

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 15385 & 15395 Bayview Avenue (ZBA-2019-03).

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) 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-XX) Exception Zone”.
2. The Zoning By-law be and is hereby amended to add the following:

“24.XXX (H) Townhouse Dwelling Residential (R8) Exception Zone (XX)”

Parent Zone: (H) R8 Exception No.: 567	Map: Schedule “A” Map No. 8	<i>Previous Zone:</i> RU	<i>Previous By-laws:</i> 6000-17
Municipal Address: 15385 & 15395 Bayview Avenue			
Legal Description: Part Lot 21, Concession 2			

24.567.1 Holding Prefix

Notwithstanding the provisions of Section 24.567, while the “(H)” Holding prefix is in place, no person shall within the lands zoned (H)(R8)(567) 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.

24.567.2 Removal of Holding Prefix

Prior to the passing of a by-law to remove the “(H)” Holding prefix from the lands zoned (H) R8(567), or any part thereof, the Town of Aurora shall be satisfied that the following conditions shall be complied with:

- a) The Town of Aurora approved a servicing allocation to this development that is not dependant upon the completion of any new infrastructure; or,
- b) York Region has advised in writing that the required infrastructure to support the capacity assignment associated with this development will be completed within a time period acceptable to the Region to permit the plan registration; or,
- c) The Regional Commissioner of Public Works confirms servicing allocation for this development by a suitable alternative method and the Town of Aurora allocates the capacity to this development.

Upon removal of the “(H)” Holding prefix from the lands zoned (H) R8(567), 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 24.567.3, 24.567.4, 24.567.5 and 24.567.6.

24.567.3 Permitted Uses

15 townhouse dwelling units

24.567.4 Building Standards

For the purposes of this By-law, the westerly property boundary along Bayview Avenue is the Front Lot Line for Block 1, and the private road is the Front Lot Line for Block 2.

Minimum lot area	141 square metres – Block 1 145 square metres – Block 2
Minimum lot frontage	5.7 metres – Block 1 5.9 metres – Block 2
Minimum front yard to dwelling unit	3.6 metres – Block 1 3.8 metres – Block 2
Minimum front yard to attached garage	5.6 metres
Minimum rear yard	3.5 metres – Block 1 6.0 metres – Block 2
Minimum interior side yard	0.0 metres – Along a Common Lot Line 1.3 metres – End Unit within Block 1 1.2 metres – End Unit within Block 2
Minimum distance from building to private road	1.7 metres
Maximum lot coverage	60%
Maximum building height	12.2 metres
Minimum width of a private road	6 metres

24.567.5 Yard Encroachments

Structure of Feature	Applicable Yard	Maximum permitted encroachment into the applicable yard
Window bays, with or without foundation (up to 5 metres in width)	Interior side yard	0.4 metres – Block 1

Open porches and uncovered terraces (3.2 metres or less in height)	Front yard	1.0 metres – Block 1 1.7 metres – Block 2
Decks (3.2 metres or less in height)	Rear yard	3.2 metres
Balconies	Rear yard	3.2 metres – Block 1 1.85 metres – Block 2
Steps and Landings	Front yard	2.95 metres – Block 1 3.95 metres – Block 2
24.567.6 Parking		
Required maneuvering space	6 metres	
Setbacks	Where a Parking Lot or Parking Area having capacity for five or more cars serving a Townhouse Residential use, no Parking Space manoeuvring area and/or Driveway within a Side Yard shall be closer to any wall of a building than 1.2 metres.	
Ingress and egress	Driveways shall have 2 lanes, each lane having a minimum width of 3.0 metres	

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 the removal of the “(H)” Holding prefix, 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 ____ of ____, 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 "Rural (RU)" to "(H) Townhouse Residential (R8) Exception Zone (567)."

The effect of this zoning by-law amendment will rezone the subject lands to facilitate the development of 15 townhouse units.

Schedule "A"

Location: Part Lot 21, Concession 2, Town of Aurora, Regional Municipality of York



Lands rezoned from "Rural (RU)" to "(H) Townhouse Residential (R8) Exception Zone (567)."

