

The Corporation of the Town of Aurora

By-law Number XXXX-25

Being a By-law to amend By-law Number 6000-17, as amended, respecting the lands municipally known as 1001 St. John's Sideroad (File No. ZBA-2012-12).

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 "Rural RU" zoning category applying to the lands shown in hatching on Schedule "A" attached hereto and forming part of this By-law with "Detached Fourth Density Residential (R4-439) Exception Zone", "Private Open Space (O2-561) Exception Zone" and "Environmental Protection (EP) Zone".
2. Section 24.439 of the Zoning By-law be and is hereby deleted and replaced with the following:

"24.439 Detached Fourth Density Residential (R4) Exception Zone (439)

Parent Zone: R4 Exception Zone: (439)	Map: Schedule 'A', Map No. 8	Previous Zone: (R2- 100, RU)	Previous By-laws: 6000-17
Municipal Address: 929 St. John's Sideroad, 1001 St. John's Sideroad			
Legal Description: CON 2 Pt Lot 25 and RP 65R28793 Part 4, CON 2 PT LOT 25 (from CityView data, for information purposes only)			
24.439.1 Permitted Uses			
• one detached dwelling per lot			

• a home occupation, excluding a teaching and musical instruction studio	
24.439.2 Zone Requirements	
24.439.2.1 Lot Specifications	
Lot Area (minimum)	315.0 square metres
Lot Frontage (minimum)	11.7 metres
24.439.2.2 Siting Specifications	
Front Yard for main building (minimum)	4.5 metres
Rear Yard (minimum)	6.0 metres
Interior Side Yard (minimum)	
One side	1.2 metres
Other side	0.6 metres
Exterior Side Yard (minimum)	
Main building	3.0 metres
Garage	6.0 metres
Garage Setback (minimum)	9.25 metres (garage accessed by single driveway intersected by a sidewalk) 6.0 metres (garage accessed by single driveway not intersected by a sidewalk) 6.0 metres (garage accessed by double driveway either intersected by a sidewalk or not intersected by a sidewalk)
Notwithstanding any other provisions to the contrary, a single driveway shall be defined as a driveway less than 5.4 metres in width, and a double driveway shall be defined as a driveway between 5.4 metres and 6.0 metres in width. The provisions of Section 5.6.1 shall also apply." Notwithstanding any other provisions to the contrary, the habitable ground floor front wall or porch face shall be either flush with or project in front of the garage.	
Notwithstanding any other provisions to the contrary, on a multi-storey dwelling, that portion of the front wall of the main building located above an attached garage, for no less than 60% of the garage width, shall not be set back more than 2.5 metres from the front wall of the garage.	
Notwithstanding any other provisions to the contrary, the habitable ground floor front wall or porch face shall be either flush with or project in front of the garage.	
Notwithstanding any other provisions to the contrary, on a multi-storey dwelling, that portion of the front wall of the main building located above an attached garage, for no less than 60% of the garage width, shall not be set back more than 2.5 metres from the front wall of the garage.	

Notwithstanding any provisions to the contrary, the minimum required distance separation between the walls of any two detached dwellings shall be 1.2 metres. Where the distance between the walls of two detached dwellings is less than 3.0 metres, no window below grade or door below grade is permitted in any such wall.	
24.439.2.3 Building Specifications	
Lot coverage (maximum)	45.0 percent
Height (maximum)	11.0 metres
Interior Garage Length (minimum)	6.0 metres
Interior Garage Width (minimum)	2.9 metres
Interior Garage Width (maximum)	6.0 metres
Floor Area (minimum)	110.0 square metres
24.439.3 Encroachments	
Open-side roofed porches, balconies, uncovered terraces, patios and decks not exceeding 3.0 metres above grade with or without foundation	2.0 metres into required front and exterior side yards (provided that no part of the porch is located closer than 2.0 metres to the front lot line; steps may encroach into required front yard provided they are not closer than 1.0 metre to front and exterior lot lines).
Open-side roofed porches, balconies, uncovered terraces, patios and decks not exceeding 3.0 metres above grade with or without foundations and steps	3.5 metres (into required rear yard)
Bay, bow or box window may have maximum width of 4.5 metres with or without foundations, with following projection	0.6 metres in required front, exterior and rear yards
Exterior side yard for building and garage abutting Regional Road	6.0 metres
24.439.4 Daylighting Triangle	
Notwithstanding any other provisions to the contrary, on a corner lot where a daylighting triangle 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.	
24.439.5 Parking	

a minimum of three (3) parking spaces shall be provided, of which a minimum of one (1) parking space shall be provided within a private garage per unit, and a minimum of two (2) parking spaces shall be provided, either in tandem or side by side, on the driveway, including that portion of the driveway that extends beyond the lot line.”

3. The Zoning By-law be and is hereby amended to add the following:

“24.561 Private Open Space (O2) Exception Zone (561)

Parent Zone: O2 Exception Zone: (561)	Map: Schedule 'A', Map No. 8	Previous Zone: (RU)	Previous By-laws: 6000-17
Municipal Address: 1001 St. John's Sideroad			
Legal Description: CON 2 PT LOT 25 (From CityView data, for information purposes only)			
24.561.2 Zone Requirements			
24.561.2.1 Lot Specifications			
Lot Area (minimum)		40 square metres	
Lot Frontage (minimum)		20.0 metres”	

4. 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.
5. 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 March, 2025.

Tom Mrakas, Mayor

Ishita Soneji, Deputy Town Clerk

Explanatory Note

Re: By-law Number XXXX-25

By-law Number XXXX-25 has the following purpose and effect:

To amend By-law Number 6000-17, as amended, the Zoning By-law in effect in the Town of Aurora, to rezone the subject lands from "Rural (RU) Zone" to "Detached Fourth Density Residential (R4-439) Exception Zone", "Private Open Space (O2-561) Exception Zone" and "Environmental Protection (EP) Zone".

The effect of this zoning amendment will rezone the subject property to allow for the creation of a residential subdivision containing single detached lots with a minimum lot area of 315 square metres and a minimum lot frontage of 11.7 metres.

A block of land to be reserved for open space use will be zoned with a site-specific exception to permit for reduced minimum lot area and frontage in the Private Open Space zone.

Lands that have been identified to be ecologically sensitive will be zoned as Environmental Protection to restrict any future residential development.

Schedule "A"

Location: Part of Lot 25, Concession 25, Town of Aurora, Regional Municipality of York



Subject Lands rezoned from "Rural (RU) Zone" to "Detached Fourth Density Residential (R4-439) Exception Zone", "Private Open Space (O2-561) Exception Zone" and "Environmental Protection (EP) Zone"

