlement area), which will utilize existing servicing and transportation infrastructure and is in close proximity to the Yonge Street Regional Corridor. This is in keeping with the general policy intent of the Growth Plan and the YROP that directs the vast majority of growth be located within settlement areas that have a delineated built boundary (which the Town of Aurora has), have existing or planned municipal water and wastewater systems and can support the achievement of complete communities.

### Natural Heritage

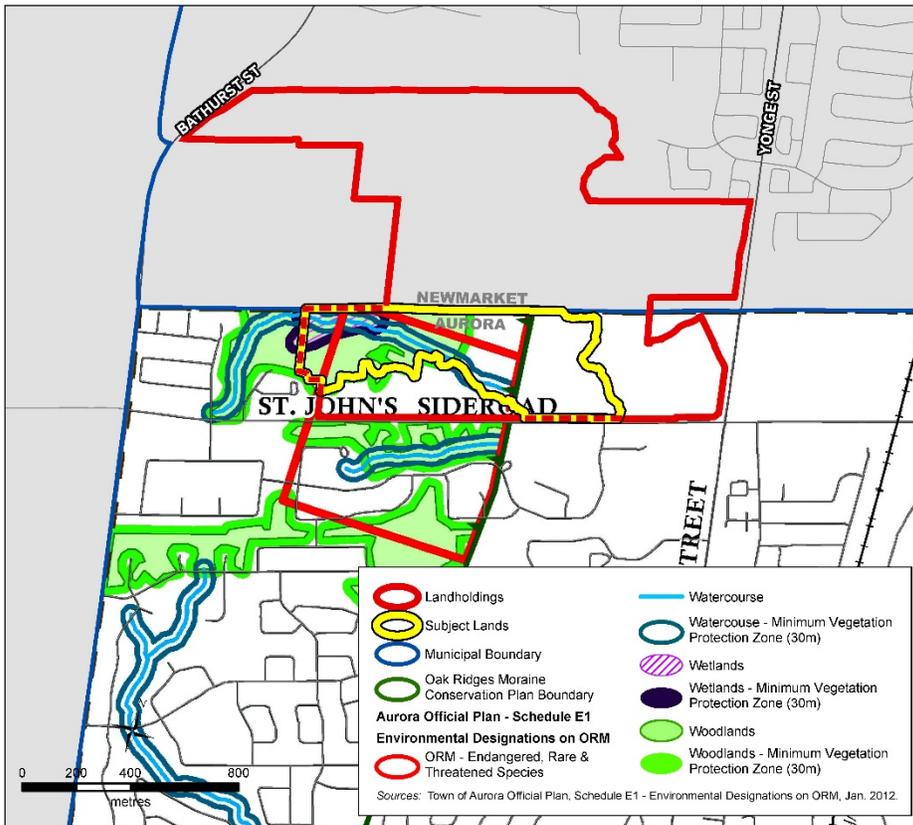
The Natural Heritage policies of the Aurora OP establish a linked Greenlands system for the protection of key natural heritage and key hydrologic features. The policies also promote a system of public open space and parkland which are to be integrated and connected with the Greenlands system (Section 12.1).

The western portion of the proposed residential development on the Subject Lands are identified on Schedule E1 of the Aurora OP within the:

- *Woodlands and Woodlands - Minimum Vegetation Protection Zone;*
- *Wetlands and Wetlands – Minimum Vegetation Protection Zone; and,*
- *Watercourse and Watercourse – Minimum Vegetation Protection Zone.*

The respective Vegetation Protection Zone is intended to protect and enhance the environmental features and functions that form the Greenlands System. Permitted uses include, but are not limited to: forest, fish and wildlife management, stewardship, conservation, restoration and remediation undertakings, infrastructure and roads, retrofits of existing stormwater management works, and existing non-conforming uses, buildings and structures.

Figure 10: Aurora Official Plan, Schedule 'E': Environmental Designations



Consistent with Section 21(4) of the ORMCP, the appropriate buffers have been applied to the features as noted in the Natural Heritage Evaluation (prepared by Beacon Environmental). The Natural Heritage Evaluation has established an appropriate buffer that is adequate to ensure that there are no negative impacts on the significant woodland, significant wetland and the watercourse and its functions.

Similar to the ORMCP, the Aurora Official Plan contains similar provisions that allows the applicant to identify and confirm minimum vegetation protection zones on a site-by-site basis through environmental studies. Specifically, Section 3.13.4 of OPA 48 (Town's Oak Ridges Moraine Conformity Amendment) states that:

*“Notwithstanding any other policies of this Plan to the contrary, where lands within the Oak Ridges Moraine Settlement Area, as shown on Schedule “J”, are proposed for new major development and said lands are located within the minimum area of influence for a key natural heritage feature or hydrologically sensitive feature, as established by the Oak Ridges Moraine Conservation Plan, then the feature, its boundaries, and its minimum vegetation protection zone shall be identified and confirmed by the applicant, on a site by site basis, in accordance with criteria provided by the Province of Ontario, or through an appropriate study such as watershed plan or natural heritage, or hydrological evaluation in accordance with the policies of the Oak Ridges Moraine Conservation Plan.”*

Section 16.14

Section 16.14 states that:

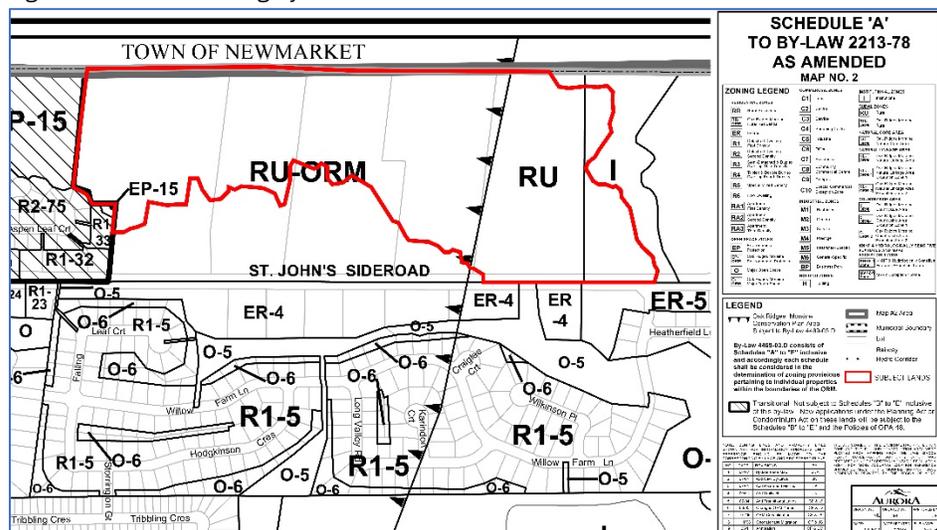
*Lands on the easterly Part of Lot 86, Concession 1, WYS north of St. John's Sideroad shall permit a comprehensive retirement complex, including 350 apartment units, 90 medical care units, medical clinics, related administrative office space and a conference centre. The conference centre is to provide overnight accommodation for a maximum of 60 persons and include space for day time conferences. The retirement complex and the conference centre shall be connected to the Town's sanitary sewer system and to municipal water supply. No development will be permitted until Council has approved a Master Site Plan Agreement.*

It should be noted that while the easterly portion of the lands subject to this site-specific policy are located outside of this application. They majority these lands are designated Private Parkland and contain natural heritage features.

**3.7 Town of Aurora Zoning Bylaw (6000-17)**

The Town of Aurora Council approved the Comprehensive Zoning By-law 6000-17 on June 27, 2017, which provided the first update to the zoning by-law since 1979. The updated by-law aimed to implement the Town's Official Plan through the removal of outdated provisions and language, updates to the parking rates and performance standards to meet current practices and standards, and updates to resolve any known land use issues or conflicts. The Town of Aurora Zoning By-law 6000-17 ("Aurora Zoning By-law") zones the Subject Lands as Oak Ridges Moraine Rural General (RU-ORM), Rural (RU) and Institutional (I).

Figure 11: Aurora Zoning By-law 6000-17



Source: Aurora Zoning By-law 6000-17 Schedule A - Map 2

The RU-ORM Zone only permits an existing use, building or structure, for any use other than a use legally existing as of November 15, 2001.

The RU Zone permits agricultural uses, a detached dwelling, a second suite, greenhouses, home occupations and places of worship.

The I Zone permits athletic fields, cemetery, day care centres, hospitals, public libraries, long term care facility, museum, place of worship, recreation centre, retirement home, post-secondary school, private school and public school.

To implement the proposed development, the proposed zoning by-law amendment will re-zone the property to “Detached Third Density Exception X” (R3-X), “Detached Fourth Density Exception X” (R4-X), “Second Density Apartment Residential Exception X” (RA2-X), “Institutional Exception X” (I-X), “Oak Ridges Moraine Environmental Protection Zone” (EP-ORM) “Environmental Protection” (EP) and “Public Open Space” (O1)

A Draft Zoning Bylaw Amendment has been submitted concurrently with this application.

# 4.0

## Proposed Official Plan Amendment

The Aurora Official Plan, through the *Suburban Residential (SR-1)* and *Existing Major Institutional* designations, anticipates residential and major institutional use on the Subject Lands. The proposed development still provides these uses, however through the comprehensive planning of the overall Shining Hill landholdings, these uses are proposed in different locations. Nonetheless, the overall intent of the Official Plan is met through the proposed concept plan. In order to implement the proposed development, an Official Plan Amendment is required to re-designate the Subject Lands *Stable Residential* with site-specific policies, *Suburban Residential (SR-1)*, *Existing Major Institutional*, *Environmental Protection*, *Public Parkland*, *Supporting Area Open Space* and *Core Area Open Space*. A draft of the Official Plan Amendment is submitted in support of this application. The proposed amendment seeks to re-designate the lands on Schedule 'A' of the Official Plan and revise Schedule 'H' to permit the proposed development. As noted earlier, no amendment to the Official Plan is required to permit the St. Anne's All-Girls School.

### *Intent and Vision of the Aurora Official Plan*

The intent of the Existing Major Institutional designation is to facilitate the development of major institutional uses that will also aid in providing jobs to the Town.

The portion of the Subject Lands within OPA 37 and designated Suburban Residential (SR-1) is anticipated to accommodate low density single detached homes on full urban services that is environmentally sensitive. Neighbourhood oriented support services such as schools and parks shall also be permitted.

The proposed development locates no additional new homes within the OPA 37 lands and instead adaptively re-uses the Dunin Estate into a world-class all-girls school that will complement the already internationally renowned St. Andrew's College. The proposed private school, which will be a major institution, provides a low-intensity use that will be a complementary addition to the planned vibrant community. Furthermore, it will bring high-quality and high-paying jobs to the Town of Aurora.

As such, the proposed development of St. Anne's School meets the intent and conforms to the Suburban Residential designation within OPA 37 and also meets the intent and vision of the Existing Major Institutional designation. Given that the Existing Major Institutional designation's intent and vision is being met on the lands immediately to the west (which is designated for residential uses), it is appropriate to reconsider the use of this portion of the Subject Lands for residential and community uses (park). As such, the draft Official Plan Amendment proposes to redesignate this portion to Stable Neighbourhood with site specific policies.

### Conformity with the Stable Neighbourhood Designation

It is proposed that the residential portion of the Subject Lands be developed for single detached dwellings with an 11m height permission, and that the northeastern portion of the Subject Lands be designated for an apartment building with a 10 storey height permission.

Section 8 of the Official Plan provides policy direction within Stable Neighbourhoods. In particular, Section 8.1.2 permits Ground-Related Residential Uses and Existing Multiple-Unit Buildings and Section 8.1.3 sets development policies in these areas. With regard to the proposed redevelopment, site specific policies are required to permit the proposed heights of the detached homes (which exceed the height limit of three storeys or nine metres) and to permit the proposed apartment building.

With regard to the height of the single detached dwellings, a guiding principle, and the primary intent of the Stable Neighbourhoods designation is to permit development of grade-related housing. The proposed single detached dwellings maintain this intent and will not exceed three storeys in height. The typically slanted and gabled roofs of single detached homes provide less of a visual and massing impact than more intense forms of grade related housing such as townhouses with flatter roofs. Moreover, establishing a maximum height related to a storey does not provide sufficient flexibility to account for the variations of height of a storey over time. The proposed 11 m height is desirable and reflects contemporary building practice and market preferences for higher internal ceiling heights.

The 11m building heights have been approved in other areas of Aurora, most recently and most proximately as part of the Phase 2 Shining Hill development west of the Subject Lands. Continuing the 11m building height would provide dwellings that are compatible with the immediate surrounding area.

The primary land use control in this instance is the preservation of a single-detached dwelling form of development. In our opinion, the height of 11 m is appropriate and a site-specific policy in the Official Plan to permit the redevelopment of the Subject Lands for single detached homes with that development standard is good planning.

Regarding the proposed new apartment building with a ten-storey height, the local planning context must be considered to determine the appropriate designation and policies for this use. The proposed high-density permission on Block 89 of the proposed Draft Plan represents a unique opportunity to provide a higher density built-form with negligible shadowing and overlook impacts to the surrounding community. The proposal maximizes the opportunity to provide a complete community with a range of housing types in this portion of Aurora, diversifies the Town's housing stock and is consistent with Provincial policies.

Unless identified in one of the Town's Secondary Plan Areas, the Aurora Official Plan only permits new apartment buildings to be located within lands designated *Aurora Promenade* (of which the Subject Lands are not located within). In trying to stay with the land use designations provided by the Official Plan, the only option for the proposed development is to include it in an amended *Stable Residential* designation.

Understandably, the *Stable Residential* designation does not contemplate the type of development proposed. In fact, policy 8.1.3 e) explicitly states that no new apartment buildings shall be permitted within the Stable Neighbourhood designation.

Ideally, the Official Plan would contain a more flexible land use designation that permits a wider range of uses outside of the *Aurora Promenade*. We understand the desire to focus the most diverse range and densest building forms in the *Aurora Promenade* but limiting the rest of the (non-Secondary Plan Area) Town lands to only ground-related development is a limitation of the Official Plan.

It is our opinion that the development of the larger Shining Hill landholdings (including the Subject Lands) would more appropriately to be comprehensively planned with a new set of land use designations. However, the cross-jurisdictional nature of the lands and the remaining limited size of the Subject Lands make it impracticable.

Table 4-1 - Conformity with Stable Neighbourhood Policies below summarizes the policies of the Stable Neighbourhoods and how the proposed development conforms with each.

Table 4-1 - Conformity with Stable Neighbourhood Policies

Policy No.	Policy	Conformity
<b>Development Policies</b>		
8.1.3a)	New development and site alteration abutting existing residential development shall be sympathetic to the form and character of the existing development and shall be compatible with regard to building scale and urban design.	There is no abutting existing residential development. The proposed development is similar in building scale and character to nearby contemporary residential development, as further demonstrated in the concurrently submitted Urban Design Brief.
8.1.3b)	Through the implementing Zoning By-law, the range and density of permitted uses may be refined or restricted on a particular site or location to ensure that new development or site alteration is appropriate and compatible with adjacent uses and buildings.	The single detached units proposed on the site will achieve similar densities to that of new communities in Aurora. There are no existing residential uses immediately adjacent to the Subject Lands. The proposed density of Block 89 has no impact on any existing surrounding uses.
8.1.3c)	Through the implementing Zoning By-law and/or through site plan control, specific measures including, but not limited to, building	The proposed zoning bylaw provides appropriate development standards for development of the single detached lots. A forthcoming site plan control process will determine the appropriate building form and site design considerations on

	setbacks, landscaping and fencing, may be required in order to ensure that new development is appropriate in the context of the adjacent uses and the surrounding neighbourhood.	Block 89.
8.1.3d)	All development within the ‘Stable Neighbourhood’ designation may be subject to Site Plan Control. Council may utilize all of the provisions of Site Plan Control permitted by the Planning Act, including, without limitation, the control of building materials, colour and architectural detail.	The draft plan of subdivision process and ultimate conditions of draft plan approval provide sufficient controls to ensure the appearance and architectural features of the single detached dwellings are appropriate. A forthcoming site plan control process will determine the appropriate building form and site design considerations on Block 89.
8.1.3e)	No new apartment buildings shall be permitted within the ‘Stable Neighbourhood’ designation. All existing apartment building development and development applications for apartment buildings approved prior to the adoption of this Plan shall be deemed to be in conformity with this Plan.	As noted above, the site specific policy context of Block 89 would result in development that maximizes the opportunity for a higher density form of built-form without any impact on surrounding lands in order to provide a complete community with a range of housing types  As such, a site specific permission of an apartment building on Block 89 in the Stable Neighbourhood designation is appropriate.
8.1.3f)	All new development within the ‘Stable Neighbourhood’ designation shall have a maximum height of 3 storeys or 9 metres, whichever is less.  The implementing Zoning By-law may provide more restrictive height limits based on the specific context of a neighbourhood or area within the Town.	An 11m height for single detached units on the subject site is appropriate, is within the intent of the provision of grade related housing, and will be compatible with existing houses; a site specific amendment to permit this height is appropriate.  As outlined in this report, a 10 storey height limit for the proposed apartment building is compatible with adjacent uses; a site specific amendment to permits this height is appropriate.
8.1.3g)	All new townhouses, multiple-unit buildings, communal housing and special needs housing may	While no such uses are proposed through the development proposal, the tests are appropriately applied to the high density apartment proposal.

	only be permitted within the 'Stable Neighbourhood' designation subject to achieving the following criteria to the satisfaction of Council:	
8.1.3g)i)	the development shall respect the existing character of the surrounding neighbourhood through compatible and complementary building siting, massing, height and scale; and,	The forthcoming site plan process will address this policy.
8.1.3g)ii)	the exterior design of the proposed building or buildings, including materials, colours, architectural detail, landscaping, and streetscape elements shall be compatible with the proposal's immediate neighbours.	The forthcoming site plan process will address this policy.
8.1.3m)	Local convenience/service retail and office uses may be permitted in close proximity to existing commercial areas within the 'Stable Neighbourhood' designation provided that:	No retail/office uses are proposed as part of this development.
8.1.3m)i)	the impact on adjacent developments is minimized through the provision of adequate parking, landscaping, setback and buffering provisions to be determined in the Zoning Bylaw; and,	The forthcoming site plan process will address this policy.
8.1.3m)ii)	traffic and parking studies which demonstrate that the use will not have an adverse impact on the existing or proposed traffic network to the satisfaction of Council.	The forthcoming site plan process will address this policy.

<b>Design Policies</b>		
8.1.4a	All new development within the ‘Stable Neighbourhood’ designation shall respect and reinforce the existing physical character and uses of the surrounding area, with particular attention to the following elements:	
8.1.4a)i)	the pattern of lots, streets and blocks;	The proposed development lots are located on lands suitable for the proposed uses, as supported by the submitted technical studies. The proposal provides for a local street network that connects to the adjacent regional road. The proposed transportation system and right-of-way standards are appropriate as supported by the Transportation Mobility Study and Functional Servicing Report.
8.1.4a)ii)	the size and configuration of nearby lots;	The proposed single detached lots are generally the same size as other single detached lots within new communities in the Town of Aurora.  The proposed high density block is similar in size and configuration to other high density buildings in the Town.
8.1.4a)iii)	the building type of nearby residential properties;	The proposed development does not immediately abut any existing residential properties. The nearest residential properties are on the south side of St. John’s Sideroad. The proposed development is buffered by the ultimate right-of-way width of St. John’s Sideroad (36.0m) to increase the separation distance with the existing dwellings south of St. John’s Sideroad.  The proposed development represents an appropriate transition to a slightly denser built form and aids the Town in providing a more affordable single detached dwelling product when compared to the larger lot singles that were originally envisioned in this area.
8.1.4a)iv)	the heights and scale of nearby residential properties;	As noted earlier, the proposed development does not immediately abut any existing residential properties.  The proposed single detached dwellings are proposed to be zoned R3/R4 similar to recently approved single detached dwellings to the west of the Subject Lands (Phase 2). The proposed height of 11m is the same height that was approved in Phase 2 and will be compatible.  The proposed 10 storey apartment building is not adjacent to any existing uses and will pose negligible shadowing impacts on residential or park

		uses, as will be demonstrated through the site plan process.
8.1.4a)v)	the setback of buildings from the street;	<p><u>Singles</u></p> <p>The proposed front yard setback of 6.0m for the garage and 3.0m/4.5m for the main building aligns with contemporary house design and good urban design and streetscape principles. This brings the house and porch close to the street (thereby creating a more engaging and pedestrian friendly streetscape) while recessing the garage and thereby minimizing the prominence of the car and its storage without a reduction in driveway length. With the proposed architectural controls and standards, it will facilitate a more desirable streetscape and public realm. The general intent of the front yard setback is to ensure sufficient front yard space is provided, and 6m of off street parking is allowed for in the driveway. The proposed setback will maintain this primary intent while allowing the house to be prominent along the street, rather than the garage, enabling a desirable form of housing and urban streetscape.</p> <p><u>Apartment</u></p> <p>The proposed 6m setback for the apartment building follows the Parent RA2 standard.</p>
8.1.4a)vi)	the pattern of rear and side-yard setbacks; and,	<p><u>Rear Yard</u></p> <p>The proposed rear yard setbacks maintain the parent zone standards of 7.5m and 9m respectively, which provide sufficient space for private recreational activity.</p> <p><u>Interior Side Yard</u></p> <p>The proposed interior side yard setback of 1.2m/0.6m for the single detached lots. The intent of the minimum required interior side yard zoning regulation is to ensure sufficient space between dwellings and allow adequate access between the front and rear yards, and where possible allow for windows and light entry into the building from the side yard elevation. A combined 1.8m separation between buildings on will provide an adequate sense of spaciousness between houses, provides adequate access between the front and rear yards and will maintain the opportunity for architectural features (such as bay windows) and the penetration of light through the side elevations of</p>

		<p>the lots. It should be noted that this standard is prevalent in the Town of Aurora.</p> <p><u>Exterior Yard</u></p> <p>The redevelopment proposes an exterior side yard setback of 3.0m. The proposed setback is appropriate as it provides adequate distance between the road and dwelling, while making efficient use of land. Generally, the intent of the zoning standard is to provide for driving safety so that vehicles have sufficient sight lines at intersections. It is our opinion that this intent is maintained with the proposed setback.</p>
8.1.4a)vii)	conservation and enhancement of cultural heritage resources.	None exist within the draft plan of subdivision.

# 5.0

## Proposed Zoning Bylaw Amendment

Through our review of the Zoning By-law and its regulations, the proposed development will require a Zoning By-law Amendment to rezone the lands to Detached Third Density Exception X (R3-X), Detached Fourth Density Exception X (R4-X), Second Density Apartment Residential Exception X (RA2-X), Institutional Exception X (I-X), Oak Ridges Moraine Environmental Protection Zone (EP-ORM), Environmental Protection (EP) and Public Open Space (O1) to permit the proposed development of the site.

The requested zoning amendment will allow for the implementation of the requested Official Plan amendment and for the development of the proposed residential subdivision.

Please see the appendices for the draft amendment text and schedule.



# 6.0

## Conclusion

*Through the planning analysis detailed in this Report, it is our opinion that the proposed development of the Subject Lands represents good planning and is consistent with, conforms to and complies with the objectives of all Provincial, Regional and Municipal planning documents.*

Shining Hill Estates Collection Inc. owns 155 hectares (~385 acres) at the northwest quadrant of Yonge Street and St. John's Sideroad, straddling the Town of Aurora and Town of Newmarket municipal boundary. It proposes to develop its large consolidation of land into a complete community consisting of a diverse range of land uses where people can live, work and shop. At full build-out, the development concept proposes 3,300+ residential units in a range of low-, medium-, and high-density residential uses, parks and open space, institutional uses, stormwater management facilities, and service commercial uses.

This proposal represents a unique community building opportunity. It is rare for such a large contiguous area of land, under singular ownership, to be available for comprehensive planning and development that is surrounded by urban development. The assembled ownership of lands will allow for the creation of a complete community that locates development in appropriate areas while protecting identified natural heritage features.

Development of the Subject Lands represents the next phase (Central Aurora) of the Shining Hill development. The proposed development concept proposes to accommodate ~288 dwelling units (88 single-detached dwellings and a 10-storey apartment building with approximately 200 units), the St. Anne's All-Girls School, a 1.61 ha neighbourhood park and a natural heritage system.

This Report is submitted in support of the Official Plan and Zoning Bylaw Amendments and Draft Plan of Subdivision applications required to re-designate and rezone the Subject Lands to permit the development as proposed.

Development of the Subject Lands represents good planning by:

- Minimizing land consumption and servicing costs through efficient use of vacant land within an area that allows for roads, sanitary and municipal services to be provided with minimal extension of existing infrastructure.
- Providing a wide variety of housing options to serve the needs of residents. The Subject Lands represent the last remaining vacant property of this size within the Aurora settlement area that can accommodate this scale of ground-oriented housing

- while also providing an opportunity to deliver higher density housing as part of a complete community that will not impact any existing uses .
- Concentrating development on the farmed acreage while protecting the natural heritage features identified in the Natural Heritage Evaluation.
  - Transferring a significant amount of green space (~18 ha.) to the Town of Aurora to be made publicly accessible. These conveyed lands will allow the Town of Aurora to extend its existing trail and path system and connect systems that may have terminated had these lands remained in private ownership.
  - Recognizing the servicing constraints posed by the delayed completion Upper York Wastewater Treatment Plant and proposing an Inflow and Infiltration Study to locate alternative potential capacity for the development of the Subject Lands and other parts of Aurora.
  - Providing family- and ground-oriented housing to a municipality with dwindling supply of *designated greenfield areas*. The Growth Plan is clear that prior to any *Settlement Area* expansion, opportunities to accommodate growth through intensification and in the *Designated Greenfield Area* must be explored first

With increasing scarcity of developable land and the erosion of housing affordability, there is an opportunity to develop the Subject Lands as a complete community that meets the daily needs of residents of all ages through an accessible mix of housing, a large park, institutional uses and active transportation options. Development of the Subject Lands allows the Town of Aurora to provide ground-oriented housing and more affordable higher density housing, while protecting identified natural heritage features.

The proposed development is consistent with the Provincial Policy Statement, 2020 and implements the policies of the Growth Plan, the York Region Official Plan, as well as the Town of Aurora Official Plan. It is our opinion that the proposed urban uses on the Subject Lands are appropriate, supportable, and represent good planning.

## 6.1 Planning Act – Section 51(24)

The proposed development represents good planning as it provides for a compact built form with an appropriate form of housing and a logical and efficient road pattern given the configuration of the Subject Lands that implements the intent of the policies of the applicable Provincial, Regional and local planning documents. Section 51(24) of the *Planning Act* sets criteria that planning authorities shall have regard to when considering a Draft Plan of Subdivision. Our response to the criteria is provided below:

Table 6-1 - Conformity with Section 51(24) of the Planning Act

	Criteria	Response
a)	The effect of development of the proposed subdivision on matters of provincial interest as referred to in Section 2	The Official Plan and Zoning By-law Amendments and Draft Plan of Subdivision are consistent with matters of Provincial interest, as outlined in the PPS

	Criteria	Response
		2020, and conform to all Provincial Plans. The Draft Plan of Subdivision ensures conformity with growth management, natural heritage, natural hazard and water resource objectives, among other matters.
b)	Whether the proposed subdivision is premature or in the public interest	The Draft Plan has been thoroughly assessed and is appropriately supported by sufficient technical studies. The Draft Plan is in the public interest based on the policy analysis, to be finally determined following agency review and comment and after the forthcoming public consultation process.
c)	Whether the plan conforms to the Official Plan and adjacent plans of subdivision, if any	The Draft Plan conforms to both the Regional and Town Official Plans, subject to the proposed Official Plan Amendment. The proposed development is compatible with the adjacent plan of subdivisions to the west.
d)	The suitability of the land for the purposes for which it is to be subdivided	The proposed development blocks in the Draft Plan are located on lands suitable for the proposed uses, as supported by the submitted technical studies.
e)	The number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them	The Draft Plan provides for a local street network that connects to the adjacent regional road. The proposed transportation system and right-of-way standards are appropriate as supported by the Transportation Mobility Study and Functional Servicing Report.
f)	The dimensions and shapes of the proposed lots	All proposed lots are dimensioned and are of an appropriate shape and size. A Zoning By-law Amendment is being proposed to provide the appropriate zoning standards.
g)	The restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be	The proposed zoning bylaw provides for the appropriate restrictions on the lands proposed to be subdivided by limiting their use to those permitted in the zoning

	Criteria	Response
	erected on it and the restrictions, if any, on adjoining land	standards as described in the draft Zoning By-law Amendment.
h)	Conservation of natural resources and flood control	The proposed development will conserve or enhance through alteration Key Natural Heritage or Hydrologically Sensitive Features in conformity with the PPS, LSPP, York Region and Town Official Plans.
i)	The adequacy of utilities and municipal services	The Draft Plan can be serviced with adequate utilities and municipal services, which are available for extension from adjacent lands. The design of roads in the Draft Plan allows for the provision of utilities throughout the area.
j)	The adequacy of school sites	The school boards will provide comments following submission.
k)	The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes	Blocks have been identified on the Draft Plan (with their associated land areas) for the Natural Heritage System and Park that are proposed to be dedicated for public purposes.
l)	The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy	The Draft Plan is designed to conserve energy through the orientation of buildings, and where possible, uses on passive solar gains and accounts for prevailing wind patterns.
m)	The interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41(2) of this Act or subsection 114(2) of the City of Toronto Act, 2006. 1994, c. 23, s. 30; 2001, c. 32, s. 31(2);2006, c. 23, s. 22 (3,4)	The single detached units do not require site plan control prior to development. Site Plan Control will be required for the Mid/High-Rise block, which will be submitted at a later date.

The proposed Draft Plan of Subdivision represents good planning and meets the requirements of Section 51(24) of the Planning Act.

# **Appendix A**

**Draft Plan of Subdivision**









19TH SIDEROAD

MULOCK DRIVE

BATHURST STREET

NEWMARKET

NEWMARKET

AURORA

AURORA

ST. JOHN'S SIDEROAD

BATHURST STREET

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WELLINGTON STREET E

KING

AURORA

