

COMMITTEE OF THE WHOLE JUNE 19, 2012

ZONING BY-LAW AMENDMENT FILE Z.04.062 CITY OF VAUGHAN WARD 5 - VICINITY OF BATHURST STREET AND CENTRE STREET

Recommendation

The Commissioner of Planning recommends:

1. THAT an Administrative Correction to Zoning By-law 1-88, BE APPROVED, specifically for the portion of the subject lands zoned CMU1 Mixed Use 1 – Town Centre Zone, subject to Exception 9(1225) as shown on Attachment #2:
 - i) amend the CMU1 Zone to permit a maximum unit size of 350m² for a unit located on the ground floor of a building fronting onto Disera Drive; and,
 - ii) amend the CMU1 Zone to state that no maximum unit size shall apply to a unit located on the second floor of a building fronting onto Disera Drive.

Contribution to Sustainability

N/A

Economic Impact

There are no requirements for new funding associated with this report.

Communications Plan

N/A

Purpose

To undertake an Administrative Correction to Zoning By-law 1-88, specifically the CMU1 Mixed Use 1 – Town Centre Zone, subject to Exception 9(1225), as follows:

- i) amend the CMU1 Zone to permit a maximum unit size of 350m² for a unit located on the ground floor of a building fronting onto Disera Drive; and,
- ii) amend the CMU1 Zone to state that no maximum unit size shall apply to a unit located above the ground floor of a building fronting onto Disera Drive.

Background - Analysis and Options

The subject lands shown on Attachments #1 and #2 are located north of Centre Street, on Disera Drive, located west of Bathurst Street, known municipally as 10, 11, 30 and 31 Disera Drive, City of Vaughan.

Official Plan

Following the City's Thornhill Centre Street Study (2003-2004), the City of Vaughan adopted OPA #671. This amendment implemented policies for the development of the subject lands, shown on Attachments #1 and #2.

OPA #671 designates the subject lands "Mixed Use 1" and "Mixed Use 2" and contains policies that define the permitted uses, and the maximum building height, density and floor space index for the subject lands, and specifically, for buildings fronting onto the "Main Street" being Disera Drive. The objective of the "Main Street" policies is to create a pedestrian scaled shopping district with an urban main street environment and a public realm including entrances at grade, provide public sidewalks, pedestrian passageways and public gathering spaces. The buildings on the main street are intended to provide store front commercial uses on Disera Drive, in contrast to the larger format retail (i.e. Wal-Mart) permitted on the balance of the subject lands.

A specific policy of OPA #671 (Section 3.1.2.2 b.) requires that the "Main Street" (Disera Drive) be developed with predominantly small scale service uses at-grade, with a maximum ground floor unit size of 350m², and that there is no unit size restriction for uses located on floors above the ground floor. This specific Official Plan policy was not accurately reflected in the implementing zoning by-law, as discussed below.

Zoning

The subject lands are zoned CMU1 Mixed Use 1 – Town Centre, CMU2 Mixed Use 2 - Town Centre, and RA5 High Density Residential - Town Centre by Zoning By-law 1-88, subject to Exception 9(1225), as shown on Attachment #2. The portions of the subject lands zoned CMU1 and CMU2 were developed by Smart Centres with four retail commercial buildings (CMU1 Zone - 10, 11, 30 and 31 Disera Drive), and a 12,635m² Wal-Mart (CUM2 Zone). The RA5 zoned lands are currently vacant, and owned by Blue Water Investments.

The intent of OPA #671 is to limit the unit size on the ground floor of buildings fronting on Disera Drive to a maximum of 350 m², and not to restrict the unit size on the second floor of the buildings. Exception 9(1225) limits the maximum unit size in a building fronting on Disera Drive within the CMU1 Zone to 350m², but does not specify that this restriction should apply to the ground floor only.

In order to accurately implement the intent of OPA #671, an administrative correction to Zoning By-law 1-88, specifically Exception 9(1225), is required to clearly identify the following:

- i) amend the CMU1 Zone to permit a maximum unit size of 350m² for a unit located on the ground floor of a building fronting onto Disera Drive; and,
- ii) amend the CMU1 Zone to state that no maximum unit size shall apply to a unit located above the ground floor of a building fronting onto Disera Drive.

The Development Planning Department recommends that the administrative correction to By-law 1-88 be approved since it would accurately implement the intent of the Official Plan, and correct the by-law intent and wording.

It is noted that the Planning Act (Section 34(17)) allows Council to deem a revision as minor and not requiring a further Public Hearing. The Vaughan Development Planning Department is satisfied that the proposed administrative correction is minor and that a further Public Hearing is not required.

Relationship to Vaughan Vision 2020/Strategic Plan

This staff report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Manage Growth & Economic Well-being".

Regional Implications

N/A

Conclusion

The Vaughan Development Planning Department is satisfied that the proposed Administrative Correction to Zoning By-law 1-88, specifically the CMU1 Mixed Use 1 - Town Centre Zone, subject to Exception 9(1225), to clarify the maximum unit size for a unit within a building fronting on Disera Drive, both on the ground and above ground floors, accurately implements the intent of the Official Plan, and therefore, can support the recommended Administrative Correction. Should the Committee concur, a recommendation is provided to facilitate the proposed Administrative Correction to Zoning By-law 1-88.

Attachments

1. Context Location Map
2. Location Map and Zoning
3. Approved Site Plan

Report prepared by:

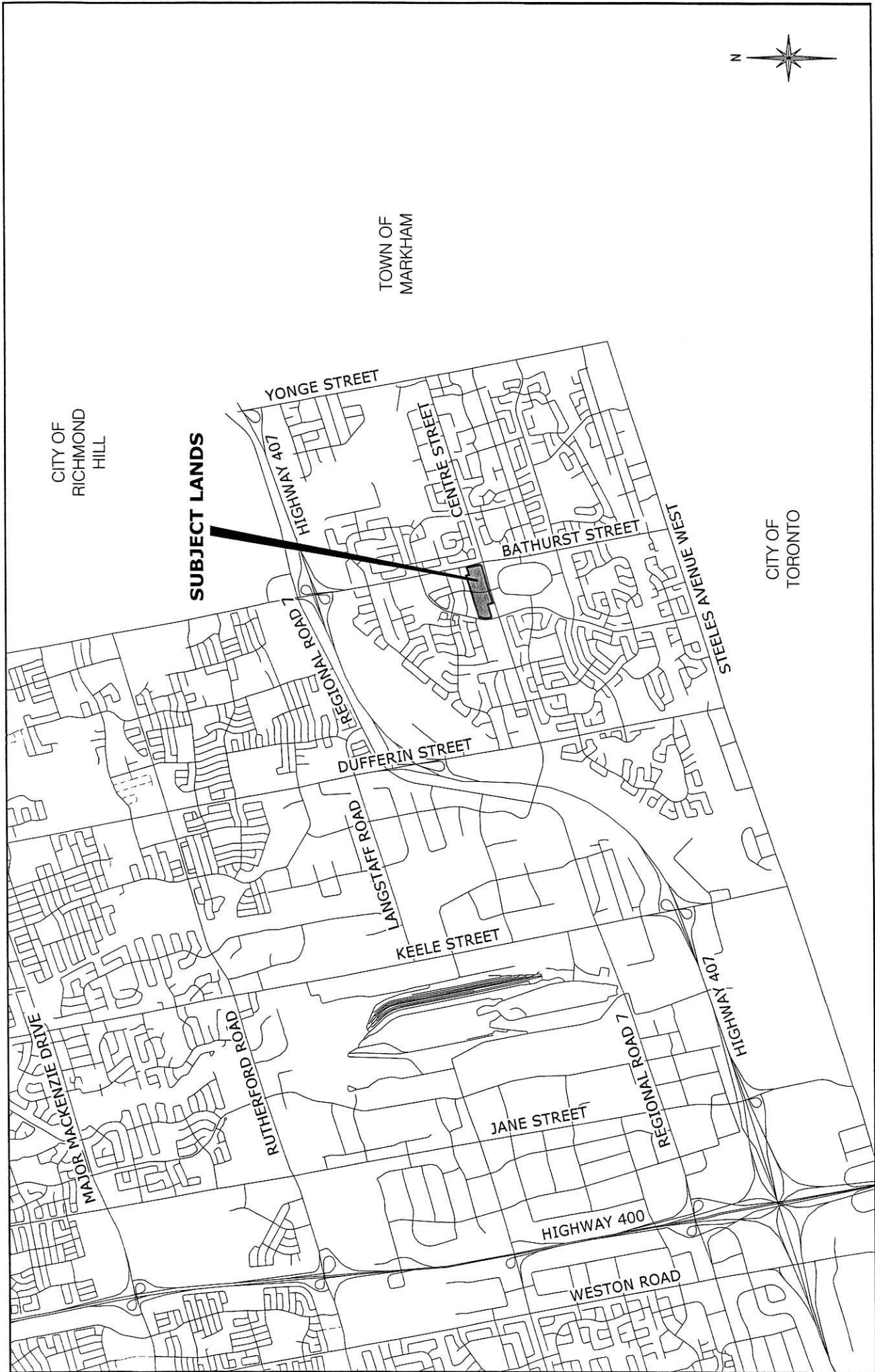
Laura Janotta, Planner, ext. 8634
Christina Napoli, Senior Planner, ext. 8483
Mauro Peverini, Manager of Development Planning, ext. 8407

Respectfully submitted,

JOHN MACKENZIE
Commissioner of Planning

GRANT UYHEYAMA
Director of Development Planning

/LG



Attachment 1

File: Z.04.062

Not to Scale

Date: May 29, 2012

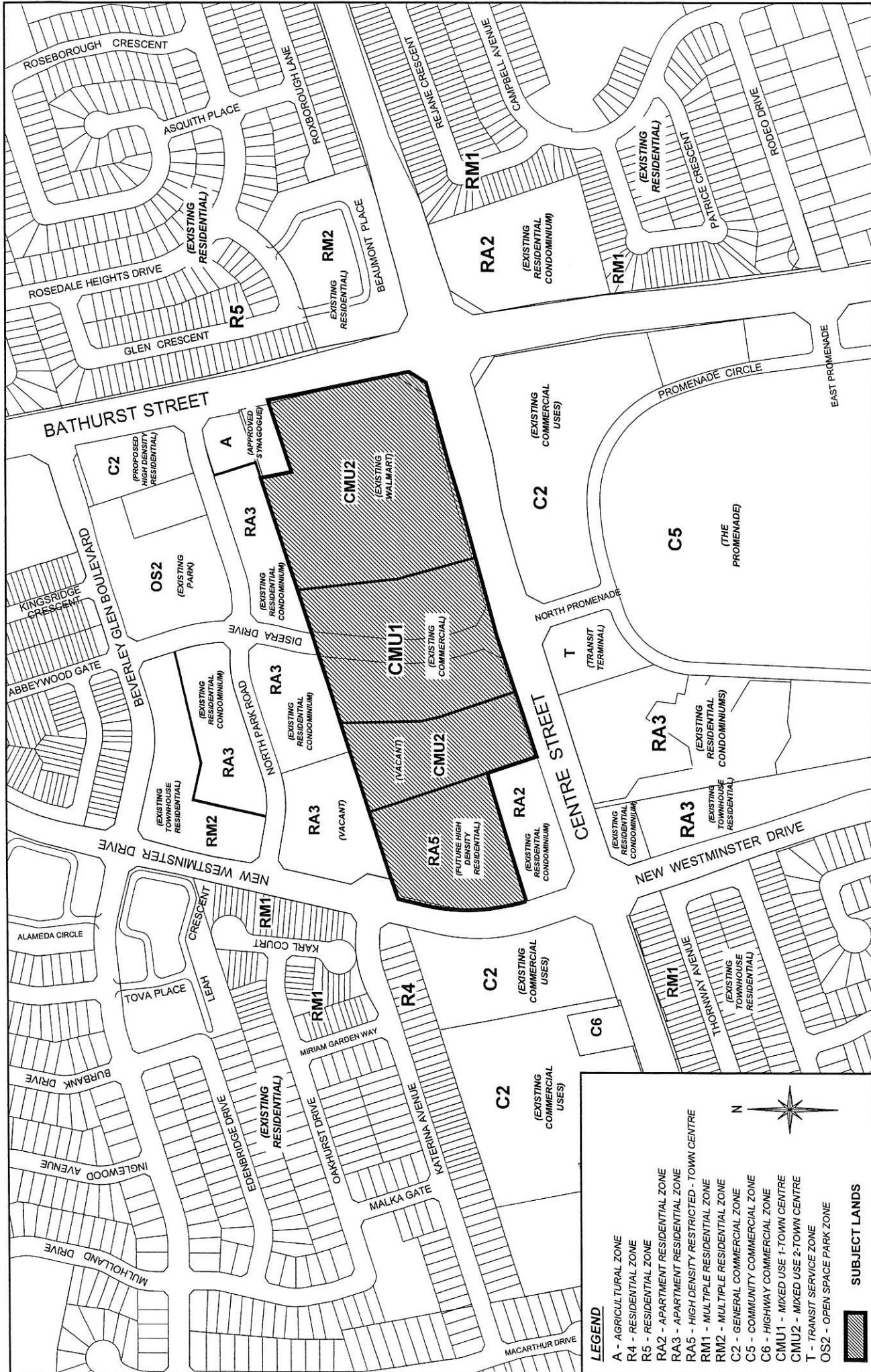


Context Location Map

Location:
Part of Lot 6, Concession 2

Applicant:
City of Vaughan

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LEGEND

- A - AGRICULTURAL ZONE
- R4 - RESIDENTIAL ZONE
- R5 - RESIDENTIAL ZONE
- RA2 - APARTMENT RESIDENTIAL ZONE
- RA3 - APARTMENT RESIDENTIAL ZONE
- RA5 - HIGH DENSITY RESTRICTED - TOWN CENTRE
- RM1 - MULTIPLE RESIDENTIAL ZONE
- RM2 - MULTIPLE RESIDENTIAL ZONE
- C2 - GENERAL COMMERCIAL ZONE
- C6 - HIGHWAY COMMERCIAL ZONE
- CMU1 - MIXED USE 1-TOWN CENTRE
- CMU2 - MIXED USE 2-TOWN CENTRE
- T - TRANSIT SERVICE ZONE
- OS2 - OPEN SPACE PARK ZONE

SUBJECT LANDS

N

Location Map & Zoning

Location:
Part of Lot 6, Concession 2

Applicant:
City of Vaughan

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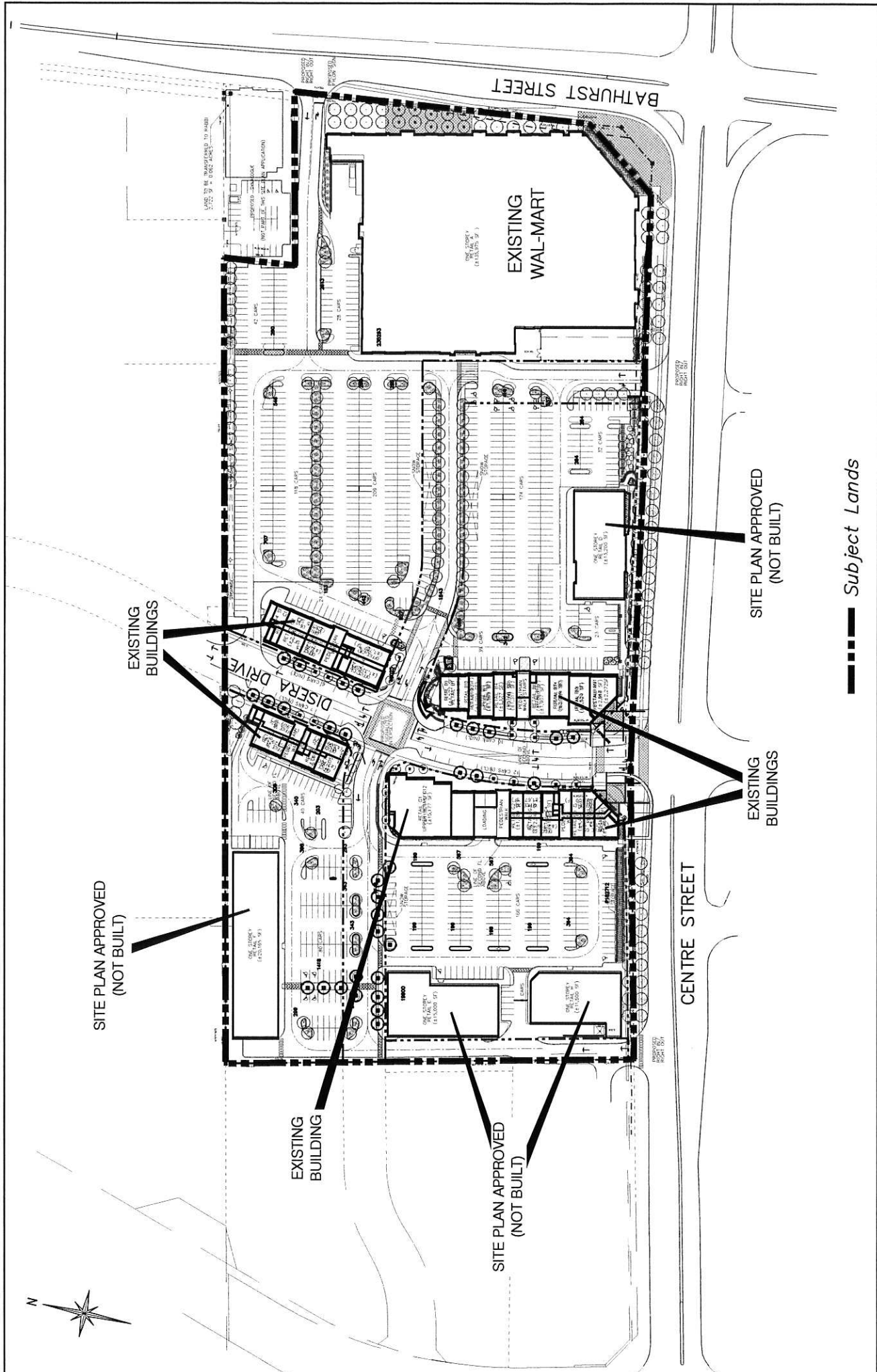
Attachment

File: Z.04.062

Not to Scale

Date: May 29, 2012

2



SITE PLAN APPROVED
(NOT BUILT)

EXISTING BUILDINGS

EXISTING BUILDING

SITE PLAN APPROVED
(NOT BUILT)

EXISTING WAL-MART

EXISTING BUILDINGS

SITE PLAN APPROVED
(NOT BUILT)

----- Subject Lands

Approved Site Plan

Location:
Part of Lot 6, Concession 2

Applicant:
City of Vaughan

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Attachment 3

File: Z.04.062
Not to Scale
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