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TOWN OF AURORA OFFICIAL PLAN AMENDMENT NO. 58 WHITWELL DEVELOPMENTS LIMITED

The Planning and Economic Development Committee recommends the adoption of the recommendation contained in the following report, August 17, 2005, from the Commissioner of Planning and Development Services:

1. RECOMMENDATION

It is recommended that:

1. The Commissioner of Planning and Development Services be authorized to give notice to approve Amendment No. 58 to the Official Plan of the Town of Aurora.

2. PURPOSE

The purpose of this report is to recommend approval of the Town of Aurora's Official Plan Amendment No. 58 (OPA 58).

3. BACKGROUND

The subject lands are located on the north side of Wellington Street East, between Leslie Street and Highway 404 in the Town of Aurora (*Figure 1*).



The subject lands are approximately 58.5 hectares (23.7 acres) in size and are owned by Whitwell Developments Limited. The lands are currently vacant, with the exception of some unoccupied structures of which one is to be relocated.

The surrounding uses are as follows: the Highway 404 Right-of-Way to the east; Wellington Street East and vacant business park lands to the south; residential and commercial to the west; and business park to the north (including the State Farm Head Office under construction).

3.1 History

The subject lands are currently designated “Business Park” within the Town of Aurora Bayview Northeast Area 2B Secondary Plan (Official Plan Amendment No. 30 (OPA 30)). OPA 30 states that Regional-serving Retail Commercial uses for the subject lands shall be considered by the Town subject to an amendment to the OPA if the following conditions are met: pre-eminent design; comprehensive planning; and traffic, market, and impacts on surrounding existing and planned land uses that are acceptable to the Town.

On July 23, 2003, Whitwell filed applications for Official Plan and Zoning By-law Amendment with the Town of Aurora to permit the use of 32.6 hectares (80.5 acres) of land designated “Business Park” for “Regional-Serving Commercial Uses”. The application proposed approximately 561,775 square feet of commercial development including a discount warehouse, warehouse membership club, either a large format supermarket or a home improvement outlet, ancillary retail uses, a ten screen cinema, and service commercial uses (restaurants, personal services). The proposed concept plan indicated 175,000 square feet of office commercial floor area, resulting in 732,075 square feet for the proposed development.

On September 9, 2003, Aurora Council authorized staff to engage a consulting team to undertake an independent peer review of the reports filed in support of the applications. A Public Information Meeting was held on April 28, 2004 and a Public Meeting of Council was held on June 23, 2004.

On July 26, 2004, the applicant revised its applications by decreasing the total retail component to 540,000 square feet and by reducing the amendment area from 80.5 acres to 58.5 acres. The revised concept plan is shown in *Attachment 1*. It is important to note that the reduction in area was largely due to the fact that the proposed office use is a currently permitted use on the lands and therefore did not need to be included in the Official Plan Amendment application.

A second Public Meeting was held on September 29, 2004. At that meeting, the consultants presented their findings and Aurora Council directed its staff to draft the Official Plan Amendment document for Council consideration, subject to the resolution of any outstanding issues.

The draft OPA was presented to Aurora General Committee on May 17, 2005 and at that time Aurora staff informed Council that it was the opinion of the peer review team and staff that no significant issues remained that required resolution. The OPA was adopted by Aurora Council on May 24, 2005 and the OPA was received by the Region on June 1, 2005. Including the planned business park uses to the east of the subject lands, the development is to be known as the “Aurora Gateway Centre”, which will form a component of the larger “Aurora Gateway Business Park” which includes lands to the north.

3.2 Description of OPA 58

The purpose of OPA 58 is to redesignate the subject lands from “Business Park” to “Business Park – Regional Commercial Centre”.

The “Business Park – Regional Commercial Centre” maintains the underlying policy permissions for Business Park uses, while also permitting a mix of uses that are to be designed and developed in a manner compatible with and complementary to the planned business park uses. Specifically, the OPA permits “Regional Commercial uses, including a department store as an anchor with a full range of complementary retail and service

commercial, recreational, cultural, office, entertainment, institutional and hospitality service uses”.

OPA 58 states that there shall be a minimum of two (2) primary (large-floorplate) retail operators having a minimum commercial floor area of 9,300 square metres and 7,000 square metres respectively. The OPA states that the number and size of smaller retail uses (under 370 sq. m.) shall be controlled through the implementing zoning by-law.

4. ANALYSIS AND OPTIONS

As discussed in the following sections, OPA 58 has gone through a public consultation process, it conforms to Provincial policy and the policies of the Regional Official Plan (ROP), and it represents good planning.

4.1 Provincial Policy Statement

The Provincial Policy Statement provides policy direction on matters of provincial interest related to land use planning and development. The PPS focuses growth within settlement areas and encourages strong, liveable and healthy communities that enhance social well-being and are economically and environmentally sound.

Based upon a review of the policy framework of the proposed Official Plan Amendment, OPA 58 is consistent with the Provincial policies set out in the PPS.

4.2 Conformity with the Region's Official Plan

The lands within the boundaries of OPA 58 are designated “Urban Area” by the ROP. There are no identified environmental protection areas, watercourses, wetlands, significant forested areas, or Regional Greenlands on the subject lands. Lastly, the subject lands are not located on the Oak Ridges Moraine, nor are they subject to Greenbelt Protection Act.

4.2.1 Locations for Economic Development

Section 3.3 of the Regional Official Plan – Locations for Economic Development – states that the Region and the area municipalities must provide locations for a wide array of economic activity. The Region encourages a diversity of available sites and locations, flexibility for different types of buildings and a mix of supporting uses. To ensure that there is a balance of employment uses within the Aurora Gateway Centre, the overall development concept for the area includes approximately 350,000 square feet of office/business park uses. In addition, OPA 58 includes a specific clause that “Expansions of the limits of the Business Park – Regional Commercial Centre shall not be permitted” and therefore, the remaining employment lands will be protected.

A report entitled “Economic Implications of the Aurora Gateway Centre” by Clayton Research concludes that the Town of Aurora’s supply of vacant employment land is sufficient to accommodate projected employment growth to 2016.

Policy 6 of Section 3.3 of the Regional Official Plan states “that retail facilities in excess of 30,000 gross leasable square metres (323,000 sq. ft.) shall require a Region-wide impact analysis that addresses the following:

- a) transportation requirements;
- b) the impact on existing and approved future retail facilities;
- c) transit access to the facilities; and
- d) the manner in which the proposal is supportive of the centre and corridor policies of this Plan.”

4.2.1.1 Traffic

It is noted that the overall planning for the transportation system was established during the creation of the Bayview Northeast Area 2B Secondary Plan and the plan of subdivision for the lands has been registered on the basis of the requirements of the Secondary Plan.

The subject OPA is a site specific amendment and therefore, a traffic report was required to ensure that the proposed OPA will not negatively impact the road network established through the Secondary Plan and subdivision process. To address the issue, the applicant submitted a Traffic Study by iTrans Consulting Inc. The traffic report indicates that, with the recommended road infrastructure improvements identified, the surrounding road network will have sufficient capacity to accommodate the anticipated number of vehicle trips in the 2009 and 2014 time horizons. The report notes that, the anticipated levels of service at the surrounding intersections are considered to be within acceptable operating conditions for an urban environment. The traffic report was peer reviewed by Earth Tech Canada Inc., and after several meetings, the peer review consultant is satisfied with the information provided.

The Infrastructure Planning Section of the Planning and Development Services Department also agrees with the findings of the consultants.

4.2.1.2 Market Impact

To address the issue of market impact, the applicant submitted a Market Study and Impact Evaluation by Malone Given Parsons Ltd (MGP). The MGP report notes that the Town’s array of commercial space is relatively limited and that there is no commercial centre of the proposed type within the Town of Aurora. Therefore, the resident population has to travel to locations outside the community to satisfy a significant part of its shopping needs.

The MGP report concludes that “the proposed Aurora Gateway Centre can be introduced into Aurora as planned without adverse impacts on any Region of York commercial area”. The report further concludes that “each of the major site components can enter the market as proposed and that there will not be significant adverse impacts on Aurora commercial areas or commercial areas in neighbouring municipalities.”

The market study was peer reviewed by Scott Morgan & Associates for the Town of Aurora and by John Winter Associates for York Region. Mr. Morgan is satisfied with the report and concludes that

“Aurora has now matured to the extent that an additional retail commercial node with a strong regional orientation is warranted to attract regional trade and to reduce outflow”; and,

“Aurora will require commercial space at both the Bayview/Wellington node and the First Pro (OPA 58) site, as well as at locations elsewhere in the community in future years”.

Mr. Winter has stated the following:

“outstanding issues have been resolved” and “we recommend that the Region approve the proposed Whitwell development, as currently conceived because it meets regional Official Plan standards concerning the lack of impact on other planned centres”.

4.2.1.3 Transit

With respect to transit access to the facilities, the OPA states that development of the site shall promote efficient on-site circulation to provide convenient pedestrian access to future transit routes. The details of transit pad locations will be resolved at the site plan stage.

4.2.2 Community Building Policies

The community building policies in Section 5.2 of the Regional Official Plan set out criteria by which new developments will be evaluated. Section 5.2(1) states that the majority of growth shall be directed to the urban areas identified on Map 5 to the Regional Official Plan. The subject lands are designated “Urban Area” on Map 5.

Section 5.2(7) requires the preparation of comprehensive secondary plans for new development areas within the identified urban areas on Map 5. The subject lands are part of the Town of Aurora’s Bayview Northeast Area 2B Secondary Plan (OPA 30), which clearly states that Regional-serving Retail Commercial uses are contemplated by the Plan because of the high visibility and accessibility of the lands between Leslie Street and Highway 404 and the attractiveness of this location for uses serving not only the growing population of Aurora, but also the surrounding urban and rural areas.

Section 5.2(10) requires the consideration of the impact and compatibility of potentially conflicting land uses on the surrounding area including the assessment of noise impacts for land uses adjacent to arterial road and highway facilities. The proposed OPA includes policies that ensure that the mix of permitted uses shall be designed and developed in a manner compatible with and complementary to the planned business park uses. In addition, the OPA requires the development of the subject lands to be consistent with the

Wellington Street East Corridor (2B) Urban Design Guidelines. With respect to noise, the use of the property for commercial purposes should ensure that there are no noise related issues from Leslie Street, Elgin Mills Road, nor Highway 404 and the proposed uses are compatible with the abutting uses.

4.3 Town of Aurora Official Plan Policies

The subject lands are currently designated “Business Park” within the Bayview Northeast Area 2B Secondary Plan (Official Plan Amendment No. 30 (OPA 30)). There is a site specific policy within OPA 30 which states that Regional-serving Retail Commercial uses are contemplated by the Plan because of the high visibility and accessibility of the lands between Leslie Street and Highway 404 and the attractiveness of this location for uses serving not only the growing population of Aurora, but also the surrounding urban and rural areas. OPA 30 also states that Regional-serving Retail Commercial uses shall be considered by the Town subject to an amendment to the OPA if the following conditions are met: pre-eminent design; comprehensive planning; and traffic, market, and impacts on surrounding existing and planned land uses that are acceptable to the Town.

Given the above, the Town retained the following consultants to be peer reviewers for the subject applications:

- Planning – The Butler Group (Consultants) Inc.
- Retail Market and Impact Analysis – Scott Morgan & Associates Limited
- Economic Analysis – Gartner Lee Limited
- Urban Design – Brook McIlroy Inc./Pace Architects
- Traffic – Earth Tech Canada

Through the adoption of OPA 58, the Town has indicated that the above conditions have been satisfied.

4.4 Letter of Objection

The Region has received a letter of objection from Mrs. R.J. Reid (*Attachment 2*). As a member of the Town’s Official Plan Review Committee, Mrs. Reid states that “...it was decided that the 2c lands on the east side of Leslie were to be used for ‘prestigious’ commercial buildings. A shopping mall was not what was envisioned by the committee”.

However, the subject lands are not part of the Aurora 2C area. The 2C lands are located further to the north and the Town of Aurora is currently preparing the background studies that are required prior to the preparation of a Secondary Plan for the 2C area. In addition, it is important to note that the subject proposal does not include a shopping mall. To the contrary, as shown on *Attachment 1*, the site plan for the subject lands includes a mix of large-floorplate, mid-size and smaller operators in separate buildings within a commercial campus.

4.5 Relationship to Vision 2026

“Co-ordinating the location of job growth and population growth” is an action area for Goal 6 - Managed and Balance Growth of Vision 2026. The provision of a mix of regional commercial and other employment uses within the Aurora Gateway Centre and within the Aurora Gateway Business Park will strengthen the ability of the Town to ensure job growth is in proximity to population growth. The proposed OPA is therefore consistent with the above noted action area of Vision 2026. The Goal will be further strengthened with York Region’s planned extension of transit services to the development in 2006.

5. FINANCIAL IMPLICATIONS

There are no financial impacts associated with this report. However, should the Official Plan Amendment be appealed to the Ontario Municipal Board, staff time and resources will be required to prepare for and attend the Hearing(s).

6. LOCAL MUNICIPAL IMPACT

The Town of Aurora has adopted OPA 58 and the recommendations of this report are consistent with the Town’s position.

7. CONCLUSION

The subject proposal is for an amendment to the Town of Aurora Official Plan to redesignate the lands on the north side of Wellington Street East, between Leslie Street and Highway 404, from “Business Park” to “Business Park – Regional Commercial Centre”.

The “Business Park – Regional Commercial Centre” maintains the underlying policy permissions for Business Park uses, while also permitting a mix of uses that are designed and are to be developed in a manner compatible with and complementary to the planned business park uses. Specifically, the OPA permits “Regional Commercial uses, including a department store as an anchor with a full range of complementary retail and service commercial, recreational, cultural, office, entertainment, institutional and hospitality service uses”.

The existing Official Plan (OPA 30) currently provides for a regional-scale commercial facility on the Whitwell site, subject to meeting a number of tests. The Town of Aurora is satisfied that the tests have been met and the Town has adopted OPA 58. The market and economic impact reports indicate that an additional retail commercial node with a strong regional orientation is warranted and the Town of Aurora’s supply of vacant employment land is sufficient to accommodate projected employment growth to 2016.

The amendment is in conformity with the Regional Official Plan and Provincial policy and represents good planning. Therefore, it is recommended that the Commissioner of Planning and Development Services be authorized to give notice to approve Amendment No. 58 to the Official Plan of the Town of Aurora.

The Senior Management Group has reviewed this report.

(The attachments referred to in this clause are attached to this report.)