



TOWN OF AURORA

**OFFICIAL PLAN AND/OR ZONING BY-LAW
AMENDMENT APPLICATION GUIDE**

PLANNING AND DEVELOPMENT SERVICES

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1. INTRODUCTION

This Guide has been prepared by the Town of Aurora Planning and Development Services to provide a general outline of the procedures involved in the processing and review of an Application Form for Official Plan Amendment (OPA) and/or Zoning By-law Amendment (ZBA) in the Town of Aurora. The purpose of the Guide is to familiarize the Applicant of the responsibilities of both the proponent and the Municipality under the provisions of the *Planning Act* as amended and the Town's policies.

2. PRE-CONSULTATION MEETING

The Pre-Consultation Meeting is a vital part of the planning process. Before submitting an Official Plan or Zoning By-law Amendment Application, Applicants are **required** to arrange a Pre-Consultation Meeting with Planning and Development Services, Development Planning Division. Please call (905)727-3123, ext. 4226 to arrange a meeting.

The Pre-Consultation Meeting will allow the Applicant to explain the proposal and give Staff an opportunity to provide preliminary comments and advise what reports/materials will be required to make a "Complete Application" pursuant to the *Planning Act* and the Town's Official Plan.

Prior to the Pre-Consultation Meeting, the following information **must** be provided to the planner:

- A conceptual site plan of the proposal;
- Legal description of the site;
- Location description; and
- A brief description of the proposal.

The information provided by the Applicant for the Pre-Consultation Meeting will be circulated to relevant departments for preliminary comments. Pre-Consultation Meetings are held on the first and third Thursday of the month by the Planning Review Committee.

3. APPLICATION REQUIREMENTS

A "Complete Application" as outlined below allows the Planning Application to proceed expeditiously.

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a) Submission Requirements

For Official Plan and Zoning By-law Amendment Applications, the submission requirements are as follows:

- i. Application Fees;
- ii. Application Form;
- iii. All plans and reports as determined at the Pre-Consultation Meeting or as necessary; and
- iv. Draft Official Plan Policies and Zoning By-laws are to be provided in legal size format.

GIS Submission Requirements

Please note that spatial data for the Application should be submitted in an *esri* supported format, preferably in a shapefile (.SHP) or file geodatabase (.GDB; version 10.0 or older) format. A PDF should also be included showing the final product layout. If it is not possible to provide the fore mentioned formats, spatial data will be accepted in an AutoCAD format (.DWG or .DXF; version 2012 or older).

All spatial data should be projected/georeferenced to the projected coordinate system of North American Datum (NAD) 83, Universal Transverse Mercator (UTM), Zone 17 N. Spatial data should be stored in different layers/feature classes for different types of features and named appropriately. For example, there should be a single layer for lot boundaries and not two different layers where one indicates the north and south lot boundaries and another layer is lines for the east and west lot boundaries. The spatial data should be submitted in a digital format via e-mail or digital storage media (i.e. CD/DVD or USB Flash Drive). Zip files are acceptable and the entire file size for e-mail submission should not exceed 10 MB. Should the file size be greater than 10 MB, please submit the files on CD/DVD or USB Flash Drive. Any changes made to the data by the applicant after submission, geometry or lot numbers for instance, should also be submitted following the guidelines previously stated.

In addition, the files submitted digitally will not be distributed to external agencies and will only be used by internal staff members.

b) Application Fees

Please see the Fee By-law Schedule for the Official Plan and Zoning By-law Amendment Application on the Town's website under Planning. Fees should be paid by cheque payable to the **"Town of Aurora"**. The Town does not collect fees on behalf of any external agencies.

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The fees for an associated Official Plan Amendment and/or Rezoning should be made at the same time. A Complete Application including the completed Fee Calculation Worksheet and fees are required prior to initiating a new file.

c) Freedom of Information

Please note that the *Planning Act* requires the Town of Aurora to ensure that adequate information is made available to the public in connection with each land development application. This information and all accompanying documentation will be used by the Town to evaluate the Application and create a record that is available to the general public. If you have any questions regarding the collection of information, please contact the Town Clerk at 905-727-3123.

4. APPLICATION CIRCULATION

Once a “Complete Application” has been received and is considered complete, the Applicant will be advised and a Notice of a “Complete Application” will be advertised and the Application will be circulated to all relevant internal Town departments and external agencies (may include a peer reviewer as discussed at the Pre-Consultation stage) for the review and comment as per the prescribed requirements of the *Planning Act*. Copies of all the comments will be forwarded to the Applicant by Planning and Development Services in a timely fashion. Resolution of any conflicts arising from the comments will be facilitated by Planning and Development Services. The Applicant is responsible for addressing all comments.

a) Notice of a Public Planning Meeting

All Official Plan and Zoning By-law Amendment Applications are subject to at least one Public Planning Meeting as required by the *Planning Act*. Typically when development proposals consist of more than one type of Application, such as an Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision, the required Public Planning Meetings can be combined into one meeting. Public Planning Meetings are generally held the last Wednesday of each month.

In accordance with the *Planning Act*, Notices of the formal Public Planning Meeting are forwarded by mail to every person assessed within 120 (one hundred and twenty) metres (400 feet.) of the entire land holding and to any other person who has requested to be notified of the meeting. In addition, Notice is given by publication in the two local newspapers, the Town’s website and a sign is posted on the subject lands. Notices must be sent out 20 (twenty) days prior to the scheduled Public Planning Meeting date.

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b) Notice Signs

The Applicant is required to erect a Notice Sign at the time, and in a form and location, prescribed by the Town of Aurora, to advise the Public of the Application(s). Notice Sign(s) shall be produced, erected and maintained in accordance with the following procedures:

- i. Planning and Development Services will provide the Applicant with the wording for the Notice Sign and it is the Applicant's responsibility to ensure that the Notice Sign is erected by the date stipulated by Planning and Development Services. If the Notice Sign is not erected as prescribed, the Public Planning Meeting will be rescheduled;
- ii. One Notice Sign shall be erected on each street frontage approximately at the mid-point along the frontage and within 6.0 metres (20 feet) from the lot line and should be clearly visible from the street. The specific location should be discussed with Planning and Development Services, Development Planning staff;
- iii. The Notice Sign(s) shall be constructed of 3/4" thick plywood (good on one side or better grade) and a minimum of four feet by four feet in size. It shall be supported by a minimum of two uprights and secured in the ground. The Notice Sign(s) face shall be at eye level (approximately five feet above the ground);
- iv. The Notice Sign(s) shall have black lettering on a white background and be clearly visible from the street. The lettering shall be of a plain upper case (*Helvetica Medium or similar typeface*);
- v. All Notice Signs shall be approved by the Town in advance of it being posted.
- vi. The Notice Sign(s) shall be removed within seven days after one of the following events has taken place:
 - The Application is refused by Council or withdrawn;
 - The Official Plan Amendment is approved or refused by the Ontario Municipal Board;
 - The Zoning By-law comes into force or is approved by the Ontario Municipal Board; and
 - The Subdivision has been draft approved by either Council or the Ontario Municipal Board.
- vii. Failure to maintain the prescribed Notice Sign(s) in good order may be considered

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sufficient grounds to stop the processing of the Application at any time and to refuse the Applicant's request.

Below is a **SAMPLE** of the Notice Sign wording.

NOTICE

AN APPLICATION HAS BEEN MADE FOR AN AMENDMENT TO THE ZONING BY-LAW 2213-78, AS AMENDED,/ OFFICIAL PLAN TO AMEND/CHANGE FROM "_____" TO "_____" TO PERMIT _____. ADDITIONAL INFORMATION AND A COPY OF THE WRITTEN NOTICE MAY BE OBTAINED FROM THE TOWN OF AURORA PLANNING AND DEVELOPMENT SERVICES (905) 727-3123 EXT. ___ (REFERS TO FILE NUMBER ___- ___ - ___) WEEKDAYS BETWEEN 8:00 A.M. AND 5:00 P.M. A PUBLIC MEETING TO DISCUSS THE APPLICATION WILL BE HELD AT THE AURORA TOWN HALL COUNCIL CHAMBERS AT 100 JOHN WEST WAY AT 7:00 P.M. ON _____.

For further information with respect to the Signage, please contact the Planner assigned to the file.

If the development proposed is amended, Planning and Development Services staff will determine if another Public Meeting is required. In the event that another Public Planning Meeting is required, both new Notices and Notice Signs will also be required, as directed by Planning and Development Services staff.

c) Public Planning Meeting Procedures

A Public Planning Meeting is held by Council with Notice circulated to every person assessed within 120 (one hundred and twenty) metres (400 feet.) of the entire land holding and to any other person who has requested to be notified of the meeting. A staff report is prepared for the Public Planning Meeting by Planning and Development Services, Development Planning Division that outlines the purpose of the Application and identifies issues to be addressed prior to a future staff report with staff recommendations to the Application. At the Public Planning Meeting, both Planning and Development Services staff and the Applicant will make presentations on the proposal and are available to answer questions from Council and members of the public. Further, at the Public Planning Meeting, all comments from the public are heard. Council will provide direction to staff to respond to all public, departmental and agency comments and to prepare a subsequent report for General Committee and Council consideration on the Planning Application(s). For reference purposes only, attached to this Application Guide are Standard Templates for both the Draft Official Plan policy and Zoning By-law.

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d) Approval Authority

Official Plan Amendment (OPA)

The "Approval Authority" for Official Plan Amendments in the Town lies with the Regional Municipality of York. The Regional Municipality of York passed By-law No. 2010-15 on February 18, 2010 to authorize the exemption of certain local Official Plan Amendments that are of local significance and no Regional interest is adversely impacted. The exemption procedure is set out in Regional Official Plan Amendment No. 9, which is available from the Regional Municipality of York. The Regional Municipality of York charges a fee for exemptions from Regional approval which is set out in Regional By-law No. 2010-15, as amended.

For Applications that are not exempted from Regional approval and are supported by Council, the Town will forward the Official Plan Amendment document to the Regional Municipality of York for consideration and approval. The Applicant is required to pay all necessary fees directly to the Regional Municipality of York. Any questions regarding the Regional fees should be addressed to the Transportation and Community Planning Department at (905) 830-4444 ext. 75000 or 1-877-464-9675.

Zoning By-law Amendment (ZBA)

Approvals of Zoning By-law Amendments are granted by the Council of the Town of Aurora. Zoning By-law approval may be subject to conditions such as Site Plan approval and/or may be linked to Draft Plan Approval for Subdivisions.

e) Appeal Procedures

Official Plan Amendment (OPA)

If Council refuses the Application or neglects to decide on the proposal within 180 (one hundred and eighty) days of the submission of the Complete Application, any person that requests an Amendment to the Official Plan may appeal to the Ontario Municipal Board in respect to all or any part of the requested Amendment by filing a Notice of Appeal to the Town Clerk.

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In the event that the Application is approved by Council, the proposed OPA and Adopting By-law is forwarded to the approval authority within 15 (fifteen) days of Adoption. The approval authority may approve, modify and approve as modified or refuse to approve a plan. Subsequent to the Decision of the approval authority a written notice of the decision is given pursuant to the provisions of the *Planning Act*.

Any person or public body may, no later than 20 (twenty) days after the day that the giving of written Notice as required by the *Planning Act* is completed, appeal to the Ontario Municipal Board by filing with the approval authority a Notice of Appeal setting out the objection to the Amendment and the reasons in support of the objection. (See section 4.5 for information on the approval authority).

In the case of an Amendment that is exempt from Regional Approval, the Town provides the written notice within 15 (fifteen) days of Adoption of the Plan and after the 20 (twenty) day appeal period, which commences upon the date of the written notice by the Town.

If a person or public body does not make oral submissions at a Public Planning Meeting or make written submissions to the Town before the proposed Official Plan Amendment is adopted, the person or public body is not entitled to appeal the Decision of the Town, or the Regional Municipality of York, as the case may be, to the Ontario Municipal Board.

(AND)

If a person or public body does not make oral submissions at a Public Planning Meeting or make written submissions to the Town before the proposed Official Plan Amendment is adopted, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to add the person or public body as a party.

Zoning By-law Amendment (ZBA)

Where an Application to the Council for an Amendment to a By-law passed under this section or a predecessor of this section is refused or the Council refuses or neglects to make a decision thereon within 120 (one hundred twenty) days after the receipt by the Town Clerk of the Application, the Applicant may appeal to the Ontario Municipal Board and the Board shall hear the appeal; dismiss or amend the By-law in such manner as the Board may determine; or direct that the By-law be amended in accordance with its order.

Any person or public body may, no later than 20 (twenty) days after the day that the giving of written Notice as required by the *Planning Act* is completed, appeal to the Ontario Municipal

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Board by filing with the approval authority a Notice of Appeal setting out the objection to the Amendment and the reasons in support of the objection. (See section 4.5 for information on the approval authority).

If a person or public body does not make oral submissions at a Public Planning Meeting or make written submissions to the Town before the By-law is passed, the person or public body is not entitled to appeal the Decision of Town Council to the Ontario Municipal Board.

(AND)

If a person or public body does not make oral submissions at a Public Planning Meeting, or make written submissions to the Town before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

ZONING BY-LAW TEMPLATE

(Note: These By-laws shall be submitted in legal size format – 8 ½” x 14”)

The Corporation of the Town of Aurora

By-law Number XXXX-21

Being a By-law to amend By-law Number 6000-17, as amended, respecting the lands municipally known as Address (Applicant).

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 “**Detached Dwelling Second Density Residential R2 Zone**” zoning category applying to the lands shown in hatching on Schedule “A” attached hereto and forming part of this By-law with “**Detached Dwelling Second Density Residential (R2-127) Exception Zone**” and “**Detached Dwelling Second Density Residential (R2-128) Exception Zone**”.
2. The Zoning By-law be and is hereby amended to add the following:

Parent Zone: xx Exception No.: xx	Map: xx	Previous Zone: xx	Previous By-laws: xx
Municipal Address: xx			

Legal Description: xx

24.2.1 Zone Requirements

24.2.1.1 Lot Specifications

Lot Area (minimum)	835.0 square metres
Lot Frontage (minimum)	22.0 metres

3. This By-law shall come into full force subject to compliance with the provisions of the Planning Act and subject to compliance with such provisions, this By-law will take effect from the date of final passage hereof.

Enacted by Town of Aurora Council this Day day of Month, 2021.

Tom Mrakas, Mayor

Michael de Rond, Town Clerk

Explanatory Note

Re: By-law Number XXXX-21

By-law Number XXXX-21 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 “Detached Third Density Residential R3” to “Detached Third Density Residential R3(500) Exception Zone.”

The effect of this zoning amendment will rezone the subject property to one common exception zone category and will facilitate the creation of one additional lot and a single detached dwelling unit.

Schedule “A”

Location: Legal Description, Town of Aurora, Regional Municipality of York



Lands rezoned from “Detached Dwelling Second Density Residential R2 Zone” to “Detached Dwelling Second Density Residential (R2-127) Exception Zone” and “Detached Dwelling Second Density Residential (R2-128) Exception Zone”.

Insert Map

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(Note: These By-laws shall be submitted in legal size format – 8 ½” x 14”)

The Corporation of the Town of Aurora

By-law Number XXXX-21

**Being a By-law to amend By-law Number 5285-10, as amended, to adopt
Official Plan Amendment No. [REDACTED].**

Whereas on September 28, 2010, the Council of The Corporation of the Town of Aurora (the “Town”) enacted By-law Number 5285-10, as amended, to adopt the Official Plan for the Town of Aurora (the “Official Plan”);

And whereas authority is given to Council pursuant to the *Planning Act*, R.S.O. 1990, c. P.13, as amended (the “Planning Act”) to pass a by-law amending the Official Plan;

And whereas the Council of the Town deems it necessary and expedient to further amend the Official Plan;

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

1. Official Plan Amendment No. [REDACTED] to the Official Plan, attached and forming part of this by-law, be and is hereby adopted.
2. 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 [REDACTED] day of [REDACTED], 2021.

Tom Mrakas, Mayor

Michael de Rond, Town Clerk

Amendment No. XX

To the Official Plan for the Town of Aurora

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 III – The Appendices

Part I – The Preamble

1. Introduction

This part of the Official Plan Amendment No. [REDACTED] (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 change the land use designation from “[REDACTED]” to “[REDACTED]”. The provision of this Amendment will allow [REDACTED].

3. Location

The lands affected by this Amendment are located between [REDACTED] and [REDACTED], municipally known as [REDACTED]; having a lot area of approximately [REDACTED] hectares ([REDACTED] acres); and are legally described as [REDACTED] Town of Aurora, Regional Municipality of York (the “Subject Lands”).

4. Basis of the Amendment

The basis of the Amendment is as follows:

4.1 [REDACTED]

4.2 [REDACTED]

Part II – The Amendment

1. Introduction

This part of the Amendment, entitled Part II – The Amendment, consisting of the following text and attached maps, designated as Schedule “[REDACTED]” ([REDACTED]) and Schedule “[REDACTED]” ([REDACTED]) constitutes Amendment No. [REDACTED] to the Official Plan.

2. Details of the Amendment

The Official Plan be and is hereby amended as follows:

Item (1): Schedule “[REDACTED]” - [REDACTED], being part of the Town of Aurora Official Plan, be and is hereby amended by changing the [REDACTED] designation for the Subject Lands described as [REDACTED], Town of Aurora in the Regional Municipality of York, from “[REDACTED]” to “[REDACTED]”, as shown on Schedule “[REDACTED]” - Land Use Plan, attached hereto and forming part of this Amendment.

Item (2): Section [REDACTED] of the Town of Aurora Official Plan be and is hereby amended by adding the following:

“ [REDACTED]

[REDACTED].”

3. **Implementation**

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.

Part III – The Appendices

Schedule “ [REDACTED] ” – [REDACTED]

Schedule “ [REDACTED] ” – [REDACTED]