

The Corporation of the Town of Aurora

By-law Number XXXX-22

Being a By-law to amend By-law Number 6000-17, as amended, respecting the lands municipally known as 15296, 15306 and 15314 Yonge Street (File No. ZBA-2021-03).

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 “Promenade Downtown PD1 Zone” category applying the lands shown in hatching on Schedule “A” attached hereto and forming part of this By-law with “Promenade Downtown PD1(542) Exception Zone”.
2. The Zoning By-law be and is hereby amended to add the following:

Parent Zone: PD1 Exception No.: 542	Map: 2	<i>Previous Zone:</i> PD1	<i>Previous By-laws:</i> xx
Municipal Address: 15296, 15306 and 15314 Yonge Street			
Legal Description: Lots B and C and Part of Lot D, Plan 36 and Part of Lots 15 and 16, Plan 246, Town of Aurora			

24542.1 Permitted Uses
<ul style="list-style-type: none">• Notwithstanding Section 8.1, Dwelling units are permitted on the <i>First Storey</i> and Below Grade• All other uses permitted in the PD1 Zone
24542.2 Maximum Number of Units

<ul style="list-style-type: none"> • 136 Apartment Dwelling Units 	
24.542.3 Zone Requirements	
Number of Storeys (Maximum)	<ul style="list-style-type: none"> • 6 storeys along Yonge Street • 8 storeys at building rear (west side)
Building Height (Maximum)	24.0 metres
Rear Yard Setback (Minimum)	1.5 metres
Notwithstanding Section 8.2, a <i>Parking Area</i> is permitted in a Rear or Side Yard, located behind a building.	
24.542.4 Amenity Area	
Notwithstanding Section 7.5.2, the Minimum amount of <i>Amenity Area</i> is as follows: <ul style="list-style-type: none"> • 1380.0 m² as Outdoor <i>Amenity Area</i>, including common areas and private balconies, terraces, and patios. • 270 m² as Indoor <i>Amenity Area</i> 	
24.542.5 Section 37 Provisions	
a) Pursuant to Section 37 of the <i>Planning Act</i> , and subject to compliance with this By-law, the increase in height and density of the development (as shown on Schedule 'B') which forms part of this By-law) is permitted beyond that otherwise permitted on the lands shown on Schedule A in return for the owner's payment of \$243,162.90.	
b) The issuance of a building permit which includes the extra height and density referred to above shall be dependent on the payment of the \$243,162.90 and the entering into of a Section 37 Agreement, which will be registered on title.	

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.

Enacted by Town of Aurora Council this 28th of June, 2022.

Tom Mrakas, Mayor

Michael de Rond, Town Clerk

Explanatory Note

Re: By-law Number XXXX-22

By-law Number XXXX-22 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 "Promenade Downtown PD1" to "Promenade Downtown PD1(542) Exception Zone".

The effect of this zoning amendment is to permit a six to eight storey residential apartment building on the subject property, municipally known as 15296, 15306 and 15314 Yonge Street.

Schedule "A"

Location: Lots B and C and Part of Lot D, Plan 36 and Part of Lots 15 and 16, Plan 246, Town of Aurora, Regional Municipality of York



Lands rezoned from "Promenade Downtown PD1" to "Promenade Downtown PD1(542) Exception Zone."

