
Subject: Recommendation Report for Official Plan Amendment (OPA15.001), Zoning By-law Amendment (ZBA15.008) and Draft Plan of Subdivision (19T(w)-15.002) at 5194, 5208, 5222, 5232 Aurora Road and 15288, 15300, 15310 and 15322 Highway 48 (Hammerford/Beaver Hall Hom

Staff Report No. DS-004-26

**Department/
Commission:** Development Services Commission

Date: February 18, 2026

Recommendation:

- 1) That Council approve Draft Plan of Subdivision File No. 19T(w)-15.002, Official Plan Amendment File No. OPA15.001 and Zoning By-law Amendment File No. ZBA15.008, to facilitate the development of 90 townhouse dwellings;
- 2) That Council direct staff to issue a Notice of Decision by approving Draft Plan of Subdivision File No. 19T(w)-15.002 to facilitate the creation of three (3) blocks, as shown on Attachment 2, for the development of a townhouse subdivision, as shown on Attachment 3, subject to Conditions of Approval set out in Attachment 4 to this Report;
- 3) That Council direct staff to forward the By-law 2026-010-OP, being a By-law to re-designate the subject lands from Ballantrae Residential Area to Highway 48 Corridor Residential Area and direct staff to issue a Notice of Passing;
- 4) That Council direct staff to forward the By-law 2026-011-ZO, being a By-law to rezone the subject lands from Residential Village (RV) to Residential New Four Exception Thirty Zone [RN4(30)] and direct staff to issue a Notice of Passing;
- 5) That Council confirm that notwithstanding the proposed Zoning By-law Amendment are different from that proposed at the November 20, 2024 Statutory Planning Public Meeting, the revisions are minor in nature and that no further Statutory Public Meeting is required in accordance with Section 34(17) of the *Planning Act*.

Report Highlights

- Applications for Official Plan Amendment (OPA15.001), Zoning By-law Amendment (ZBA15.008) and Draft Plan of Subdivision (19T(w)-15.002) to permit the development of 90 townhouse units.
- Policy and regulatory overview with respect to Official Plan and Zoning By-law Amendments and Draft Approval for the Plan of Subdivision.
- Comments received from Departments, Agencies, and public members since the November 20, 2024 Statutory Public Meeting.
- Staff recommend supporting the proposal and the related Conditions for Draft Approval, and the passing of Zoning By-law Amendment (By-law 2026-011-ZO) and adoption of Official Plan Amendment (By-law 2026-010-OP).

1. Purpose:

Following the Statutory Public Meeting on November 20, 2024, for the subject applications at 5194, 5208, 5222, 5232 Aurora Road and 15288, 15300, 15310 and 15322 Highway 48, the Applicant is seeking Council Approval for the following application submitted by KLM Planning Partners Inc., on behalf of the Owner, Hammerford Development Co (Ballantrae) Ltd. (Beaver Hall Homes):

- a) Draft Plan of Subdivision Application (File No. 19T(w)-15.002) proposes to create three (3) blocks on an M-Plan, for the purposes of:
 - One (1) residential development block for:
 - 90 townhouse units in twelve (12) townhouse blocks:
 - Thirty-three (33) traditional townhouse units with a single-car garage and single-car driveway (two (2) parking spaces per dwelling);
 - Fifty-two (52) dual frontage townhouse units with two-car garages and a two-car driveway (four (4) parking spaces per dwelling); and
 - Five (5) dual frontage townhouse units with a two-car garage and no driveway (two (2) spaces per dwelling).
 - 284 resident parking spaces with 23 visitor and 7 barrier-free spaces.
 - 365.8 square metres of private amenity green space.
 - Two (2) road widening blocks for conveyance to the Region of York and the Ministry of Transportation (MTO).
- b) Zoning By-law Amendment (File No. ZBA15.008) proposes to rezone the lands from Residential Village (RV) to Residential New Four Exception Zone Thirty [RN4(30)] to permit the development of 90 townhouse units and a 365.8 square metre common amenity space; and
- c) Official Plan Amendment (File No. OPA15.001) proposes to redesignate a portion of the lands (5194 and 5208 Aurora Road, and the northern portion of 15288 Highway 48) from Ballantrae Residential Area to Highway 48 Corridor Residential Area.

This report will:

- Provide an overview of the subject properties, its location in relation to existing development and other adjacent land uses (Section 2);
- Provide an overview of the development proposed (Section 3.1 and 3.4.1); the proposed Draft Plan of Subdivision (Section 3.5), Zoning By-law Amendment (Section 3.4) and Official Plan Amendment (Section 3.4.3);
- Identify applicable Provincial, Regional and Town policies (Section 3.2 and 3.3);
- Review the comments (Section 3.6 and 3.7) and recommend draft conditions for the application (Section 3.8, and Attachment 4); and
- Outline the basis for the recommendation (Section 3.9).

2. Background:

2.1 History

The Applications for Draft Plan of Subdivision, Zoning By-law Amendment and Official Plan Amendment were submitted in July 2015 and deemed complete following the subsequent submission of the associated Site Plan Application (SPA15.029) in October 2015. The initial proposal included 54 townhouse units, on the properties 5194, 5208, 5222, 5232 Aurora Road and 15288 Highway 48.

In 2015, the applications were appealed to the Ontario Municipal Board, now the Ontario Land Tribunal, on November 17, 2017, for non-decision. Official Plan Amendment (OPA 136) was also appealed for non-decision. Since then, further proceedings lead to the approval of OPA 136 on January 31, 2025 (Case No. OLT-22-003616 formerly PL171393).

Staff further note since the time of the original applications the Owner has acquired three (3) additional lots municipally known as 15300, 15310 and 15322 Highway 48. These lands have been incorporated into the overall residential design.

Following the Statutory Public Meeting that was held on November 20, 2024 for the subject applications, the Applicant returned with a third (3rd) Submission in November 2025, which served as the basis for this Recommendation Report.

2.2 Location

The subject lands are municipally known as 5194, 5208, 5222, 5232 Aurora Road and 15288, 15300, 15310 and 15322 Highway 48. The subject properties are located within the north-west quadrant of the Highway 48 and Aurora Road intersection in Ballantrae. The legal descriptions of the subject properties are as follows:

- **5194 Aurora Road** – PT LT 5 PL 380 PT 1, 65R16364 ; TOWN OF WHITCHURCH-STOUFFVILLE

- **5208 Aurora Road** – PT LT 4 PL 380 WHITCHURCH PT 1, 65R11690; WHITCHURCH-STOUFFVILLE
- **5222 Aurora Road** – PT LT 3 PL 380 WHITCHURCH PT 1, 65R9438 ; TOWN OF WHITCHURCH-STOUFFVILLE
- **5232 Aurora Road** – PT LT 21 CON 7 WHITCHURCH AS IN R719184 ; TOWN OF WHITCHURCH-STOUFFVILLE
- **Parcel beside 5232 Aurora Road** (*abutting sight triangle*) – PT LT 21 CON 7 WHITCHURCH PT 3 65R8850 ; WHITCHURCH-STOUFFVILLE
- **15288 Highway 48** - PT LT 21 CON 7 WHITCHURCH AS IN R503258 TOWN OF WHITCHURCH-STOUFFVILLE
- **15300 Highway 48** – PT LT 21 CON 7 WHITCHURCH AS IN R511491 ; WHITCHURCH-STOUFFVILLE
- **15310 Highway 48** – LT 2 PL 380 WHITCHURCH ; WHITCHURCH-STOUFFVILLE
- **15322 Highway 48** – LT 1 PL 380 WHITCHURCH ; WHITCHURCH-STOUFFVILLE

Attachment 1 to this report is the location map.

2.3 Surrounding Land Uses

Below is a description of the adjacent land uses:

North – Residential single-detached dwellings;

South – Aurora Road (Regional Road) and Residential single-detached dwellings;

East – Highway 48 (Provincial Road) and commercial/retail uses;

West – Residential single-detached dwellings.

Figure 1 below shows the aerial of the surrounding land uses.

Figure 1 – Aerial of Surrounding Uses

3. Analysis:

3.1 Development Proposal

The development application consists of 90 common element condominium townhouses comprised of 33 traditional townhouses and 57 dual frontage townhouses, on a common element condominium road. Each townhouse unit is anticipated to be approximately 3-storied in height and include either a one-car or two-car garage depending on the unit type and location on the subject lands. A minimum parking supply of 2 spaces per resident and 0.25 spaces per visitor is proposed, for a required total of 180 resident parking spaces and 23 visitor parking spaces. There are 284 resident parking spaces and 29 visitor parking spaces, including the required seven (7) barrier-free spaces on site.

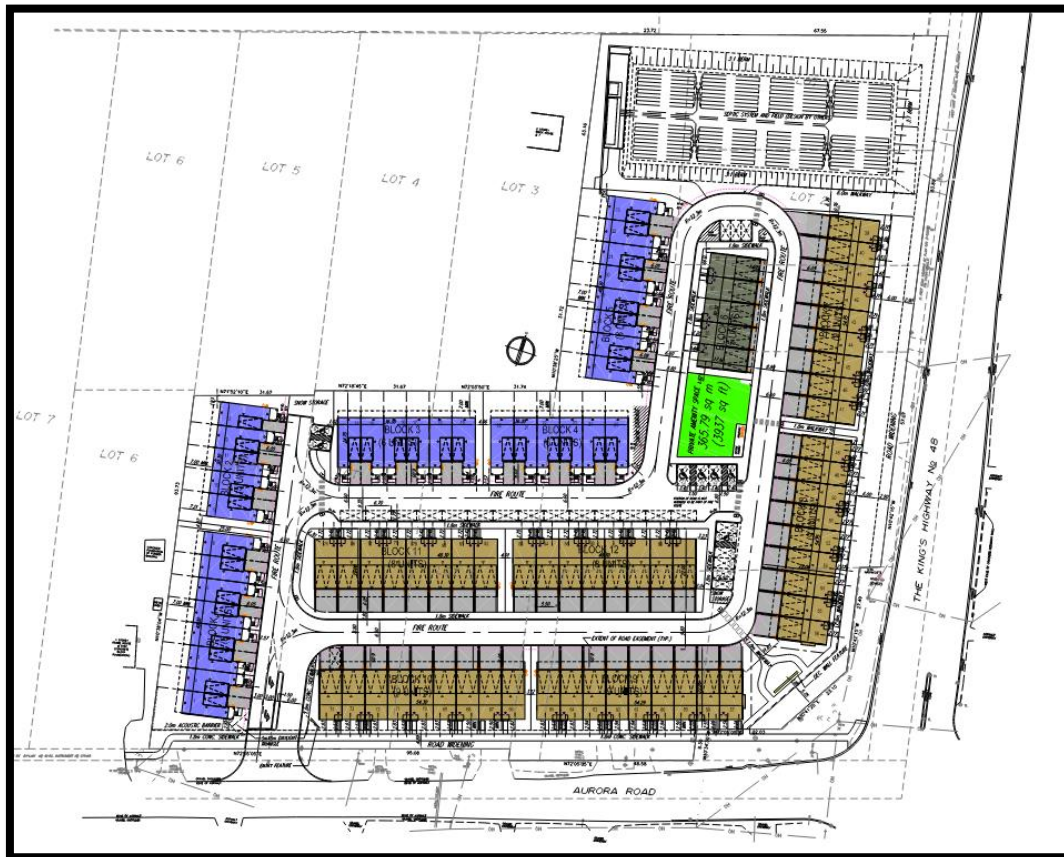
Municipal wastewater services are not available at the site and as such, the site is proposed to be serviced via a communal on-site sewage system. In respect to water supply, the site will utilize existing watermains along Highway 48 and Aurora Road. Staff note allocation of water servicing units will be confirmed by the Town through the fulfilling of Conditions of Draft Approval and processing of the associated Site Plan Control Application. Further discussion on the matter of municipal water allocation and availability will be required between the Town, Region and the Applicant. Note in Section 3.6 of this report, a Ministry of Environment, Conservation and Parks (MECP) Application has been submitted and the Region of York will subsequently review.

Vehicular ingress/egress will be provided through the connection proposed into Aurora Road near the southwesterly portion of the site. Access to the site is proposed via a two-

way access on Aurora Road. An emergency access is provided from the northern end of the internal road network towards Highway 48.

Figure 2 below and **Attachment 3** to this Report, shows the proposed site plan.

Figure 2 – Proposed Site Plan Concept



The following **Table 1** provides the background information regarding the subject applications.

Table 1 – Existing and Proposed Uses

Item	Existing	Requested/Proposed
Official Plan Designation	Community of Ballantrae-Musselman's Lake Secondary Plan (OPA 136 / OLT-22-003616): <ul style="list-style-type: none"> Ballantrae Residential Area 	Highway 48 Corridor Residential Area
Zoning By-law	Residential Village (RV)	Residential New Four Exception Zone [RN4(30)]

	<ul style="list-style-type: none"> Permits single detached dwellings 	<ul style="list-style-type: none"> Permits townhouse dwelling types
Draft Plan of Subdivision	Single detached dwelling lots	Three (3) blocks: <ul style="list-style-type: none"> Road widening on Highway 48 Road widening on Aurora Road Residential development block for townhouses
Use	Previously residential. Currently vacant.	Residential

As described in Section 2.1, the applications were under appeal at the Ontario Municipal Board, now the Ontario Land Tribunal, in 2017 for non-decision. OPA 136 was recently approved in January 2025 and is now consolidated in the Town’s current Official Plan.

The following **Table 2** provides the proposed development details for the subject site:

Table 2 – Proposed Site Plan Statistics

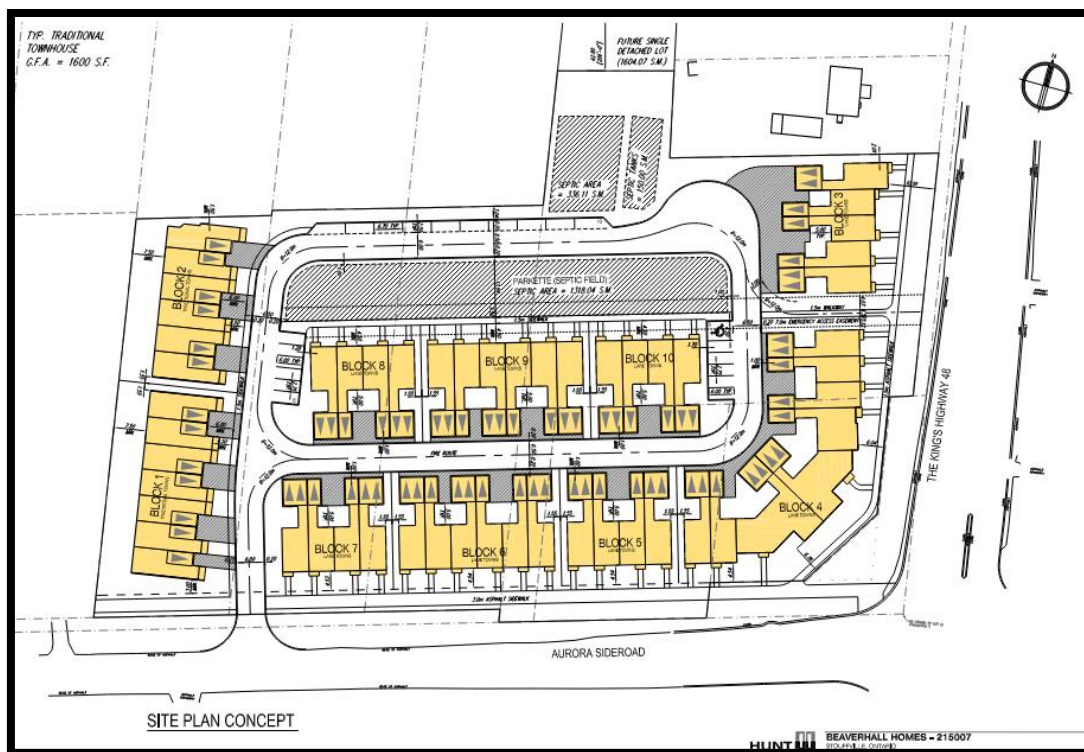
Site Statistics Item	Proposed Statistics – RN4(30) Zone
Lot Area (per dwelling unit)	100 square metres (minimum)
Maximum Units / Density	90 units
Front & Exterior Yard	2.5 metres (minimum)
Interior Side Yard (SW & NW)	7 metres (minimum)
Interior Side Yard (EW)	1.6 metres (minimum)
Rear Yard	40 metres (minimum)
Separation distance between townhouse buildings for the front main wall to front main wall condition, and for the front main wall to sidewall condition	13 metres (minimum)
Separation distance between townhouse buildings for a side wall to side wall condition	3 metres (minimum)
Building Height	12 metres (maximum)
Outdoor Amenity Area	365.79 square metres
Parking	<p>Regular Parking Spaces 2 spaces per dwelling unit, plus 0.25 visitor parking spaces = 180 (resident) + 23 (visitor) = <i>Provided:</i> 284 (resident) + 29 (visitor)</p> <p>Barrier-Free Spaces: 2 spaces + 2% of required parking (180) = 2 + 3.6 = <i>Provided:</i> 7 barrier-free spaces</p>

Since the Statutory Public Meeting on November 20, 2024, the Applicants have reviewed comments from staff, agencies, Council and the public regarding the 1st Submission proposal presented at the Public Meeting. Two (2) subsequent submission followed, including the 2nd Submission in February 2025, and a 3rd Submission in November 2025.

1st Submission Concept

The 1st Submission proposed 54 townhouse units, on the properties 5194, 5208, 5222, 5232 Aurora Road and 15288 Highway 48. A private condominium road was proposed that would provide access to each townhouse lot internal to the site. The proposed concept introduced the site access from the north side of Aurora Road. **Figure 3** below shows the 1st Submission Site Plan Concept.

Figure 3 – 1st Submission Site Concept



2nd Submission Concept

The 2nd Submission, submitted early 2025, contemplated an increased density of townhouses, proposing a total of 90 units, within 13 townhouse blocks. The 2nd Submission site plan concept included townhouse units framing the intersection of Aurora Road and Highway 48. This version of the proposal also included a common amenity area within the site, and a communal septic system and field located at the northern end of the site. **Figure 4** below shows the 2nd Submission Site Plan Concept.

Figure 4 – 2nd Submission Site Plan Concept



3rd Submission Concept

The 3rd Submission was received by the Town in November 2025. The site plan concept generally remained the same, except the south-east corner of the site opened pedestrian access to the Aurora Road and Highway 48 right-of-way. 90 townhouse units are still proposed. See **Figure 5** below for the current site plan concept.

Figure 5 – 3rd Submission Site Plan Concept

3.2 Applicable Provincial and Regional Policies

3.2.1 Planning Act, R.S.O. 1990, c. P.13

The Planning Act, R.S.O. 1990, c. P.13 provides direction on the processing and contents of various planning applications, including zoning by-laws, official plans, and plan of subdivisions. Each section of the Act has guided the processing, review and public consultations on the proposal, and will continue to advise on the requirements for draft approval and the subsequent Site Plan Control process.

3.2.2 Provincial Planning Statement 2024 (PPS 2024)

The PPS 2024 came into effect on October 20, 2024, and replaces the Provincial Policy Statement, 2020 and the Growth Plan 2019. The new PPS 2024 is a consolidated statement of provincial land use policies. The PPS 2024 focuses on land-use policy changes to enable municipalities to plan for and support development by increasing housing supply – encouraging intensification, better infrastructure, while fostering the long-term viability of rural area, and balancing the protection of agricultural lands, the

environment, public health and safety. For this purpose, decisions and comments made by the Town are to maintain consistency with the new PPS 2024.

To help ensure that other Provincial Plans maintained consistent, fair and specific direction for municipalities with unique geographies, the Province introduced the administrative Amendment No. 4 to the Greenbelt Plan on September 26, 2024. This Amendment ensures that any references to the PPS 2020 and Growth Plan would remain and be applicable, even while the PPS 2024 is in effect. Planning Staff have released Report DS-050-24 regarding the new PPS, 2024 and intend to report back to Council on the matters affecting those applicable policies across the PPS 2024 and other Provincial Plans.

The new PPS 2024 largely focuses on large and fast-growing municipalities, in which the Town of Whitchurch-Stouffville is not identified as. However, the policies continue to be effective to all municipalities. Within the PPS 2024, the following policy sections are relevant to the proposed applications:

Chapter 2.2 (Housing) speaks to Planning authorities providing for an appropriate range and mix of housing options and densities to meet the projected needs of current and future residents, by promoting densities for new housing that efficiently uses land, resources, infrastructure, and public service facilities.

Chapter 2.3 (Settlement Areas) focuses on the growth and development of settlement areas that are to efficiently use land and resources, optimize existing and planned infrastructure and public service facilities, support active transportation, and overall density through intensification and redevelopment to support the achievement of complete communities.

Residential development, including lot creation, is permitted in rural areas where site conditions are suitable for the provision of appropriate sewage and water services. Chapters 2.5 & 2.6 (Rural Areas and Lands in Municipalities) speak to supporting and maintaining a healthy, integrated, and viable rural area by building on the existing rural character and scale, amenities and assets; accommodating an appropriate range and mix of housing in rural settlement areas while using rural infrastructure and public service facilities efficiently. Within rural areas, rural settlement areas are to be the focus of growth and development, and their vitality and regeneration shall be promoted.

Chapter 3.6 (Sewage, Water and Stormwater) speaks to accommodating forecasted growth in a timely manner that promotes efficient use and optimization of existing services. These services are to be sustained, feasible, financially viable, ensure the protection of human health and safety, the environment (with respect to quality and quantity of water), and align with comprehensive municipal planning. Servicing is to be considered at all stages of the planning process. It is encouraged that opportunities be found to allocate or re-allocate the unused system capacity of municipal water and sewage services to support the needs of the current and projected housing supply, and to support the protection of the environment and minimize potential risks to human health and safety. Where municipal or private communal water and sewage services are

unavailable, planned or feasible, individual on-site sewage and water services may be used, so long as the conditions are suitable for the long-term and poses no negative impacts. Partial services may be permitted in special circumstances. Stormwater management shall also be integrated in the planning of existing and future services.

Section 3.9 (Trails and Open Space) speaks to the promotion of healthy, active and inclusive communities through the provision of publicly accessible, built and natural settings for recreation, including parklands, open space areas, trails and linkages, while minimizing negative impacts on existing natural areas.

Section 4.1 (Natural Heritage) speaks to those natural features and areas to be protected for the long term. York Region is within Ecoregion 6E & 7E, as identified in Chapter 7 of the PPS, 2024. Section 4.1.5 and 4.1.8 states that development and site alteration shall not be permitted within or adjacent to significant woodlands and natural heritage features in Ecoregions 6E and 7E, unless it's been demonstrated that there will be no negative impacts on the natural features or with their ecological functions.

Chapter 4.2 (Water) speaks to the protection, improvement or restoration of the quality and quantity of water by respectfully using the watershed for ecologically meaningful scale for integrated and long-term planning, and planning for efficient and sustainable use of water resources.

Chapter 6 (Implementation and Interpretation) outlines the applicability of the PPS, 2024. Section 6.1.5 states that Official Plans are to identify set out the appropriate land use designations and policies, that are clear, reasonable and attainable to reflect and protect provincial interests. Official Plans are to be in keeping with the PPS, 2024, and decisions must be made in accordance with the PPS, if municipal documents are not yet updated to conform.

Based on staff's review of the Provincial Policy Statement, it is staff's opinion that the proposal meets the objectives of Provincial Policy.

3.2.3 Greenbelt Plan (2017)

As described in Section 3.2.2 above, Amendment No. 4 ensures that any references to the PPS 2020 and Growth Plan would remain and be applicable, even while the PPS 2024 is in effect.

The Greenbelt Plan (2017) provides direction for those rural lands within the Greater Golden Horseshoe, that are within the Greenbelt Area boundaries of the Plan. Lands within the Greenbelt include those lands that are within the Oak Ridges Moraine Area.

Section 1.4.3 speaks to lands within the Greenbelt and the Oak Ridges Moraine Area, and the policies of the ORMCP would continue to apply as set out in Section 2 of the Greenbelt Plan.

Section 2 of the Greenbelt Plan confirms that the requirements in the ORMCP continue to apply as the subject property is governed by those policies, and the Greenbelt policies for the Protected Countryside do not apply.

3.2.4 Oak Ridges Moraine Conservation Plan (2017)

The Oak Ridges Moraine Conservation Plan (2017) provides direction for land use and resource management for the protection of the Moraine's ecological features and hydrological features and functions. The subject property is designated as Settlement Area.

Section 18. (1) and (2) speaks to settlement areas, including those of rural nature. Settlement Areas are intended for growth where communities have the provision of a range of housing and public service facilities, promoting the efficient use of lands while minimizing its impact to the health of natural features and functions – in effort to support and promote strong communities.

Section 18. (3) speaks to permitted uses on land in Settlement Areas, which are those permitted uses in the applicable official plan, provided the ecological and hydrological integrity is maintained.

Based on staff's review of the Oak Ridges Moraine Conservation Plan, it is staff's opinion that the proposal meets the objectives of Provincial Policy.

3.2.5 York Region Official Plan (2022)

The York Region Official Plan (YROP) was approved as modified by the Province on November 4, 2022 and on July 1, 2024, the Region was deemed an upper-tier without planning responsibilities (Bill 185). Per Section 70.13(2) of the Planning Act, an official plan of an upper-tier municipality without planning responsibilities that is in effect, which applies to any area of a lower-tier municipality, is deemed to be an official plan of the lower-tier municipality until the lower-tier municipality revokes or amends it.

Therefore, the YROP policies continue to apply as administered by the Town.

The Regional Official Plan (ROP) places the subject properties within the Towns and Villages designation and identified them as being in the existing built-up area of the Community of Stouffville.

Section 2.1 of the ROP identifies that Towns and Villages as one of the areas for future growth and development within the Region. The Community areas are further identified as an area for residential, population-related employment and community services are to be located.

Section 2.2.1 of the ROP outlines the population and employment forecasts for the Town of Whitchurch-Stouffville from 2021 to 2051. The ROP, as updated following provincial

approval, indicates that the Town is to reach a population of 103,500 people by the year 2051.

Based on staff's review of the York Region Official Plan, it is staff's opinion that the proposal meets the objectives of this Plan.

3.3 Town Official Plan (2004 and 2025) and Official Plan Amendment No. 136

The new Town Official Plan (2025) supersedes the former Town Official Plan (2004), by the enactment of By-law 2024-057-OP which was adopted by Council on May 15, 2024, to Adopt the Town's New Official Plan (Re-Imagine Stouffville: Town of Whitchurch-Stouffville Official Plan, May 2024). The Adopted New Official Plan, May 2024 is available on the project webpage: www.cometogetherws.ca/opr. On September 25, 2025, the Town's New Official Plan received approval from the Ministry of Municipal Affairs and Housing and is in full force and effect.

The subject property is located within the Community of Ballantrae. Schedule E of the 2025 Official Plan refers to the to the policies of the former Official Plan (2004) as it relates to the in-force and effect land use designations and applicable policies for the Community of Ballantrae.

Section 11 of the 2004 Official Plan contains the land use policies for the Ballantrae-Musselman Lake and Environs Secondary Plan. Subject to Schedule E of the 2004 Official Plan, the subject properties are designated Highway 48 Corridor Residential Area, except for 5194 and 5208 Aurora Road and the northern portion of 15288 Highway 48 which are designated Ballantrae Residential Area.

3.3.1 Official Plan Amendment No. 136 – Ballantrae-Musselman's Lake

On November 17, 2017, the applications were subject to an appeal for non-decision to the Ontario Municipal Board, now known as the Ontario Land Tribunal (OLT). An Official Plan Amendment to update the Secondary Plan for the Community of Ballantrae-Musselman's Lake, also known as Official Plan Amendment 136 (OPA 136) was adopted by Town Council in 2014. OPA136 was also under appeal for non-decision by multiple parties, including Hammerford Developments. OPA 136 went through a lengthy mediation process amongst parties involved, including Hammerford Developments.

OPA 136 led to an Environmental Assessment to determine water servicing capacity in the Secondary Plan Area. However, mediation regarding OPA 136 continued with proceedings at the OLT. As mediation was nearing completion, the Owner sought to re-initiate existing applications as it is believed that a settlement was nearing.

Staff further note since the time of the original applications the Owner has acquired three (3) additional lots municipally known as 15300, 15310 and 15322 Highway 48. These lands have been incorporated into the overall residential design.

Finally on January 31, 2025, OPA 136 (Case No. OLT-22-003616 formerly PL171393) was approved at the Ontario Land Tribunal and was incorporated into the Town's Official Plan (2004), April 2025 Consolidation.

Upon approval of OPA 136, the subject properties of 5194 and 5208 Aurora Road, and the northern portion of 15288 Highway 48, are designated Ballantrae Residential Area, while the other subject properties are designated Highway 48 Corridor Residential Area. It is the intent of the Official Plan Amendment Application to redesignate 5194 and 5208 Aurora Road and the northern portion of 15288 Highway 48 to be consistent with the other subject properties and be designated Highway 48 Corridor Residential Area.

The Ballantrae Residential Area designation permits single detached dwellings as part of a plan of subdivision or condominium. Whereas the Highway 48 Corridor Residential Area designation permits medium density residential uses such as townhouses, subject to a Zoning By-law Amendment. These typologies are to follow the criteria set out in Section 11.4.5.3 iii) of the 2004 Official Plan, April 2025 Consolidation, including:

- a) Maximum density of 45 units per net hectare (18 units per acre);
- b) Maximum height of 4 storeys;
- c) Buildings to be sited to minimize the potential impact on adjacent low density residential uses which are located outside the Highway 48 corridor; particularly with regard to traffic generation, shadowing and noise;
- d) Any incompatibilities with adjacent low density residential uses can be mitigated through the provision of buffering, engineering or design solutions or other similar approaches;
- e) Architectural treatment and design of the building and the property reflects the general "village" character of the community and the location on a Provincial highway is generally complementary to the adjacent development in the Highway 48 corridor and provides for strong pedestrian linkages between the building and the street edge, as well as enhanced landscaping particularly adjacent to the street and in parking areas.

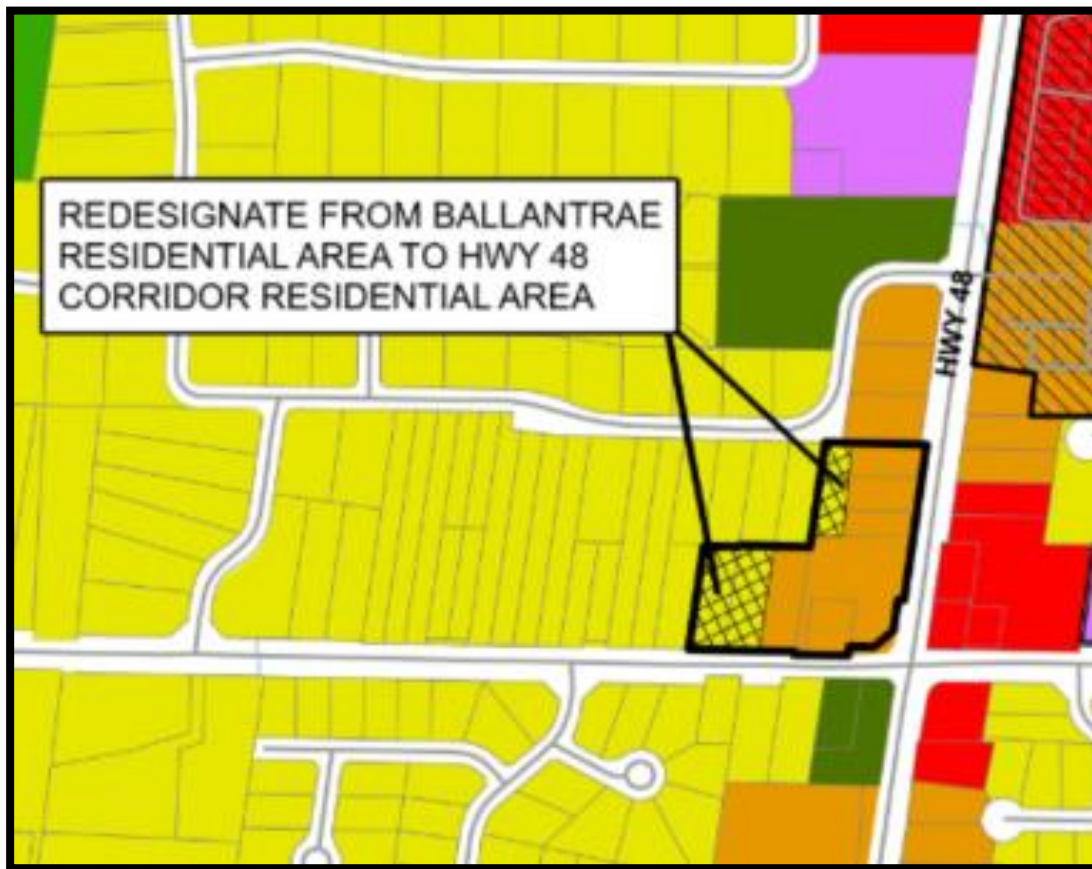
Section 11.4.5.3 iv) also concludes that specific consideration will be required in integrating new development with established residential areas abutting the Highway 48 Corridor Residential Area.

In Staff's review, the proposed plans at this stage meet the objectives listed above, with more detailed review forthcoming through the fulfillment of Conditions of Draft Approval and the subsequent Site Plan Control Application. Staff believe the proposed Official Plan Amendment to OPA 136 requesting the change in designation of the few subject properties to be consistent with the rest of the subject site, would permit a cohesive

objective and vision for the lands, helping facilitate the medium density development proposed.

See **Figure 6** below for the proposed OPA.

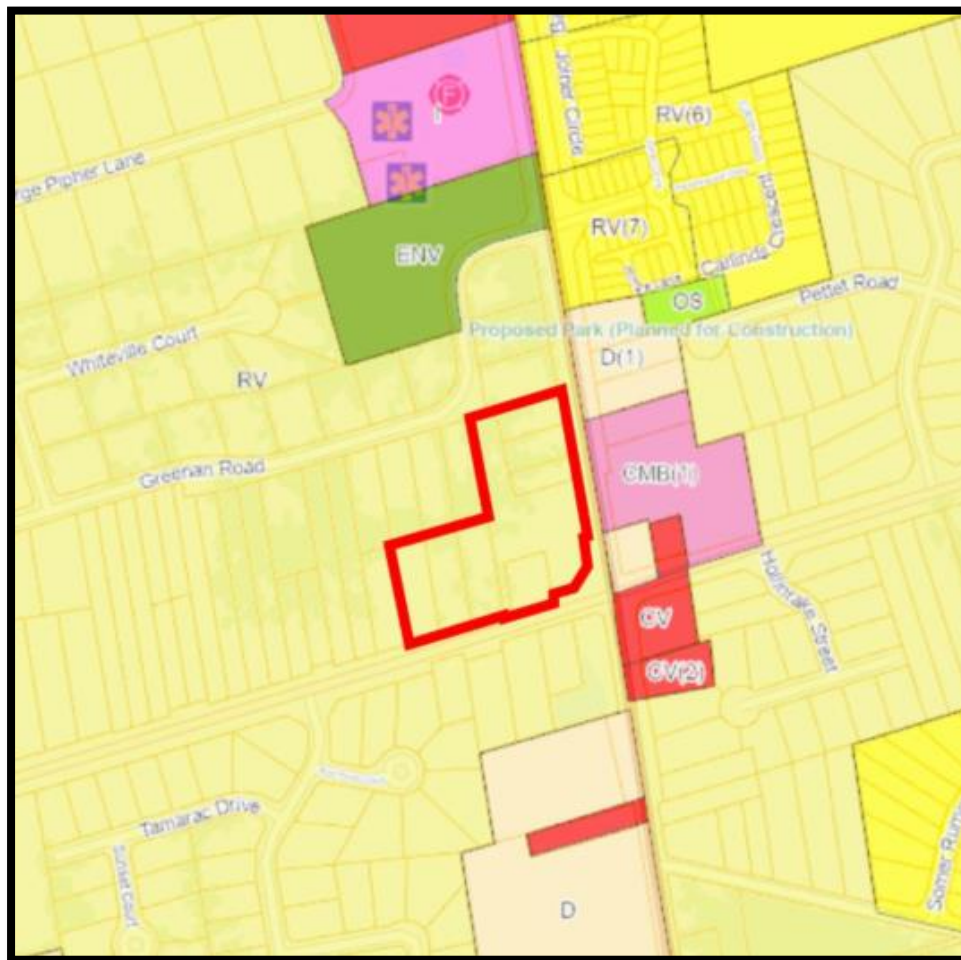
Figure 6 – Proposed OPA



3.4 Comprehensive Zoning By-law 2010-001-ZO

The Comprehensive Zoning By-law 2010-001-ZO was passed by Council on March 2, 2010, and approved by the Ontario Municipal Board on January 13, 2011. The last consolidation was in December 2025. The subject properties are currently zoned "Residential Village" (RV), see **Figure 7** below. The RV Zone permits single detached dwellings, bed and breakfast, group home, home occupations, private home day care and parks.

Figure 7 – Existing Zoning Map



The zoning by-law amendment application proposes to permit Street Townhouse uses within site -specific regulations through the rezoning of the subject lands from Residential Village (RV) to the Residential New Four Exception Thirty Zone [RN4(30)]. **Table 3** below outlines the development standards for the current RV parent zone and **Table 4** the proposed RN4(30) site-specific zone regulations.

Table 3 – Existing RN4 Parent Zone Regulations

Regulation	RN4 Parent Zone – <i>Street Townhouse Dwelling</i>	RN4 Parent Zone – <i>Townhouse Dwelling</i>
Minimum Lot Area	153 square metres per dwelling unit	
Minimum Lot Frontage	6 metres per dwelling unit	
Front Yard	7.5 metres (maximum) 3 metres (minimum)	
Exterior Side Yard	7.5 metres (maximum) 3 metres (minimum)	

Minimum Interior Side Yard	1.2 metres (street townhouse 0 metres along common wall)	0 metres
Minimum Yard Between Buildings	None.	3 metres
Maximum Building Height	10 metres	
Rear Yard	7 metres	
Minimum Density	30 units per net hectare	
Maximum Density	65 units per hectare	

The Applicant proposes to rezone the subject lands from RV to RN4(30) with site specific provisions. The proposed zoning by-law regulations are summarized in **Table 4** below.

Table 4 – Proposed Zoning By-law Amendment (RN4 – Exception)

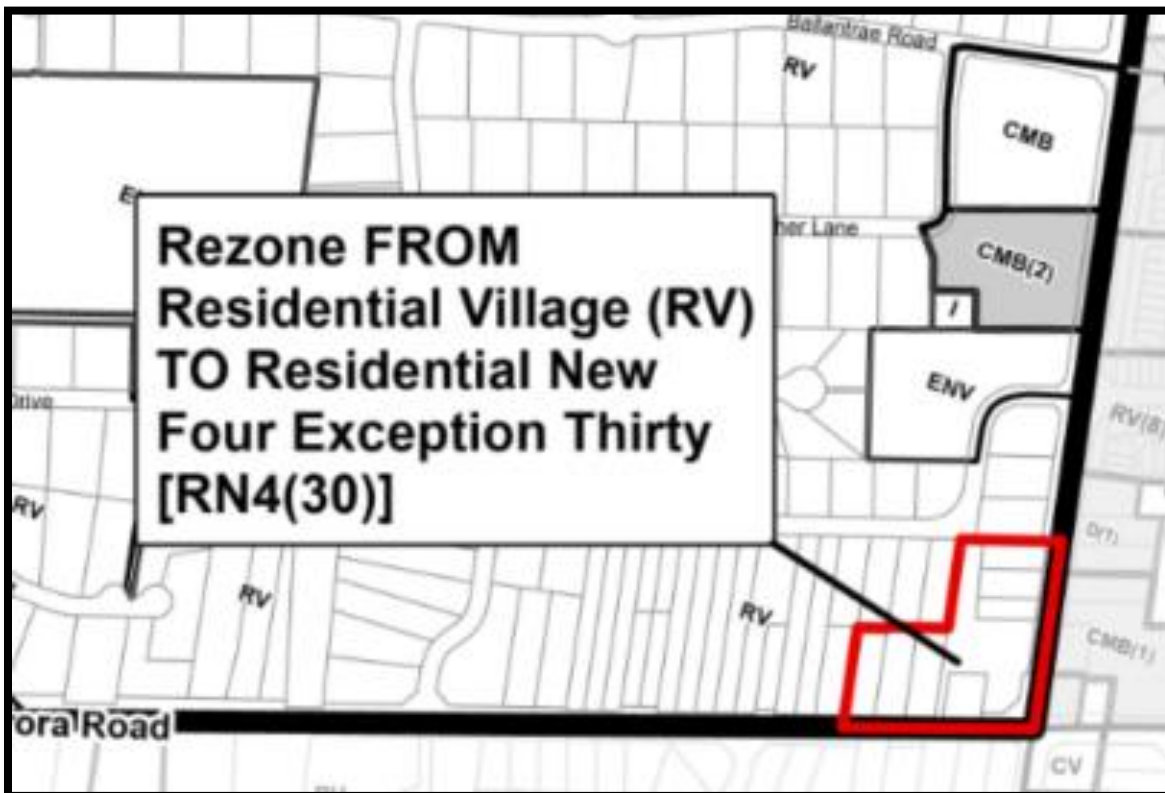
Applicable Regulations	Required for the RN4 Parent Zone	Proposed Amendments	Comply with RN4 Parent Zone
Minimum Lot Area	153 square metres per dwelling unit	100 square metres	No
Minimum Lot Frontage	6 metres per dwelling unit	6 metres per dwelling unit	Yes
Front Yard	7.5 metres (maximum) 3 metres (minimum)	2.5 metres (minimum)	No
Exterior Side Yard	7.5 metres (maximum) 3 metres (minimum)	2.5 metres (minimum)	No
Minimum Interior Side Yard	0 to 1.2 metres (street townhouse 0 metres along common wall)	1.6 to 7 metres	No
Minimum Yard Between Buildings	0 to 3 metres	3 metres	Yes
Maximum Building Height	10 metres	12 metres	No
Rear Yard (minimum)	7 metres	40 metres	Yes
Minimum Density	30 units per net hectare	36.86 units per hectare	Yes
Maximum Density	65 units per hectare		

As described in the proposed Zoning By-law Amendment (2026-011-ZO) and in Section 3.4.1 of this report, the regulations reflect the unique shape of the entirety of the development area. Aurora Road has been deemed as the lot frontage, while the Highway 48 frontage has been deemed as the exterior side lot line. The lot line adjacent to Highway 48 and is parallel to the Aurora Road frontage is deemed to be the rear yard lot line. All

other lot lines, depending on their position and true north direction, are deemed to be the interior side lot lines.

See **Figure 8** below for the proposed zone on the subject lands.

Figure 8 – Proposed Zoning Schedule



Where the proposed development does not comply with the proposed parent zone standard, the applicant proposes an exception. The proposed RN4(30) Zone would permit the medium density uses, such as the townhouses. A comprehensive list of the proposed Zoning By-law regulations are included in the associated Zoning By-law Amendment, 2026-011-ZO.

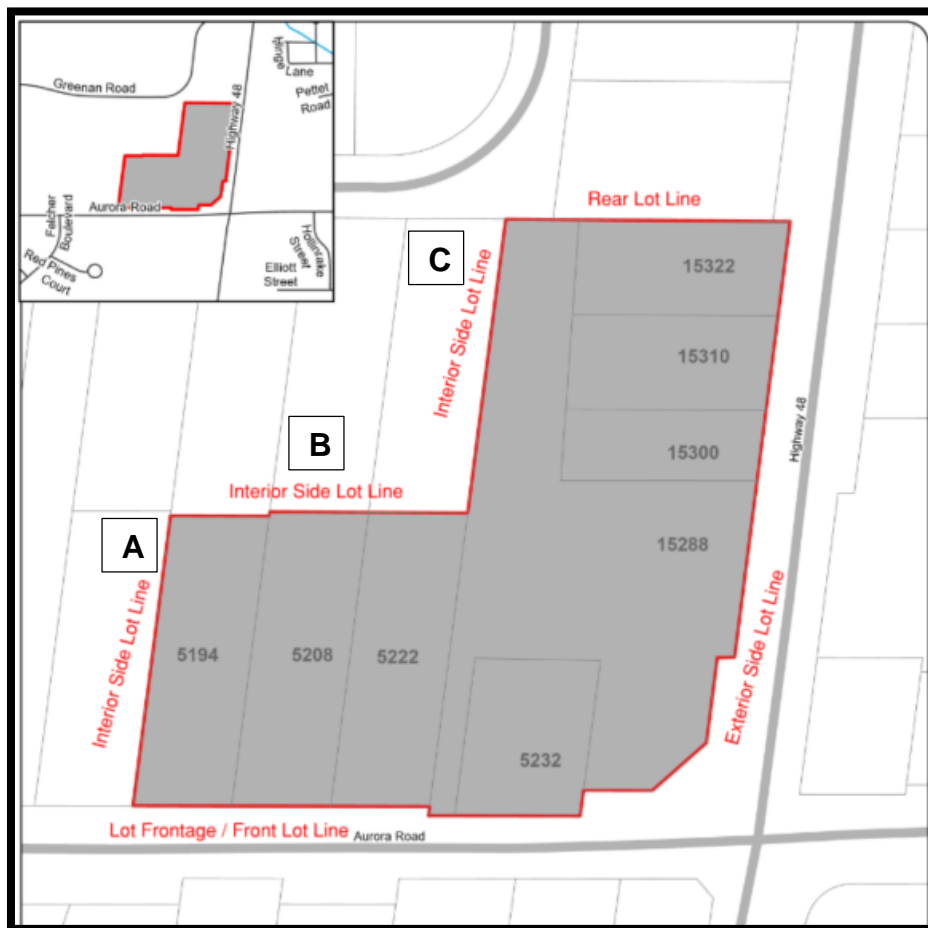
3.4.1 RN4(30) – Proposed Townhouses

Based on the proposed site plan concept drawing, the RN4 Exception Zone would facilitate the proposed townhouse subdivision on the subject lands. Therefore, staff established the zone boundaries to the boundaries of the subject site to consider the development of public and private right-of-ways, as well as the townhouse blocks. The preamble of the proposed By-law states:

For the purposes of this Exception Zone, the boundary limits of the zone will be considered as the limits of a single lot. Therefore:

- i. The southern lot line abutting Aurora Road shall be the *Front Lot Line*;
- ii. The northern lot line shall be the *Rear Lot Line*;
- iii. The eastern lot line abutting Highway 48 shall be the *Exterior Side Lot Line*; and
- iv. The western lot line shall be the *Interior Side Lot Line*, and for greater clarity:
 - b. The lot line that abuts Aurora Road and runs north-south shall be referenced as (A) within this By-law;
 - c. The line that abuts (A) and runs east-west shall be referenced as (B) within this By-law; and
 - d. The line that abuts (B) and runs north-south shall be referenced as (C) within this By-law.

Figure 9 – Defined Lot Lines and Boundaries of Subject Site



Additional special regulations were introduced which gave attention to the proposed design of the townhouse blocks and dwelling components (e.g. porches, steps, walkways).

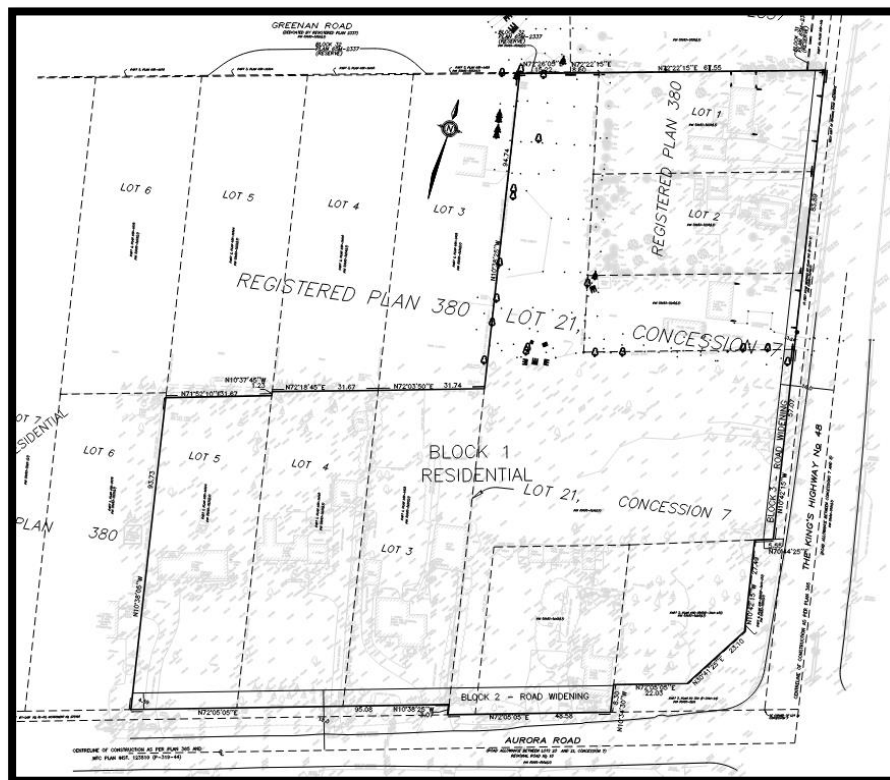
3.5 Proposed Draft Plan of Subdivision (Town File No. 19T(w)-15.002)

The proposed draft plan of subdivision proposes two (2) road widening blocks and one (1) residential development block comprised of:

- 90 townhouse units in twelve (12) townhouse blocks:
 - Thirty-three (33) traditional townhouse units with a single-car garage and single-car driveway (two (2) parking spaces per dwelling);
 - Fifty-two (52) dual frontage townhouse units with two-car garages and a two-car driveway (four (4) parking spaces per dwelling); and
 - Five (5) dual frontage townhouse units with a two-car garage and no driveway (two (2) spaces per dwelling).

The Plan of Subdivision Application (Town File No. 19T(w)-15.002) is being processed concurrently with the subject Official Plan Amendment (OPA15.001) and Zoning By-law Amendment Application (ZBA15.008). **Figure 9** below and **Attachment 2** shows the proposed draft plan, which is contemplated as a whole development block that would accommodate the future plan of subdivision consisting of the 90 townhouse units.

Figure 9 – Proposed Draft Plan of Subdivision



3.6 Staff and Agency Comments

Staff Comments

A. Development Engineering

- **Comments:** Outstanding comments to be addressed through the conditions of draft approval, as well as the subsequent Site Plan Control Application. Matters include updating technical drawings and reports regarding grading and servicing, fire flows, the storm sewer design and the construction management plan.
- **Conditions:** included in **Attachment 4**.

B. Heritage Planning

- **Comments:** No further heritage comments for this application, however, there are now new (2012) Urban Design Guidelines in place for Ballantrae. The UDG primarily references architectural features for a development like this, which will be used for the continued review of the subsequent applications.

C. Fire & Emergency Services

- **Comments:** WSFES does not have comment pertaining to the Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision. Additional comments will be provided during the review of the detailed site plan.

D. Policy Planning

- **Comments:**
 - A draft Official Plan Amendment was previously submitted to redesignate the Ballantrae Community Area portions of the subject lands to Highway 48 Corridor Residential Area designation and to permit the coordinating proposed density to accommodate the proposed townhouses.
 - The application proposes a privately-owned communal septic system, along with a connection to the municipal water system. The proposed servicing solution conforms with the Town's Official Plan and Oak Ridges Moraine Conservation Plan, subject to technical review, to the satisfaction of the Town, Region and MECP.
 - Consideration of the application is contingent upon the availability of water capacity.

E. Parks & Forestry (Community Services)

- **Comments:**

- The Arborist Report / Tree Inventory and Preservation Plan are to be in accordance with the Town's guidelines and are to be to the satisfaction of the Town.
- The applicant acknowledges and confirms that both a Public Tree By-law (By-law 2020-086-RE) and Private Tree By-law (By-law 2023-060-RE) are in effect and will require an arborist report, and that tree protection, compensation, and/or preservation for any municipal and private trees may be required as determined by the Town Arborist.
- Forestry Comments:
 - The Town will seek tree removal compensation at a rate of 1 tree replacement for every 10 DBH of private tree removed, or cash-in-lieu. (CIL).
 - The development is proposing to remove 219 trees or groups of trees. Cash-In-Lieu for trees not planted = \$109,461.00.
- **Conditions:** included in **Attachment 4.**

F. Region of York

- **Comments:** No comments on the related OPA and ZBA.
 - Technical Comments:
 - Wastewater Servicing Site-site Sewage System Design and Water Resource Impact Study: the review is ongoing.
 - Development Engineering: red-lined revisions to the Draft Plan of Subdivision and Site Servicing Plan.
 - Transportation Planning: no further comments.
 - York Region Transit (YRT): the applicant is advised to coordinate with the Town to provide sidewalk facilities along the internal road network and Aurora Road and Highway 48. The pedestrian access connection shall meet the local municipality's standards for sidewalks and shall be owned and maintained by the local municipality. The subject site is currently serviced by On-Request Stouffville.
 - Water Resources: Source Water Protection notes that the Section 59 still remains outstanding.
 - More comments provided related to the Site Plan Control application.
- **Conditions:** included in **Attachment 4.**

External Agency Comments

G. Bell Canada

- **Conditions:** included in **Attachment 4.**

H. Enbridge Gas

- **Comments:** No objection to the proposed application(s). However Enbridge reserved the right to amend or remove development conditions. This does not

constitute a pipe locate, clearance for construction or availability of gas. Please always call before you dig, see web link for additional details:

- <https://www.enbridgegas.com/safety/digging-safety-for-contractors>

- **Conditions:** included in **Attachment 4**.

I. Hydro One

- **Comments:** No comments or concerns. Hydro One's preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only. For proposals affecting 'Low Voltage Distribution Facilities', the Applicant is advised to consult their local area Distribution Supplier.

J. Lake Simcoe Region Conservation Authority (LSRCA)

- **Comments:** No objection to the proposed Official Plan Amendment, Zoning By-law Amendment, or Draft Plan of Subdivision. No objection to the Site Plan Control application, with conditions to be provided once a fulsome technical review has been completed. The Draft Plan of Subdivision is considered largely administrative, intended to establish the development block and required road widenings, with detailed design matters to be addressed through the site plan process. Staff will continue to work with the applicant to resolve remaining technical comments through future function and detailed design submissions.
- **Conditions:** included in **Attachment 4**.

K. Ministry of Transportation (MTO)

- **Comments:** No concerns with advancing the OPA/ZBA as long as the matters of concerns are included in the draft plan conditions of approval and are addressed as part of the subdivision (or site plan) portion of the file.
- **Conditions:** included in **Attachment 4**.

L. Rogers Communications

- **Conditions:** included in **Attachment 4**.

3.7 Public Comments

Some of the public comments expressed to Staff at the time of the November 20, 2024 Statutory Public Meeting are summarized as follows:

1. Stormwater concerns (e.g. flooding) – residents expressed concern for the development worsening the existing flooding issue and hope infrastructure improvements can be made.
2. Communal Sewage System – residents expressed concerns on the potential impact of a communal sewage system on the existing water drinking water sources and wells.

3. Supporting Technical Studies – residents believe that the Functional Servicing Report and the Noise Study may have errors and request a more thorough review. Increased traffic and the location of the development in proximity to the major roads, would further contribute to the noise in the area.
4. Other concerns include:
 - a. The lack of local sidewalks and safe connectivity;
 - b. The proposed townhouse building height (3-stroreys) in contrast to the existing low-rise residential neighbourhood;
 - c. Substantial traffic and noise issues generated from the increased development; and
 - d. Fair distribution of water allocation amongst the existing and proposed development.

Residents who expressed comments at and leading to the Statutory Public Meeting continued to provide additional comments to Staff. A total of five (5) written submissions were received by Staff and responded to accordingly. Comments received after the Public Meeting included:

- An adjacent property owner on Greenan Road expressed concerns with the lack of green space in the proposed development, the number of accesses to and from the development, as well as the grading on site and how it may impact their property. Both Planning and Engineering Staff responded to the inquiry and provided further clarity.
- One (1) other Greenan Road resident submitted in writing, their concerns regarding the overdevelopment of the Community of Ballantrae, the housing typology proposed, increased noise and traffic, the impacts to the high water table, and the general safety and livability of Ballantrae. Staff acknowledged the submission and brought these matters back for consideration.
- One (1) resident who lives across the subject site on Aurora Road, provided numerous emails to staff regarding the technical review of the proposal. Lack of green space, incompatible character, traffic and noise, fire risks, density, their property value, and stormwater issues were among their primary concerns. Staff have discussed their concerns and ensured that the technical studies were reviewed according to standard by our technical reviewers.

3.8 Conditions of Approval for Draft Plan of Subdivision

Based on the comments received from Departments and Agencies, all applicable conditions of approval are included in **Attachment 4** of this Report.

3.9 Basis for Recommendation

There are still a number of technical matters outstanding with respect to the feasibility of the proposed plan of subdivision. Majority of these items are contained as Conditions of Approval (per **Attachment 4**), the Owner and Applicant have continued to express their desire to move forward with a Draft Approval for the Subdivision and proceed with the land use amendments. Since the 3rd Submission, Staff have worked with the Applicant to

refine details of the proposed which is anticipated to maintain the general configuration and number of lots/units within the proposed draft plan.

It is Planning's staff's opinion that the proposed draft plan of subdivision is consistent with the objectives of the Planning Act, PPS, the Regional and Town Official Plan, by supporting the provision of housing in the Town's Ballantrae Area.

4. Options:

4.1 Option A (Recommended)

That Council approve the proposed Draft Plan of Subdivision and associated Zoning By-law and Official Plan Amendment applications, subject to the conditions of Draft Plan approval. This option is recommended as the proposed application represent appropriate planning that is supportable under Provincial Policy, Region Policy and the Town's current policy framework.

5. Financial Implications:

None.

6. Broader Intergovernmental Impacts and/or Considerations:

See Section 3.2 of this Report.

7. Communication:

Notice for Complete Application and Public Meeting were completed in accordance with the requirements of the *Planning Act*. Notice for the Public Meeting was provided via email to departments and agencies on October 31, 2024, and physical mail-outs were also issued the same day to properties in the 120 metre vicinity. The Notice sign was also posted on the property on October 31, 2024. Interested parties that previously registered to be informed of any project updates, were notified via email on October 31, 2024.

Any decision made following the meeting this report is held will be issued formally under the statutory requirements of the Planning Act through a Notice of Passing and Adoption, which will be sent via email or physical mail, to the Applicant, Owner, departments, agencies and interested parties.

There are no statutory requirements regarding the issuance of a Notice for Recommendation Report. Interested parties who requested to be notified have been notified. Interested parties and prescribed persons will receive a Notice of Decision and/or Notice of Passing and Adoption, following Council's decision on this Report.

8. Alignment with Strategic Plan:

1. A Town that Grows
A Town that grows in support of complete communities
2. A Healthy and Greener Town
Increase Offerings and Opportunities for Active Living
3. Good Governance
Provide Good Governance

9. Attachments:

- Attachment No. 1 – Location Map of subject properties
- Attachment No. 2 – Proposed Draft Plan
- Attachment No. 3 – Proposed Site Plan Concept
- Attachment No. 4 – Conditions of Approval for Draft Plan of Subdivision

10. Related Reports:

November 20, 2024 – [DS-060-24](#) – Proposed Official Plan and Zoning By-law Amendment Applications at 5194, 5208, 5222 and 5232 Aurora Road and 5288, 15300, 15310 and 15322 Highway 48 (OPA15.001 & ZBA15.008)

Report Author: Aibelle Babista, Planner II, Development Planning

Report Contributors: Brandon Slopach, Senior Planner, Development Planning

For further information on this report, please contact the Department Head: Dwayne Tapp, Commissioner of Development Services at 905-640-1900 or 1-855-642-8697 ext. 2431 or via email at Dwayne.tapp@townofws.ca

Review Confirmation:

Reviewing Division	Review Required?				Reviewed By
Finance	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Yes	
Legal	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Yes	
Communications	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Yes	
Clerks	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Yes	