

Public Release
November 8, 2016



**Town of Aurora
Additional Items to
Council Meeting Agenda**

Tuesday, November 8, 2016
7 p.m.
Council Chambers

- **Item 8 – PBS16-098 – Additional Information: Comprehensive Zoning By-law Review, File No. ZBA-2012-ZBR**
(Report previously not provided in agenda)
- **Withdrawn: By-law No. 5914-16, Being a By-law to establish lands on Plan 65M-4075 and Plan 65M-4082 as highways (St. John's Road Development Corp. – Phases 2 and 3).**



**Town of Aurora
Council Report**

No. PBS16-098

Subject: Additional Information: Comprehensive Zoning By-law Review
File No. ZBA-2012-ZBR

Prepared by: Jeff Healey, Planner

Department: Planning and Building Services

Date: November 8, 2016

Recommendations

1. That Report No. PBS16-098 be received for information.

Executive Summary

The purpose of this report is to provide Council with responses on three items that were raised in Report No. PBS16-067 and at the November 1, 2016 General Committee meeting and to provide Council with final Staff recommendation on these particular items as follows:

- Staff propose to retain the maximum height of 28 metres for Institutional uses.
- Staff will consult with the residents of 101-115 Edward Street, 103-111 Metcalfe Street and 106 Metcalfe Street with respect to the proposed zone change and report to Council when the Comprehensive Zoning By-law is scheduled for consideration and final approval.
- Properties impacted by the Comprehensive Bylaw Review.

Background

On November 1 2016, the Comprehensive Zoning By-law was considered by General Committee. Specific items discussed at the meeting were referred to a separate report for further discussion. Items referred to this report include the following:

- Building Height of Institutional Zones;
- Proposed Residential Zoning for 101-115 Edward Street, 103-111 Metcalfe Street and 106 Metcalfe Street; and
- Lands where current permitted uses are adversely impacted by the Comprehensive Zoning By-law Review, specifically Automotive-related uses in the Aurora Promenade.

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Analysis

Institutional Zones (outside of the Promenade Downtown):

The maximum building height for Institutional Zones is currently twenty-eight (28) metres in By-law 2213-78. Measured in storeys, this height would measure between 7 ½ and 9 storeys. Under the definition of building height, the steeples or ornamental towers of places of worship are not calculated in the total height of the building.

As noted in Report No. PBS16-067, staff proposed a reduction in building height from twenty-eight (28) metres to fifteen (15) metres (approximately 4 storeys) for Institutional Zoned lands. The reduction of height would be consistent with the built form of the majority of existing Institutional buildings within the Town. Privately owned Institutional zoned lands in the Town are identified in Attachment 1 of this report.

On review of this matter and taking public comments into consideration, staff recommend that the recommended that the existing maximum height of twenty-eight (28) metres be retained in the new Zoning Bylaw.

Institutional Zoned Lands within the Promenade Downtown

Lands currently zoned Institutional located within the Promenade Downtown Area are proposed to be incorporated into the Promenade Downtown (PD1) zone.

As reported in PBS16-067, maximum building height for Institutional zoned lands within the Promenade Downtown (PD1) zone was proposed to be reduced from twenty-eight (28) metres to a maximum height of eighteen and a half (18.5) metres provided there is a minimum 3 metre setback at the 4th and 5th storeys. The recommended height is consistent with the Aurora Promenade Policies of the Official Plan.

On review of this matter and taking into consideration public comments, staff now recommend that private lands zoned Institutional within the Promenade Downtown (PD1) Zone will maintain the maximum height of 28 metres for Institutional uses only. Any commercial or residential uses permitted by the PD1 zone on the private lands will have a maximum height of 18.5 metres.

For privately owned lands zoned Institutional, staff recommend retention of the existing maximum height of twenty-eight (28) metres for Institutional uses only.

Review of 101-115 Edward Street, 103-111 Metcalfe Street and 106 Metcalfe Street

The specific properties are designated 'Stable Neighbourhoods' in Schedule "A" of the Town of Aurora Official Plan. Staff recommended that the lands be re-zoned to Detached Third Density Residential "R3" Zone as this would bring the residential use into conformity with the Official Plan. The lands are currently zoned General Industrial "M2" by Zoning By-law 2213-78. The existing buildings on the lands are occupied as

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residential dwellings and there does not appear to be industrial businesses as the primary use. The residential uses are considered to be legal non-conforming uses as a result.

Buildings with a legal non-conforming status carry unique challenges in terms of the Zoning By-law. The non-conforming use may continue to legally exist as long as the property does not become vacant for an extended period of time. A non-conforming use cannot be expanded or enlarged without appropriate amendments to the zoning by-law, this includes the construction of decks, porches, garages or building additions. Should the residential building be removed in the event of a fire or a demolition, a zoning by-law amendment is required in order to build a new residential home on the lot.

A delegation made at the November 1 General Committee meeting requested Council retain the Industrial zoning on his lands. As this affects eleven (11) lots, staff will consult with the residents of Edward Street and Metcalfe Street to discuss the proposed zone change with the affected property owners, and report back to Council at the time of Council's consideration of the final Comprehensive Zoning By-law approval.

Properties Impacted by the Comprehensive Zoning By-law Review

The primary purpose of the Comprehensive Zoning Review is to revise and update the current zoning standards primarily to implement the policies of the Town's new Official Plan, incorporate new standards for the Aurora Promenade and update standards related to the general provision to apply current progressive planning practice regulations. Wherever possible the review has not created non-conforming situations creating legal challenges (i.e. not remove existing permissions).

As part of the Official Plan conformity exercise and necessary updates to definitions to the zoning by-law, some definitions have been altered into a broader definition (e.g. a bake shop is now defined as a restaurant). This exercise has occurred throughout commercial and employment zones in the Town. Staff anticipate that no uses will be removed, however the terminologies of several uses have changed.

The primary area where the change of zoning may impact the current list of permitted uses in the Promenade Downtown (PD) and Promenade Downtown Shoulder (PDS) zones. Staff have previously reported the proposed removal of automotive-related uses within the Promenade zones where an existing automotive use is permitted, but not present. Within the Aurora Promenade, this will only apply to lands currently zoned Service Commercial (C3). Specific properties that will be affected are 14958 Yonge Street and 14980 Yonge Street.

It is noted that the Magna Employment Lands (301-455 Manga Drive and 1003 Wellington Street West) are proposed to be re-zoned from site specific Rural General (RU-6) Exception Zone, Rural General (RU-7) Exception Zone and Rural General (RU-11) Exception Zone to site specific Business Park (E-BP) Exception Zones, but the proposed change in zone category will not affect the existing permitted uses and zone provisions that are in effect on the lands.

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Advisory Committee Review

Not applicable

Financial Implications

Financial Implications were previously outlined in Report No. PBS16-067.

Communications Considerations

Communication Considerations were previously outlined in Report No. PBS16-067.

Link to Strategic Plan

Links to Strategic Plan were previously outlined in Report No. PBS16-067.

Alternative(s) to the Recommendation

1. Council has the option to direct changes or further review to the proposed Comprehensive Zoning By-law.

Conclusions

Planning and Building Services are in the process of completing the Town's Zoning By-law review which will ultimately result in the enactment of a new Zoning By-law for the Town. The goals of the review are to implement the new Official Plan, replace the current out-dated By-law, resolve any known issues with the current By-law, to reduce the number of site specific zones and establish more progressive and up to date By-law standards.

Attachments

Attachment #1 – Privately Owned Lands Currently Zoned Institutional
Attachment #2 – Zoning Map of 101-115 Edward Street and 103-111 Metcalfe Street
& 106 Metcalfe Street

Previous Reports

1. General Committee Planning Report No. PBS13-067, Comprehensive Zoning By-law Review, dated, November 1, 2016;
2. Reports were previously outlined in Report No. PBS16-067.

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Pre-submission Review

Reviewed by Chief Administration Officer and Director of Planning and Building Services.

Departmental Approval



**Marco Ramunno, MCIP RPP
Director, Planning and Building
Services**

Approved for Agenda



**Doug Nadorozny
Chief Administrative Officer**



PRIVATELY OWNED LANDS CURRENTLY ZONED INSTITUTIONAL

FILE: PBS16-098
Attachment 1

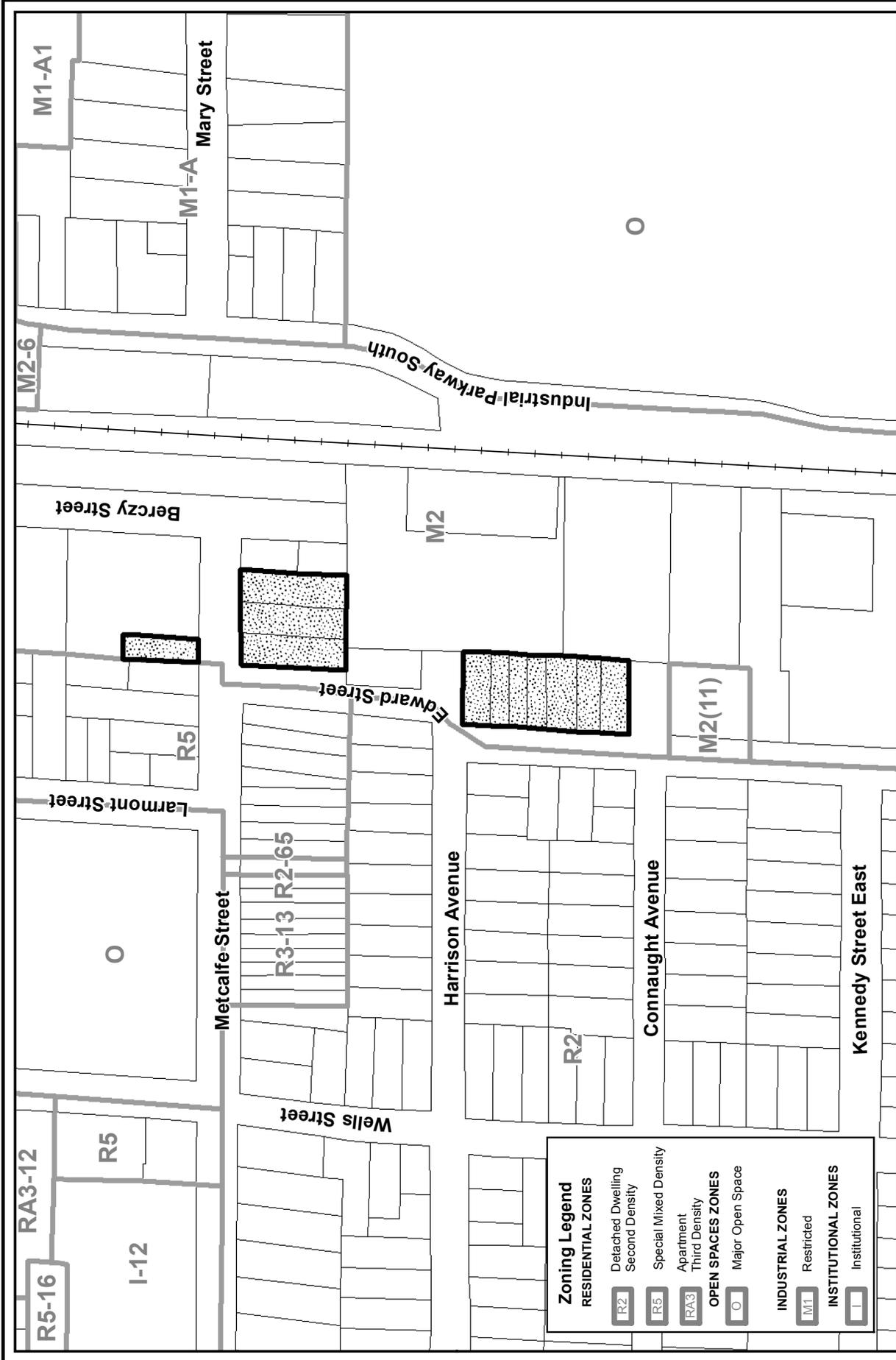
Legend:
□ Promenade Downtown Boundary
■ Privately Owned Lands Zoned Institutional

Scale: 0 0.5 1 Kilometers

North Arrow

AURORA
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Map created by the Town of Aurora Planning and Building Services Department, November 3, 2016. Base data provided by York Region & the Town of Aurora.



Zoning Legend	
RESIDENTIAL ZONES	
R2	Detached Dwelling Second Density
R5	Special Mixed Density
RA3	Apartment Third Density
OPEN SPACES ZONES	
O	Major Open Space
INDUSTRIAL ZONES	
M1	Restricted
INSTITUTIONAL ZONES	
I	Institutional

**ZONING MAP OF 101-115 EDWARD STREET &
103-111 METCALFE STREET & 106 METCALFE STREET**

FILE: PBS16-098
Attachment 2

SUBJECT LANDS

