

## The Corporation of the Town of Aurora

### By-law Number XXXX-20

#### Being a By-law to amend By-law Number 6000-17, as amended, respecting the lands municipally known as 1623 Wellington Street East.

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

**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 “Business Park (E-BP) Zone”, “Business Park (E-BP) (398) Zone and “(H) Business Park (E-BP) (398) Zone” applying to the lands shown in hatching on Schedule “A” attached hereto and forming part of this By-law with “Business Park E-BP(531) Exception Zone”, “Business Park E-BP(532) Exception Zone”, “Business Park E-BP(533) Exception Zone”, and “Business Park E-BP(534) Exception Zone”.
2. Section 24(398) of the Zoning By-law be and is hereby deleted.
3. The Zoning By-law be and is hereby amended to add the following:

#### **“24.531 Business Park [E-BP(531)] Exception Zone**

<b>Parent Zone:</b> E-BP	<b>Map:</b> Schedule “A” Map No. 1	<b>Previous Zone:</b> E-BP, E-BP(398), (H) E-BP(398)
<b>Municipal Address:</b> 1623 Wellington St		
<b>Legal Description:</b> Part of Lot 20, Concession 3		

#### **24.531.1 Permitted Uses**

The following uses are permitted:

- All the uses permitted in Section 10.1

**24.531.2 Definitions****Floor Area, Gross Leasable:**

Means the gross floor area measured between interior faces of any exterior or interior walls of the building or structure, exclusive of the following areas:

- i) any service room, or enclosed area that is used exclusively for the accommodation of heating, cooling, ventilation, electrical, mechanical or telecommunications equipment, or maintenance facilities that services the building or structure.

**Developed Business Park:**

Refers to the lands outlined in Schedule 'A' to this By-law zoned "Business Park [E-BP(531)]" and means buildings or structures used as a principle employment use as permitted in the E-BP Zone in the Table in Section 10.1 as well as commercial self-storage and motor vehicle sales establishment uses, as defined in Section 3.

**24.531.3 Gross Leasable Floor Area (maximum)**

The maximum gross leasable floor area for all retail and commercial uses permitted on the lands zoned E-BP(532) shall not exceed 18,120 square metres.

- a) Any retail and commercial gross leasable floor area beyond 11,100 square metres shall only be permitted as follows:

For each 1.5-square metres of "Developed Business Park" uses built on the lands zoned E-BP(531), one (1) square metre of gross leasable floor area of retail and commercial uses shall be permitted.

**24.531.4 Zone Requirements**

Section 10.2 shall apply except as follows:

**24.531.4.1 Lot Specifications**

Despite any existing or future conveyance, consent, severance, partition or division of the lot, the provisions of the E-BP(531) Zone, shall apply to the lands shown on Schedule 'A' as if no conveyance, consent, severance, partition, or division occurred with the exception of parking and lot coverage which shall be required and calculated based on the lands east of Goulding Avenue being deemed as one lot and the lands west of Goulding Avenue being deemed as one lot.

**24.531.4.2. Siting Specifications**

The minimum yards shall be as follows:

- i) From Wellington Street West - 9.0 m
- ii) From Goulding Avenue - 6.0 m
- iii) From Highway 404 (including the on-ramp) 14.0 m
- iv) From the South or West Property lines  
(not including property line next to Goulding Avenue) 3.0 m

The minimum landscaping provisions shall be as follows (except for driveway entrances from Goulding Avenue):

- i) Adjacent to Wellington Street - 6.0 m
- ii) Adjacent to Goulding Avenue - 6.0 m
- iii) Adjacent to the South or West Property lines - 3.0 m

A landscape strip (except from driveway entrances from the east-west driveway) shall be provided along the first east-west driveway south of Wellington Street and east of Goulding Avenue. The landscape strip may be divided north and south of the east-west driveway, provided the total width of the landscape strip is a minimum of 5 metres.

#### **24.531.4.3. Minimum Distance Between Buildings**

Notwithstanding Section 10.2, the minimum distance between two buildings on the same lot shall be 12 metres.

#### **24.531.4.5 Ingress and Egress**

Notwithstanding the provisions of Section 5.5.4, the maximum width of joint ingress and egress driveways measured along the Goulding Avenue street line shall be 23.0 metres."

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

#### **"24.532 Business Park [E-BP(532)] Exception Zone**

<b>Parent Zone:</b> E-BP	<b>Map:</b> Schedule "A" Map No. 1	<b>Previous Zone:</b> E-BP. E-BP(398), (H) E-BP(398)
<b>Municipal Address:</b> 1623 Wellington St		
<b>Legal Description:</b> Part of Lot 20, Concession 3		

All of the requirements set out in Section 24.531 shall apply in addition to the following:

#### **24.532.1 Permitted Uses**

The following additional retail and commercial uses as principle uses are permitted:

- Dry cleaning distribution depot
- Personal service shop
- Private club
- Financial institution
- Drive Through Facility
- Restaurants
- Service Shop
- Pet Services
- Retail Stores
- Motor vehicle sales establishment<sup>1</sup>

<sup>1</sup> Maximum total of 2 Motor Vehicle Establishments permitted on lands zoned E-BP 532 OR one (1) on lands zoned E-BP-532 and one (1) on lands zoned E-BP-533

**24.532.2 Gross Leasable Floor Area (maximum)**

In addition to the Gross Leasable Floor Area requirements of E-BP(531), the following also applies:

For a motor vehicle sales establishment use in the 24.532 exception zone, a maximum of 30% of the gross leasable floor area shall be counted towards the overall maximum gross leasable floor area cap for all retail and commercial uses on the lands zoned E-BP (531) (24.531).

**24.532.3 Loading Space**

Notwithstanding the provisions of Section 10.3.5, loading spaces shall not be required for a Motor Vehicle Sales Establishment use."

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

**"24.533 Business Park [E-BP(533)] Exception Zone**

<b>Parent Zone:</b> E-BP	<b>Map:</b> Schedule "A" Map No. 1	<b>Previous Zone:</b> E-BP. E-BP(398), (H) E-BP(398)
<b>Municipal Address:</b> 1623 Wellington St		
<b>Legal Description:</b> Part of Lot 20, Concession 3		

All of the requirements set out in Section 24.531 shall apply in addition to the following:

**24.533.1 Permitted Uses**

The following additional employment uses as principle use are permitted:

- Motor Vehicle Sales Establishment<sup>1</sup>

<sup>1</sup> Maximum of 1 Motor Vehicle Establishment provided only one (1) Motor Vehicle Sales Establishment exists on lands zoned E-BP (532)

**24.533.2 Gross Leasable Floor Area (maximum)**

In addition to the Gross Leasable Floor Area requirements of E-BP(531), the following also applies:

For a motor vehicle sales establishment use, the gross leasable floor area of such use shall be excluded from the overall maximum gross leasable floor area cap for the E-BP (531) zone.

**24.533.3 Loading Space**

Notwithstanding the provisions of Section 10.3.5, loading spaces shall not be required for a Motor Vehicle Sales Establishment use."

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

**"24.534 Business Park [E-BP(534)] Exception Zone**

<b>Parent Zone:</b> E-BP	<b>Map:</b> Schedule "A" Map No. 1	<b>Previous Zone:</b> E-BP. E- BP(398), (H) E-BP(398)
<b>Municipal Address:</b> 1623 Wellington St		
<b>Legal Description:</b> Part of Lot 20, Concession 3		

All of the requirements set out in Section 24.531 shall apply in addition to the following:

<b><u>24.534.1 Permitted Uses</u></b>	
The following additional use is permitted as a principle use:	
<ul style="list-style-type: none"> <li>• Commercial self-storage facility</li> </ul>	

<b><u>24.534.2 Building Specifications</u></b>
<b><u>24.534.2.1 Height</u></b>
Notwithstanding the provisions of Section 10.2, the maximum height shall be 17.5 metres.

<b><u>24.534.3 Loading Space</u></b>
Notwithstanding the provisions of Section 10.3.5, one (1) loading space is required for a Commercial Self Storage Facility.

<b><u>24.534.4 Parking</u></b>
Notwithstanding the provision of Section 5.4 Parking Standards, 1 space per 1,000 sq m of gross floor area shall be required for a Commercial Self Storage Facility."

7. 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 24<sup>th</sup> day of November, 2020.**

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**Tom Mrakas, Mayor**

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**Michael de Rond, Town Clerk**

**Explanatory Note**

Re: By-law Number XXXX-20 (ZBA 2020-02)

By-law Number XXXX-20 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 lands from E-BP, E-BP(398), (H)E-BP(398) to E-BP(531), E-BP(532), E-BP(533) and E-BP(534) to facilitate the development of an integrated campus-like setting that will include motor vehicle sales establishment(s), self-storage, office, retail and other employment uses.

## Schedule "A"

**Location:** Part Lot 20, Concession 3, Town of Aurora, Regional Municipality of York



Lands rezoned from "Business Park (E-BP) Zone", "Business Park (E-BP) (398) Zone and "(H) Business Park (E-BP) (398) Zone" to "Business Park E-BP(531) Exception Zone", "Business Park E-BP(532) Exception Zone", "Business Park E-BP(533) Exception Zone", and "Business Park E-BP(534) Exception Zone".

