



**Council  
Public Planning  
Meeting Agenda**

**Tuesday, March 10, 2020  
7 p.m.**

**Council Chambers  
Aurora Town Hall**



## **Town of Aurora Council Public Planning Meeting Agenda**

Tuesday, March 10, 2020  
7 p.m., Council Chambers

- 1. Approval of the Agenda**
- 2. Declarations of Pecuniary Interest and General Nature Thereof**
- 3. Planning Applications**
  - 1. PDS20-020 – Application of Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision  
Charliewille Ltd.  
45 Tyler Street  
Lot 26 and Part of Lots 24, 25, and 27, Plan 9  
File Numbers: OPA-2015-02, ZBA-2016-06, and SUB-2015-03**

**Recommended:**

1. That Report No. PDS20-020 be received; and
  2. That staff continue to work with the appellant to address comments from agencies and Town staff, and comments presented at the second Public Planning Meeting.
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- 2. PDS20-022 – Town Initiated Official Plan Amendment to Consider  
Backyard Swim Schools as a Permitted Home Occupation  
Use**

**Recommended:**

1. That Report No. PDS20-022 be received; and
2. That the comments presented at the Public Planning meeting be addressed by Planning and Development Services in a recommendation report to General Committee.

**4. Confirming By-law**

**Recommended:**

That the following confirming by-law be enacted:

**XXXX-20** Being a By-law to confirm actions by Council resulting from a Council Public Planning meeting on March 10, 2020.

**5. Adjournment**



**Town of Aurora  
Public Planning Report**

**No. PDS20-020**

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**Subject:** Application for Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision  
Charlieville Ltd.  
45 Tyler Street  
Lot 26 and Part of Lots 24, 25, and 27, Plan 9  
File Number: OPA-2015-02, ZBA-2015-06, and SUB-2015-03

**Prepared by:** Katherine Bibby, Planner

**Department:** Planning and Development Services

**Date:** March 10, 2020

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## **Recommendations**

- 1. That Report No. PDS20-020 be received; and,**
- 2. That staff continue to work with appellant to address comments from agencies and Town staff, and comments presented at the second Public Planning Meeting.**

## **Executive Summary**

The purpose of this report is to provide Council with an update on the proposed Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision for the lands municipally known as 45 Tyler Street (the subject lands). At the May 2016 Public Planning Meeting, Council directed staff to hold a second Public Planning Meeting in order to address the issues raised by the public and Council. The application proposes the establishment of a 70 unit common element townhouse condominium with a private road.

- The site was previously Listed on the Aurora Register of Properties of Cultural Heritage Value or Interest but was delisted in 2014;
- The Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision applications were submitted in August 2015;
- A Statutory Public Planning Meeting was held in May 2016 to present the proposal;
- The Applicant will be submitting an updated Risk Management Plan for review by the Ministry of Environment, Climate Change and Parks (MOECP);

- The planning applications have been appealed to the Local Planning Appeal Tribunal (LPAT) by the applicant;
- Town Departments and External Agencies will complete the technical review of the recent submission for these applications; and,
- Comments on the applications made during the Public Planning Meetings and in written comments to the Town will be addressed by the applicant.

## **Background**

**The site was previously Listed on the Aurora Register of Properties of Cultural Heritage Value or Interest but was delisted in 2014.**

In 2014, the Collis Leather Tannery building was delisted from the Town's Register of Properties of Cultural Heritage Value or Interest. The permit to demolish the building was issued in 2015.

**The Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision applications were submitted in August 2015**

The Official Plan Amendment proposes to redesignate the subject lands from "Stable Neighbourhoods", "Existing Employment – Brownfield Industrial", "Environmental Protection", and "Private Parkland" to new boundaries of the following designations: "Stable Neighbourhoods" and "Environmental Protection".

The Zoning By-law Amendment application proposes to rezone the subject lands from General Employment (E2), Second Density Apartment Residential (RA2), and Environmental Protection (EP) to two zones: Townhouse Dwelling Residential (R8) and Environmental Protection (EP).

The Draft Plan of Subdivision proposes to establish one residential block for the proposed townhouse condominium, and three open space blocks.

**A Statutory Public Planning Meeting was held May 25, 2016 and comments were provided by members of the public and Council**

A statutory public planning meeting was held May 25, 2016 to present the applications that had been submitted in accordance with the requirements of the *Planning Act*. The minutes of the Public Meeting are presented in Attachment 1.

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**The Applicant will be submitting an updated Risk Management Plan for review by the Ministry of Environment, Climate Change and Parks (MOECP)**

The MOECP requires the preparation of risk assessments and Records of Site Condition under Section 168.5 of the Environmental Protection Act. The risk assessment estimates the likelihood of adverse effects from the presence of contaminants of concern and exposure pathways to human and ecological receptors. The MOECP may issue a Certificate of Property Use that includes certain requirements for the owners of the land, to implement the risk management measures.

The subject site operated as a tannery from 1912 to 1988. Environmental site assessments have been undertaken by the applicant, including a Phase 1 (2014) and Phase 2 Environmental Site Assessment (2016 and 2017). The applicant has been responding to comments from the MOECP on the Risk Assessment and Risk Management Plan during the years of 2017 to 2019. These reports were submitted to the Ministry in support of filing a “Record of Site Condition”. Some remediation of the site was conducted in 2015, and a risk management approach is being taken to address the contaminants that remain. It should be noted that the review and approval of the Risk Assessment approach is in the jurisdiction of the MOECP, under the Environmental Protection Act.

The Risk Management Plan identifies Risk Management Measures that will address the potential environmental concerns (contaminants) on the site. The applicant has proposed measures such as the use of “slab on grade” townhouse units (i.e. no basements), and although no risks were anticipated, as a precaution, a vapour barrier is proposed to avoid any risks to future homeowners. In the natural open space blocks, since a barrier or capping of the soils is not possible, the areas will be fenced with no public access permitted. The Risk Management Measures will be implemented through a Certificate of Property Use which would be registered on title, and would require the owner to implement the conditions of approval, which includes monitoring of the site. The future Condominium Corporation would be responsible for the implementation of the Certificate of Property Use. To date the Ministry has not provided the necessary approvals.

**The planning applications have been appealed to the Local Planning Appeal Tribunal (LPAT) by the applicant**

The Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications were appealed to the Local Planning Appeal Tribunal (LPAT) in November 2017 for Council’s failure to make a decision within the legislated timeframes. The

applications are before the Tribunal. The next pre-hearing conference is scheduled for March 27, 2020.

### **Location / Land Use**

The subject lands are generally located south-west of the intersection of Wellington Street and Yonge Street. Specifically, the site is located on the south side of Tyler Street at the south terminus of Mill Street (see Attachment 2). The subject lands are approximately 2.8 hectares (7.0 acres) in area, with a frontage of 130.4 m on Tyler Street.

- The tributary of Tannery Creek flows north across the subject lands towards Tyler Street;
- Open space areas are located along the west and east limits of the property;
- The former Tannery building has been demolished and the central portion of the site is graded and vacant;
- The subject lands are currently accessed by a driveway on Tyler Street; and,
- The subject lands are surrounded by construction hoarding that restrict access onto the lands from Tyler Street.

### **Surrounding Land Uses**

The surrounding land uses are as follows:

North: Residential

South: Academie de la Moraine Elementary School, Lion's Park, Residential

East: Residential and Apartment Residential

West: Residential

### **Policy Context**

#### **Provincial Policies**

All Planning Act development applications are subject to provincial policies. The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest. These policies support the development of strong communities through the promotion of efficient land use and development patterns. The Growth Plan for the Greater Golden Horseshoe is a guiding document for growth management within the Greater Golden Horseshoe (GGH) Area to 2041. The Growth Plan provides a framework which guide decisions on how land will be planned, designated, zoned and designed. The

Lake Simcoe Protection Plan (LSPP) is a provincial document that provides policies which addresses aquatic life, water quality, water quantity, shorelines and natural heritage, other threats and activities (including invasive species, climate change and recreational activities) and implementation.

### **York Region Official Plan (YROP)**

The subject lands are designated “Urban Area” and “Regional Greenlands System” by the YROP. York Region’s vision for the Urban Area is to strategically focus growth while conserving resources to create sustainable lively communities. Under the YROP, a regional urbanization goal is to enhance the urban structure through city building, intensification, and compact, complete communities. York Region’s vision for the Regional Greenlands System is to identify, protect and enhance the Greenlands System. The subject lands are not located along a Regional Road but are located within Wellhead Protection Area B. The subject lands are not located within the Oak Ridges Moraine Conservation Plan area.

### **Town of Aurora Official Plan (OP)**

The subject lands are designated as “Stable Neighbourhoods”, “Existing Employment-Brownfield Industrial”, “Environmental Protection” and “Private Parkland” by the Town’s OP (see Attachment 3).

The intent of the “Existing Employment-Brownfield Industrial” designation is to allow for appropriate redevelopment in accordance with the Aurora Promenade Concept Plan – Urban Design Strategy and is not subject to an Employment Area Conversion.

According to the Aurora Promenade Concept Plan, the subject site is located within a character area identified as Neighbourhood: Promenade. The concept plan acknowledges the subject lands as an aging industrial use that can be redesignated to residential. Site specific urban design guidelines are identified for the Tannery Site in the Aurora Concept Plan – Urban Design Strategy.

Some of the subject lands are designated as “Private Parkland”, which are intended to augment the Town’s existing open space system by providing important physical and visual linkages. The Official Plan policies allow for changes in use within the Private Parkland designation, where supported by the appropriate studies. The Town’s Trails Master Plan does not identify a trail connection on 45 Tyler Street and the Risk

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Management Plan for the subject site does not propose public access within the open space lands.

The intent of the Environmental Protection designation is to identify and protect the environmental features and functions (i.e. Tributary of Tannery Creek) that support the Natural Heritage System. The boundaries of the Environmental Protection designation may be modified with environmental studies, subject to approval from agencies (LSRCA).

The intent of the Stable Neighbourhoods designation is to avoid incompatible forms of development and to allow neighbourhoods to evolve and be enhanced over time. New development is to be compatible with its surrounding context and character.

### **Zoning By-law 6000-17, as amended**

The subject lands are zoned “General Employment (E2)” and “Environmental Protection (EP)”, as well as a small area adjacent to the neighbouring apartment building zoned as “Second Density Apartment Residential (RA2)” by the Town’s Zoning By-law (see Attachment 4).

### **Reports and Studies**

The Owner submitted the following documents as part of a complete application for the proposed Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision applications.

<b>Report Name</b>	<b>Report Author</b>
Draft Official Plan and Draft Zoning By-law documents	Groundswell Urban Planners Inc.
Draft Plan of Subdivision	Groundswell Urban Planners Inc.
Conceptual Site Plan	Groundswell Urban Planners Inc.
Risk Management Plan	EXP Services Inc.
Risk Assessment	EXP Services Inc.
Phase two Environmental Assessment	EXP Services Inc.
Supplemental Phase two Environmental Site Assessment	EXP Services Inc.
Benthic Invertebrate Study	EXP Services Inc.
Hydrogeology Study	EXP Services Inc.
Phase One Environmental Assessment	EXP Services Inc.
Planning Justification Report	Groundswell Urban Planners Inc.
Urban Design Guidelines	The MBTW Group

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<b>Report Name</b>	<b>Report Author</b>
Functional Servicing and Stormwater Management Report	Cole Engineering
Traffic Impact, Site Access and Parking Study	Cole Engineering Group Ltd.
Floodplain and Hazard Mitigation Report	Cole Engineering
Slope Stability Assessment	Alston Associates Inc.
Soil Investigation Report	Soil Engineers Ltd.
Source Water Impact Assessment and Mitigation Plan	Cole Engineering Group Ltd.
Arborist Report	mbtw-wai
Environmental Impact Study	Beacon Environmental
Technical Design Brief: Tributary of Tannery Creek	GEO Morphix Ltd.
Stage 1 Archaeological Assessment	Archaeological Services Inc.

## **Proposed Applications**

Since the first Public Planning Meeting for these applications, the Town's Comprehensive Zoning By-law update took place, and therefore, the proposed zone for the lands has been revised from the previously proposed Row Dwelling (R6) to the equivalent in the new zoning, Townhouse Dwelling Residential (R8). The development concept previously proposed the backyard amenity spaces for one townhouse block over the top of a privately owned box culvert. In the latest submission, this townhouse block has been shifted to the west, so that the backyards are no longer over the culvert, and the culvert will be removed, and naturalized, supported by retaining walls on either side. Technical studies have been updated based on agency and Town comments.

## **Proposed Plan of Subdivision**

The landowner has submitted an application for a Draft Plan of Subdivision to facilitate a future parcels of tied land (POTL) tenure. The envisioned POTL development necessitates a Draft Plan of Subdivision application to legally create a whole Block on a Plan of Subdivision.

As illustrated on Attachment 5, the draft plan of subdivision proposes one residential block and three open space blocks, as well as a 0.3 m reserve abutting the municipal road right-of-way (Tyler Street). The open space blocks will remain in private ownership and will be managed by the Condominium Corporation.

The proposed common elements of the development (i.e. private road) will be established through a future Draft Plan of Condominium application.

The proposed lots will be established through a future Part Lot Control application to the Town. Part lot control cannot occur unless an application is made on a whole block or lot on a Plan of Subdivision.

The following is a breakdown of the proposed Draft Plan of Subdivision:

<b>Proposed Land Use</b>	<b>Block #</b>	<b># of Units</b>	<b>Area (ha)</b>
Residential	Block A	70	1.70 ha
Open Space	Block B	n/a	0.08 ha
	Block C	n/a	0.19 ha
	Block D	n/a	0.94 ha
Reserve (0.3 m)	Block E	n/a	0.005 ha
<b>Total</b>		<b>70</b>	<b>2.9 ha</b>

### **Proposed Official Plan Amendment**

As shown in Attachment 7, the applicant is proposing to amend the existing Official Plan designations of “Stable Neighbourhoods”, “Existing Employment – Brownfield Industrial”, “Environmental Protection”, and “Private Parkland”. The proposal would designate the central portion of the site as “Stable Neighbourhoods” with the balance of the lands designated as “Environmental Protection”. In addition, the applicant is seeking approval of an increase in height from 9 m to 11.5 m, whereas Section 8.1.3(f) of the Official Plan sets a maximum of three storeys or 9 metres.

### **Proposed Zoning By-law Amendment**

As shown in Attachment 8, the Applicant proposes to rezone the subject lands from the existing zones of “General Employment (E2)”, “Environmental Protection (EP)” and a small area of Second Density Apartment Residential (RA2)” to new boundaries of the “Townhouse Dwelling Residential Exception Zone R8(XX)” and “Environmental Protection (EP)”. The Owner has submitted a draft Zoning By-law which is currently under review by staff.

Attachment 9 includes a table that compares the difference between the parent Townhouse Dwelling Residential (R8) zoning requirements with the proposed R8 Exception Zone.

### **Proposed Conceptual Site Plan**

As illustrated on Attachment 6, the proposed conceptual site plan identifies thirteen (13) townhouse residential blocks, with a total of 70 units. Three of the townhouse blocks (22 units) front Tyler Street. The townhouse development would be serviced by a private road, with two driveways onto Tyler Street. Additionally, the open space lands are identified on the site plan, consistent with the draft plan of subdivision open space blocks.

### **Analysis**

#### **Town Departments and External Agencies will complete a technical review of the recent submission for these applications**

A review of the proposed Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision applications has been undertaken by Town departments and external agencies. A recent submission has been made to the Town, which is currently under review. Staff has identified the following matters to be addressed in greater detail prior to staff presenting a final report:

- The final MOECP review of the Risk Management Plan and issuance of a decision from the Ministry.
- Incorporation of the recommendations of the Aurora Stream Management Master Plan recommendations at this site, where feasible. The revised submission proposes to remove the private culvert on the subject lands, consistent with the recommendations of the Stream Management Master Plan.
- Integration of the Aurora Promenade Concept Plan - Urban Design Guidelines in the site design.
- Any other comments made by Agencies and Town Departments through the review of the application.

#### **Comments on the applications made during the Public Planning Meetings and in written comments to the Town will be addressed by the applicant**

Comments on the subject applications were made at the Public Planning Meeting on May 25, 2016, and are summarized in the Meeting Minutes (Attachment 1).

Since the Public Planning Meeting, correspondence has been received by members of the public, who expressed the following:

- Recommends public trails along the Tannery Creek Tributary;

- Concerns regarding flooding in the area;
- Recommends the removal of the private box culvert located on the subject lands and to reinstate a natural open watercourse;
- Request for details regarding the previous remediation of the site and further remediation required as a condition of development;
- Recommends elimination of basements (i.e. slab on grade); and,
- Notification to potential residents of the remediation of the site in advance of renting or purchasing units.

A public trail has not been identified by the Town on the subject lands in the Town's Trail Master Plan. The Applicant's Risk Management Measures being submitted to the MOECP currently propose no public access to the open space blocks, including the Tannery Creek Tributary valleylands.

Flooding has been addressed in technical studies (Floodplain and Hazard Mitigation Report) and will continue to be reviewed to the satisfaction of the LSRCA. The applicant has changed their design to remove the privately owned box culvert on the subject lands, consistent with the recommendations of the Town's Stream Management Master Plan.

As part of the Applicant's proposed Risk Management Measures, slab on grade townhouses are proposed (i.e. no basements). The submission to the MOECP includes studies of the contaminants that have been recorded on site. The Phase Two Environmental Site Assessment (ESA) documents that in 2015, a remediation program of subsurface soils was undertaken and underground storage tanks were removed. The remaining contaminants that exceed MOECP standards will be addressed through Risk Management Measures and implemented through a Certificate of Property Use that is registered on title. The future Site Plan and Condominium Agreement will require specific warning clauses to be included in the Agreement of Purchase and Sale for future homeowners regarding the requirements of the Certificate of Property Use.

These comments, and any other comments made at both of the Public Planning Meetings, are to be addressed by the applicant prior to staff presenting a final report.

### **Advisory Committee Review**

No communication required for these applications. The future Site Plan Application will be reviewed by the Accessibility Advisory Committee.

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## **Legal Considerations**

These Planning Application files have been submitted to the Town pursuant to the provisions of the *Planning Act*, and were appealed to the Local Planning Appeal Tribunal (LPAT) in November 2017. These applications are currently before LPAT. Staff have attended pre-hearing conferences to provide the LPAT with the status of the planning applications. The next pre-hearing conference is scheduled for March 27, 2020. Hearing dates have not yet been scheduled and it is recommended that one not be scheduled at this time. The appellant is working with Town staff to satisfy the requirements of the applications. Once planning staff are able to provide an opinion and recommendation on this matter, a further report will be brought to Council.

## **Financial Implications**

There are no financial implications at this time.

## **Communications Considerations**

A statutory Public Planning Meeting was held in May 2016, this second Public Planning Meeting is not required under the *Planning Act*, however, in accordance with Council direction public notification was provided as follows. On February 20, 2020, a Notice of Public Planning Meeting respecting the Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision applications was published in the Auroran and Aurora Banner newspapers. In addition, the notices were given by mail to all addressed property Owners within a minimum of 120 metres (393 feet) of the subject lands. A Notice of the Public Planning meeting sign was also posted on the subject lands.

## **Link to Strategic Plan**

The proposed Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision applications will be reviewed in accordance with the Strategic Plan and its goal of “supporting an exceptional quality of life for all” and the objective of “strengthening the fabric of our community”.

## **Alternative to the Recommendation**

None

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## **Conclusion**

Staff will review the subject application based on the above outlined matters, as well as the comments received from departments and agencies, and the public and Council. The Risk Management Plan which outlines the risk management measures to be implemented to address on-site contamination will be reviewed by the MOECP. The upcoming pre-hearing conference is scheduled for March 27, 2020.

## **Attachments**

- Attachment 1: Public Planning Meeting Minutes (May 25, 2016)
- Attachment 2: Location Plan
- Attachment 3: Existing Official Plan
- Attachment 4: Existing Zoning By-law
- Attachment 5: Proposed Draft Plan of Subdivision
- Attachment 6: Conceptual Site Plan
- Attachment 7: Proposed Official Plan
- Attachment 8: Proposed Zoning By-law
- Attachment 9: Proposed R8-XX Exception Zone

## **Previous Reports**

Public Planning Report No. PDS16-038, dated May 25, 2016

## **Pre-submission Review**

Agenda Management Team review on February 27, 2020

### **Departmental Approval**

### **Approved for Agenda**



**David Waters, MCIP, RPP, PLE  
Director  
Planning and Development Services**



**Doug Nadorozny  
Chief Administrative Officer**

**ATTACHMENT #1**



**TOWN OF AURORA  
SPECIAL COUNCIL – PUBLIC PLANNING  
MEETING MINUTES**

Council Chambers  
Aurora Town Hall  
Wednesday, May 25, 2016

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**ATTENDANCE**

<b>COUNCIL MEMBERS</b>	Mayor Dawe in the Chair; Councillors Abel, Gaertner, Mrakas, Pirri, Thom, and Thompson
<b>MEMBERS ABSENT</b>	Councillors Humfryes and Kim
<b>OTHER ATTENDEES</b>	Marco Ramunno, Director of Planning and Development Services, Lawrence Kuk, Planner, Patty Thoma, Deputy Clerk, and Linda Bottos, Council/Committee Secretary

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Mayor Dawe called the meeting to order at 7:03 p.m.

**1. DECLARATION OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF**

There were no declarations of pecuniary interest under the *Municipal Conflict of Interest Act*.

**2. APPROVAL OF THE AGENDA**

**Moved by Councillor Mrakas  
Seconded by Councillor Pirri**

THAT the agenda as circulated by Legal and Legislative Services be approved.

**CARRIED**

**3. PLANNING APPLICATIONS**

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Mayor Dawe outlined the procedures that would be followed in the conduct of the public meeting. The Deputy Clerk confirmed that the appropriate notice had been given in accordance with the relevant provisions of the *Planning Act*.

**1. PDS16-038 – Proposed Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment, Charlieville Developments Ltd., 45 Tyler Street, File Numbers: SUB-2015-03, OPA-2015-02 and ZBA-2015-06**

**Planning Staff**

The Planner, Mr. Lawrence Kuk, presented an overview of the applications and staff report respecting the proposed Draft Plan of Subdivision to permit a 68-unit residential infill development on a brownfield site. He noted that the Official Plan Amendment proposes to redesignate the subject lands from “Existing Employment – Brownfield Industrial”, “Environmental Protection” and “Private Parkland” to “Stable Neighbourhood” and “Environmental Protection” areas, and the Zoning By-law Amendment proposes to rezone the subject lands from “General Industrial (M2) Zone” and “Environmental Protection (EP) Zone” to “Row Dwelling Residential (R6-X) Exception Zone” and “Environmental Protection (EP) Zone”.

**Consultant**

Ms. Joanne Barnett, of Kerbel Group Inc., on behalf of the owner, noted that a contingent of consultants were present to provide a brief status update, listen to the public input, and address any concerns. Mr. Brad Rogers, of Groundswell Urban Planners Inc., provided an overview of the development proposal, site plan, planning policy, elevations, site remediation to date, site assessment and alteration, and next steps.

**Public Comments**

Aurora residents, including Barry Bridgeford, David Cabianca, Angela Daust, Chris Foster, Dale Halliday, Troy Hourie, Tony Masongsong, Judy Sherman, Hendrik Swaneveld, Hugh Walker, and Graham Wride, provided the following comments:

- Support for development, added vibrancy to downtown core
- Concern regarding building height, proximity to Tyler Street, and compatibility with neighbourhood
- Concern regarding Cole Engineering report inconsistencies re grades

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- Concern regarding potential risk of increased flooding, flood plain maintenance and protection
- Concern regarding stormwater management
- Concern regarding size and maintenance of buffer zone
- Concern regarding access to naturalized areas
- Concern regarding trail connections and access; need for continuous path and bridge across creek
- Concern regarding impact on wildlife
- Concern regarding traffic flow
- Concern regarding open top soil and dust pollution prior to construction
- Suggestion to implement natural meanders, sloped streambanks, and larger buffer around stream

### **Consultant**

Mr. Geoff Masotti, of Cole Engineering Group Ltd., addressed the concerns regarding stormwater management. Ms. Carly Rozell, of EXP Services Inc., addressed the environmental aspects of the subject lands.

### **Planning Staff**

The Director of Planning and Development Services, Mr. Marco Ramunno, addressed the concerns regarding natural land areas, trail connections and access, buffer zone maintenance, flood plain maintenance, building height, background studies, and traffic.

### **Main motion**

**Moved by Councillor Pirri**

**Seconded by Councillor Abel**

THAT Report No. PDS16-038 be received; and

THAT comments presented at the Public Planning meeting be addressed by Planning & Development Services in a comprehensive report outlining recommendations and options at a future General Committee meeting.

### **Amendment**

**Moved by Councillor Pirri**

**Seconded by Councillor Mrakas**

THAT the second clause of the main motion be replaced with the following wording:

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“THAT staff be directed to report back to another Public Planning meeting to address the issues raised at the Public Planning meeting of May 25, 2016.”

**CARRIED**

**Main motion as amended  
Moved by Councillor Pirri  
Seconded by Councillor Abel**

THAT Report No. PDS16-038 be received; and

***THAT staff be directed to report back to another Public Planning meeting to address the issues raised at the Public Planning meeting of May 25, 2016.***

**CARRIED AS AMENDED**

**4. READING OF BY-LAW**

**Moved by Councillor Abel  
Seconded by Councillor Gaertner**

THAT the following confirming by-law be given first, second, and third readings and enacted:

**5864-16** BEING A BY-LAW to Confirm Actions by Council Resulting from Special Council – Public Planning Meeting on May 25, 2016.

**CARRIED**

**5. ADJOURNMENT**

**Moved by Councillor Thom  
Seconded by Councillor Pirri**

THAT the meeting be adjourned at 8:40 p.m.

**CARRIED**

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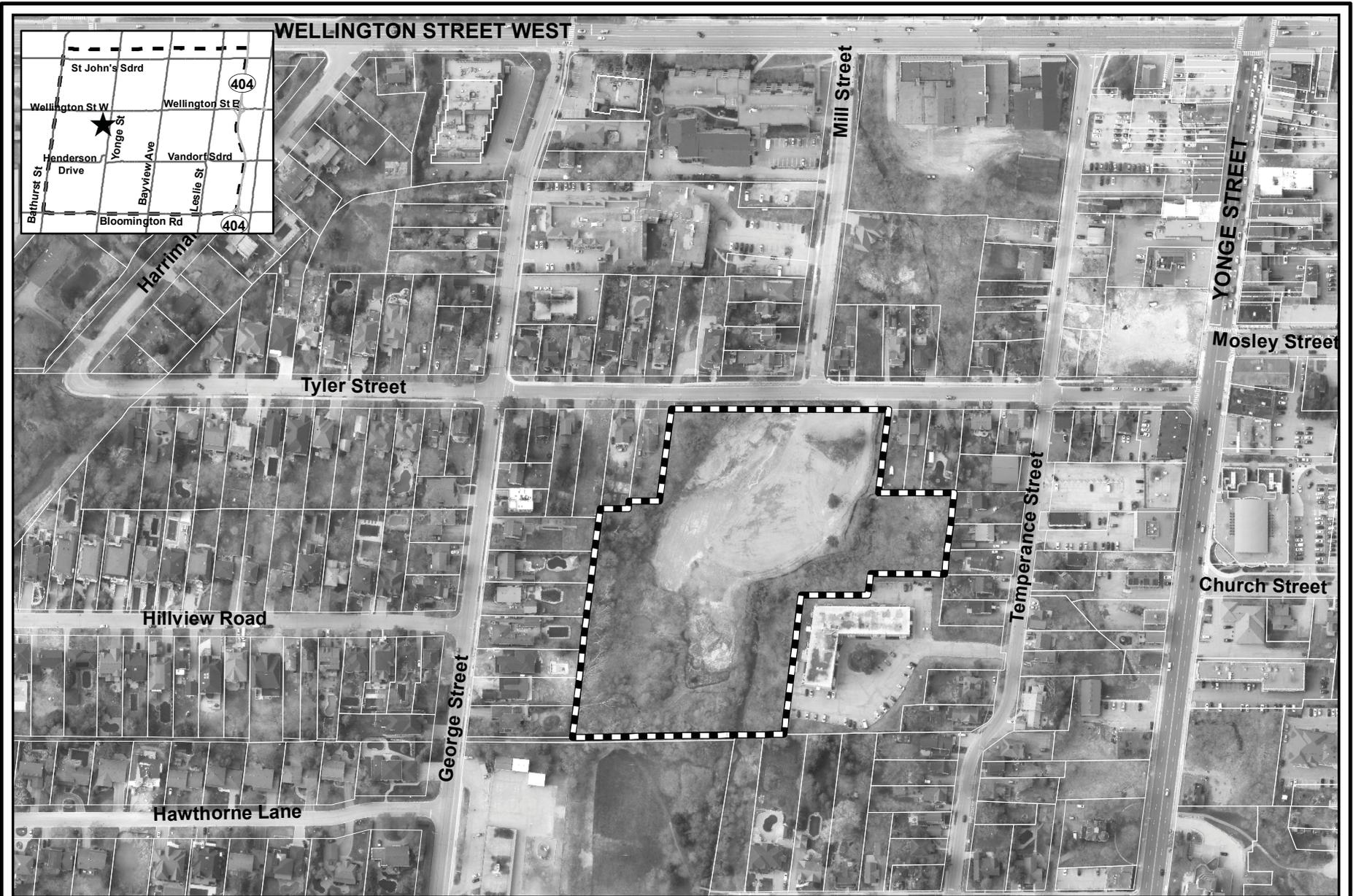
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**GEOFFREY DAWE, MAYOR**

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**PATTY THOMA, DEPUTY CLERK**

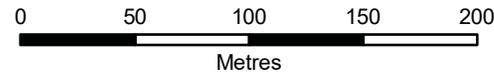
THE MINUTES OF THE SPECIAL COUNCIL – PUBLIC PLANNING MEETING OF MAY 25, 2016, RECEIVED FINAL APPROVAL BY COUNCIL ON JUNE 14, 2016.



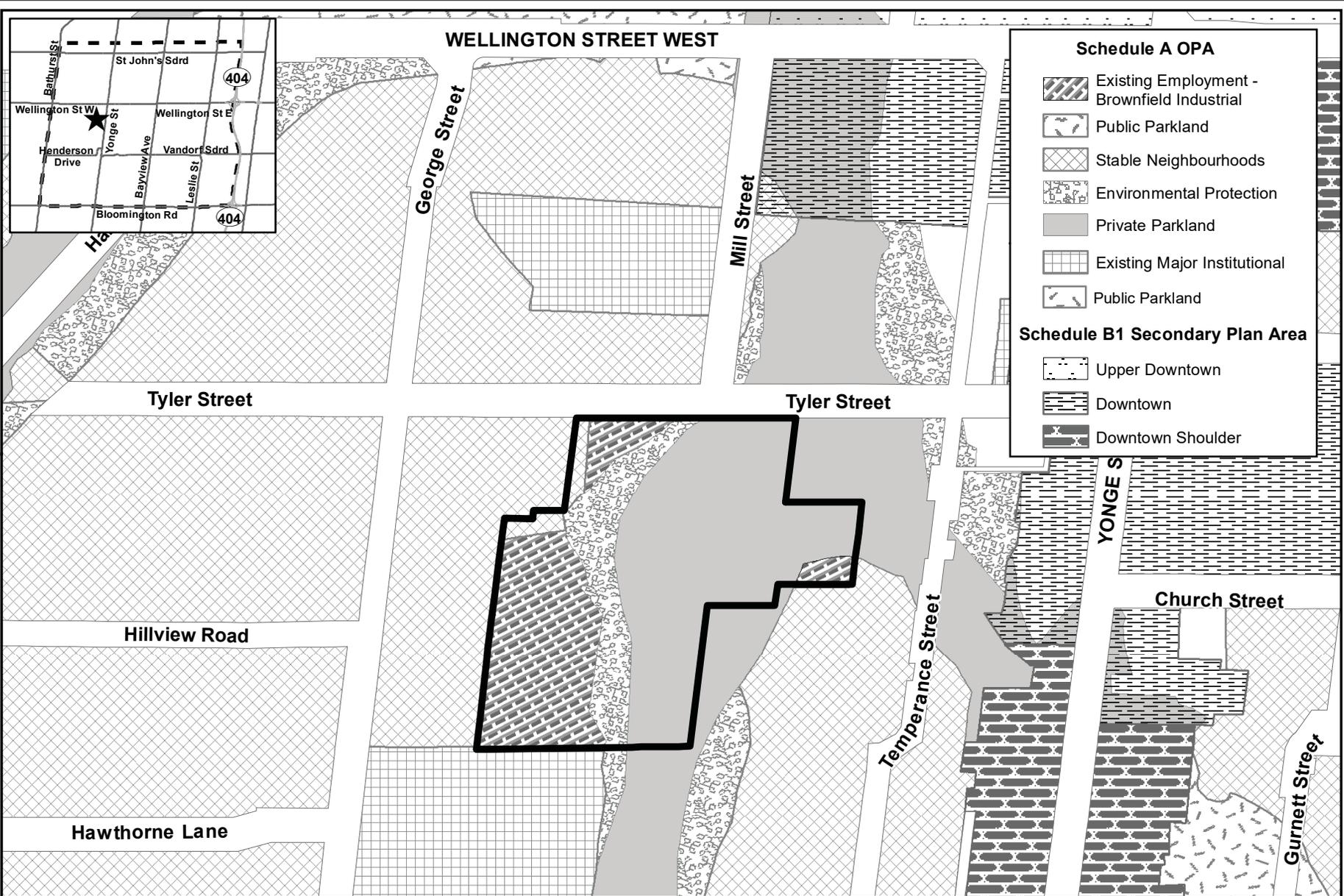
### LOCATION PLAN

APPLICANT: Charlieville Developments Ltd.  
FILE: SUB-2015-03, OPA-2015-02 & ZBA-2015-06  
ATTACHMENT 2

 Subject Lands



Map created by the Town of Aurora Planning & Development Services Department, February 12, 2020. Base data provided by York Region & the Town of Aurora. Air Photos taken Spring 2019, © First Base Solutions Inc., 2019 Orthophotography.



**Schedule A OPA**

- Existing Employment - Brownfield Industrial
- Public Parkland
- Stable Neighbourhoods
- Environmental Protection
- Private Parkland
- Existing Major Institutional
- Public Parkland

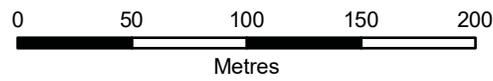
**Schedule B1 Secondary Plan Area**

- Upper Downtown
- Downtown
- Downtown Shoulder

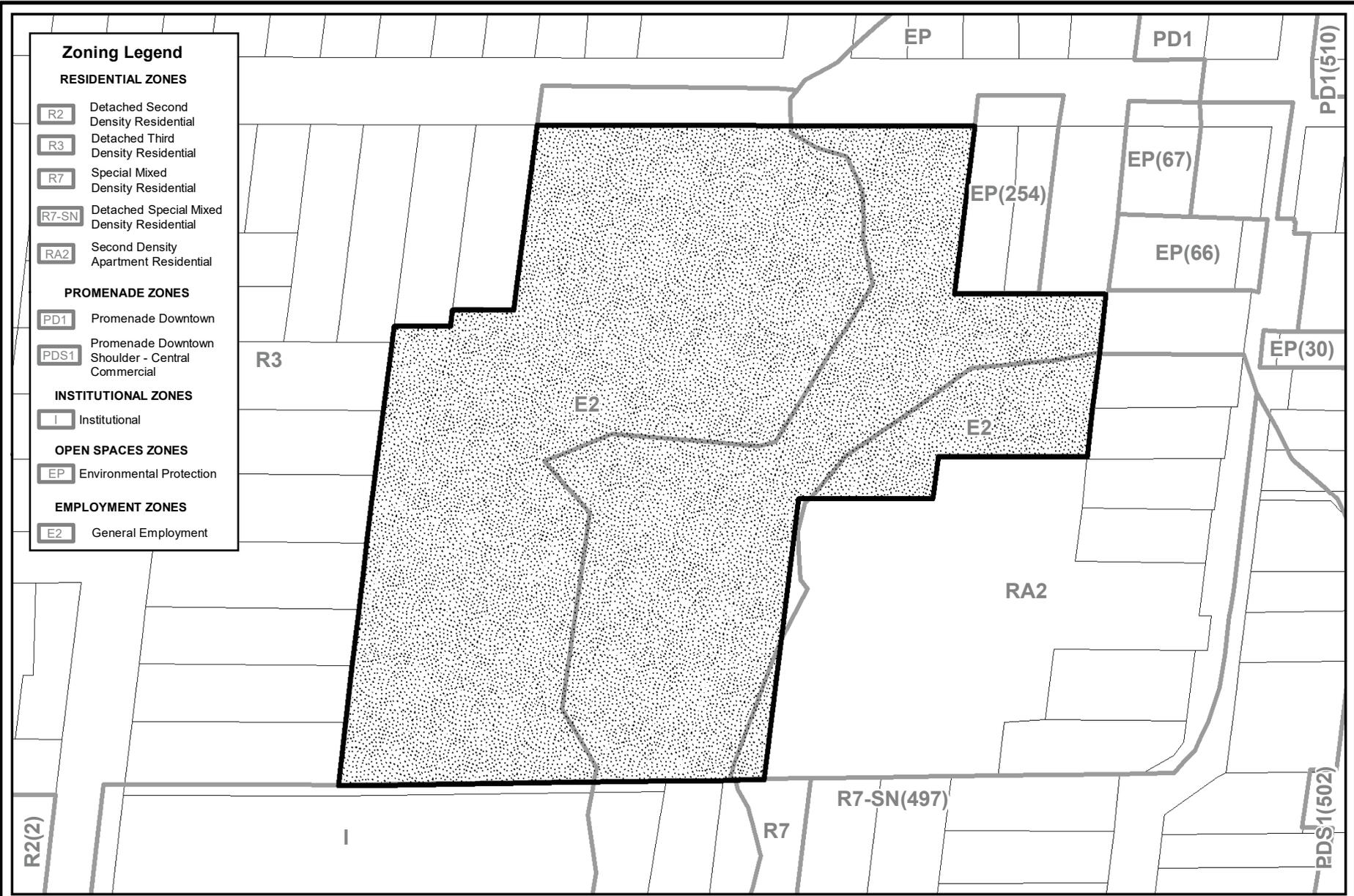
**EXISTING OFFICIAL PLAN**

APPLICANT: Charlieville Developments Ltd.  
 FILE: SUB-2015-03, OPA-2015-02 & ZBA-2015-06  
 ATTACHMENT 3

**SUBJECT LANDS**



Map created by the Town of Aurora Planning & Development Services Department, February 12, 2020. Base data provided by York Region & the Town of Aurora.

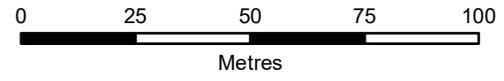


Zoning Legend	
<b>RESIDENTIAL ZONES</b>	
R2	Detached Second Density Residential
R3	Detached Third Density Residential
R7	Special Mixed Density Residential
R7-SN	Detached Special Mixed Density Residential
RA2	Second Density Apartment Residential
<b>PROMENADE ZONES</b>	
PD1	Promenade Downtown
PDS1	Promenade Downtown Shoulder - Central Commercial
<b>INSTITUTIONAL ZONES</b>	
I	Institutional
<b>OPEN SPACES ZONES</b>	
EP	Environmental Protection
<b>EMPLOYMENT ZONES</b>	
E2	General Employment

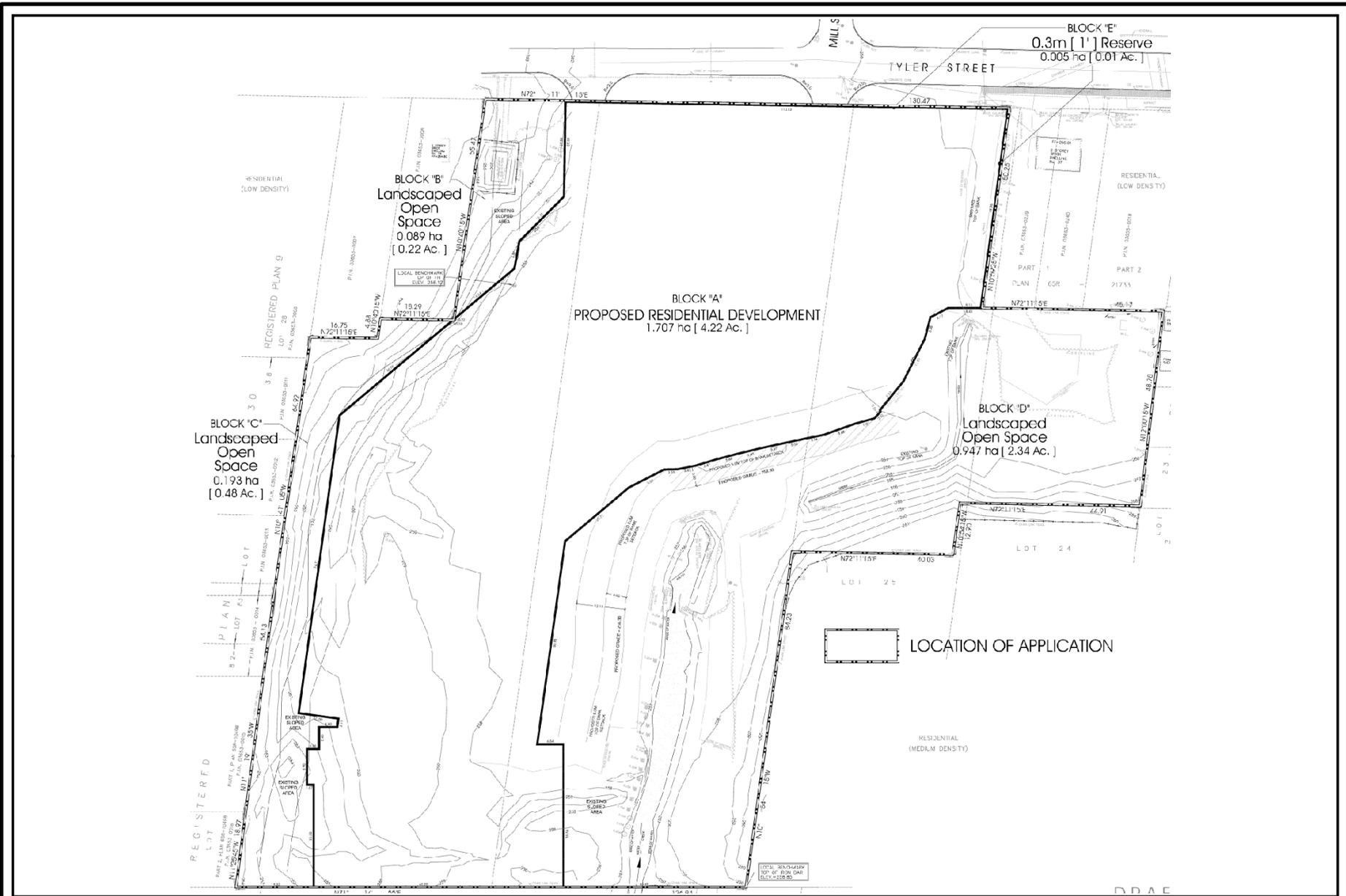
**EXISTING ZONING BY-LAW**

APPLICANT: Charlieville Developments Ltd.  
 FILE: SUB-2015-03, OPA-2015-02 & ZBA-2015-06  
 ATTACHMENT 4

 **SUBJECT LANDS**



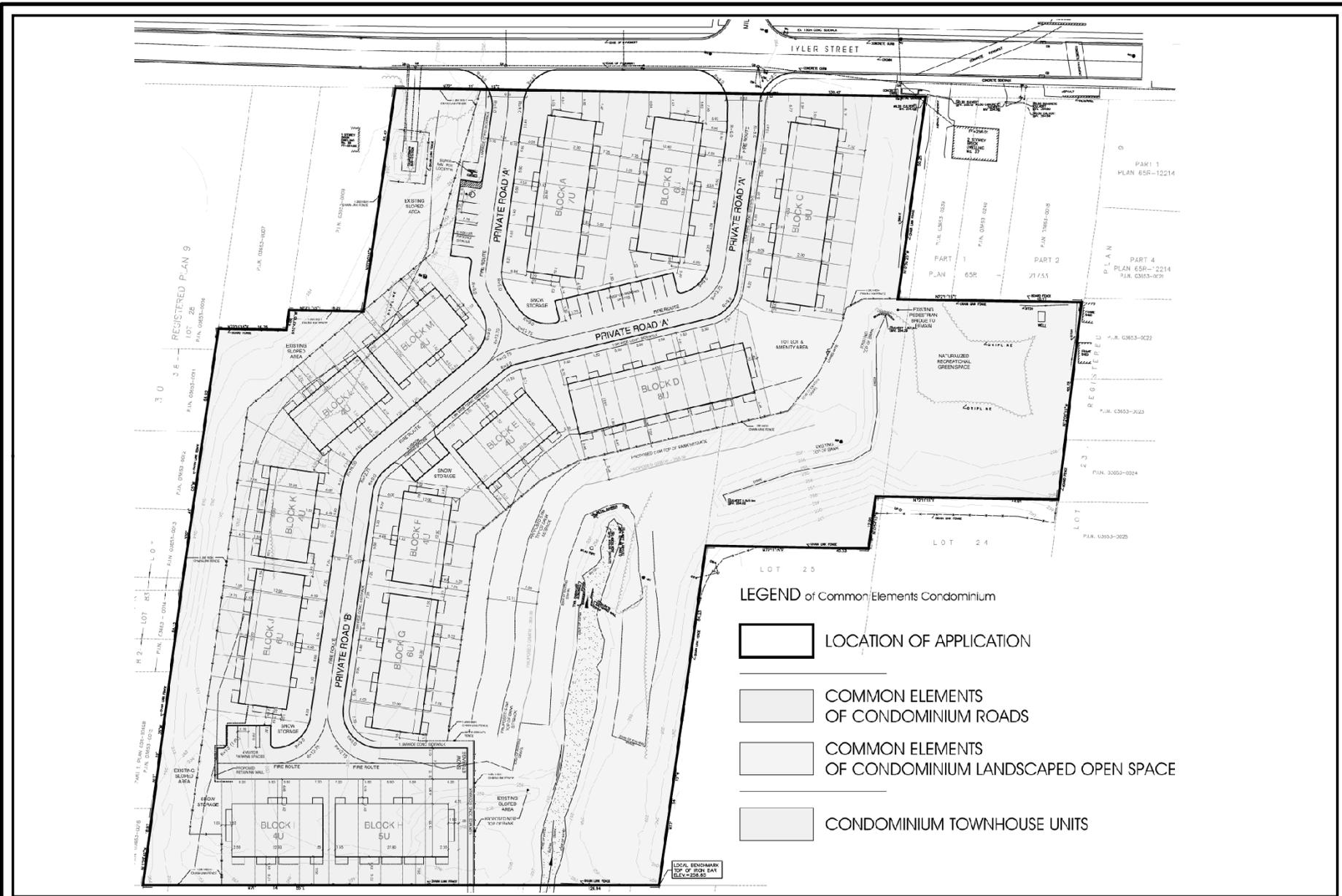
Map created by the Town of Aurora Planning & Development Services Department, February 13, 2020. Base data provided by York Region & the Town of Aurora.



# PROPOSED DRAFT PLAN OF SUBDIVISION

APPLICANT: Charlieville Developments Ltd.  
FILE: SUB-2015-03, OPA-2015-02 & ZBA-2015-06  
ATTACHMENT 5



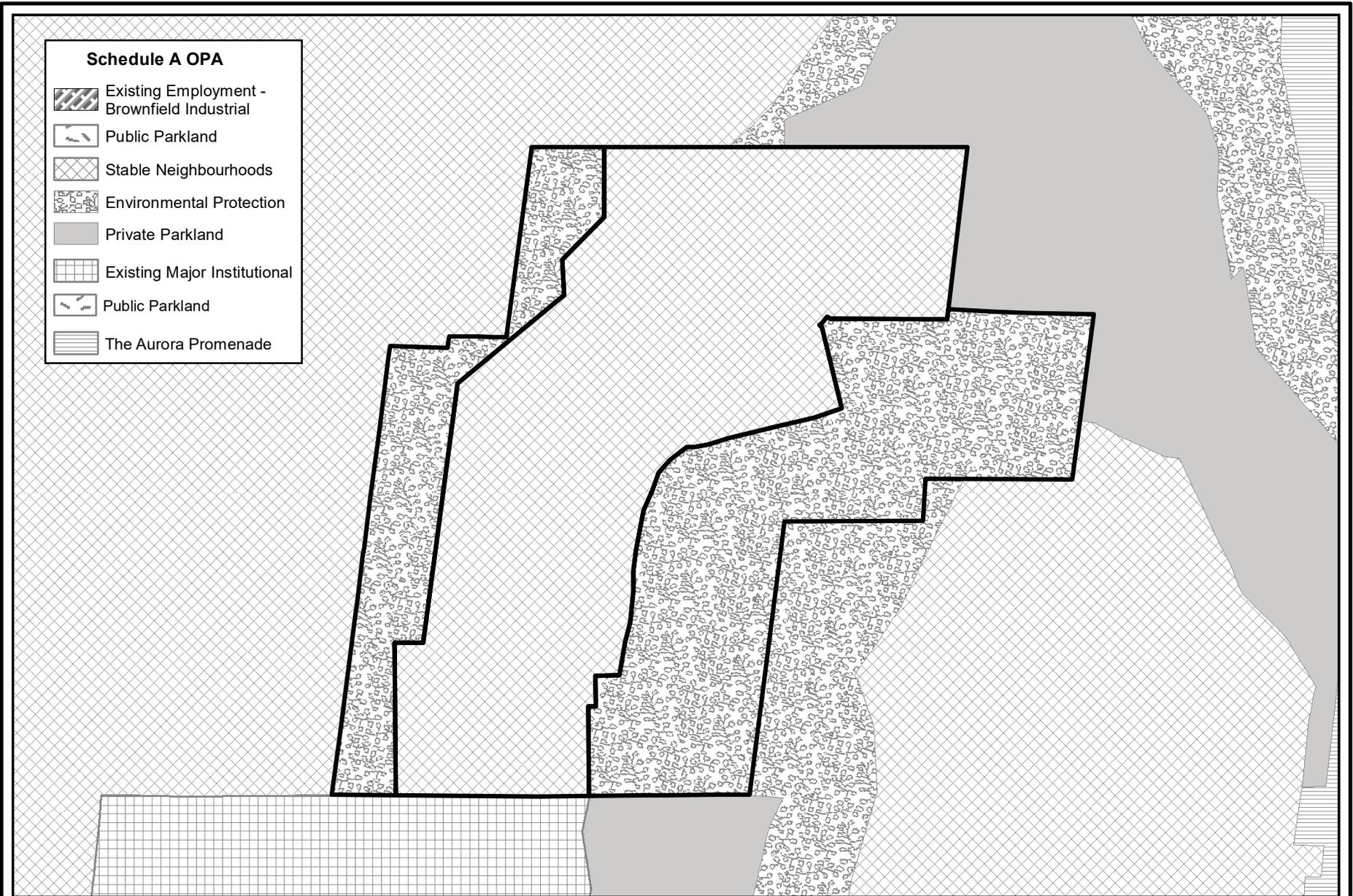


**CONCEPTUAL SITE PLAN**

APPLICANT: Charlieville Developments Ltd.  
 FILE: SUB-2015-03, OPA-2015-02 & ZBA-2015-06  
 ATTACHMENT 6

**70 Total Townhouse Units**





**Schedule A OPA**

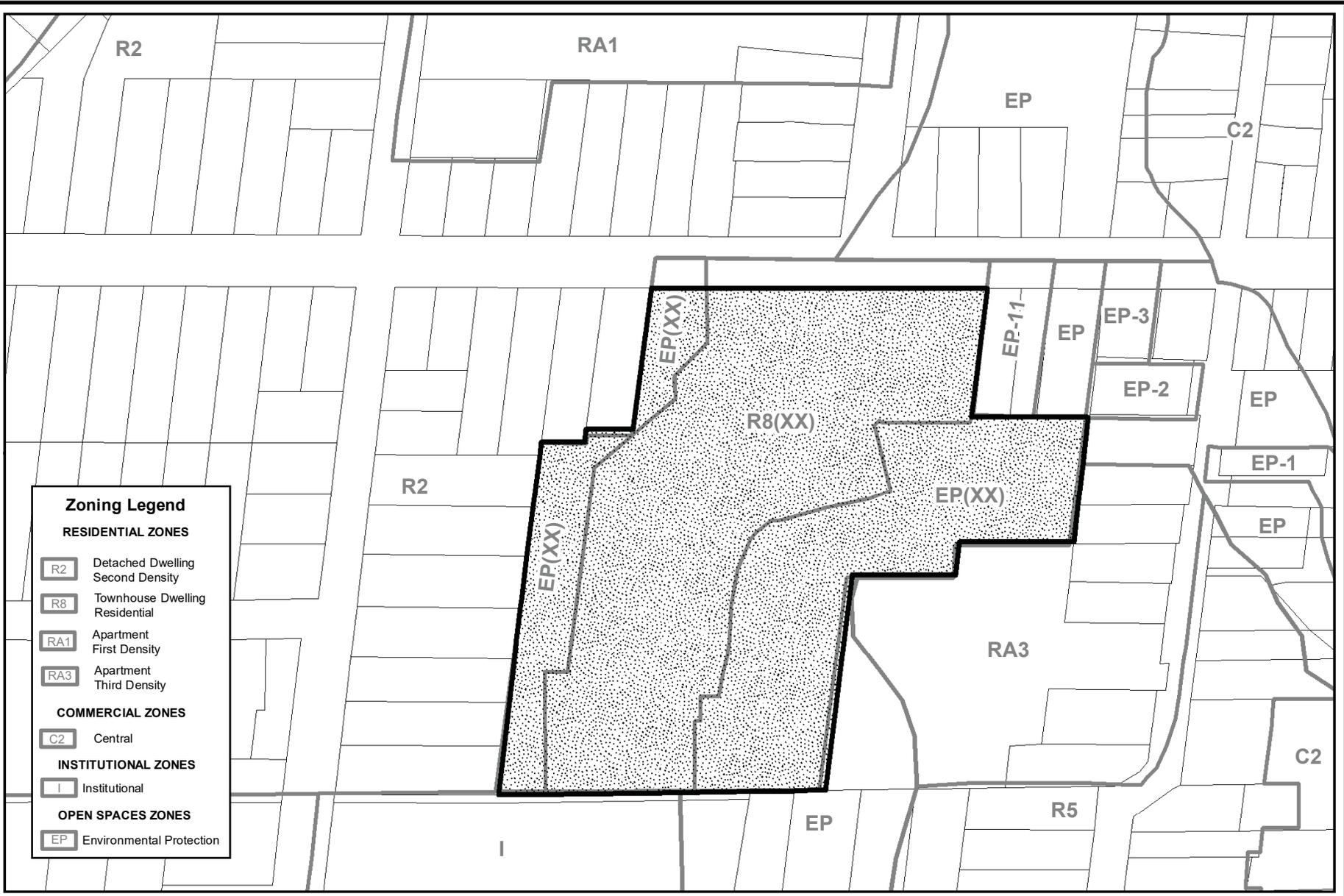
-  Existing Employment - Brownfield Industrial
-  Public Parkland
-  Stable Neighbourhoods
-  Environmental Protection
-  Private Parkland
-  Existing Major Institutional
-  Public Parkland
-  The Aurora Promenade

**PROPOSED OFFICIAL PLAN**

APPLICANT: Charlieville Developments Ltd.  
FILE: SUB-2015-03, OPA-2015-02 & ZBA-2015-06  
ATTACHMENT 7

 SUBJECT LANDS





**Zoning Legend**

**RESIDENTIAL ZONES**

- R2** Detached Dwelling Second Density
- R8** Townhouse Dwelling Residential
- RA1** Apartment First Density
- RA3** Apartment Third Density

**COMMERCIAL ZONES**

- C2** Central

**INSTITUTIONAL ZONES**

- I** Institutional

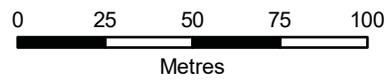
**OPEN SPACES ZONES**

- EP** Environmental Protection

**PROPOSED ZONING BY-LAW**

APPLICANT: Charlieville Developments Ltd.  
 FILE: SUB-2015-03, OPA-2015-02 & ZBA-2015-06  
 ATTACHMENT 8

 **SUBJECT LANDS**



Map created by the Town of Aurora Planning & Development Services Department, February 13, 2020. Base data provided by York Region & the Town of Aurora.



**Town of Aurora  
Public Planning Report**

**No. PDS20-020**

**Attachment 9 – Proposed R8-XX Exception Zone**

Note: The proposed bylaw exceptions are labelled with an asterisk “\*”. Final zoning standards will be evaluated by Staff in detail prior to the Zoning By-law Amendment being brought forward to Council for endorsement.

<b>Zone Requirement</b>	<b>Parent Townhouse Dwelling Residential (R8) Zone Requirement</b>	<b>Proposed R8 (XX) Exception Zone</b>
Permitted Uses	Dwelling, Second Suite; Home Occupation; Dwelling, Link; Dwelling, Quadriplex; Dwelling, Townhouse; Back-to-back Townhouse; Stacked Townhouse	No changes proposed
Lot Area (minimum)	108 m <sup>2</sup>	137 m <sup>2</sup> *
Exterior Side Yard to a private road (minimum)	1.8 m	1.7 m *
Lot Frontage (minimum)	30 m 6 m per unit	22.3 m * 5.5 m per unit *
Front Yard (minimum)	7.5 m	5.7 m *
Rear Yard	7.5 m	6.65 m *
Interior Side Yard	0.0 m (along a Common Lot Line) 1.5 m (for end units)	1.55 m for end units *
Exterior Side Yard	6.0 m	No change proposed
Lot Coverage (maximum)	50%	No change proposed
Height (maximum)	10 m	11.5 m *
Section 4.20: Encroachments for Open porches, uncovered decks and terraces (3.2 m high or less)	Front and exterior side yard: 2.5 m In no case shall be 4.5 m from the Front Lot Line, 3 m from the Exterior Side Yard lot line.	3.0 m * In no case shall be 3.0 m from the Front Lot Line *

March 10, 2020

Attachment 9 – Page 2 of 2

Public Planning  
Report No. PDS20-020

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<b>Zone Requirement</b>	<b>Parent Townhouse Dwelling Residential (R8) Zone Requirement</b>	<b>Proposed R8 (XX) Exception Zone</b>
Section 5.5.4: Ingress and Egress	The maximum width of any joint ingress and egress Driveway measured along the Street Line shall be nine (9) metres	9.5 m *



**Town of Aurora  
Public Planning Report**

**No. PDS20-022**

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**Subject:** Town Initiated Official Plan Amendment to Consider Backyard Swim Schools as a Permitted Home Occupation Use

**Prepared by:** Anna Henriques, Senior Development Planner

**Department:** Planning and Development Services

**Date:** March 10, 2020

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## **Recommendations**

1. That Report No. PBS20-022 be received; and,
2. That comments presented at the Public Planning Meeting be addressed by Planning and Development Services in a recommendation report to General Committee.

## **Executive Summary**

This report provides information on a proposed Town initiated Official Plan Amendment to consider backyard swim schools a permitted home occupation use. The following highlights key points of this report:

- **Proposed Official Plan Amendment is required to support backyard swim schools as a home occupation use;**
- **Proposed Official Plan Amendment provides enabling policies for backyard swim schools to be permitted subject to approval of a minor variance by the Committee of Adjustment;**
- **Committee of Adjustment has the ability to impose conditions of approval to address potential impacts/concerns;**
- **The proposed Official Plan Amendment has been circulated to external agencies for review and comment;**
- **The Town has requested to the Region that the proposed Official Plan Amendment be exempt from Regional approval; and,**

- **Next steps include review of comments on the proposed Official Plan Amendment and working with By-law Enforcement to address pool safety concerns.**

## **Background**

On February 26, 2019, Council passed a resolution requesting that Planning staff report on revisions required to the Town's Comprehensive Zoning By-law 6000-17, as amended, to permit backyard swim schools as a home occupation use.

On December 3, 2019, General Committee considered a report and approved staff's recommended approach for considering backyard swim schools as a permitted home occupation use. The report outlined existing Town Official Plan policies and Zoning By-law regulations pertaining to Home Occupations and recommended that the Town initiate an Official Plan amendment to support backyard swim schools as a permitted Home Occupation use in the Town's Official Plan. The approved approach enables backyard swim schools to be considered as a permitted Home Occupation use, on a site specific basis, through a minor variance application to the Committee of Adjustment.

## **Location / Land Use**

The proposed Official Plan Amendment applies to Town-wide lands where home occupations are permitted in single and semi-detached dwellings.

## **Policy Context**

### **Provincial Policies**

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning. The PPS encourages a mix of employment opportunities and the efficient use of land, buildings and infrastructure in our communities. Home Occupations support this policy direction by utilizing existing housing stock for local employment opportunities.

The Growth Plan for the Greater Golden Horseshoe (The Plan) is a guiding document for growth management within the Greater Golden Horseshoe Area to 2041. The Plan supports the development of complete communities that provide a variety of housing, employment, services and amenities for residents. Home occupations support the

development of complete communities by providing local services and employment opportunities in close proximity to residents.

The Oak Ridges Moraine Conservation Plan (ORMCP) supports home occupations, home businesses, and home industries, subject to certain criteria, including the requirement that the use generally be conducted within a dwelling and/or an accessory building.

#### York Region Official Plan (YROP)

The York Region Official Plan encourages a balance of residential and employment uses throughout the Region to provide opportunities for living and working in close proximity and supports home occupations.

#### Town of Aurora Official Plan

The Town's Official Plan supports home occupations in single and semi-detached dwelling units, including lands within the Settlement Areas of the Oak Ridges Moraine, subject to specific provisions, as outlined in Section 6.13. Key provisions include:

- That the use be carried out entirely within the dwelling unit;
- That the use is clearly secondary to the primary use of the property as a residence, in terms of floor space utilization;
- That the property is the principal residence of the person carrying out the Home Occupation use;
- No outdoor storage of goods, materials, equipment or service vehicles is permitted, except where permitted in accordance with the provisions of the Zoning By-law;
- The Home Occupation use, including traffic generated and hours of operation, do not adversely affect the surrounding area; and,
- Compliance with on-site parking requirements and other provisions regulating Home Occupations in the Zoning By-law.

The Official Plan also states the following with respect to Home Occupations in the "Stable Neighbourhoods" designation:

*"Home Occupations may be permitted within the "Stable Neighbourhoods" designation subject to the policies of 6.13 and 8.1.4 of this Plan and provided that the use is of an*

March 10, 2020

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Report No. PDS20-022

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*accessory and subordinate nature and does not substantially alter the residential nature of the property.”*

The Town's Official Plan also permits “compatible” Home Occupations in the Suburban and Estate Residential designations (Section 8.2).

Excerpts from the Town's Official Plan (Sections 6.13, 8.1.4 and 8.2) are attached as Attachment 1.

Town of Aurora Comprehensive Zoning By-law 6000-17, as amended

The Town's Comprehensive Zoning By-law 6000-17, as amended, defines a Home Occupation as follows:

*“means an occupation which is carried on by and includes the persons residing in a dwelling or dwelling unit and such Home Occupation uses include but are not limited to a studio; tailor; office; office of one (1) medical practitioner; (teaching) and dance or musical instruction when limited to three (3) students at a time; hair stylist; catering services; pet grooming; and a private home day-care.”*

Home Occupations are permitted in several residential zones subject to the Home Occupation provisions in Section 4.6. These provisions are intended to mitigate potential negative impacts on adjacent properties and require that the use be clearly secondary to the main residential use of the building and that the residential character of the dwelling be maintained. Other Home Occupation Zoning By-law provisions regulate matters such as:

- Maximum gross floor area (GFA);
- Location of home occupation use (must be entirely within dwelling or permitted accessory buildings);
- Maximum number of employees;
- Storage of mechanical equipment; and,
- Parking requirement for home occupations, in addition to residential requirements.

Excerpts from the Town's Comprehensive Zoning By-law 6000-17, as amended, (Sections 4.6 and 5.4) are attached as Attachment 2.

## **Analysis**

### **Proposed Official Plan Amendment is required to support backyard swim schools as a home occupation use**

The Town's Official Plan supports non-residential uses as home occupations provided they are clearly secondary to the primary residential use and the use is conducted entirely within the dwelling unit. Given the nature of backyard swim schools as a predominately outdoor use, they are not supported by the Town's Official Plan as a Home Occupation use.

To support backyard swim schools as a Home Occupation use, an Official Plan Amendment is required. Specifically, the proposed Official Plan Amendment introduces a policy to permit backyard swim schools as a home occupation notwithstanding that the use is conducted entirely outdoors. The proposed amendment also introduces a policy to permit minor outdoor storage associated with a backyard swim school use. Consistent with the Town's Official Plan Home Occupation policies, the proposed amendment will apply to Town-wide lands where home occupations are permitted in single and semi-detached dwellings, including lands within the Settlement Areas of the Oak Ridges Moraine. All other Official Plan policies pertaining to home occupations, as outlined in Section 6.13, will be maintained. The draft proposed Official Plan Amendment is attached to this report (See Attachment 3).

### **Proposed Official Plan Amendment provides enabling policies for backyard swim schools to be permitted subject to approval of a minor variance by the Committee of Adjustment**

Similar to the Town's Official Plan policies, the Town's Comprehensive Zoning By-law 6000-17, as amended, only permits home occupations if they are conducted entirely within the dwelling or a permitted accessory building.

Provided that the proposed Official Plan Amendment is approved by Council, backyard swim schools may be permitted as a home occupation, on a site specific basis, from a zoning perspective subject to approval by the Committee of Adjustment of a minor variance. With this approach, minor variance applications will be reviewed by staff and considered by the Committee based on the four (4) tests in the Planning Act:

- i) Is it minor in nature?

- ii) Is it desirable for the appropriate development or use of the land, building or structure?
- iii) Does it meet the general intent and purpose of the Zoning By-law?
- iv) Does it meet the general intent and purpose of the Official Plan?

The proposed Official Plan Amendment will address the test relating to the intent and purpose of the Official Plan.

**Committee of Adjustment has the ability to impose conditions of approval to address potential impacts/concerns**

The Planning Act [S. 45 (9)] provides the Committee with the authority to grant minor variances subject to any conditions the Committee deems necessary. Conditions of approval may be recommended by Town staff after review of the application or they may be imposed by Committee at the hearing to address concerns raised by residents, etc. Examples of possible conditions that may be imposed on a minor variance to approve a backyard swim school include: a limit on the months and hours of operation, maximum number of students and/or employees, time frame for approval, etc.

Committee of Adjustment applications are circulated to all property owners within a 60 metre radius of the property requesting the minor variance. This provides nearby residents who may be impacted with the opportunity to provide input. Public and stakeholder input is considered by the Committee prior to making a decision on a minor variance application and applying any conditions of approval, as deemed appropriate.

**The proposed Official Plan Amendment has been circulated to external agencies for review and comment**

The proposed Official Plan amendment was circulated to external agencies for review and comment. At the time of the writing of this report, comments received have no objection to the proposed Official Plan Amendment.

**The Town has requested to the Region that the proposed Official Plan Amendment be exempt from Regional approval**

Town Planning staff have reviewed the proposed Official Plan Amendment relative to Section 8.3.8 of the Region of York's Official Plan and are of the opinion that the proposed amendment is eligible for exemption from Regional approval as it is of local significance

and will not have Regional implications. At the time of the writing of this report, a response from the Region was not yet received, however, staff anticipate that York Region will grant exemption.

**Next steps include review of comments on proposed Official Plan Amendment and working with By-law Enforcement on pool safety concerns**

Comments received on the proposed Official Plan Amendment will be reviewed and considered, as appropriate, and summarized in a future recommendation report to General Committee. In addition, Planning staff will collaborate By-law Enforcement staff to ensure that backyard swim schools obtain a pool enclosure permit to enclose the pool area and, where one already exists, that it be inspected for compliance with the Pool Enclosure By-law. Planning staff note that both the permit and inspection may be undertaken prior to minor variance application submission, as part of the application review process and/or as a condition of approval. Planning and By-law Enforcement will work together on the specific details and will report back to a future General Committee meeting.

**Public Comments**

Town Planning staff have not received any comments from the public at the time of the writing of this report.

**Advisory Committee Review**

No communication required

**Legal Considerations**

This is a Town initiated Official Plan amendment and therefore, the Town is required to consult with the Region, public bodies and the public. If the amendment is ultimately approved by Council, any person or public body who made oral submissions at this public meeting or written submissions to Council may appeal Council's decision.

**Financial Implications**

There are no financial implications at this time.

## **Communications Considerations**

On February 20, 2020 notice of the Public Planning Meeting was published in the Auroran and Aurora Banner newspapers as well as on the Town website. In addition, notices were provided to prescribed public bodies and agencies and Town ratepayer associations.

## **Link to Strategic Plan**

The recommended approach for considering backyard swim schools as a permitted home occupation use supports the Strategic Plan goals of: Supporting an exceptional quality of life for all and enabling a diverse, creative and resilient economy. The relevant supporting objectives include: Strengthening the fabric of our community and promoting economic opportunities that facilitate the growth of Aurora as a desirable place to do business.

## **Alternative(s) to the Recommendation**

1. That Council provide direction.

## **Conclusions**

The proposed Town initiated Official Plan Amendment is consistent with Provincial, Regional and Local policies and plans. Next steps include the review of comments received on the proposed amendment and discussion with By-law Enforcement on how best to address pool safety issues at the time of minor variance application. Staff will report back to a future General Committee meeting and are targeting Council adoption of the proposed Official Plan Amendment in Spring 2020.

## **Attachments**

Attachment 1- Town of Aurora Official Plan Policies

Attachment 2- Town of Aurora Comprehensive Zoning By-law Home Occupation Provisions

Attachment 3- Draft Official Plan Amendment

March 10, 2020

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Report No. PDS20-022

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## **Previous Reports**

General Committee Report No. PDS 19-100, dated December 3, 2019.

## **Pre-submission Review**

Agenda Management Team Meeting review on February 27, 2020

### **Departmental Approval**

### **Approved for Agenda**



**David Waters, MCIP, RPP, PLE  
Director  
Planning and Development Services**



**Doug Nadorozny  
Chief Administrative Officer**

**ATTACHMENT 1**

**The Town of Aurora Official Plan**

- vii. municipal property maintenance standards and all other relevant municipal regulations and standards shall apply to the *Special Needs Housing*;
  - viii. a minimum of 2 on-site parking spaces or 1 on-site parking space per staff member on duty, whichever is greater, shall be required for *Special Needs Housing Facility*; and,
  - ix. *Special Needs Housing Facility* operators shall obtain a license in accordance with the requirements of the applicable authority.
- d) The implementing Zoning By-law may require a minimum distance separation between *Special Needs Housing* developments.

**6.13 Home Occupations**

- a) Home Occupations may be permitted in single detached and semi-detached residences in accordance with the following provisions:
- i. the use is carried out entirely within the *dwelling unit*;
  - ii. the use is clearly secondary to the primary use of the property as a residence, in terms of floor space utilization;
  - iii. the property is the principal residence of the person carrying on the Home Occupation use;
  - iv. no outside storage of goods, materials, equipment or service vehicles such as trailers and commercially licensed vehicles related to the Home Occupation use shall be permitted, except where permitted in accordance with the provisions of the Zoning By-law;
  - v. the activities associated with the Home Occupation use, including traffic generated and hours of operation, do not *adversely affect* the surrounding area;
  - vi. adequate water supply and sewage disposal facilities are available and the requirements of the Ontario Building Code are satisfied;

**The Town of Aurora Official Plan**

- vii. solid waste beyond the volume normally generated by a household as defined by regional and provincial data is not permitted;
- viii. compliance with *on-site* parking requirements and other provisions regulating Home Occupations in the Zoning By-law; and,
- ix. a permit has been obtained from the Town to operate a Home Occupation, if applicable.

**The Town of Aurora Official Plan**

The implementing Zoning By-law may provide more restrictive height limits based on the specific context of a neighbourhood or area within the Town.

- g) All new townhouses, multiple-unit buildings, communal housing and *special needs housing* may only be permitted within the 'Stable Neighbourhood' designation subject to achieving the following criteria to the satisfaction of Council:
  - i. the *development* shall respect the *existing* character of the surrounding neighbourhood through *compatible* and complementary building siting, massing, height and scale; and,
  - ii. the exterior design of the proposed building or buildings, including materials, colours, architectural detail, landscaping, and streetscape elements shall be *compatible* with the proposal's immediate neighbours.
- h) Home occupations may be permitted within the 'Stable Neighbourhoods' designation subject to the policies of Sections 6.13 and 8.1.4 of this Plan and provided that the use is of an accessory and subordinate nature and does not substantially alter the residential nature of the property.
- i) *Bed and Breakfast establishments* may be permitted within the 'Stable Neighbourhoods' designation subject to achieving the following criteria to the satisfaction of Council:
  - i. the use shall not have a negative impact on the privacy of neighbouring properties;
  - ii. adequate parking facilities are available on the *lot* for the proposed use and parking should not be located in the front yard of any buildings; and,
  - iii. the building shall be *compatible* with the character of the surrounding community.
- j) Elementary Schools may be permitted within the 'Stable Neighbourhoods' designation provided that the impact on adjacent developments is minimized through the provision of adequate parking, landscaping, setback and buffering provisions to be determined in the Zoning By-law.

**The Town of Aurora Official Plan**

- k) Places of Worship may be permitted within the 'Stable Neighbourhoods' designation provided that:
  - i. the impact on adjacent developments is minimized through the provision of adequate parking, landscaping, setback and buffering provisions to be determined in the Zoning By-law; and,
  - ii. traffic and parking studies which demonstrate that the use will not have an adverse impact on the *existing* or proposed traffic network to the satisfaction of Council.
- l) Child care facilities may be permitted within the 'Stable Neighbourhood' designation provided that the impact on adjacent developments is minimized through the provision of adequate parking, landscaping, setback and buffering provisions to be determined in the Zoning By-law; and,
- m) Local convenience/service retail and office uses may be permitted in close proximity to existing commercial areas within the 'Stable Neighbourhoods' designation provided that:
  - i. the impact on adjacent developments is minimized through the provision of adequate parking, landscaping, setback and buffering provisions to be determined in the Zoning By-law; and,
  - ii. traffic and parking studies which demonstrate that the use will not have an adverse impact on the *existing* or proposed traffic network to the satisfaction of Council.

**8.1.4 Design Policies**

- a) All new *development* within the 'Stable Neighbourhoods' designation shall respect and reinforce the *existing* physical character and uses of the surrounding area, with particular attention to the following elements:
  - i. the pattern of *lots*, streets and blocks;
  - ii. the size and configuration of nearby *lots*;
  - iii. the building type of nearby residential properties;
  - iv. the heights and scale of nearby residential properties;
  - v. the setback of buildings from the street;

**The Town of Aurora Official Plan**

- vi. the pattern of rear and side-yard setbacks; and,
- vii. conservation and enhancement of *cultural heritage resources*.

**8.2 Suburban And Estate Residential Policies**

- a) Permitted uses in suburban and estate residential areas shall be limited to detached dwellings, an accessory dwelling and *compatible* home occupations.
- b) To ensure highest standards of *development* for these extremely low density residential uses, the same policies shall apply to both suburban and estate residential densities with the exception that:
  - i. suburban residential density requires:
    - a minimum *lot* area of 0.2 net residential hectare (or 0.5 acres) per unit; or,
    - clusters of at least 10 units may be permitted provided that a minimum of 25% of the overall *lot* area is designated as common or public open space;
    - full municipal water and sanitary services;
  - ii. estate residential density requires:
    - a minimum *lot* area of 0.8 net residential hectare (or 2 acres) per unit; or,
    - clusters of at least 10 units may be permitted, provided a minimum 40% of the overall *lot* area is designated as common or public open space;
    - the ultimate density of *development* proposed on subsurface sewage disposal systems shall be determined through a hydrogeological study;
- c) Suburban and Estate Residential *development* will be encouraged in clusters of at least 10 units, which allow for:
  - i. more efficient utilization of road, water and waste disposal systems,

**ATTACHMENT 2**

Town of Aurora  
Zoning By-law #6000-17

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**4.6 HOME OCCUPATION**

Where a *Home Occupation* is permitted in this By-law, it shall comply with the following regulations:

- 4.6.1 It shall be conducted entirely within the dwelling or permitted accessory buildings.
- 4.6.2 There shall be no mechanical equipment used or stored except where ordinarily used for domestic purposes.
- 4.6.3 No more than one person not resident in the dwelling shall be employed in the *Home Occupation*.
- 4.6.4 Such a *Home Occupation* shall be clearly secondary to the main residential use of a building and shall not change the residential character of a dwelling house or unit.
- 4.6.5 Not more than twenty-five (25) percent of the *gross floor area* of the dwelling shall be used for the purpose of *Home Occupation* uses, and in no case shall the home occupation exceed 45 square metres.
- 4.6.6 Where a single *detached dwelling unit*, *semi-detached dwelling unit*, or *link house dwelling unit* contains a *second suite dwelling unit* and is permitted to have a *Home Occupation*, the *Home Occupation* shall be permitted in only one unit.

**4.7 PLANNED WIDTH OF ROAD ALLOWANCE**

Where a *Lot* abuts a road under the jurisdiction of the Province of Ontario or the Regional Municipality of York, the regulations of those agencies respecting *Front Yard Setbacks* shall apply unless the appropriate *Zone* provisions of this By-law is greater, in which case, the greater requirement will apply.

**4.8 LANDSCAPING STRIP**

Any *Lot* on lands zoned Commercial, Employment, Institutional or Multiple Residential (more than four *dwelling units* per *Lot*) that is adjacent to any Residential *Zone* shall require a *Landscaping Strip* in accordance with the following provisions:

**4.8.1 Location:**

The *Landscaping Strip* be located adjacent to the entire length of any property line which abuts a Residential *Zone*, which is either:

**Town of Aurora  
Zoning By-law #6000-17**

<b>Dwelling unit- Freehold &amp; Block Townhouses, Apartment Building, Any commercial building containing residential units</b>	1.5 spaces per <i>dwelling unit</i> , minimum 20% of spaces provided shall be set aside for visitor parking
<b>Dwelling, Second Suite</b>	1.0 space for the Second Suite Dwelling in addition to the residential parking space requirements in this By-law.
<b>Equipment Sales and Rental Establishment</b>	5.5 spaces per 100 m <sup>2</sup> of GFA
<b>Financial Institutions</b>	8.0 spaces per 100 m <sup>2</sup> of GFA
<b>Fitness Centre, Recreation Centre</b>	6.0 spaces per 100 m <sup>2</sup> of GFA for exercise rooms or similar uses, plus 5.0 spaces per athletic court
<b>Funeral Parlours</b>	6.0 spaces per 100 m <sup>2</sup> of floor area or 1 space for each 5 seats capacity of the chapel, whichever is greater
<b>Garden Centres, Greenhouses</b>	3.3 spaces per 100 m <sup>2</sup> of GFA  A seasonal <i>Garden Centre</i> accessory to a main use may have no additional parking requirement.
<b>Golf Courses</b>	24.0 spaces for each 9 holes  Plus 3.5 spaces per 100 m <sup>2</sup> of GFA for the club house  Plus 2.5 spaces per 100 m <sup>2</sup> of GFA for any other facility provided
<b>Health and Wellness Centre</b>	4.0 spaces per 100 m <sup>2</sup> of GFA
<b>Home Occupation</b>	1.0 space per 25 m <sup>2</sup> of GFA for <i>Home Occupation</i> purposes in addition to the residential requirement  2.0 spaces per 25 m <sup>2</sup> of GFA for the office of a medical practitioner in addition to the residential requirement
<b>Hospital</b>	3.0 spaces per 100 m <sup>2</sup> of GFA
<b>Hotels, Motels</b>	1.0 space per room plus parking requirements for any other use
<b>Hotels, Motels within Business Park Zone</b>	1.0 space per room plus 10 spaces per 100 m <sup>2</sup> of GFA devoted to public uses



***AMENDMENT NO. XX***

***TO THE OFFICIAL PLAN***

***FOR THE TOWN OF AURORA***

***AMENDMENT NO. XX  
TO THE OFFICIAL PLAN  
FOR THE TOWN OF AURORA***

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**STATEMENT OF COMPONENTS**

***PART I – THE PREAMBLE***

1. Introduction
2. Purpose of the Amendment
3. Location
4. Basis of the Amendment

***PART II – THE AMENDMENT***

1. Introduction
2. Details of the Amendment
3. Implementation and Interpretation

## **PART I – THE PREAMBLE**

### **1. Introduction**

This part of the Official Plan Amendment No. XX (the “Amendment”), entitled Part I – The Preamble, explains the purpose and location of this Amendment, and provides an overview of the reasons for it. It is for explanatory purposes only and does not form part of the Amendment.

### **2. Purpose of the Amendment**

The purpose of this Amendment is to allow outdoor swim schools to be considered as a permitted home occupation use for single and semi-detached dwellings. The Amendment will amend Official Plan home occupation policies to allow a swim school home occupation use to be conducted outside of a dwelling unit and to permit associated minor outdoor storage subject to receiving approval for a minor variance from the Committee of Adjustment.

### **3. Location**

The proposed amendment will apply to all lands within the Town where home occupations are permitted in single and semi-detached dwellings.

### **4. Basis of the Amendment**

The basis of the Amendment is as follows:

- 4.1 The Official Plan Amendment is a Town-initiated amendment. On December 10, 2019, Council directed staff to initiate an Official Plan Amendment to add backyard swim schools as a permitted Home Occupation use.
- 4.2 A Public Planning Meeting was held on March 10, 2020 to present the proposed Amendment and to obtain input from members of the public and Council.
- 4.3 The Town’s Official Plan policies (6.13) permit home occupations in single detached and semi-detached residences provided, amongst other things, that the use is carried out entirely within the dwelling unit and there is no outdoor storage. An Official Plan Amendment is required to amend the Official Plan home occupation policies to allow a swim school home occupation use to be conducted entirely outside of a dwelling unit and to permit associated minor outdoor storage.
- 4.4 To ensure compatibility with neighbouring and surrounding properties and to mitigate potential impacts, the existing Official Plan policies that limit home occupations as a secondary use to the primary residential use (in terms of floor

space utilization), require compliance with on-site parking requirements and require no adverse traffic or hours of operation impacts will be maintained.

- 4.5 The Amendment will provide the flexibility for outdoor swim schools to be considered as a permitted home occupation use, on a case by case basis and where appropriate, via a minor variance application to the Committee of Adjustment.
- 4.6 The Amendment is consistent with Provincial and Regional Policies and Plans which support the:
- Utilization of existing housing stock for local employment opportunities; and,
  - Development of complete communities by providing local services and employment opportunities in close proximity to residents and opportunities for living and working in close proximity.

## **PART II – THE AMENDMENT**

### **1. Introduction**

All of this part of the document entitled Part II – The Amendment, consisting of the following text and attached maps, designated as Schedule “B2” (The Aurora Promenade Secondary Plan Area) and Schedule “H” (Site Specific Policy Areas), constitutes Amendment No. 16 to the Official Plan.

### **2. Details of the Amendment**

The Official Plan is hereby amended as follows:

Item (1):

“Notwithstanding Section 6.13 (a)(i) and (iv) respecting Home Occupations, outdoor swim schools may be permitted as a home occupation use in addition to related minor outdoor storage, where appropriate and subject to the other policies in Section 6.13.

### **3. Implementation and Interpretation**

This Amendment has been considered in accordance with the provisions of the Official Plan. The implementation and interpretation of this Amendment shall be in accordance with the respective policies of the Official Plan.

DRAFT

**The Corporation of The Town of Aurora**

**By-law Number XXXX-20**

**Being a By-law to confirm actions by Council  
resulting from a Council Public Planning meeting  
on March 10, 2020.**

**The Council of the Corporation of The Town of Aurora hereby enacts as follows:**

1. That the actions by Council at its Council Public Planning meeting held on March 10, 2020, in respect of each motion, resolution and other action passed and taken by the Council at the said meeting is hereby adopted, ratified and confirmed.
2. That the Mayor and the proper officers of the Town are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required and to execute all documents as may be necessary in that behalf and the Clerk is hereby authorized and directed to affix the corporate seal to all such documents.

**Enacted by Town of Aurora Council this 10<sup>th</sup> day of March, 2020.**

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**Tom Mrakas, Mayor**

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**Samantha Yew, Deputy Town Clerk**