

**4. ZONING BY-LAW AMENDMENT FILE Z.08.073
CITY OF VAUGHAN CORPORATE CENTRE
WARDS 3 AND 4**

P.2009.7

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing report File Z.08.073 (City of Vaughan) BE RECEIVED; and that any issues identified be addressed by the Policy Planning Department in a comprehensive report to the Committee of the Whole.

Economic Impact

There is no significant economic impact associated with this report.

Communication Plan

On January 16, 2009, a Notice of Public Meeting was circulated to all property owners within the Vaughan Corporate Centre as Shown on Attachment 1 and within 120m of the Vaughan Corporate Centre. The notice of Public Hearing was also posted in the Vaughan Citizen and the Vaughan Liberal on January 18, 2009 and Vaughan Today on January 23, 2009. As of January 21, 2009, no comments have been received. Any responses received will be addressed in the technical review and comprehensive report to a future Committee of the Whole meeting.

Purpose

The purpose of this report is to describe a City of Vaughan initiated amendment to By-law 1-88, to establish a minimum building height limit of five storeys (16.5m) until such time as the Vaughan Corporate Centre Focused Review is finalized. The By-law would apply to lands zoned for Commercial or Employment Area Zone (Industrial) uses within the "Corporate Centre Corridor", "Corporate Centre Node" and a small portion of lands designated "Corporate Centre District" designations in the Vaughan Corporate Centre, as shown on Attachment 1. The Focused review will develop revised Official Plan policies and revised Zoning standards for the Vaughan Corporate Centre lands.

Background – Analysis and Options

On December 8, 2008, Item 26, Report No.61, of the Committee of the Whole, was adopted, as amended by Vaughan Council as follows:

- “1. That Staff be directed to prepare a City initiated Official Plan Amendment to amend OPA No. 500, as amended by OPA No. 663. to extend the "Corporate Centre Corridor" designation north of Jane Street to Portage Parkway, east of Millway Avenue, in the Vaughan Corporate Centre, and hold a Public Hearing on the matter.
2. Staff bring forward a City initiated zoning amendment respecting the establishment of a 5 storey (16.5m) minimum building height limit in the areas designated "Corporate Centre Corridor" and "Corporate Centre Node" in the Vaughan Corporate Centre to the same Public Hearing meeting.
3. That a by-law be brought forward to amend the Site Plan Control By-law 228-2005, as amended, to include all types of buildings in the Vaughan Corporate Centre Area under Site Plan Control.

4. That Staff be directed to bring a report to the Committee of the Whole, Working Session, by June 2009 on the establishment of a pilot Design Review Panel to provide design advice on developments in the Vaughan Corporate Centre and potentially for other developments in the City."

The resolution was further amended by Council "By approving that a copy of this report be forwarded to the Region of York."

In light of Council's resolution staff is bringing forward this report for Council's consideration.

History

On May 12, 2008, Vaughan Council approved the Terms of Reference for the Vaughan Corporate Centre (VCC). The focus of the project will be the areas designated "Corporate Centre Node" (the future downtown), "Corporate Centre District" and lands designated "Corporate Centre Corridor" in the Vaughan Corporate Centre Secondary Plan Area of Official Plan Amendment No. 500, as amended by OPA No. 663 (Attachment #2).

The current VCC Secondary Plan has not been comprehensively reviewed since its approval in March 1998. Since that time, there have been a number of planning-related initiatives and events that have occurred over the past 10 years that affect the Corporate Centre Plan such as:

- The Growth Plan for the Greater Golden Horseshoe (2006)
- The Region of York Official Plan (2004)
- The Region of York Rapid Transit Master Plan (2002)
- The Highway 7 Land Use Futures Study (2007)
- The VCC Streetscape and Open Space Master Plan Study
- Vaughan's Master Servicing Strategy Study for the VCC
- The provincial funding for the Spadina Subway Extension
- New proposed high density development in the VCC

The March 23, 2006 announcement of provincial funding for the Spadina Subway extension to the VCC has set the stage for intensified development and changed the planning context within the VCC. There is a need to revisit and update the policies guiding future development. Therefore, the VCC Focused Area Study is underway to generate an updated policy framework. While this work is underway Council is concerned that there may be developments that are inconsistent with the vision for the VCC.

Vaughan Corporate Centre Area

The Corporate Centre has an important function in the urban structure established by both the City of Vaughan and Region of York Official Plans. York Region's Official Plan identifies the Vaughan Corporate Centre as one of four primary centres in the Region and the only Regional Centre in the City of Vaughan. Regional Centres are intended to have the highest concentration of uses in the Region and will be the focus of business, government, entertainment and culture with complementary medium and high density development.

The City's policy framework for the Corporate Centre was established in 1998 by OPA No. 500. The Plan defines the limits of the VCC Secondary Plan Area and sets out policies to guide the City in its consideration of implementing development applications. When the Plan was developed its purpose was to:

- establish a mix of land uses and to ensure a compact urban form and community structure that recognizes its strategic location in Vaughan, the Region and the broader geographic area;

- ensure appropriate policies and urban design guidelines are in place to stimulate and guide both private and public sector development over the long term, and;
- ensure that adequate and efficient transportation networks are possible with potential to become a major transportation gateway that is supported by densities.

The Secondary Plan Area covers an area of approximately 400 hectares (Attachment #1) and consisted of two main designations for development, as follows:

The "Corporate Centre Node" straddles both sides of Highway 7 between Highway 400 and (just west of) Creditstone Road and consists of approximately 50 ha. The Node is to be recognized as a higher order transit hub and its function as the City's future "downtown". The Node is surrounded by a planned ring road that is intended to divert traffic from Highway 7, allowing it to become a more pedestrian and transit oriented urban street.

The "Corporate Centre District" surrounds the Node and includes lands east and west of Highway 400, and north and south of Highway 7 (outside the Node). The District is intended to provide opportunities for land uses requiring visual exposure, good vehicular access and large development sites. Unlike the Node, residential uses are not permitted but larger retail facilities are allowed along with employment uses. The "Corporate Centre Corridor" designation was recently added to the Secondary Plan by OPA No. 663. This designation applies to lands located on both sides of Highway 7, east and west of the Node and on both sides of Jane Street, south of Highway 7. The Corridor designation permits similar uses to the Node with the addition of employment uses and contains a number of development and urban design policies in support of transit ridership.

Minimum Building Height By-law

The City's vision for the Vaughan Corporate Centre is that this area will be the future "downtown" for Vaughan. It is intended to be developed with higher density, pedestrian friendly, mix of uses in a more compact urban form, which is intended to have the highest concentration of uses and will be the focus of business, government, entertainment and culture with complementary medium and high density development. The Vaughan Corporate Centre is also to be connected to higher order transit facilities such as the extension of the Spadina Subway from York University to the Vaughan Corporate Centre.

Currently, the area comprises industrial and commercial users that range from hotels to big box developments, entertainment facilities and vacant lands within the Corporate Centre and the Corporate Centre Node areas from Creditstone Road to west of Weston Road. An older industrial area located between Jane Street and the CN Rail Yard and between Highway 7 and Highway 407 consists of first generation employment uses that were developed in the 60's and comprise a range of industrial users. Most of the development ranges in height from the 1 to 2 storeys except for a few office buildings along Regional Road 7 which are greater than 6 storeys. It is the intent of the VCC Focused Area Study to explore and further develop policies addressing height, density, built form, streetscape, open space and sustainable measures in order to ensure that the vision for the Corporate Centre is achieved.

Council has raised concern respecting the continued development of single or two storey buildings within the Vaughan Corporate Centre which are not consistent with the objective of medium and high density mixed use, transit oriented development. It is therefore, Council's desire to forestall any additional development approvals which could be inconsistent with this objective. Furthermore, development in this area needs to be of a scale and type to support the multi-million dollar investment in the extension of the Spadina Subway to the future "Avenue Seven".

A planning tool which is available, as requested by Council, to effect control over undesirable development applications, is a minimum building height by-law. The minimum building height requirement (16.5 m or 5 storeys) would be applicable to lands zoned for Commercial or Employment Area Zone (Industrial) uses, designated "Corporate Centre Node", "Corporate Centre Corridor", and a small portion of "Corporate Centre District", shown on Attachment 1. This would effectively restrict buildings/structures below 16.5 m in height from being constructed. The enactment of a minimum height requirement does not mean that there is no limit on building heights. Maximum building heights will be looked at through the technical review and the Focused Area Study.

By-law 1-88 applies the following maximum building height restrictions:

By-law 1-88 Height Restrictions

By-law 1-88 on Schedules "A" and "A2" (Zone Requirement Table) has specific height limits for the various Zone categories within the Corporate Centre Area as follows:

Zone Category	Maximum Building Height
EM1 Prestige Employment Area Zone	15 m ¹³
EM2 General Employment Area Zone	15 m ¹³
EM3 Retail Warehouse Employment Area Zone	15 m ¹³

Note 13: A building may exceed 15 metres provided the minimum interior side yard is increased by 0.3 metres for every 0.6 metres of additional building height in excess of 15 metres.

C1 Restricted Commercial Zone	11 m
C2 General Commercial Zone	11 m
C5 Community Commercial Zone	11 m ⁷
C6 Highway Commercial Zone	11 m ⁷
C7 Service Commercial Zone	11 m ⁷
C8 Office Commercial Zone	11 m ⁷
C9 Corporate Centre Zone	Unlimited Height in Landmark Locations 25 m in all other locations
C10 Corporate District Zone	15m

Note 7: A building may exceed 11 metres provided the minimum interior side yard is increased by 0.3 metres for every 0.6 metres of additional building height in excess of 11 metres.

OS1 Open Space Conservation Zone	11 m
OS2 Open Space Park Zone	11 m
A Agricultural Zone	11 m

Preliminary Review

A preliminary review of a proposed amendment to the Zoning By-law to establish a minimum building height in the Vaughan Corporate Centre identified the following matters to be reviewed in greater detail:

- i) the application will be reviewed in terms of the various zone category height limits that need to be amended and other zoning exceptions that will be required to facilitate a 16.5 m minimum height limit within the lands designated "Corporate Centre Node", "Corporate Centre Corridor" and a small portion of lands designated "Corporate Centre District";

- ii) the proposed zoning amendment will be reviewed in the context of the policies of OPA #500 (Vaughan Corporate Centre Plan) as amended;
- iii) the proposed amendment will be reviewed in terms of recently OMB approved developments within the study area; and lands which should be exempt from the provisions of a minimum building height by-law;
- iv) the proposed amendment will identify advantages and disadvantages that would result from a proposed minimum height limit;
- v) Identification of issues and concerns raised by the public, landowners and Council.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

Regional Implications

The application was circulated to the Region of York for review and comment. Any issues will be addressed when the technical report is considered.

Conclusion

The above issues but not limited to, will be considered in the technical review of the application together with comments from 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. In particular the review will consider the impact of the proposed amendments on the various existing zone categories.

Attachments

1. Location Map - Vaughan Corporate Centre Plan Review
2. Existing Zoning Within The Vaughan Corporate Centre

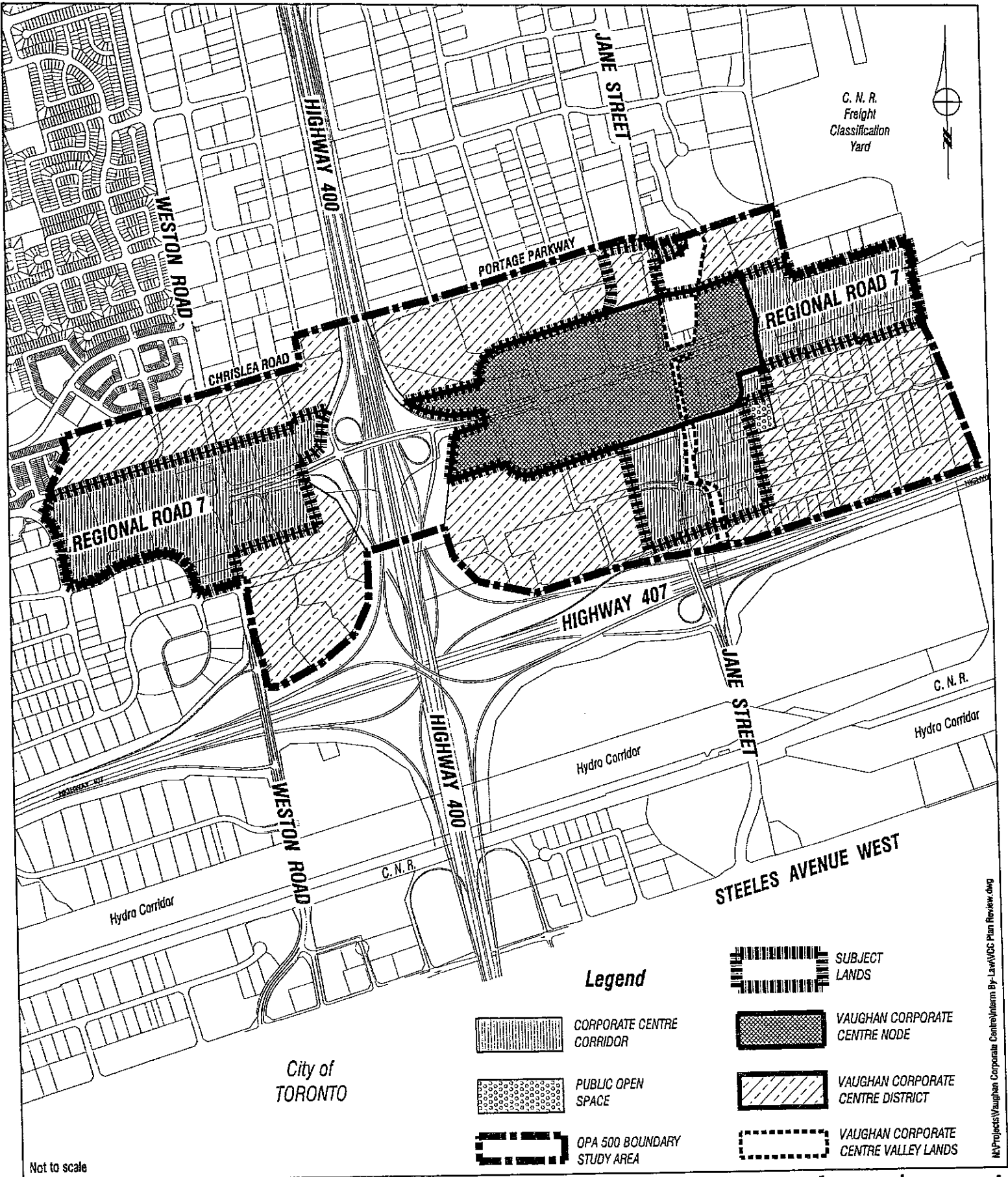
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Respectfully submitted

JOHN ZIPAY
Commissioner of Planning

DIANA BIRCHALL
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Not to scale

Location Map -
Vaughan Corporate
Centre Plan Review

File: Z.08.073 (Related File: 25.5)



Attachment

Location:
Part Lots 4, 5, 6 & 7
Concessions 4, 5, 6
Date: January 07, 2009

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Existing Zoning
 within The Vaughan
 Corporate Centre

Subject Lands
 Vaughan Corporate
 Centre Boundary

Vaughan
The City Above Toronto
 Policy Planning Department

Attachment
 Location:
 Part Lots 4, 5, 6
 Concessions 4, 5, 6
 Date: January 07, 2009