

# APPENDIX 'B' - DRAFT ZONING BY-LAW

## 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 1452-1460 Wellington Street East (File No. ZBA-2022-06)**

**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 “OLT”), and any reference to the Ontario Municipal Board or the OMB or Local Planning Appeal Tribunal or LPAT is deemed to be a reference to the OLT;

**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 “Community Commercial C4 (464) Zone” zoning category applying to the lands shown in hatching on Schedule “A” attached hereto and forming part of this By-law with “Townhouse Dwelling Residential R8 (XXX) Exception Zone”.
2. The Zoning By-law be and is hereby amended to add the following:

<b>Parent Zone:</b> R8 <b>Exception No.:</b> XXX	<b>Map:</b> 8	<b>Previous Zone:</b> <b>C4 (464)</b>
<b>Municipal Address:</b> 1452 & 1460 Wellington Street East		

<b>Legal Description:</b> LOTS 3 AND 4 REGISTERED PLAN 525, TOWN OF AURORA	
<b>24.XXX.1 Permitted Uses:</b>	
Only the following uses are permitted:	
<ul style="list-style-type: none"> <li>Dwelling, Townhouse</li> </ul>	
<b>24.XXX.2 Zone Requirements</b>	
<p>Notwithstanding the definition of Lot in Section 3 of this By-law, for the purposes of this zone category a lot shall be deemed to mean the whole of one Lot fronting on a private right-of-way as shown on a registered plan of condominium pursuant to the Condominium Act, 1998 and the yard requirements and other provisions of the by-law shall be applied to each unit situated on each individual lot.</p> <p>In addition to the definition of a Street, or Road, Public, for the purposes of this zone category a public street or road shall also include a private right-of-way as shown on a registered plan of condominium pursuant to the Condominium Act, 1998.</p> <p>For the purpose of this zone category the Lot Line along a private right-of-way as shown on a registered plan of condominium pursuant to the Condominium Act, 1998 is deemed to be the Lot Frontage.</p> <p>For the purpose of measuring front and exterior side yard setbacks on corner lots with rounding's and daylight triangles, the property line shall be deemed to be the extension of the front and exterior side yard lot lines to the point of intersection.</p>	
<b>24.XXX.2 1 Lot Specifications</b>	
Lot Area (minimum)	112.5 square metres
Lot Frontage (minimum)	5.7 metres per lot
Front Yard (minimum)	1.05 metres
Rear Yard (minimum)	0 metres - for those units located within the central and southerly development blocks 7 metres – for those units located within the northerly development block
Interior Side Yard (minimum)	1.22 metres along the east lot line 1.22 metres along the west lot line
Aisle Width (minimum)	6.0 metres
<b>24.XXX.2 2 Building Specifications</b>	
Height (maximum)	14.05 metres
<b>24.XXX.3 3 Landscape Buffers</b>	
Minimum Landscape Buffer	1.22 metres along east lot line 0.4 metres along west lot line
<b>24.XXX.4 4 Parking</b>	
Minimum Parking	2 spaces/unit 6 visitor spaces

3. 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.
4. 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 \_\_\_\_\_ day of \_\_\_\_\_, 2023**

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**Tom Mrakas, Mayor**

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**Michael de Rond, Town Clerk**

**Explanatory Note:**

Re: By-law Number XXXX-23

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

To amend By-law 6000-17, as amended, the Zoning By-law in effect in the Town of Aurora, to rezone the subject property from “Community Commercial C4 (464) Zone” to “Townhouse Dwelling Residential R8(XXX) Exception Zone”.

The rezoning will permit a draft plan of subdivision with a total of 30 townhouse dwelling units.

**Schedule "A"**

**Location:** LOTS 3 AND 4 REGISTERED PLAN 525, TOWN OF AURORA



Area Subject to By-law XXXX-23

