

**1. ZONING BY-LAW AMENDMENT FILE Z.04.062
THORNHILL CENTRE STREET –TOWN CENTRE
CITY OF VAUGHAN
PRELIMINARY REPORT**

P.2004.109

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing report for File Z.04.062 (City of Vaughan) BE RECEIVED; and, that any issues identified be addressed by Staff in a comprehensive report to the Committee of the Whole.

Purpose

The purpose of the zoning by-law amendment is to introduce new zones and development standards into the City's zoning by-law, By-law 1-88, in order to implement the policies of Official Plan Amendment #671 (Thornhill Town Centre Plan); and to rezone a portion of the Town Centre lands north of Centre Street in accordance with the new zones. The proposed zones include "CMU1 (Mixed Use 1 – Town Centre)", "CMU2 (Mixed Use 2 – Town Centre)", "CMU3 (Mixed Use 3 – Town Centre)", and "RA4 (High Density Residential – Town Centre)".

Background - Analysis and Options

The irregular shaped 8.8 ha site is located on the north side of Centre Street, between New Westminster Drive and Bathurst Street, in Part of Lot 6, Concession 2, City of Vaughan. The vacant site has a 174 m frontage on Bathurst Street and 438 m flankage on Centre Street.

The subject lands are designated "Town Centre Commercial" and "High Density Residential" by OPA #210 (Thornhill-Vaughan Community Plan) and are currently zoned C2 General Commercial Zone, subject to Exception 9(1132-B) and A Agricultural Zone, subject to Exception 9(1132-A). The surrounding land uses are:

- North - High Density Residential (Liberty Development), and vacant parcel (zoned RA3 & RA3-H, subject to Exception 9(1153), and A Agricultural)
- South -Centre Street; Promenade Mall, bus terminal (C2 General Commercial Zone); highrise condominium (RA3 Apartment Residential Zone)
- East - Bathurst Street; residential (R5 Residential Zone & RM2 Multiple Residential Zone)
- West - Seniors' Development, (zoned RA2 Apartment Residential, subject to Exception 9(1192); New Westminster Drive

On November 8, 2004, a Notice of Public Hearing was circulated to all property owners within 120 metres of the subject lands and to the Beverly Glen, Brownridge, Concord West and Glen Shields Ratepayers' Associations. To date, no comments have been received. Any responses received will be addressed in the technical review and included in a comprehensive Staff report to a future committee of the Whole meeting.

Preliminary Review

Following a preliminary review of the proposed application, Staff have identified the following matters to be reviewed in greater detail:

- The creation of new zones and development standards to implement the policies of Official Plan Amendment #671 (Thornhill Town Centre Plan), including mixed commercial/residential, and commercial/business office uses, and new urban design policies is required. The following new zone categories are proposed:

(i) Town Centre Mixed Use 1 (Main Street) – CMU1

Uses Permitted on Ground Floor

- i) retail store
- ii) club or health centre
- iii) banking or financial institution
- iv) eating establishment with or without outdoor patio
- v) eating establishment- convenience, with or without outdoor patio
- vi) personal service shop
- vii) photography studio
- viii) video store
- xi) special needs housing
- x) cultural and social facilities
- xi) non-profit clubs
- xii) one park or urban square

Uses Permitted above First Storey (Ground Level)

- xiii) residential apartments
- xiv) business or professional office
- xv) library

(ii) Town Centre Mixed Use 2 – CMU2

Uses Permitted

- i) block townhouses
- ii) stacked townhouses
- iii) apartment units
- iv) mixed use live/work units
- v) non-profit special needs housing – residential use
- vi) retail stores*
- vii) business or professional office
- viii) eating establishment with or without outdoor patio*
- ix) eating establishment-convenience, with or without outdoor patio*
- x) personal service shop*
- xi) video store*
- xii) photography studio*
- xiii) supermarket*
- xiv) park/urban square
- xv) public parking facilities
- xvi) stormwater management facilities
- xvii) places of worship
- xviii) public health facilities
- xix) cultural and social facilities
- xx) non-profit club
- xxi) library
- xxii) daycare

*These uses shall be developed in a mixed-use form only, with retail or service uses at grade, and residential or Office commercial uses located in storey(s) above grade.

(iii) Town Centre Mixed Use 3 – CMU3

Uses Permitted

All uses permitted in this zone category may be developed in mixed-use format with commercial/service located at grade and office/residential located in storey (s) above; alternatively, these uses may be located in single use buildings.

- i) block townhouses
- ii) stacked townhouses
- iii) apartment buildings
- iv) live/work units
- v) retail stores
- vi) pharmacy
- vii) supermarkets
- viii) business or professional office
- ix) eating establishment with or without outdoor patio
- x) eating establishment- convenience, with or without outdoor patio
- xi) personal service shops
- xii) video stores
- xiii) notwithstanding that individual retail uses with a ground floor in excess of 2,500 sq.m are prohibited, one retail use in a free-standing building with a maximum gross floor area of 12,635 sq.m, will be permitted provided the ground floor area of the building does not exceed 50% of the permitted gross floor area of the building
- xiv) park or urban square
- xv) public parking facilities
- xvi) stormwater management facilities
- xvii) public health facilities
- xviii) special needs housing
- xix) cultural and social facilities
- xx) non-profit clubs
- xxi) library
- xxii) daycare facilities

(iv) Town Cente High Density Residential – RA4

Uses Permitted

- i) street, block and stacked townhouses
- ii) apartment units
- iii) parks and urban squares
- iv) local convenience use only*

* These uses shall be located at grade, and shall be part of a mixed-use commercial/residential building. In addition, the gross floor area (GFA) devoted to local convenience uses shall not exceed 30% of the ground floor area.

- Each of the new zones will include minimum yard requirements, building height and density provisions, maximum parking requirements and other specific built form standards. Attachment #3 to this report provides information relevant to each zone

category, however more detailed provisions shall be developed through the by-law amendment review.

- The establishment of a vibrant, pedestrian-friendly shopping environment on a new “Main Street” is central to the Plan for the lands, as articulated in OPA #671. It is therefore essential to ensure that the Official Plan policies are consistently reflected in the provisions of the zoning by-law, and to provide further detail within this document in accordance with the Main Street concept. The by-law must address maximum frontages for individual retail stores, maximum building lengths on Main Street, mixed-use development, and the provision of store entrances on Main Street.
- A zoning provision limiting the maximum ground floor area of the proposed Wal Mart to 6,350 sq.m, will be included to ensure that the parking for this establishment can be accommodated on site.
- The majority of the lands subject to this by-law amendment application are also the subject of an appeal to the Ontario Municipal Board. The Board Hearing has been scheduled to commence on February 28, 2005.

Relationship to Vaughan Vision 2007

The principles to be included in a future zoning by-law amendment for the Thornhill Town Centre are consistent with the priorities set by Council in Section 3.2.2 of the Vaughan vision, to:

“Encourage land use designations and urban form to support transit usage.”

Conclusion

The above issues, but not limited to, will be considered in the technical review of the application, together with any comments of the public and Council expressed at the public hearing, or in writing, and be addressed in a comprehensive report to a future Committee of the Whole meeting.

Attachments

1. Location Map
2. OPA #671, Schedule "B1": Land Use (Amendment Area North of Centre Street)
3. Proposed Zoning Schedule
4. Preliminary Zoning Provisions

Report prepared by:

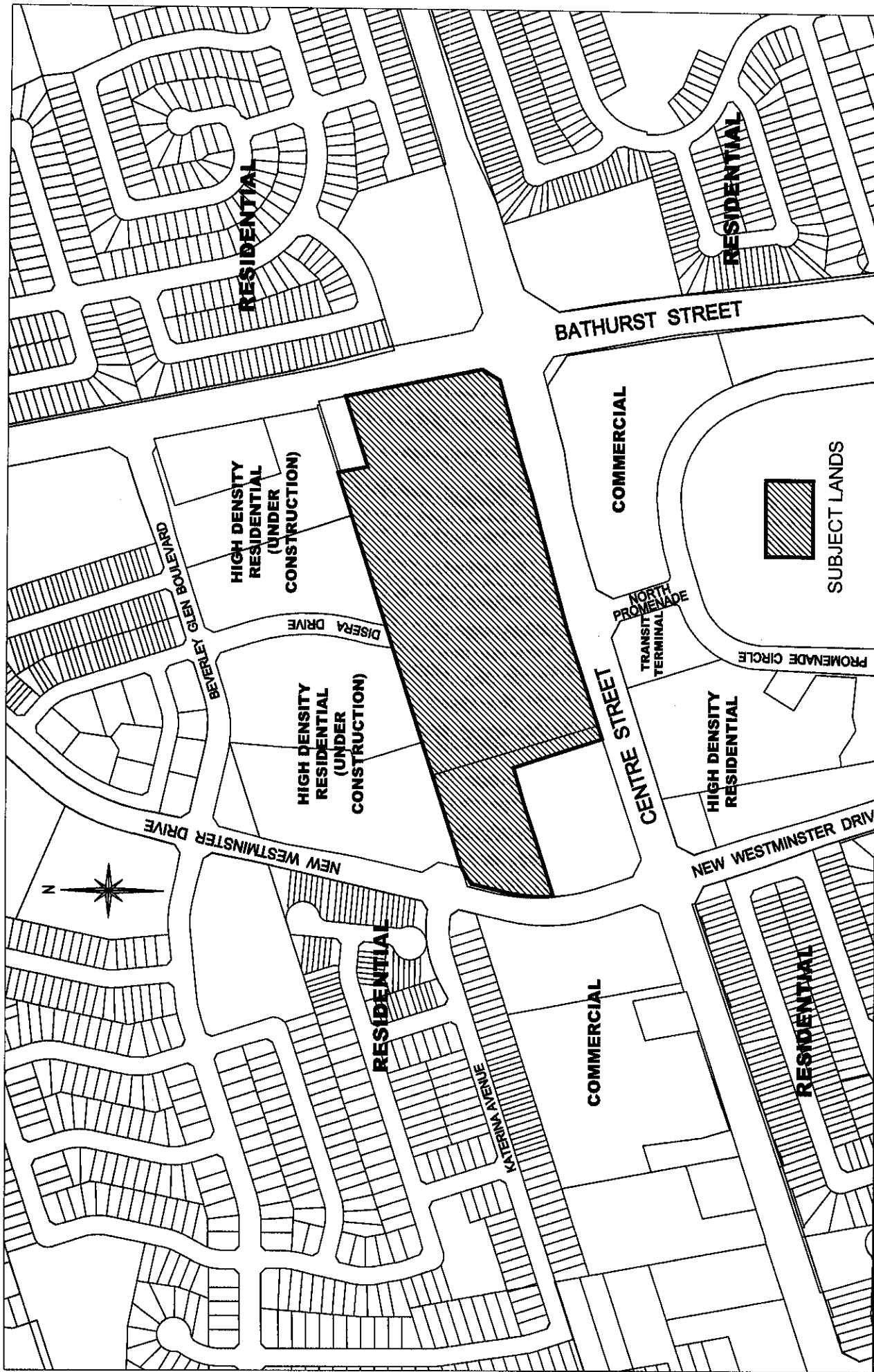
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Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

DIANA BIRCHALL
Director of Planning Policy & Urban Design

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Location Map

Part Lot 6,
Concession 2
APPLICANT:
CITY OF VAUGHAN

N:\P\1 ATTACHMENTS\Z\Z-04.062

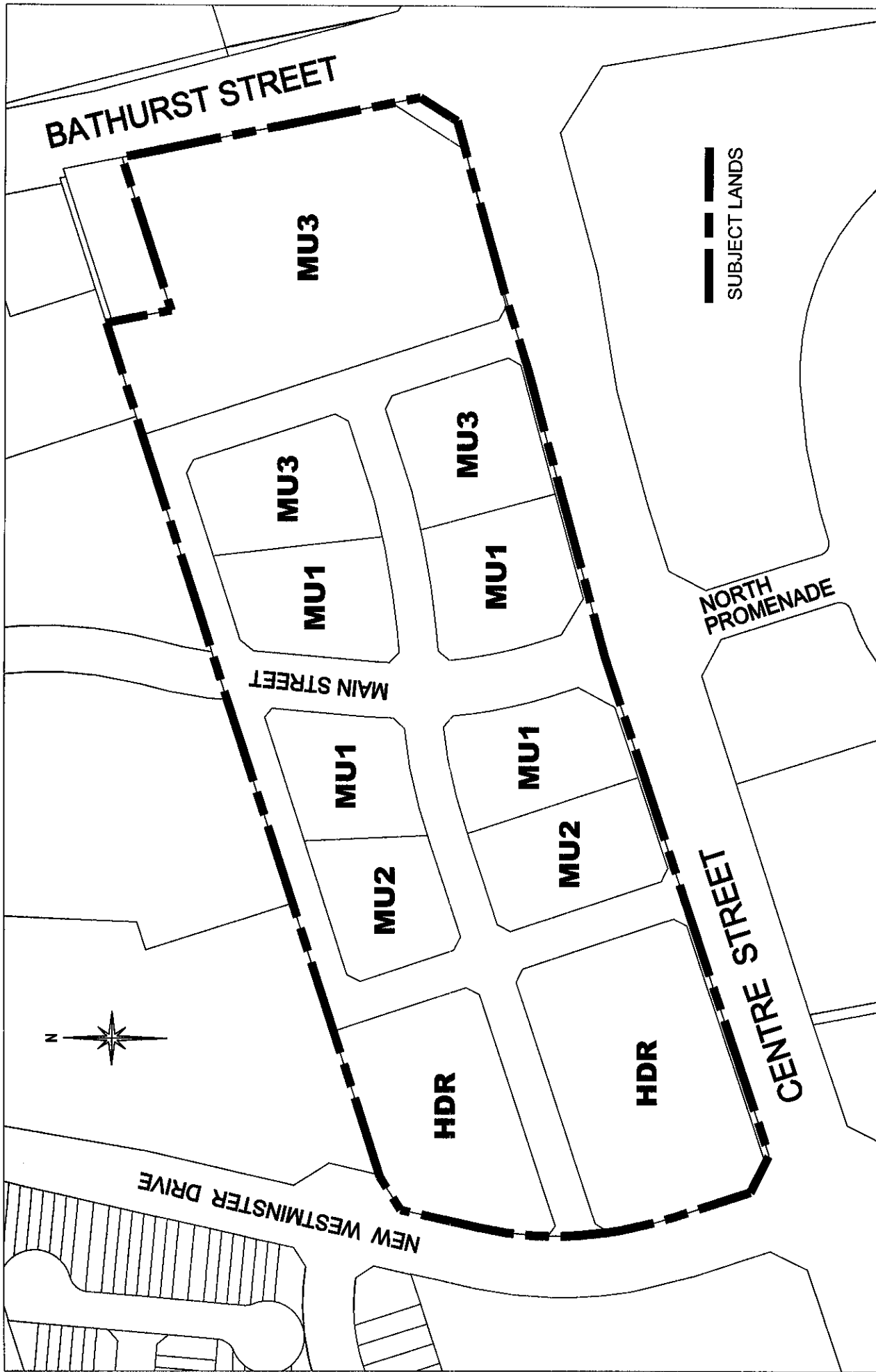


Policy Planning Department

Attachment

1

FILE No.:
Z.04.062
Not to Scale
November 24, 2004



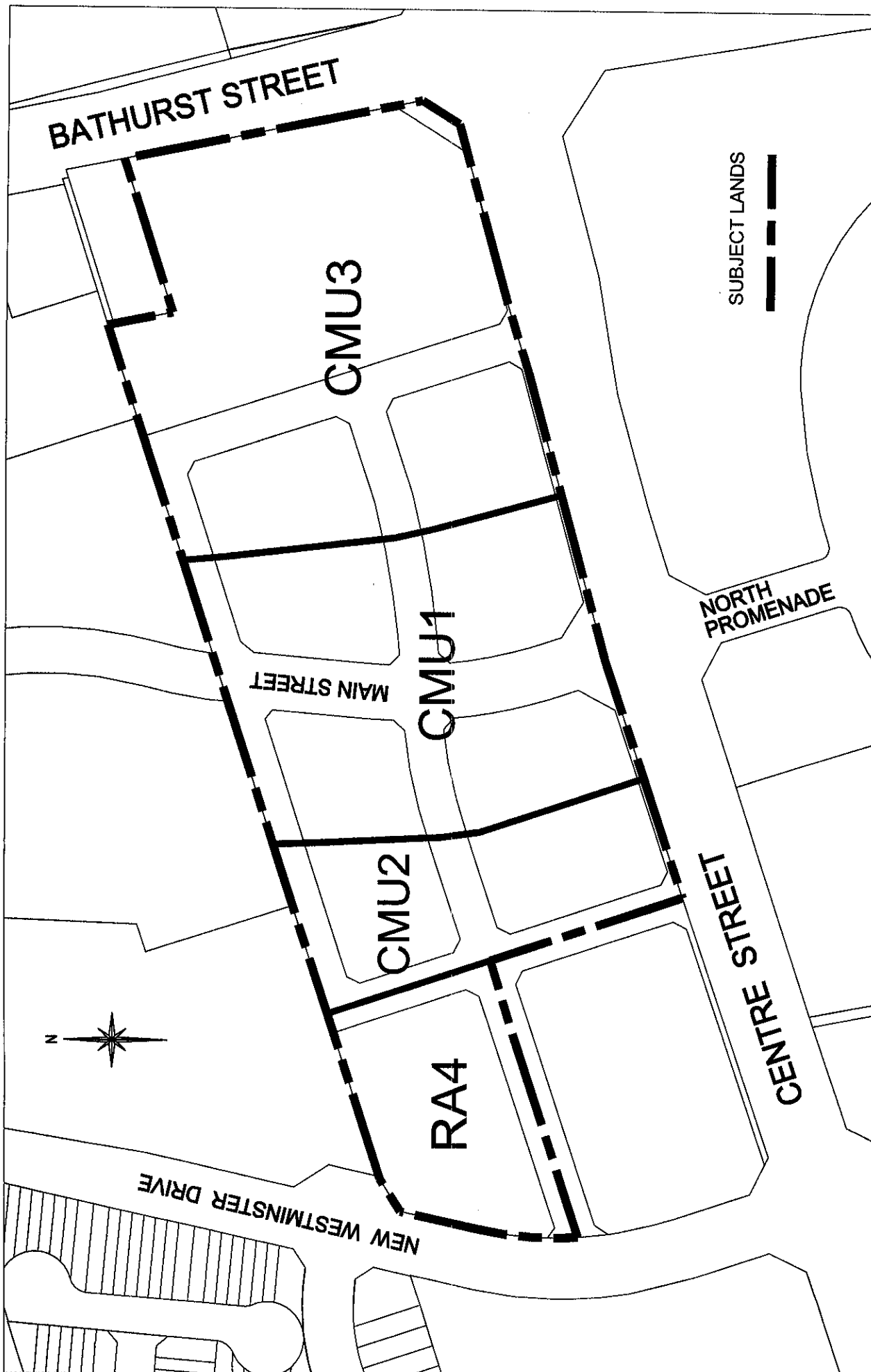
OPA #671, Schedule B1

Part Lot 6,
Concession 2
APPLICANT:
CITY OF VAUGHAN
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Attachment 2
FILE No.:
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Proposed Zoning Schedule

Part Lot 6,
Concession 2
APPLICANT:
CITY OF VAUGHAN

NE\DP\1 ATTACHMENTS\Z\04.062



Policy Planning Department

Attachment

3

FILE No.:
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ATTACHMENT # 4

Preliminary Zoning Provisions

1. Use of (H) Holding provision, to be removed upon execution of a Site Plan Agreement with the City.
2. Revise parking standards to introduce maximum and minimum parking standards based on input from a Site Specific Traffic and Parking Impact Study.
3. Revise loading space provisions to require that Wal Mart loading areas be fully enclosed.
4. Provide for a minimum 6m-landscape strip between any parking area and street line.
5. Limit % of slope from sidewalk to retail uses and parking areas.
6. Reduce landscape strip requirements, where appropriate, to recognize 0m setback in building to street relationship.
7. Prohibit the following uses in all zones within the Town Centre:
 - a. drive-thrus
 - b. service stations
 - c. retail uses that require outdoor storage
 - d. retail uses in buildings with GFA in excess of 2500 sq m with one exception
8. Permit within all zones within the Town Centre the following:
 - a. Special Needs Housing
 - b. Park and Urban Squares
 - c. Cultural and Social Facilities
 - d. Non-Profit Clubs
9. Create three (3) new zone categories for Mixed Use Zones.
 - a. Town Centre Mixed Use 1 - Main Street (CMU1)
 - i. All development must be a mixed-use format with retail/service facilities at grade and residential/office in the stories above.
 - ii. Minimum height is 2 storeys and max is 4 storeys with step back to 6 storeys
 - iii. Maximum building length is 35m abutting any street.
 - iv. Maximum GFA for any single retail/service use is 250 sq m
 - v. Maximum width (frontage) of any single retail/service use-15 m
 - vi. Min Front Yard Set back 0m, max to be 3m
 - vii. Max Residential Density 1.5 FSI
 - viii. Minimum length of the street must have buildings immediately adjacent to it – ie. build within provisions

- ix. Front entrances shall access directly to and be flush with the street sidewalk, and be located at the same elevation as the street
- x. Service and loading areas are prohibited adjacent to the Main Street

b. Town Centre Mixed Use 2 (CMU2)

- i. All commercial development must be a mixed-use format with retail/service facilities at grade and residential/office in the storeys above.
- ii. Stand-alone medium and high density residential is permitted
- iii. Maximum height is 14 storeys
- iv. Maximum GFA for any single retail/service use is 250 sq.m
- v. Maximum Ground Floor Area for residential uses to be applied
- vi. Min Front Yard Set back 0m, max to be 3m; for stand alone residential or primarily residential –min front yard-3m
- vii. Max Residential Density 2.0 FSI

c. Town Centre Mixed Use 3 (CMU3)

- i. Commercial and Residential development may be stand alone or within a mixed use format
- ii. Maximum height is 14 storeys
- iii. Maximum building length is 35m abutting any street with one exception (Wal Mart).
- iv. Maximum GFA for any single retail/service use ON GROUND FLOOR IS 1000 SQ.M with one exception being one freestanding building up to a GFA of 12,700 sq m where the ground floor area does not exceed 50% of the total GFA
- v. Maximum Ground Floor Area use for residential uses to be applied
- vi. Min Front Yard Set back 0m, max to be 3m
- vii. Max Residential Density 2.0 FSI

10. One (1) New Residential Zone Category

a. Town Centre High Density Residential-RA4

- i. Permit Specific commercial uses on a % of ground floor area
- ii. Maximum ground floor area-1,500 sq.m
- iii. Maximum building height-14 storeys
- iv. Maximum density-2.0 FSI
- v. Min Front Yard Setback - 3 m