

The Corporation of the Town of Aurora

By-law Number XXXX-23

Being a By-law to amend By-law Number 6000-17, as amended, respecting the lands municipally known as 162, 306, 370, 434 & 488 St. Johns Sideroad (File No. ZBA-2021-02).

Whereas under section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended (the “Planning Act”), zoning by-laws may be passed by the councils of local municipalities to prohibit and regulate the use of land, buildings and structures;

And whereas on June 27, 2017, the Council of The Corporation of the Town of Aurora (the “Town”) enacted By-law Number 6000-17 (the “Zoning By-law”), which Zoning By-law was appealed to the Ontario Municipal Board (the “OMB”);

And whereas on January 29, 2018, the OMB made an order, in accordance with subsection 34(31) of the Planning Act, providing that any part of the Zoning By-law not in issue in the appeal shall be deemed to have come into force on the day the Zoning By-law was passed;

And whereas the OMB and the Local Planning Appeal Tribunal (the “LPAT”) is continued under the name Ontario Land Tribunal (the “Tribunal”), and any reference to the Ontario Municipal Board or OMB or Local Planning Appeal Tribunal or LPAT is deemed to be a reference to the Tribunal;

And whereas the Council of the Town deems it necessary and expedient to further amend the Zoning By-law;

Now therefore the Council of The Corporation of the Town of Aurora hereby enacts as follows:

1. The Zoning By-law be and is hereby amended to replace the “Oak Ridges Moraine - Rural (RU-ORM)”, “Institutional” (I) and “Rural” (RU) zoning categories applying to the lands shown on Schedule “A” attached hereto and forming part of this By-law with the following categories:
- a) “Detached Third Density Residential Exception Zone” (R3-543);

b) “Detached Fourth Density Residential Exception Zone” (R4-544);

c) “Townhouse Dwelling Residential Exception Zone” (R8-545);

d) “Oak Ridges Moraine Environmental Protection Zone” (EP-ORM);

e) “Environmental Protection Zone” (EP);

f) “Public Open Space Zone” (O1); and

g) “Private Open Space Zone” (O2).
2. The Zoning By-law be and is hereby amended to add the following to Section 24 – List of Exceptions:

Parent Zone: R3 Exception No. (543)	Map: Schedule “A” Map No. 2	Previous Zone: RU / I	
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Municipal Address: 162, 306, 370, 434 & 488 St. Johns Sideroad
Legal Description: Part of Lot 86, Concession 1

24.543.1 Permitted Uses	
<ul style="list-style-type: none">Dwelling, DetachedDwelling, Second Suite ⁽¹⁾Home Occupation ⁽²⁾	
24.543.1.1 Notes	
(1) A maximum of one (1) second suite dwelling unit shall be permitted per Lot and shall be in accordance with Section 7.5.4 of this By-law.	
(2) Subject to Section 4.6 of this By-law	
24.543.2 Zone Requirements	
Minimum Lot Area	430m ²
Minimum Lot Frontage	15m
Minimum Front Yard <ul style="list-style-type: none">To Main BuildingTo Garage Face	4.5m 6.0m
Minimum Rear Yard	7.5m
Minimum Interior Side Yard	1.2m ⁽³⁾ 0.6m ⁽⁴⁾
Minimum Exterior Side Yard	3.0m
Maximum Building Height	11.0m
Maximum Building Coverage	n/a
24.543.2.1 Notes	
(3) One side	
(4) Other side	

24.543.3 Encroachments	
Maximum projection for Open-sided roofed porches, uncovered terraces, porticos, patios and decks not exceeding 3 metres above grade with or without foundation and steps	3.5 metres (into any required yards)
Bay, bow, or box window maximum width	4.5 metres
Bay, bow or box window or fireplace maximum projection	0.6 metres (required front, exterior and rear yards)
Sills, belt courses, cornices, gutters, chimneys, pilasters, eaves, parapets or canopies maximum projection	0.6 metres (all required yards)

24.543.4 Daylighting Triangle
Notwithstanding any other provisions to the contrary, on a corner lot where a daylighting triangle or corner rounding has been conveyed to a public authority, the Exterior Side Lot Line and the front lot line shall be deemed to be the continued projection of the Exterior Side Lot Line and the front lot line to a point

of intersection, for the purposes of calculating the required minimum front yard and the required minimum exterior side yard requirements. Notwithstanding the provisions above, and any other provisions to the contrary, no building or structure shall be permitted to encroach within the daylighting triangle or corner rounding.

3. The Zoning By-law be and is hereby amended to add the following to Section 24 – List of Exceptions:

Parent Zone: R4 Exception No. (544)	Map: Schedule “A” Map No. 2	Previous Zone: RU- / I	
Municipal Address: 162, 306, 370, 434 & 488 St. Johns Sideroad			
Legal Description: Part of Lot 86, Concession 1			

24.544.1 Permitted Uses
<ul style="list-style-type: none">Dwelling, DetachedDwelling, Second Suite ⁽¹⁾Home Occupation ⁽²⁾
24.544.1.1 Notes
(1) A maximum of one (1) second suite dwelling unit shall be permitted per Lot and shall be in accordance with Section 7.5.4 of this By-law.
(2) Subject to Section 4.6 of this By-law

24.544.2 Zone Requirements	
Minimum Lot Area	340m ²
Minimum Lot Frontage	11m
Minimum Front Yard <ul style="list-style-type: none">To Main BuildingTo Garage Face	3.0m 6.0m
Minimum Rear Yard	7.5m
Minimum Interior Side Yard	1.2m ⁽³⁾ 0.6m ⁽⁴⁾
Minimum Exterior Side Yard	3.0m
Maximum Building Height	11.0m
Maximum Building Coverage	n/a
24.544.2.1 Notes	
(3) One side	
(4) Other side	

24.544.3 Encroachments	
Maximum projection for Open-sided roofed porches, uncovered terraces, porticos, patios and decks not exceeding 3 metres above grade with or without foundation and steps	3.5 metres (into any required yards)
Bay, bow, or box window maximum width	4.5 metres
Bay, bow or box window or fireplace maximum projection	0.6 metres (required front, exterior and rear yards)

Sills, belt courses, cornices, gutters, chimneys, pilasters, eaves, parapets or canopies maximum projection	0.6 metres (all required yards)
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24.544.4 Daylighting Triangle
Notwithstanding any other provisions to the contrary, on a corner lot where a daylighting triangle or corner rounding has been conveyed to a public authority, the Exterior Side Lot Line and the front lot line shall be deemed to be the continued projection of the Exterior Side Lot Line and the front lot line to a point of intersection, for the purposes of calculating the required minimum front yard and the required minimum exterior side yard requirements. Notwithstanding the provisions above, and any other provisions to the contrary, no building or structure shall be permitted to encroach within the daylighting triangle or corner rounding.

4. The Zoning By-law be and is hereby amended to add the following to Section 24 – List of Exceptions:

Parent Zone: R8 Exception No. (545)	Map: Schedule “A” Map No. 2	Previous Zone: I	
Municipal Address: 162, 306, 370, 434 & 488 St. Johns Sideroad			
Legal Description: Part of Lot 86, Concession 1			

24.545.1 Permitted Uses
<ul style="list-style-type: none">Dwelling, TownhouseDwelling, Second Suite ⁽¹⁾Home Occupation ⁽²⁾Back-to-back, TownhouseStacked, TownhouseDwelling, Quadruplex ⁽²⁾Dwelling, Link
24.545.1.1 Notes
A maximum of one (1) second suite dwelling unit shall be permitted per Lot and shall be in accordance with Section 7.5.4 of this By-law.
Subject to Section 4.6 of this By-law

24.545.2 Zone Requirements	
Minimum Lot Area	160m ²
Minimum Lot Frontage	6m
Minimum Front Yard <ul style="list-style-type: none">To Main Building	3.0m
<ul style="list-style-type: none">To Garage Face	6.0m
Minimum Rear Yard	7.0m
Minimum Interior Side Yard	0.0m ⁽¹⁾ 1.5m (end unit)
Minimum Exterior Side Yard	2.4m
Maximum Building Coverage	n/a
Maximum Building Height	13.0m

Interior Garage Length/Width	n/a
24.545.2.1 Notes	
(1) For a common lot line	

24.545.3 Parking Requirements
Notwithstanding the parking standards in Section 5.4, the parking standards for townhouse dwellings is 1.5 spaces per dwelling unit.

24.545.4 Encroachments	
Maximum projection for Open-sided roofed porches, uncovered terraces, porticos, patios and decks not exceeding 3 metres above grade with or without foundation and steps	3.5 metres (into any required yards)
Bay, bow, or box window maximum width	4.5 metres
Bay, bow or box window or fireplace maximum projection	0.6 metres (required front, exterior and rear yards)
Sills, belt courses, cornices, gutters, chimneys, pilasters, eaves, parapets or canopies maximum projection	0.6 metres (all required yards)

24.545.5 Daylighting Triangle
Notwithstanding any other provisions to the contrary, on a corner lot where a daylighting triangle or corner rounding has been conveyed to a public authority, the Exterior Side Lot Line and the front lot line shall be deemed to be the continued projection of the Exterior Side Lot Line and the front lot line to a point of intersection, for the purposes of calculating the required minimum front yard and the required minimum exterior side yard requirements. Notwithstanding the provisions above, and any other provisions to the contrary, no building or structure shall be permitted to encroach within the daylighting triangle or corner rounding.

5. This By-law shall come into full force subject to compliance with the provisions of the Planning Act and subject to compliance with such provisions, this By-law will take effect from the date of final passage hereof.
6. If a building permit that is appropriate for the development has not been issued under the *Building Code Act, 1992*, S.O. 1992, c. 23, as amended, for any building or structure so authorized within three (3) years from enactment of this By-law, then this By-law shall automatically repeal and if so repealed, the zoning of the lands will revert to the original zoning.

Enacted by Town of Aurora Council this 25th day of April, 2023.

Tom Mrakas, Mayor

Michael de Rond, Town Clerk

Explanatory Note

Re: Zoning By-law Number XXXX-23

By-law Number XXXX-23 has the following purpose and effect:

To amend By-law Number 6000-17, as amended, being the Zoning By-law in effect in the Town of Aurora, to rezone the subject site from “Oak Ridges Moraine - Rural (RU-ORM)”, “Rural (RU)” and “Institutional (I)” to “Detached Third Density Exception 543” (R3-543), “Detached Fourth Density Exception 544” (R4-544), “Townhouse Dwelling Residential Exception 545” (R8-545), “Oak Ridges Moraine Environmental Protection Zone” (EP-ORM) “Environmental Protection” (EP), “Public Open Space” (O1) and “Private Open Space” (O2) to permit the development of a 108 unit residential development, neighbourhood park, and private school.

Schedule “A”

Location: Part of Lot 86, Concession 1, Town of Aurora, Regional Municipality of York

