

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 180 Wellington Street East
(File No. ZBA-2024-02).**

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 “Second Density Apartment Residential (RA2) Exception Zone (537)” zoning category applying to the lands shown in hatching on Schedule “A” attached hereto and forming part of this by-law with “(H) Second Density Apartment Residential (RA2) Exception Zone (566).”
- 2. The Zoning By-law be and is hereby amended to add the following:

“24.566 (H) Second Density Apartment Residential (RA2) Exception Zone (566)

| | | | |
|--|------------------------------------|---------------------------------|----------------------------------|
| Parent Zone: (H) RA2 Exception No.: 566 | Map: Schedule “A” Map No. 3 | Previous Zone: RA2 (537) | Previous By-laws: 6384-21 |
| Municipal Address: 180 Wellington Street East | | | |
| Legal Description: Part of Lot 106, Registered Plan 246, being Parts 1, 2 and 3 on Reference Plan 65R-39371, Town of Aurora | | | |
| 24.566.1 Holding Prefix | | | |
| Notwithstanding the provisions of Section 24.566, while the “(H)” Holding Prefix is in | | | |

place, no person shall within the lands zoned (H) (RA2) (566) on Schedule "A" attached hereto, use any lot or erect, alter or use any buildings or structures for any purposes except those uses which existed on the date of passing of this by-law, unless an amendment to this by-law is approved by the Council of the Corporation of the Town of Aurora and comes into full force and effect.

24.566.2 Removal of Holding Prefix

Prior to the passing of a by-law to remove the "(H)" Holding prefix from the lands zoned (H) RA2 (566), or any part thereof, the Town of Aurora shall be satisfied that the following conditions shall be complied with

- i) The Town of Aurora has allocated the required servicing capacity.

Upon removal of the "(H)" Holding prefix from the lands zoned (H) RA2 (566), pursuant to Section 36 of the Planning Act, or any successor thereto, the provisions applicable to the said lands shall be as set out in Sections 24.566.

24.566.3 Permitted Uses

Notwithstanding the Second Density Apartment Residential (RA2) Zone permitted uses, the following additional use is permitted:

- Multi-Unit Development

24.566.4 Accessory Uses

Notwithstanding the permitted uses as outlined in 24.566.2, the following additional uses are permitted, which are subordinate and exclusively devoted to a Principal Use which is located on the same Lot:

- Art Gallery;
- Club;
- Dry Cleaning Distribution Station or Depot;
- Fitness Centre;
- Pet Services;
- Retail Stores;
- Restaurant; and,
- Studios

24.566.5 General

Notwithstanding Section 3, a Multi-Unit Development shall mean a building containing four (4) or more dwellings, which are connected by a common corridor or vestibule and have a common entrance at-grade and/or at street level. A Multi-Unit Development may also contain non-residential uses as an Accessory Use.

Notwithstanding Section 4.4.2, a *Dwelling Unit(s)* may be permitted on the first storey of a building.

Notwithstanding Section 7.3, more than one (1) *Apartment Building* may be permitted per *Lot*.

Notwithstanding Section 7.5.3, where a Residential Zone is adjacent to an Employment Zone, the minimum required yard abutting the Employment Zone shall be 3.0 metres.

24.566.6 Building Standards

| | |
|------------------------------|----------------------|
| Minimum Lot Area | 10,265 square metres |
| Minimum Lot Frontage (South) | 30.0 metres |
| Minimum Front Yard (South) | 1.9 metres |
| Rear Yard (North) | 6.0 metres |

| | |
|---|--|
| Minimum Interior Side Yard (East) | 3.0 metres |
| Minimum Exterior Side Yard (West) | 2.8 metres |
| Minimum Required Yard Abutting an Employment Zone (East) | 3.0 metres |
| Maximum Lot Coverage | 59% |
| Maximum Number of Dwelling Units | 948 |
| Maximum Building Height | 43 metres or 12-storeys, whichever is less. For the purpose of this by-law, a roof parapet, mechanical penthouse and associated features are not counted towards building height. |
| 24.566.7 Landscaping | |
| Notwithstanding Section 4.8, a minimum Landscaping Strip shall not be required on a <i>Lot Line</i> . | |
| A 1.8 metre solid wood privacy fence shall be provided along the Northern and Easterly Property Boundary | |
| 24.566.8 Yard Encroachments | |
| Notwithstanding Section 4.20, canopies are permitted to encroach a maximum of 1.0 metre into a Minimum Yard, except where there is a daylight triangle, in which case there is no maximum encroachment. Notwithstanding Section 4.20, open porches, uncovered terraces and decks (3.2m in height or less) and balconies are permitted to encroach a maximum of 1.0 metre into the required Minimum front yard, 2.5 metres into the required Minimum interior and Minimum exterior side yard, and 5.5 metres into the required Minimum rear yard, and except where there is a daylight triangle in which case there is no maximum encroachment. | |
| 24.566.9 Amenity Area | |
| Notwithstanding Section 7.5.2.2, any <i>Multi-Unit Development</i> shall provide a minimum <i>Amenity Area</i> of 6.5 square metres per <i>dwelling unit</i> and shall not require a minimum proportion of the <i>Amenity Area</i> be provided as interior amenity space." | |

3. Notwithstanding any future severance of the lands outlined on "Schedule A", the provisions of this By-law shall apply to the whole of the lands outlined on "Schedule A".
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.

Enacted by Town of Aurora Council this 22nd day of April, 2025.

Tom Mrakas, Mayor

Michael de Rond, 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 "Second Density Apartment Residential (RA2) Exception Zone (537)" to "(H) Second Density Apartment Residential (RA2) Exception Zone (566)."

The effect of this zoning by-law amendment will rezone the subject property to facilitate the development of a multi-unit development with four 12-storey apartment buildings with a total of 948 residential units.

Schedule "A"

Location: Part of Lot 106, Registered Plan 246, being Parts 1, 2 and 3 on Reference Plan 65R-39371, Town of Aurora, Regional Municipality of York



Lands rezoned from "Second Density Apartment Residential (RA2) Exception Zone (537)" to "(H) Second Density Apartment Residential (RA2) Exception Zone (566)."

