

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 23, 2013

Item 14, Report No. 14, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on April 23, 2013, as follows:

By receiving the following Communications:

- C1. Mr. Mario G. Racco, Brownridge Ratepayers Association, Checker Court, Thornhill, dated April 8, 2013;***
- C2. Mr. Barry A. Horosko, Brattys LLP, Keele Street, Vaughan, dated April 9, 2013;***
- C3. Ms. N. Jane Pepino, Aird & Berlis LLP, Bay Street, Toronto, dated April 9, 2013;***
- C4. Mr. Mark Flowers, Davies Howe Partners LLP, Spadina Avenue, Toronto, dated April 10, 2013; and***
- C7. Ms. N. Jane Pepino, Aird & Berlis LLP, Bay Street, Toronto, dated April 9, 2013.***

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**THORNHILL CENTRE STREET
AREA LAND USE PLAN MODIFICATIONS
CITY OF VAUGHAN OFFICIAL PLAN 2010-VOLUME 2,
SECTION 12.10
FILE: 26.10
WARD 5**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated April 9, 2013, be approved subject to the following:**
 - 1. That between Vaughan Blvd. and Concord Road, the heights of the buildings be allowed from 2.5 to 4 storeys and that all maps/diagrams and written commentary be amended to reflect this modification.**
- 2) That the following deputations Communication be received:**
 - 1. Ms. Nikoletta Saltelli, Carl Tennen Street, Thornhill;**
 - 2. Ms. Gila Martow, Coldwater Court, Thornhill;**
 - 3. Mr. David Shulman, Parsons Place, Thornhill;**
 - 4. Ms. Jane McFarlane, Weston Consulting Group, Millway Avenue, Vaughan;**
 - 5. Mr. Robert Miller, Rueter Scargall Bennett LLP, Yonge Street, Toronto, and Communication C15, dated April 8, 2013;**
- 3) That the following Communications be received:**
 - C16 Mr. Christopher Tanzola, McCarthy Tetrault LLP, Toronto, dated April 8, 2013;**
 - C17 Mr. Joel D. Farber, Fogler, Rubinoff LLP, King Street West, Toronto, dated April 9, 2013;**
 - C19 Mr. Mario G. Racco, Brownridge Ratepayers Association, Checker Court, Thornhill, dated April 8, 2013;**
 - C20 Mr. Ryan Guetter, Weston Consulting Group Inc., Millway Avenue, Vaughan, dated April 9, 2013;**
 - C21 Ms. Sandra K. Patano, Weston Consulting Group Inc., Millway Avenue, Vaughan, dated April 9, 2013;**

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Recommendation

The Commissioner of Planning recommends:

1. That the policies for the subject lands contained in Section 12.10 of Volume 2 of the City of Vaughan Official Plan 2010 (VOP 2010), adopted September 7, 2010 be modified in accordance with the policies and schedules contained in Attachment 9 of this report;
2. That all section references to the Vaughan Official Plan 2010 (Volume 1) be revised to be consistent with Volume 1, as a result of the modifications approved by Council on September 27, 2010, March 20, 2012 and April 17, 2012 and as recommended for approval by the Ontario Municipal Board by Region of York Council on June 28, 2012;
3. That this report and Council minutes be forwarded to the Ontario Municipal Board and the Region of York as the City of Vaughan's recommended modifications to Section 12.10, Volume 2 of the VOP 2010, and that the Ontario Municipal Board and Region be requested to consider the modifications to the noted section accordingly, as part of the process leading to its approval;
4. That City staff be authorized to make any additional changes to the relevant text and schedules of the VOP 2010- Volumes 1 and 2, necessary to ensure consistency with the direction provided above; and that staff be authorized to work with the Region and Province, as necessary, to finalize the wording to effect the modifications reflected in this report;
5. That the Ontario Municipal Board and the Region of York be advised that the Council modifications approved in respect of the City of Vaughan Official Plan 2010, Volume 2, meet the requirements of Section 26, (1) (a)(i), (ii) and (iii) of the Planning Act RSO. 1990, C.P. 13, as amended;
6. That staff proceed with the Dufferin/Centre Street Secondary Plan Study (PL-9027), as outlined in section C.3. (a) of this report. The Study has an approved funding of \$67,400.00 in the 2012 Capital budget.
7. That when the future Secondary Plan study for the Promenade Mall area is undertaken, the scope of the work include a review of current demographics and proposed population numbers for Community Planning Area (CPA) # 9, vis-à-vis the corresponding Active Together Master Plan recommendations for the provision of facilities and community services.

Contribution to Sustainability

The proposed Thornhill Centre Street Area Land Use Plan/Policies are consistent with "Green Directions Vaughan", the City's Sustainability and Environmental Master Plan. The Centre Street land use policies also conform to the Region of York's policies for complete communities, by providing for environmental protection, sustainable community design, and economic vitality and growth. The Centre Street Area Land Use policies address the following "Green Directions Vaughan" goals:

"Goal 2: Ensure sustainable development and redevelopment."

Objective 2.2 "To develop Vaughan as a city with maximum greenspace and an urban form that supports our expected population growth."

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“Goal 4: To create a vibrant community for citizens, businesses and visitors.”

Objective 4.1 “To foster a city with strong social cohesion, an engaging arts scene, and a clear sense of its culture and heritage.”

Objective 4.2 “To ensure that the City of Vaughan attracts businesses and investment that will result in well-paying jobs for Vaughan citizens, a sustainable tax base, and continuing prosperity into the 21st century.”

Economic Impact

The Thornhill Centre Street Land Use Study was funded through the capital budget for the Vaughan Official Plan Project – PL-9003-07.

Communications Plan

Notice of this meeting has been communicated to the public by the following means:

- Posted on the www.vaughan.ca online calendar, City Page Online, City Update (corporate monthly e-newsletter) and the Policy Planning Department website http://www.vaughan.ca/projects/policy_planning_projects/thornhill_centre/Pages/default.aspx;
- Posted to the City’s social media sites, Facebook and Twitter;
- By Canada Post to the Thornhill Centre Street Area Land Use Study mailing list, to all land owners within the subject lands, and to an expanded polling list including all land owners 200 metres or more from the boundary line of the subject lands;
- Placed in the Thornhill Liberal on March 28, 2013;
- By Canada Post to almost 1500 addresses on the Vaughan Tomorrow/Official Plan Review mailing list; and,
- To the Official Plan Review e-mail list.

Purpose

To report on and obtain direction on proposed modifications to Section 12.10 of VOP 2010 (Volume 2) respecting the Centre Street Land Use Plan, arising from the land use study and related public consultation process. The Council ratified report and recommended modifications will be forwarded to the Ontario Municipal Board and the Region of York with the request that the modifications be incorporated into Section 12.10 of Volume 2, as part of the Official Plan approval process.

Background - Analysis and Options

Study Area

The study area is located on the north side of Centre Street between Concord Road and New Westminster Drive.

City of Vaughan Official Plan 2010

The Vaughan Official Plan 2010 applies to all lands in the City. The new Official Plan has been

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produced in two volumes. Volume 1 introduces general policies applicable throughout the City; and, Volume 2 includes site and area specific policies for areas that require more detailed policy treatments, and a number of Secondary Plans. The study area is included in Section 12.10 – Centre Street Corridor, of Volume 2.

The Thornhill Centre Street Area Land Use Study and Consultation Process

The study process included a public consultation program in association with the Thornhill Centre Street Corridor Urban Design Guidelines and Streetscape Master Plan Study (the principle study). The planning process leading up to this report included two public workshops, two open houses, and a statutory public hearing with stakeholders; including residents, businesses and developers, and their agents.

The following provides a brief overview of the public consultation process:

- The review of the corridor between Vaughan Boulevard and New Westminster Drive was directed by Vaughan Council at its meeting of September 7, 2010, in consideration of the item pertaining to the VOP 2010.
- At the Council meeting of March 8, 2011 the staff recommendation from the Committee of the Whole meeting of February 22, 2011 was approved as follows:
 - “1. That the Planning Partnership be retained on a single source basis in accordance with the City's purchasing policies, to undertake a land use study of the north side of the Centre Street corridor from the intersection of Centre Street and Concord Road, to the intersection of Centre Street and New Westminster Drive;
 - 2. That the Terms of Reference for the area land use study be an adjunct to the ongoing Thornhill Centre Street Corridor Urban Design guidelines and Streetscape Master plan Study (the principle study);
 - 3. That the draft Terms of Reference forming attachment #2 to this report, be approved;
 - 4. That the amount of \$48,000 to complete the additional work requested by Council be funded from the capital budget for the Vaughan Official Plan Review Project- PL-9003-07; and,
 - 5. That the director of Purchasing Services be authorized to execute the appropriate contract documents.”
- May 5, 2011 and June 7, 2011 - Introduction to the study, and visioning workshops were held with the surrounding community and study area landowners.
- November 23, 2011 - An open house was held to present the draft Land Use Plan, Urban Design Guidelines and Streetscape Master Plan.
- April 20, 2012 - A notice of open house and public hearing was mailed together with a newsletter to all landowners within the study area, to surrounding neighbours within 150 metres of the study area boundary, to ratepayer associations, and to individuals who had requested notification. The newsletter which was prepared by the Communications Department in consultation with the Policy Planning Department, addressed pertinent questions from residents in the vicinity of the study area and provided information on the study process, and proposed draft Land Use Policy document.
- On May 15, 2012, the open house and Committee of the Whole (Public Hearing) were held to present the Study Report and proposed (draft) Land Use Plan/Policies.
- On May 29, 2012, Vaughan Council approved the following recommendation:

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- “1) That the following recommendation contained in the report of the Commissioner of Planning, dated May 15, 2012, be approved:
- “That the Study Report for the Thornhill Centre Street Area Land Use Study (2012), prepared by the Planning Partnership, and the corresponding draft Land Use Plan/Policies be received; and that any issues identified by the public and Council, be addressed in a comprehensive report to Committee of the Whole.”
- 2) That the following be approved:
1. That staff examine decreasing the height maximums at the Centre Street frontage in the Mid-Rise Mixed Use B designation (Site 2) from 6 storeys to 4 storeys in order to provide a more appropriate transition to the low-rise residential area to the north, given the limited lot depths in this stretch of the Centre Street corridor;
 2. That staff also examine the designation of the building identified as “M” in the Site 1 area located immediately south of the bulb of MacArthur Drive, from a maximum of 8 storeys to 6 storeys;
 3. That staff, in light of the significant intensification already in place in the area, provide a strategy on how to develop a comprehensive and holistic approach to the further development of the Centre Street Corridor from Bathurst to Dufferin Streets, including the areas as far north as New Westminster Drive (at Bathurst Street), and the Promenade lands to the south;
 4. That this be reported on as part of the comprehensive technical report to Committee of the Whole;
 5. That staff appropriately increase the radius for notification of land owners in consultation with the local Ward Councillor; and,
 6. That the deputations and communications to the public hearing meeting be received.”

Structure of this Report

This report to the Committee of the Whole is the result of the direction provided above. The report is set-out in four parts as follows:

- A. The Policy Context
- B. The Proposed Land Use Plan/Policies
- C. Addressing Council Direction of May 29, 2012 and Refinements to the Draft Thornhill Centre Street Plan/Policies since the Public Hearing of May 15, 2012
- D. Summary of New Comments received on the Draft Land Use Plan/Policies (Public Hearing of May 15, 2012)

A. The Policy Context

The Study area is subject to municipal, Regional and Provincial planning policy. Given its current character and policy context, it presents the following challenges:

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- The quality and role of the pedestrian realm has taken a secondary position to the vehicular orientation of the street and development sites. As a result the pedestrian activity is poor due to a general lack of attractive urban design attributes and amenities, and a lack of uses conducive to pedestrian activity in parts of the corridor.
- Existing densities, land uses and urban design in the study area do not reflect current Provincial, Regional or municipal policy for Regional Intensification Corridors.

The policies of the pertinent levels of government are discussed below.

(1) The Provincial Policy

The Provincial Policy Statement 2005 (PPS)

The PPS supports efficient land use, a mix of housing types and densities, residential intensification, public transit ridership and the protection of cultural heritage. It promotes the planning of public streets, spaces and facilities to meet the needs of pedestrians and facilitate pedestrian and non-motorized movement. It encourages growth in built up areas and identifies transit corridors within urban areas as key areas for intensification and redevelopment.

(i) Ontario Transit-Supportive Guidelines (2012)

The guidelines developed by the Ministry of Transportation in recognition of the Provincial investment in major transportation initiatives, and recent Provincial policies, emphasize the inter-dependent relationship between transit ridership and land use patterns. The guidelines are predicated on:

- the designing of “complete streets”; designing streets to reflect the land use and transportation context, and conversely organizing the appropriate land use mix to respond to the transportation context;
- establishing performance standards related to factors such as pedestrian safety, comfort and ease of use of transit and evaluating performance regularly;
- placing the highest density and greatest mix of uses nearest transit;
- promoting a pleasant pedestrian experience on routes to and from transit stops to boost ridership;
- safe and convenient streets for cyclists can extend the reach of transit as much as 5 km; and,
- accessible and attractive transit stops encourage transit use.

Places to Grow: The Growth Plan for the Greater Golden Horseshoe (2006)

The Places to Grow Plan is the Province’s growth plan for the Greater Golden Horseshoe. It is based on a set of principles for guiding decisions on how land is to be developed and public investments are managed. It supports the building of compact, vibrant neighbourhoods, the protection and conservation of valuable natural resources, the optimization of the use of existing and new infrastructure to support growth in a compact efficient form. It further specifies that intensification should be directed “generally throughout the “built-up area” and especially along intensification corridors and at major transit station areas (Section 2.22.3.6).

It is noted that the vivaNext Bus Rapid Transit (BRT) line is planned to run along Centre Street between Dufferin Street and Bathurst Street (see Attachment 1); and a BRT station is planned in the study area between Vaughan Boulevard and New Westminster Drive.

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(2) The York Region Official Plan (YROP) (2009)

The York Region Official Plan was adopted by Regional Council in December of 2009 and approved by the Minister of Municipal Affairs and Housing on September 7, 2010. The Plan was appealed and is now in the final stages of approval at the Ontario Municipal Board. The majority of the Plan is in effect as of January 14, 2013.

York Region's Intensification Strategy (2009), is reflected in the YROP. It is the basis for the Region's plan for delivering the amount of intensification required by the Province in order to meet the assigned level of population to 2031. The Intensification Strategy is based on a Regional Intensification Framework that includes a hierarchy of Regional Centres and Corridors, GO stations, Local Centres and Corridors, other major corridors, and local infill. All lower-tier municipalities are required to complete their own intensification strategy to meet the intensification targets outlined in the YROP in accordance with the Regional hierarchy.

The Centre Street Study area is identified as part of a Regional Corridor and it links the Highway 7 and Bathurst Street portions of the corridor. The following policies in Sections 5.3 - Intensification and 5.4 - Regional Centres and Corridors, of the York Region Official Plan are of particular relevance to the Centre Street study area. It is also noted that these policies capture important highlights of the York Region Transit Oriented Development (TOD) Guidelines approved by the Region in 2006, and which are also applicable to Regional Corridors. It is the policy of Regional Council:

- " 5.3.4. That the distance to a transit stop in the Urban Area is within 500 metres (a 5-to-10-minute walk) for 90% of the residents and no more than 200 metres for 50% of residents.
- 5.4.1. That the Regional Centres and Corridors serve a critical role as the primary locations for the most intensive and greatest mix of development within the Region.
- 5.4.28. That Regional Corridors are planned to function as urban main streets that have a compact, mixed-use, well-designed, pedestrian-friendly and transit-oriented built form.
- 5.4.34. To require a comprehensive approach to intensification along Regional Corridors: Local municipalities will establish key development areas and other forms of intensification along Regional Corridors. Key development areas once established will support an overall long term density target of 2.5 FSI for developable areas."

The Centre Street Land Use Study Area is located adjacent to the Thornhill Town Centre (area between New Westminister Drive and Bathurst Street, north and south of Centre Street), which has been evolving as an urban centre since the early 1980s. Official Plan Amendment 671 (Thornhill Town Centre) approved in 2005, establishes a more detailed and updated policy framework to direct mixed-use development, including high-rise development, in this area. The Vaughan Official Plan 2010 (VOP 2010), recognizes the Thornhill Town Centre as a Primary Centre.

The study area because of its proximity to the Thornhill Town Centre, currently enjoys priority YRT bus service, and is projected to receive BRT service in the 2015-2020 timeframe. The study area, and in particular Site 1 (see Attachment 1), is considered a priority area for intensification because of its location adjacent to the Thornhill Town Centre, and the BRT stop which is projected to be sited mid-block between Vaughan Boulevard and New Westminister Drive.

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(3) The City of Vaughan Official Plan (VOP 2010)

The VOP 2010 establishes the urban structure plan for directing growth throughout the City. This structure is outlined in Section 2.2.1.1 of the Official Plan. It provides for a hierarchy of intensification areas that vary by densities and the planned mix of uses. At the top of this hierarchy are the following: The Vaughan Metropolitan Centre (the Regional Centre), the Regional Intensification Corridors, and then Primary Centres, Local Centres, and Primary Intensification Corridors. The City's urban structure was established to conform to Provincial and Regional policy. With respect to Regional Intensification Corridors, the following description is provided in Section 2.2.1.1:

- “ ii. Regional Intensification Corridors will be a major focus for intensification on the lands adjacent to major transit routes, at densities and in a form supportive of the adjacent higher-order transit. The Regional Intensification Corridors link the Vaughan Metropolitan Centre with other intensification areas in Vaughan and across York Region.”

The VOP 2010 also states that the policies related to Intensification Areas will be consistent with the policies of the Provincial Policy Statement, the Provincial Growth Plan for the Greater Golden Horseshoe and the York Region Official Plan.

It is noted that at the time Volume 2 of the VOP 2010 was prepared the “vision” for an intensified corridor had not yet been established. Therefore the site specific policies contained in Volume 2, applying to Centre Street, are a carry-over of the previous OPA 672 (Thornhill Centre Street Official Plan Amendment, 2005) policies. The “Where and How to Grow - Directions on future growth in the City of Vaughan to 2031” report, prepared by Urban Strategies Inc., does however identify the study area as a “Priority Opportunity Area” for intensification.

(4) Ontario Municipal Board Appeals

Five property owners within the study area have submitted appeals to the Vaughan Official Plan 2010; and, the land area currently subject to appeals encompasses approximately 75% of the study area. All appellants have cited issues respecting the proposed VOP 2010 commercial designations and FSI density ranges of 0.8 -1.5; asserting that residential mixed-use and higher densities are more appropriate in this area.

B. The Proposed Land Use Plan/Policies

The proposed land use plan and policies for the Thornhill Centre Street Study area are summarized as follows:

(1) Land Use Designations

The following land use designations are proposed for the study area:

(i) Low-Rise Residential “A”

The Low-Rise Residential “A” designation permits residential units in the form of townhouses, and public and private open space. The net maximum density and height permitted within this designation is .75 FSI and 2.5 storeys (or 9.5 m, whichever is less), respectively. This designation provides the transition between the higher densities and heights proposed in the southerly portion of Site 1 (see Attachment 2) of the study area, and the established low-rise residential community on Katerina Avenue to the north.

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(ii) Mid-Rise Residential

The permitted uses within the Mid-Rise Residential designation include residential units in the form of mid-rise buildings, home occupations, community facilities, day cares, and public and private open spaces. The maximum net density and height permitted within this designation are 2.5 FSI and 6 storeys, respectively. This designation helps achieve the higher densities expected in the Regional corridor while providing the transition to the higher density mixed-use designation immediately adjacent to Centre Street. Two restaurant(s) and/or café(s) are also permitted in this designation within a mid-rise residential building, fronting onto the public park. Each of the two eating establishments is limited to a maximum gross floor area of 500 sq.m.

(iii) Mid-Rise Mixed-Use “A”

The Mid-Rise Mixed-use “A” designation permits residential, commercial, community, and cultural uses in a mixed-use, mid-rise building format with commercial or cultural/community uses required at grade. This designation permits a maximum net density of 2.8 FSI, and a range of heights from 3-8 storeys, with a maximum height of 12 storeys permitted at the northwest corner of Centre Street and New Westminster Drive (see Attachment 2). This designation helps to achieve the transit supportive densities and street animation expected in a Regional Corridor.

(iv) Mid-Rise Mixed-Use “B”

The uses permitted in this designation include residential units, home occupations, community facilities, daycares, cultural uses, retail and restaurant uses, office uses and public and private open spaces. Buildings must be in a mixed-use building form with commercial or cultural/community uses provided at grade. The proposed designation permits a maximum net density of 1.6 FSI and heights ranging from 2.5 to 4 storeys respectively (see Attachment 2) with consideration for additional height up to 6 storey maximum in accordance with detailed site specific requirements. It contributes to the density targets established for the Regional Corridor, but recognizes the transition to the established low-rise residential neighbourhood to the north. The building form, which introduces residential mixed-use development with commercial elements, including retail and restaurant uses along the Centre Street frontage, is intended to animate this portion of the corridor.

(2) Urban Design Policies

The focus of the proposed urban design policies is to create an attractive, safe and pedestrian-friendly environment and to provide transitioning policies, where applicable, to benefit the nearby low-rise neighbourhoods. The over-arching design policies are summarized as follows:

- (i) Buildings shall have active facades including primary windows and entrances facing the street.
- (ii) Buildings fronting on public or private streets shall not be separated from the street by either parking areas or drive aisles.
- (iii) Buildings shall be sited to minimize their impact on existing neighbouring properties.
- (iv) Further reverse lot development will not be permitted on Centre Street.
- (v) Buildings shall be designed with high quality architectural materials, and variation in certain elements of the façade treatment should be provided.

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- (vi) Surface parking if required, shall be located at the interior of a development block, and be screened by buildings. Access to underground parking shall be appropriately integrated into the building it serves and located so as to minimize physical and visual impacts on public sidewalks and open spaces.
- (vii) Individual front-accessed garages for grade related residential units such as detached, semi-detached or townhouses should not protrude beyond the main front building wall, and should occupy no more than 40% of the width of the building or unit frontage.
- (viii) The following set-back requirements are provided:
 - a. A build-within zone 2.0 m – 3 m from any lot line fronting a street.
 - b. Notwithstanding (a) above, buildings fronting on Centre Street between New Westminster Drive and Vaughan Boulevard shall be setback a minimum of 7 m from the front lot line; and, a minimum of 6 m between Vaughan Boulevard and Concord Road.
 - c. A minimum rear yard setback of 7.5 m is required for any development abutting an existing residential property. In addition, to the minimum rear yard setback requirement, a minimum 4 metre landscaped buffer consisting of a minimum double row of trees, is required extending for the entire length of the rear property line where abutting an existing low-rise residential property. Where detached rear garages are provided and accessed by a rear laneway, the minimum rear yard setback for the dwelling unit shall be 13.5 m from the laneway.
- (ix) Minimum step-backs are provided for buildings of various heights.
- (x) A minimum facing separation distance of 20 m between adjacent buildings for all portions of the buildings taller than 6 storeys or 22 m.
- (xi) Design policies specific to buildings greater than 8 storeys in height permitted only in the east part of the study area.
- (xii) All proposed developments within the land use study area may be subject to review by the City's Design Review Panel.

(3) Application of Section 37 of the Planning Act (Bonusing Provisions)

The proposed Thornhill Centre Street land use policies provide for the use of the Section 37 Bonusing provisions in the Mid-Rise Mixed –Use "A" land use designation of the Plan on land east of Vaughan Boulevard. The policies allow the City to consider additional density and height beyond the permitted maximums set for this designation, in exchange for community benefits. The consideration of Section 37 use and the evaluation of relevant community benefits, will take place during the development review process. The community benefits are prioritized as follows:

- (i) Monetary contributions towards funding enhanced streetscaping in the Centre Street corridor. This includes streetscaping above City established service levels.
- (ii) The following community service/facility needs within the Plan area and broader Community Planning Area (CPA) # 9, in addition to the community benefits identified for Section 37 use in the VOP 2010, are to be considered in the priority in which they are listed:

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- a) Cultural amenities, including public art and outdoor cultural event space within the boundaries of the subject lands.
- b) The provision of community facilities as identified by the City as desirable for the planning area, but which are not accommodated in the City's standard levels of service.
- c) The following community services/facilities within the broader Thornhill CPA # 9:
 - Renewal of existing community centre facilities, library space, and indoor skating arenas as necessary.

C. Addressing Council Direction of May 29, 2012 and Refinements to the Draft Thornhill Centre Street Plan/Policies since the Public Hearing of May 15, 2012

The Council direction of May 29, 2012 is addressed in numerical order as follows:

1. **That staff examine decreasing the height maximums at the Centre Street frontage in the Mid-Rise Mixed-Use B designation (Site 2) from 6 storeys to 4 storeys in order to provide a more appropriate transition to the low-rise residential area to the north, given the limited lot depths in this stretch of the Centre Street corridor.**

Response:

Staff, in consultation with the City's Consultant for the Centre Street Study, have examined the possibility of reducing the heights in Site 2, as indicated in the Council directive. Given the considerable depth of the subject lots, and that the northern half of the lots are limited to a maximum building height of 2.5 storeys, there do not appear to be adverse effects in terms of shading, light, and noise (subject to mitigation measures being applied) from a 6-storey building on Centre Street as opposed to a 4-storey building. However, in consideration of the planning context and to ensure that future development in the Mid-Rise Mixed-Use B designation will include variations in heights at the street frontage, promoting both better design and sunlight penetration into the interior of the subject lands, the following new policy has been proposed:

Section 12.10.6.7 a):

"Within the lands identified as Mid-Rise Mixed-Use B on Map 12.10.A and identified as having a height range of 2.5 – 4 storeys* on Map 12.10.B., the minimum building height shall be 2.5 storeys and the maximum building height shall be 4 storeys or 16 metres, whichever is less. Predicated on achieving a built form similar to that illustrated in the Concept Plan (Appendix 2), and proposed development in accordance with policies (12.10.6.9 – 12.10.6.12* *); a portion of the Centre Street frontage may be permitted to have a maximum height of 6 storeys or 22 metres, whichever is less."

**These newly proposed policies are described in detail in the following section of this report.

In addition, it is recognized that redevelopment of Site 2 must be comprehensively planned in order to ensure excellent site design, efficient traffic flow, and an appropriate transition and buffers to the existing low-rise residential immediately to the north. The following section of this report discusses the introduction of new policies to ensure a comprehensive approach.

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(a) Planning for the Comprehensive Redevelopment of Site 2

The north side of Centre Street between Concord Road and Vaughan Boulevard, forming Site 2 of the Planning area, is composed of 12 lots, the majority of which are individually owned and maintained as residential properties. The lots were not initially designed to accommodate more intensive forms of development and are therefore accessed by individual driveways at Centre Street. As such, each lot would be encumbered by a driveway minimizing its development potential. In addition, the bus rapidway will be constructed in the middle of Centre Street without access between the north and south sides of Centre Street, except at signalized intersections. Therefore, the subject lots will not have the benefit of direct access from eastbound Centre Street traffic lanes or the opportunity for direct egress to the eastbound Centre Street traffic lanes.

For a variety of reasons, including: minimizing construction impacts on adjacent residential lots; facilitating safe and efficient access to development parcels at signalized intersections; ensuring integrity of the streetscape design along Centre Street; maximizing development potential of the subject lots; and, optimizing the amount and design of outdoor amenity spaces, a comprehensive approach to the redevelopment of Site 2 is required. To this end, the following new policies (sections 12.10.6.9 - 12.10.6.12) are recommended:

- (i) Recognizing that the planned bus rapid transitway will limit in-bound turns from the west, and out-bound easterly turns on the north side of Centre Street, a minimum 7 metre rear yard laneway/access driveway shall be provided adjacent to the south side of the required 4 metre landscape buffer, connecting Concord Road and Vaughan Boulevard. An easement to the City shall be provided over the entire length of the rear yard laneway/access driveway and shall be achieved as a condition of Site Plan approval, as per Section 41. (7) a). of the Planning Act.
- (ii) Comprehensive planning and development of land parcels shall be required within the Mid-Rise Mixed-Use B designation; development parcels shall be assembled to the satisfaction of the City in order to minimize access points to Centre Street, and to facilitate the development of the rear yard laneway/access driveway. Appropriate reciprocal easements shall be granted by all owners to permit right-of-ways over access laneways to Centre Street and over the rear yard laneway/access driveway.
- (iii) To augment outdoor open space within the Mid-Rise Mixed-Use B designation, required amenity space to serve private developments shall be provided in the form of at-grade outdoor courts and located to the rear of the future buildings. In order to optimize the size and design of these outdoor amenity areas, they shall be planned and developed in co-ordination with adjoining lots included in the assembled development parcel.
- (iv) Prior to approving development applications in the Mid-Rise Mixed-Use B designation, the City shall require that landowners enter into an agreement(s) to the satisfaction of the City, to facilitate the comprehensive and co-ordinated development of properties in this portion of the Centre Street corridor, and to ensure equitable cost sharing for such aspects as the shared rear yard laneway/access driveway, sanitary sewer connections, hydro, storm water, the north boundary 4 m landscape buffer, and other common right-of-ways.

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2. **That staff also examine the designation of the building identified as “M” in the Site 1 area located immediately south of the bulb of MacArthur Drive, from a maximum of 8 storeys to 6 storeys.**

Response:

Through further examination of the noted lands (see concept plan for Site 1, building “M”, Attachment 4), staff in consultation with the City’s Consultant, have reduced the maximum height at the mid-point of the Mid-Rise Mixed-Use “A” designation for the particular land parcel, from 8 to 6 storeys. The reduction as now reflected on the proposed Land Use Plan, will provide a better transition in height to the proposed 2.5 storey development which will be located adjacent to the Mid-Rise Mixed-Use “A” designated lands. The reduction also ensures that any future 8 storey development will be located a minimum of approximately 70 m (230 ft) from the property line of existing low-rise development on McArthur Drive to the north.

3. **That staff in light of the significant intensification already in place in the area, provide a strategy on how to develop a comprehensive and holistic approach to the further development of the Centre Street corridor from Bathurst to Dufferin streets, including the areas as far north as New Westminster Drive (at Bathurst Street and the Promenade lands to the south).**

Response:

A study of the Thornhill Centre Street corridor, including the Dufferin/Centre Street Gateway, and the portion of the Thornhill Town Centre between Centre Street and just south of North Park Road (the Liberty development), was undertaken previously, in 2003. The Thornhill Centre Street Study (2003) resulted in Official Plan Amendments 671 (2005), for the area within the Thornhill Town Centre, and 672 (2005), for the north Centre Street Spine from the Dufferin Street Gateway to New Westminster Drive.

A large proportion of the OPA 671 (Thornhill Town Centre) lands are now either built-out or approved for development, as are the remainder of the Thornhill Town Centre north lands (north of North Park Road). Approximately 1/6 of the area of the lands in the Thornhill Town Centre north remains vacant or subject to redevelopment. The existing or approved mid-rise and high-rise residential development in the Thornhill Town Centre ranges in height from 4-22 storeys, and density from 1.35 FSI to 6.89 FSI (see map and corresponding charts, Attachments 7 and 8). The more recently proposed Baif (density of 4.37 FSI) and Liberty (density of 4.43 FSI) developments, are at higher densities than the 3.5 FSI permitted by the Official Plan.

The 2003 Thornhill Centre Street Study did not focus on detailed “visioning” for the Dufferin/Centre Street Gateway or Promenade Mall areas, as there was little interest in redevelopment of these lands at that time. However, the Vaughan Official Plan 2010, Volume 1, Schedule 14-A, identifies both areas as subject to future Secondary Plan Review. At this time more consideration should be given to moving ahead with the Dufferin/Centre Street Gateway Study, as discussed below.

- (a) The Dufferin/Centre Street Gateway Secondary Plan Study

The budget for the Dufferin/Centre Street Gateway Secondary Plan Study (PL-9027-12), was approved as part of the City’s Capital Budget for the 2012/2013 timeframe. Given the City’s interest in resolving the Highway 407 future ramp issue at this intersection, recent office/commercial development approvals for the northwest corner, and development pressures and community concerns, it is

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recommended that the study be initiated as soon as possible. The purpose of this Secondary Plan Study is to provide a preferred land use and urban design framework for the area outlined on Attachment 11. The land use study will help inform City recommendations to the Provincial agencies, who collectively own or manage a significant proportion of the lands in the study area.

With respect to the question of the possible siting of the future 407 ramp in the vicinity of the Dufferin Street/Centre Street intersection, the following background is provided. At the Council meeting of August 25, 2003, Council directed (in part):

“That the Ministry of Transportation/ETR be requested to remove any plans for construction of an interchange at Highway 407 and Centre/Dufferin Streets from its program for future development of Highway 407.”

Several years later at the Council meeting of March 23, 2009, the following recommendation (in part) of the Special Committee of the Whole (Working Session), was adopted by Council:

- “2) That the City of Vaughan confirms their objection to Option 3, a full interchange at Centre Street, but supports a feasibility study of Option 2, or variation thereof, for a partial interchange on Centre Street to take place prior to 2015;
- 3) That staff participate in the terms of reference particularly as it relates to the impact on local roads;
- 4) That the Ministry of Transportation/ETR be requested to protect the necessary lands;”

The lands subject to the Option 2 partial ramp configuration, including access/egress locations, are contained entirely within the Hydro Corridor immediately east of Highway 407; and, the Parkway Belt lands immediately west of Highway 407, north of Centre Street. The date for commencement of the feasibility study for Option 2 has not yet been set; however, given that the Dufferin/Centre Street Gateway lands are situated far enough east of the Option 2 - ramp site, the planning for the Gateway should not be delayed.

The Dufferin/Centre Street Gateway Study will entail a background review of existing conditions, active development applications, and recent Provincial and Regional Policy with respect to the subject lands. Exploration of different land use scenarios will be conducted in consultation with Infrastructure Ontario, MTO, Hydro One, the Region of York, other property owners within the subject lands, and the respective community. A traffic analysis of the preferred land use scenario will also be completed.

(b) Community Services Evaluation

A concern respecting the adequacy of community services in light of the significant intensification in the Thornhill Town Centre (north), and the intensification proposed for the study area, was raised by both Council and area residents at the Public Hearing of May 15, 2012.

It is recognized that with the higher density developments currently underway in

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the City's Regional Intensification Corridors and Primary Centres, a conscientious approach to providing the necessary community facilities and services to accommodate significant increases in population will be required. In September of 2012, the City of Vaughan Development Planning Department implemented the practice of requiring a Community Facilities and Services Impact Study for all development applications (Official Plan, zoning, subdivision, and site plan) pertaining to high-rise developments. In addition, the Policy Planning Department also includes a "community services" component in the "terms of reference" of all studies in intensification areas, to ensure that there will be sufficient services for the proposed land use scenario.

In anticipation of the greater densities that are expected in the Highway 7/Centre Street Regional Intensification Corridor, the current Centre Street Study includes a Community Services Evaluation (Chapter 4). The evaluation is based on a review of the findings and recommendations of existing studies and policy documents for the City, including the Active Together Master Plan for Parks, Recreation, Culture and Libraries (2008), the Vaughan Social Services Study (2009), and the policies for Community Infrastructure found in Chapter 7 of the VOP 2010, Volume 1. The Active Together Master Plan provides a detailed assessment of the supply and demand for community services in Vaughan's ten "Community Planning Areas" for the years 2006 to 2031.

The Master Plan is currently under review to update community profiles, recreational trends, public input (including the household survey), and review of the existing inventory. The review which will also provide recommendations regarding overall facility planning, is tentatively scheduled to be completed by mid 2013. The Social Services Study provides a more general assessment of other types of services such as public transit and access to housing.

1) Community Service Planning in Vaughan

Community service planning in Vaughan is based on Community Planning Areas (CPAs). The Active Together Master Plan uses the CPA's demographic profile, along with public input and activity and facility assessments, to determine specific requirements for community parks and facility needs, indoor and outdoor recreation facilities, including multi-use space that can be used for recreational arts and cultural programs, and libraries. For each service type, the Master Plan outlines:

- the existing supply;
- planning context (including public input collected through an attitudinal survey); and,
- assessment of need (based on established standards and targets for service provision).

Based on this information, proposals are made for the location of new facilities (if needed), and formal action plan items. See Attachment 6 for mapping of existing community services within one kilometre of the Centre Street study area.

The Centre Street Study area is located within the Thornhill CPA # 9 (see Attachment 5). Between 2006 and 2031, the population of the Thornhill Community Planning Area is expected to grow by 25,360 residents, representing a 40% increase in population (Active Together Master Plan,

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Figures 3.3 and 3.4). The greatest levels of intensification are expected adjacent to the study area, in the Thornhill Town Centre, and along the Steeles Avenue and Yonge Street corridors. The population projections are based on traffic zone forecasts provided by the Region of York (2007). The same growth forecasts have been used in the preparation of the City's VOP 2010; however, it is noted that while the Region's distribution across traffic zones is more general, the VOP 2010 specifically targets growth through preparation of Secondary Plans. The "Where and How to Grow - Directions on future growth in the City of Vaughan to 2031" report (June 2009), which is used as a background resource in the preparation of City Secondary Plans, identifies "Priority Opportunity Areas" for intensification. It is noted that the Centre Street study area is identified as "a Priority Opportunity Area" for intensification with an allocation of approximately 974 additional residential units.

The "Where and How to Grow" Report (pg. 41 & 45), forecasts growth in the CPA # 9 as follows:

			Approved Development Applications *	Proposed Development Applications**
Location	Units	People	People	People
Dufferin/Centre Gateway	828	1,682		
Thornhill Centre St. Study Area	974	2,009		
Thornhill Town Centre North (area between New Westminster Drive and Bathurst, north of Centre Street)	1,382	2,987	2,009	+ 3,571 = 5,580
Thornhill Town Centre South (Promenade Mall area)	1,847	3,897		
TOTAL	5,036	10,575		
Yonge-Steeles Corridor	6,164	12,345		
TOTAL	11,200	22,920		

* and ** See Attachments 7 and 8 for details

Total projected population by Active Together Master Plan –	<u>25,360</u>
Total projected population by "Where and How to Grow" Report –	<u>22,920</u>
Difference -	2,440 People

Development applications approved since the growth forecasts were derived, will result in an increased population of approximately 2,009 people in the Thornhill Town Centre north, with a potential additional population of 3,571 people should the currently proposed development applications in this area be approved as submitted. As highlighted above, this would result in 5,580

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additional residents in the Thornhill Town Centre north. Since the Active Together Master Plan (ATMP) has actually used a higher population figure of 25,360 residents (from Regional forecasts), the higher population would be mostly accounted for; however, approximately 1/6 of the development/redevelopment area in the Thornhill Town Centre north has yet to be included in the totals forecast for the area, and the trend is toward increasing intensification beyond what was originally anticipated in the Thornhill Town Centre OPA 671.

In consideration of the increases to population that might occur in CPA # 9 above what was accounted for in the ATMP, staff recommend that when the future planning study for the Promenade Mall area is undertaken, the scope of the work include a review of current demographics and proposed population numbers for CPA # 9, vis-à-vis the corresponding Master Plan recommendations for facilities and community service levels. In addition, as an interim measure, staff in Development Planning will continue to require Community Impact Studies for major redevelopment proposals. These measures will ensure that the CPA will continue to be sufficiently serviced as per City standards.

(i) Parkland

The 2008 ATMP recommends targets for the provision of parkland in communities within the City of approximately 4.0 ha (active and passive parkland combined) per 1000 residents. City staff note that the Thornhill community is generally well served by parkland and has a current provision standard of 3.3 ha of parkland (active and passive parkland combined) per 1000 residents. The ATMP also recognizes that based on the current service ratios, this community will require additional parkland to meet the needs of the projected future population by 2031. In addition, the ATMP recommends a hierarchy of parkland types, which is now incorporated in the VOP 2010. Urban squares are noted as a type of parkland appropriate in intensification areas.

The provision of open space for new residents, as proposed in the Centre Street Land Use Policies, of approximately 0.69 ha and the proposed urban square would be less than what is required using the 1 ha to 300 dwelling units ratio. However, given the location of the study area immediately adjacent to a Regional Corridor, and the relatively limited area of the subject lands; the Thornhill Centre Street Study Report (2012), indicates that the amount of parkland and parkland typology proposed is appropriate for the Plan. Section 7.3.2.2 of the VOP 2010 acknowledges that smaller parks/urban squares may be appropriate in intensification areas “in order to better fit into the desired planned context of these areas and to take advantage of available land resources.”

The following new policy (section 12.10.6.11), has been included in the proposed modifications since the Public Hearing of May 15, 2012, to further augment the open space in the study area (Site 2):

“To augment outdoor open space within the Mid-Rise Mixed-Use B designation, required amenity space to serve private developments shall be provided in the form of at-grade outdoor courts and located to the rear

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of future building structures. In order to optimize the size and design of these outdoor amenity areas, they shall be planned and developed in co-ordination with adjoining lots included in the assembled development parcel.”

Based on the proposed distribution of parkland, all new residents will be within the required 500 m/10-minute walk of the new parkland. The subject lands are also located within a 25-35 minute walk of an existing district park (York Hill), and a 25 minute walk to the Concord Thornhill Regional Park. It is recommended that the cash-in-lieu of parkland funds which would be provided through development of the subject lands, should be used to acquire/upgrade parkland where the opportunities arise within the broader CPA # 9.

(ii) Indoor and Outdoor Recreational Facilities

The ATMP provides a detailed assessment of the supply and need for a variety of indoor and outdoor recreational facilities. The ATMP states that the Thornhill CPA # 9 is well-served by recreational facilities, however, the following facilities will be needed within the CPA by 2031:

- Up to two new basketball courts
- One new skateboard park
- One new waterplay

In addition, the ATMP identifies a number of facility types that are over-supplied in the CPA and could be converted to other uses such as those listed above. The document also recommends that existing community centres should be renovated and/or retrofitted as necessary to keep pace with the quality associated with newer community centres and encourages multi-purpose program spaces, seniors’ rooms, teen rooms, pre-school rooms and fitness centres throughout all appropriate community facilities (existing, new and renewed).

The proposed Centre Street Land Use Plan may accommodate a new water play facility in the proposed park areas and the policies of the Plan build in options for generating funds for the construction/renewal of recreational facilities in the CPA using density bonusing provisions under Section 37 of the Planning Act. Appendix 1 of the draft land use policies provides a priority list of service needs as benefits to be considered under the Section 37 Bonusing provisions of the Planning Act. The suggested use of Section 37 Bonusing provisions is expanded upon in section B. (3) of this report.

It is also noted that staff are reviewing City policies regarding the utilization of cash-in-lieu of parkland funds, to develop a program that would consider that an appropriate percentage of the funds collected, be used to retrofit parkland/facilities in the vicinity of the residential development providing the funds.

(iii) Arts and Cultural Facilities

The ATMP provides a more general overview of the use and supply of existing cultural facilities in the Thornhill CPA # 9. While no specific new facilities are identified, strategies are recommended to support arts and culture in existing City facilities, including the use of Section 37 of the Planning Act to assist in providing public art funding.

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(iv) Libraries

To accommodate new growth in the Thornhill CPA # 9 specifically, an additional 5,326.0 sq.ft of library space will be needed by 2031, however, this space is to be provided outside the CPA, but within the geographic radii distribution standard for community libraries of 2.4 km. In addition, the Master Plan highlights the need for the Vaughan Public Libraries to develop a strategy for facility renewal of older libraries to continue to provide an adequate level of service and programming for the population they serve. The proposed Centre Street Study policies identify renewal of libraries in the list of possible uses for Section 37 bonusing funds.

(v) Other Social Services

The City of Vaughan Social Services Study (2009) found that there are other types of service requirements for specific demographic groups across the City: families and children, youth, seniors and new immigrants. Identified common service needs of these demographic groups include: access to affordable housing and provision of complete and accessible neighbourhoods, and availability of transportation options. With regard to housing, new immigrants and families with children are more likely to require access to rental and affordable housing, while seniors may require seniors-targeted housing to meet their changing needs. For families with children, land use policy can also be used to improve availability of childcare by permitting small-scale daycares more broadly, while youth can benefit from provisions for smaller-scale community recreational spaces.

Public transit was identified as key to improving access to employment for youth and new immigrants and an important consideration for seniors who also may not have the use of a private vehicle. The need for urban design controls that promote healthy and walkable communities was also identified. Walkable communities benefit everyone, but seniors in particular, since they may otherwise become confined to their home and suffer from isolation.

The proposed land use and urban design policies will expand the inventory of smaller more affordable housing units, and may contribute to additional daycare facilities; improve walkability throughout the study area; and, provide additional meeting places for social interaction. The future provision of higher-order transit along Highway 7/Centre Street will also ensure greater mobility and more equitable access to services for people of all ages and backgrounds in the community.

2) Summary of Community Services Evaluation

The review of the Active Together Master Plan, Social Services Study and "Community Infrastructure" policies of Volume 1 of the VOP 2010, indicates that the intensification proposed on the subject lands has been anticipated with respect to community service needs, and that it can be accommodated. Generally, the Thornhill CPA # 9 is well served with respect to community services, and the proposed Thornhill Centre Street policies may aid in supplying some of the projected future needs primarily through the procurement of cash-in-lieu of parkland funds, and to a lesser extent, through the use of the Section 37 Bonusing provisions. The projected parkland needs may be accommodated in part, through future redevelopment of the

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Promenade Mall area, and in the upgrading of existing parks/parks' facilities in the larger CPA # 9.

As explained earlier in this report, staff recommend that when the planning study for the Promenade Mall area is undertaken, the scope of the work include a review of current demographics and proposed population numbers for CPA # 9, vis-à-vis the corresponding Master Plan recommendations for facilities and community service levels, to ensure that the CPA will continue to be sufficiently serviced as per City standards.

- 4. That staff appropriately increase the radius for notification of land owners in consultation with the local Ward Councillor.**

Response:

Staff have consulted with the Ward Councillor and as a result have expanded the direct notice mailing list from a radius of 150 m from the subject lands to 200 m; and notice of this Committee of the Whole meeting was placed in the Thornhill Liberal on the date of March 28, 2013. These measures are in addition to the typical City notification protocol for VOP 2010 Committee of the Whole meetings.

Deletion of Draft Strata Parking Policy

The draft Thornhill Centre Street Land Use Plan Policies presented at the Public Hearing of May 15, 2012, included a policy permitting the use of strata parking arrangements under public local streets in the planning area. However, upon further research and discussion respecting the introduction of strata parking in City policy, it is considered premature to include such policies in the Centre Street Plan. The complexities and potential liabilities to the City merit a more thorough review. Aspects of strata parking, including principles, procedures, and legal practicalities, will need to be examined in order to establish a City position on the use of this development tool.

D. Summary of New Comments received on the Draft Land Use Plan/Policies (Public Hearing of May 15, 2012)

The City received a number of letters and deputations in response to the May 15, 2012, public hearing, which was held for the draft Centre Street Area Land Use Plan/Policies. Generally, residents cited concerns respecting the relatively greater heights and densities proposed in the draft Centre Street Land Use Plan, raising issues of sun-shadowing, loss of privacy, and greater traffic congestion. These concerns are re-iterations of previous comments that were addressed in the May 15, 2012 Committee of the Whole-Public Hearing report (provided for reference as Attachment 10).

The following are new comments received either through written letters or by deputation at the public hearing, followed by staff responses.

- 1. Are any improvements necessary to the sewer system to accommodate the proposed intensification in this area.**

Response:

The study area is identified as a Primary Intensification Corridor in the City-Wide Water and Wastewater Master Plan Class EA. The Master Plan report indicates that the existing sanitary sewers along Centre Street, Concord Road, and New Westminster Drive can accommodate the additional flow proposed by the Thornhill Centre Street Area Plan.

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2. **Will a one fare system be considered for the BRT/subway such that there would be a seamless transfer of passengers from the BRT to the subway; and, will a new Go Transit station be added now near the 407/Centre Street/CN Rail line between Dufferin and Keele Street.**

Response:

VivaNext has advised that the design of the stations provides easy and accessible passenger transfers. As for a one fare system, it is expected that this will ultimately be accomplished through the PRESTO system, which has already been test launched on a few transit systems in Ontario-including YRT/Viva. Respecting GO Transit service, GO Transit/ Metrolinx are in the early stages of looking at a potential station west of the Centre Street study area. An Environmental Assessment, which has yet to be scheduled, would be required to permit the station.

3. **Has the Transportation Report for the Centre Street study area confirmed that there will be no constraints to the OPA 671 approved levels of development for the lands on the northeast side of Centre Street/Westminster Drive as a result of intensification as proposed by the study.**

Response:

The Transportation Impact Assessment (2011) prepared by Poulos and Chung concluded that “the bounding arterial roads and intersections along Centre Street can satisfactorily accommodate the vehicle demands generated by this proposed development and the demands resulting from the forecast 2021 and 2026 background traffic flows.”

4. **Will there be enough parking and will it be provided at no cost to the consumer as it is currently.**

Response:

Development proposals which may be submitted under new Official Plan policies, would be required to provide sufficient parking as per the City Zoning By-law standards. It is noted that City Parking Standards are under review. Typically, there has been free parking provided for retail establishments across the City, however the decision to charge for parking will rest with the landowner.

5. **Will there be enough school capacity to support the proposed intensification.**

Response:

The proposed Plan/Policies have been circulated to both the York Region Public and Catholic School Boards. Each of the Boards assesses the requirement for new school facilities based on current and anticipated student enrollments. Both School Boards have commented that there is no requirement for additional schools as a result of the proposed intensification.

6. **Can mature trees, rather than young ones, be utilized for the streetscaping project, and will the cost of streetscaping entail any additional expense to the tax payers.**

The streetscaping for both sides of Centre Street, from Dufferin to Bathurst Streets, is part of the vivaNext Bus Rapid Transit project. The tree species for the street boulevards are selected by the Region of York/vivaNext Consortium at the detailed design stage and the cost of streetscaping will be paid through the vivaNext project funds. Any

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enhancements to the streetscape design would be funded by the City through development charges. The City can also apply to the Municipal Streetscape Partnership Program for a maximum 50% funding of the cost of streetscape enhancements by the Region of York. Streetscape enhancements typically include pedestrian light arms on street light poles and additional planting.

7. Why is office space not included in the proposed draft Land Use Plan.

Response:

Office uses are permitted in the Mid-Rise Mixed-Use A, and the Mid-Rise Mixed-Use B designations of the proposed Plan. The estimated office GFA for the subject lands is approximately 30,046 sq.m, however there is no limit on the amount of office commercial that could be developed on the subject lands.

8. Will a Community Impact Study be done for the study area.

Response:

Generally, the study area is well served by existing community centres and libraries within the Community Planning Area (CPA # 9). See response to Council direction section C. 3. (b) of this report. However, Community Impact Studies are now being requested for high-rise development applications to the east of this study area, where Official Plan or zoning by-law amendment applications are required for increases to density.

9. Have the Ministry of the Environment (MOE) Guidelines been addressed with respect to the impacts of the proposed intensification on the existing community.

Response:

There are several different types of MOE Guidelines that staff must consider in reviewing development proposals. Certain MOE Guidelines (O.Reg 153, etc.) apply to industrial sites or to other sites which may have undergone some form of soil contamination. Service stations for example, must undergo regulatory tests and remediation procedures prior to redevelopment for alternative uses. These procedures and regulations are applicable at the development application stage. MOE regulations also apply when new industrial uses are proposed in proximity to residential use. In these cases MOE Separation Guidelines must also be met to ensure that any undue noise, vibration, or odour which might be generated by the use will not have a negative impact on the surrounding lands. Since the proposed Plan does not include any industrial uses, MOE Guidelines regarding land use compatibility would not apply. At the development application stage, the City must ensure that any MOE regulations with respect to noise impact studies and noise attenuation measures for new development abutting Centre Street are followed.

10. Would the proposed intensification take place all at once, or in phases; and, are there plans to mitigate noise and dust associated with construction.

Response:

The proposed intensification would likely take place in phases over a variable time period as many of the property owners have leases with the existing businesses. Different owners may have varying plans/time horizons, and market conditions may affect investment timing.

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Respecting noise and dust associated with the construction phases, the City does have regulations in place through the City Noise By-law if construction is taking place outside of the daytime hours. In addition, there are measures applied through Development Agreements and/or Site Plan Agreements to control dust and construction debris. However, it is acknowledged that any development construction in close proximity to an established area, can cause inconvenience over its duration.

- 11. There is no mention of proposed Urban Design Guidelines for the south side of Centre Street; are there any Plans for improved Streetscaping/ Urban Design for these Lands.**

Response:

The Centre Street Area Land Use Study did not include the south side of Centre Street, as these lands are back-lotted onto the Regional Corridor, and form part of the internal residential neighbourhoods. However, the Streetscape Master Plan and Urban Design Guidelines Study underway for the entire stretch of the Centre Street Corridor from Highway 7 to Bathurst Street does apply to both the north and south sides of Centre Street. The south side boulevard of Centre Street between Concord Road and New Westminster Drive, is proposed to become a linear green landscaped space with a varied public right-of-way width, 0.5 m paver snow storage strip, 1.5 m meandering pathway and minimum 2.3 m width naturalized rain gardens, alternating from being adjacent to curb, to being adjacent to the property line. Decorative and pedestrian lighting is to be integrated with street light poles and co-ordinated with street trees in respect to placement and spacing. The Streetscape Master Plan and Urban Design Guidelines are still under study, and will be presented at a future Working Session of Council once a final draft of each has been prepared.

- 12. The private laneway proposed at the northern portion of the study area, abutting Katerina Drive properties, could cause security/safety issues.**

Response:

The townhouse with rear-lane way building typology has been widely used in Markham and other GTA municipalities, including the City of Vaughan. There has been no correlation between increased crime and the application of this building form. The laneways, particularly in the newer developments, are required to be well lit as per the standards expected for local roads, and designed as open and highly visible thoroughfares.

- 13. It may be difficult to implement the various designations; the City should consider consolidating some of the designations.**

Response:

The proposed land uses and height and density ranges are provided to ensure that the negative impacts of commercial uses or taller buildings are minimized at the property boundaries abutting existing residential uses. Land use designations are organized such that commercial uses are permitted fronting Centre Street, and residential uses are permitted in descending density/height as you move north from the Centre Street corridor toward the boundary of existing residential. The multiple designations also help to ensure variations in building typologies.

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14. The proposed buffer and setbacks at the northern boundary of the subject lands appear to be onerous from the perspective of the landowners.

Response:

The setbacks proposed are standard for the residential housing type proposed. The proposed landscape buffer is provided to ensure a consistent privacy buffer between new development on the subject lands and the established low-rise residential lots located on internal neighbourhood blocks.

15. The Shadow Impact Analysis only shows certain times of the day, what about other times of the day.

Response:

Conventional standard times and dates were used to illustrate the shadowing patterns; one can extrapolate based on these patterns to other times of the day. Generally early or later hours are not helpful, as shadows are elongated because the sun is low on the horizon and thus even a 2-storey building will cast long shadows. These times are generally not considered because shadows are to be expected and would not be deemed to have an adverse impact.

Zoning

The zoning provisions of By-law 1-88 will remain in effect until they are updated or replaced by zoning which is consistent with the VOP 2010, including the site specific policies for Centre Street. Initial work on the preparation of a new by-law is now underway.

Relationship to Vaughan Vision 2020

The proposed Centre Street Land Use Policies are consistent with the priorities set by Council in the Vaughan Vision 20/20 Plan, and in particular with the City's commitment to "plan and manage growth and economic vitality". The following specific initiatives are of particular relevance to the Centre Street Study area:

- Support and co-ordinate land use planning for high capacity transit at strategic locations in the City.
- Complete and implement the Growth Management Strategy (Vaughan Tomorrow).
- Conduct the 5-year review of the Official Plan as part of the Growth Management Strategy 2031.

Regional Implications

The proposed Centre Street Land Use Policies support key objectives of the Region of York Official Plan. Specifically the implementation of the Regional Plan's following objectives outlined in Section 5.0 – Building Cities and Complete Communities.

- (i) "To create vibrant and sustainable urban areas."
- (ii) "To achieve attractive and vibrant urban Regional Corridors that link Regional Centres."

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Conclusion

The Thornhill Centre Street Land Use Study was initiated in March of 2011. The proposed Centre Street Land Use Plan/Policies are the result of a comprehensive review of current Provincial, Regional, and City land use policy, the surrounding land use context; and, an interactive public consultation process.

The proposed modifications to Section 12.10 – Centre Street Corridor, of Volume 2 of VOP 2010, forming Attachment 9, represent the changes recommended by staff as described in this report. It is also recommended that this report and the resulting Council minutes be forwarded to the Ontario Municipal Board and Region of York, as the City of Vaughan's modifications to Section 12.10 of Volume 2 of VOP 2010, for their consideration as part of the Official Plan approval process.

Attachments

1. Location Map: Thornhill Centre Street Study Area
2. Building Height Maximums
3. Land Use and Density Plan
4. Concept Plans – Sites 1 & 2
5. City of Vaughan Active Together Master Plan – Map of Thornhill Community Planning Area # 9
6. Existing Community Services in 1 Km Radius of Centre Street Study Area
7. Map - Existing/Approved/Proposed Mid and High-Rise Development Surrounding Centre Street Study Area
8. Charts – Existing/Approved/Proposed Mid and High-Rise Development Surrounding Centre Street Study Area
9. Proposed Track Changes to Section 12.10 of Volume 2, VOP 2010
10. Committee of the Whole Public Hearing Report- May 15, 2012
11. Dufferin/Centre Street Gateway Study Area

Report prepared by:

Anna Sicilia, Senior Planner, ext. 8063
Roy McQuillin, Manager of Policy Planning, ext. 8211

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)

Brownridge Ratepayers Association
21 Checker Court; Thornhill ON L4J 5X4
Tel. 905-760-0330 Fax 905-669-4808 MGRacco@rogers.com

8 April 2013

Vaughan Members of Council
John.Mackenzie@Vaughan.ca
Clerks@Vaughan.ca

C	1
Item #	14
Report No.	14 (CW)
Council - APRIL 23/13	

Re: Thornhill Centre Street Area Land Use Plan. CW 9/4/2013

Dear Members of Council:

I am writing to you on behalf of the Brownridge RPA, as I cannot attend today's CW meeting at 1 p.m.

Our concerns are:

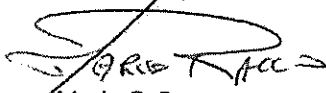
1. We are pleased to see some improvements made to the report, after our meeting.
2. We can't support staff's recommendation because:
 - a. The density is unacceptable.
 - b. The community has made clear that we do not want to see high density residential, west of New Westminster Drive.
 - c. The community has accepted more than its fair share of high density residential in the same area - between New Westminster Dr. & Bathurst St.

The community took a position in 1986, 27 years ago, that we are prepared to accept changes between Concord Rd. and Vaughan Blvd., but the only change we will be supportive of is for Professional Office development on existing property lots (single).

This is one of the first developed areas in Vaughan, and some residents have been living in the area for more than 50 years. It would be unacceptable for Council to ignore the community's wishes, which are reasonable.

We see merits in making some changes to the commercial area so that it will reflect better the needs of the community and improve the overall aesthetics of the community.

Respectfully


Mario G. Racco
President, BRPA



BRATTYS ^{LLP}
BARRISTERS AND SOLICITORS

PLEASE REFER TO:
Barry Horosko (Ext: 339)
Email: bhorosko@bratty.com
Caterina Facciolo (Ext: 293)
Email: cfacciolo@bratty.com
Telephone: (905)760-2700

April 9, 2013

City of Vaughan - Committee of the Whole
2141 Major Mackenzie Drive
Vaughan, ON

Attention: Chair and Members of the Committee

C	2
Item #	14
Report No.	14 (CW)
Council - APRIL 23/13	

Dear Chair and Members of the Committee:

**Re: Thornhill Centre Street
Area Land Use Plan Modifications
City of Vaughan Official Plan 2010 – Volume 2, Section 12.10**

We are the solicitors acting on behalf of Centre Street Properties Inc. ("CSPI") and Vogue Investments Limited ("Vogue") with respect to the above referenced matter.

CSPI is the registered owner of the lands municipally known as 1136 Centre Street, Vaughan. Vogue is the registered owner of the adjacent lands to the east, being municipally known as 1118 Centre Street, Vaughan. CSPI and Vogue are both appellants in the current Ontario Municipal Board Hearing relating to the Vaughan Official Plan.

Our clients are in receipt of the Recommendations Report to be considered by this Committee with respect to the above referenced matter and have reviewed the modifications being proposed with respect to Section 12.10 by Staff.

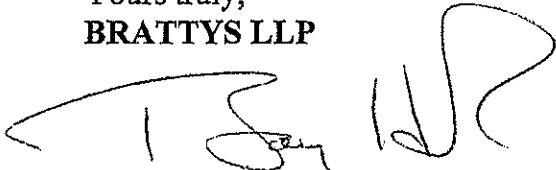
We note that while certain positive changes have been made to the Section 12.10 policies/maps which allow for more flexible use provisions for the respective Sites (such that residential uses are permitted), that the majority of the concerns previously expressed on behalf of our clients with respect to the Section 12.10 policies/maps have not been adequately addressed via the proposed modifications.

This corridor represents a unique opportunity for intensification and warrants permissions for greater densities. Further we note that a majority of the policies and modifications being proposed are overly prescriptive. Specifically, our clients respective sites have been proposed to be designated a variety of designations such that different uses, heights and density permissions apply to different portions of the subject sites. As a result, the proposed designations are

imposing arbitrary limitations on the redevelopment of the subject sites, whereas the policies should be promoting redevelopment in this area of the City. In this regard we note that there is a park being shown on one of the respective sites and that such an illustration is premature, absent an understanding of how and when the lands in this area will be redeveloped. As the City is aware, this area is currently home to an extensive amount of commercial uses. The ultimate redevelopment of this area will occur over time and on a site by site basis. Unfortunately, the prescriptive nature of the policies do not reflect the flexibility that is required to redevelop this area in accordance with the Region's Intensification Strategy (2009).

It is our view that the policy document would better complement the City and Regional vision for transit supported development if it was less rigid and permitted higher densities. We note that there should be more flexibility in the approach to integrating higher density residential uses with commercial uses and that the specifics related thereto are matters that should be dealt with at the site plan stage.

Yours truly,
BRATTYS LLP



Barry A. Horosko

cc: Lou Greenbaum
Mark Greenbaum
Murray Evans

AIRD & BERLIS LLP

Barristers and Solicitors

N. Jane Pepino, C.M., Q.C., LL.D.
Direct: 416.865.7727
E-mail: jpepino@airdberlis.com

April 9, 2013

Our File No. 114779

BY EMAIL

Mr. Jeffrey Abrams
Clerk's Department
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

C	3
Item #	14
Report No.	14 (CW)
Council - APRIL 23/13	

Dear Mr. Abrams:

**Re: Committee of the Whole Meeting – April 9, 2013, Item 14
Thornhill Centre Street Area Land Use Plan Modifications
City of Vaughan Official Plan 2010 – Volume 2, Section 12.10
File No. 26.10**

As you are aware, we act on behalf of Imperial Oil Limited ("IOL"), with respect to IOL's interest in the new City of Vaughan Official Plan ("VOP 2010").

As the owner or lessee of numerous properties used for gas stations in the City of Vaughan, IOL has an interest in the VOP 2010 and has significant concerns with some of the proposed policies of the VOP 2010. These concerns were carefully outlined in IOL's Notice of Appeal, filed with the Region of York on November 12, 2012, and attached to this letter for your reference.

We have reviewed the Thornhill Centre Street Area Land Use Plan ("Centre Street Plan") and the report regarding modifications to the Centre Street Plan, to be considered by the Committee of the Whole on April 9, 2013. Our concerns with the Centre Street Plan are as follows:

- Map 12.10.A

In accordance with Section 12.10.10.1, Gas Stations are only permitted in the locations identified on Map 12.10.A. Currently, Map 12.10.A shows only one Gas Station within the Centre Street Plan area, that being the Gas Station located at the southwest corner of Dufferin Street and Centre Street. However, an Esso Gas Station is currently situated on the lands municipally known as 1030 Centre Street, which are located on the north side of Centre Street, west of New Westminster Drive. According to Map 12.10.A, 1030 Centre Street is proposed to be designated Mid-Rise Mixed-Use "A".

The Centre Street Plan formerly contained policies at Section 12.10.8.5 to permit the following uses on the property at 1030 Centre Street: *"the sale of auto fuel, oil*

and lubricant and other related products, the provision of repair and maintenance services for vehicles, and the existing car wash and convenience retail use as listed on the property." Former Section 12.10.8.5 also contained compatibility criteria for any future redevelopment of the site. This section has been removed by the modifications to the Centre Street Plan without explanation.

The exclusion of 1030 Centre Street as a Gas Station on Map 12.10.A and the removal of former Section 12.10.8.5 effectively renders the Esso Gas Station site "legal non-conforming" as Gas Stations are not listed as a permitted use in the Mid-Rise Mixed-Use "A" designation and are not specifically permitted by Section 12.10.8.5. This is unacceptable as Legal Non-conforming status would hinder the redevelopment of this Gas Station, which includes replacement of equipment as necessary to ensure the safe operation of the station and continuing upgrades, as market and customers demand.

- Section 12.10.11 – Special Policy Area

The policies regarding the Gas Station shown on Map 12.10.A are set out in Section 12.10.10. Section 12.10.10.2 permits any Gas Station designated on Map 12.10.A to be developed in accordance with the land use designation of the immediately adjoining land without amendment to this Area Specific Policy.

The lands immediately adjacent to the Gas Station shown on Map 12.10.A are designated Low-Rise Residential and Special Policy Area. We request clarification with respect to the policies of the Special Policy Area, specifically Section 12.10.11.2 which states that, *"The urban design, parking and other general policies of this Official Plan, including the 'Service Station/Gas Bar' policy, which in effect prohibits a service station use at the southwest corner of Dufferin and Centre Street, shall apply for any development within this designation."*

The intent of Section 12.10.10.2 is unclear. Currently there is no Gas Station at the southwest corner of Dufferin Street and Centre Street and a Gas Station would not be permitted by the Low-Rise Residential Designation of those lands. Further, it is unclear what the "Service Station/Gas Bar" policy of the Vaughan Official Plan referred to by Section 12.10.11.2 is as there are many policies respecting Gas Stations in Volume 1 of the Vaughan Official Plan and policies respecting Gas Stations in the Centre Street Plan.


Should you require any further information or clarification please do not hesitate to contact the undersigned, or Emily Elliott, Land Use Planner, of this office at 416-865-3069. Please provide any further notices associated with the Centre Street Plan, including notice of adoption of the revised Centre Street Plan to the undersigned. Thank you very much.

April 9, 2013
Page 3

Yours truly,

AIRD & BERLIS LLP



 N. Jane Pepino, C.M., Q.C., LL.D.

NJP/ee

cc. D. Dussault, Imperial Oil Limited
M. Goldberg, Goldberg Group
A. Sicilia, Vaughan Policy Planning Department

14442351.1

AIRD & BERLIS LLP

Barristers and Solicitors

N. Jane Pepino, C.M., Q.C., LL.D.

Direct: 416.865.7727

E-mail: jpepino@airdberlis.com

November 12, 2012

BY EMAIL AND BY COURIER

Mr. Denis Kelly
Regional Clerk
Regional Municipality of York
17250 Yonge Street
Newmarket, ON L3Y 6Z1

Dear Mr. Kelly:

**Re: Appeal of New City of Vaughan Official Plan
Subsection 17(40) of the Planning Act, R.S.O. 1990, c. P. 13, as amended
7018 Islington Avenue
4515 Highway 7
3764 Highway 7
6161 Highway 7
1 Thornhill Woods Drive
8525 Highway 27
8555 Keele Street
1500 Major Mackenzie Drive West
3555 Major Mackenzie Drive West
3100 Major Mackenzie Drive West
Highway 400 South
3650 Rutherford Road
1030 Centre Street
7491 Nashville Road
10520 Jane Street**

We act on behalf of Imperial Oil Limited ("IOL"), the owner or leasee of the above-noted properties, with respect to IOL's interest in the new City of Vaughan Official Plan.

The purpose of this letter is to appeal to the Ontario Municipal Board, Regional Council's failure to make a decision with respect to the new City of Vaughan Official Plan, pursuant to subsection 17(40) of the *Planning Act*. It has been in excess of 180 days since the new Vaughan Official Plan was received by the Region of York, and a decision has not been rendered. Please be advised that IOL is a member of the Canadian Fuels Association ("Cdn. Fuels"), formerly the Canadian Petroleum Products Institute. IOL will be represented both as part of the Cdn. Fuels appeal and individually with respect to individual gasoline stations and associated uses.

As the owner or leasee of numerous properties used for gas stations in the City of Vaughan (the "City"), IOL has an interest in the new City of Vaughan Official Plan. We respectfully submit that a number of the proposed policies in the Vaughan Official Plan

would undermine the safety and viability of many of IOL's gas stations. IOL's areas of concern are as follows:

- Section 9.2 - Land Use Designation and Permitted Building Types - Gas Stations in areas designated Mid-Rise Mixed Use, High-Rise Mixed Use, Employment Commercial Mixed Use, Community Commercial Mixed Use and Prestige Employment are subject to the following criteria:

(A) the use is located on an arterial street as indicated on Schedule 9;

*(B) the use is limited to one Gas Station per intersection;
and,*

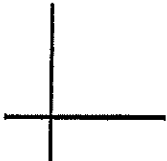
(C) no Gas Stations shall be permitted at the intersection of two arterial streets as indicated on Schedule 9.

Many existing Esso Gas Stations in the City are located at the intersection of two arterial streets in order to provide service to motorists passing in different directions without requiring a change in direction. Many of these high traffic intersections currently have more than one Gas Station, as road medians or traffic conditions prevent motorists from accessing Gas Stations located across a street. A single Gas Station could not provide adequate and safe service for the total motor vehicle traffic at many intersections in the City or in the alternative, would require added traffic movements increasing congestion and delay. Further, requiring that Gas Stations locate at the intersection of only one arterial street would result in twice the number of Gas Stations in the City to serve the same amount of vehicle traffic, as well as forcing Gas Stations to intersections of collector streets, which are more likely to be close to Residential neighbourhoods.

Additionally, the inclusion of the above sections would result in those existing Gas Stations at an intersection where more than one Gas Station exists, or on an intersection of two arterial streets, to simply become "Legal Non-conforming". (Subject to the provisions of Section 10.2.1.4, see below). This is unacceptable as Legal Non-conforming status would hinder the redevelopment of these Gas Stations, which includes replacement of equipment as necessary to ensure the safe operation of the stations, and continuing upgrades and changes to the offerings at Gas Stations, as market and customers demand.

- Section 9.2.3.9 - Building Types and Development Criteria, Gas Stations imposes specific policies and development criteria on Gas Stations. Section 9.2.3.9.c. requires that:

Where a Gas Station contains a retail building greater than 100 square metres, the retail building shall front onto at least one public street, with no driveways or parking spaces located between the building and the public street.



The above section is too prescriptive for an Official Plan and rather, an Official Plan should call for Urban Design Guidelines, which set out detailed policies.

Section 9.2.3.9 is not compatible with the design of modern Gas Stations. Moreover, modern Gas Stations allow for the "one stop shopping" concept where the public can perform a multitude of daily tasks on one site thus avoiding otherwise separate small trips. Additionally, modern Gas Stations are equipped with public washrooms adapted for customers with disabilities. In order for modern Gas Stations to accommodate these services, a building in excess of 100 square metres is required.

The requirement that a retail building greater than 100 square metres be located facing the street, with no driveways or parking spaces located between the building and the street, makes it impossible for a modern Gas Station to function. The gas pumps and canopy must be fronting the retail building to allow access for motorist customers and to allow the Gas Station attendant to monitor the pump islands. Based on the above, this requirement of the Official Plan is unworkable. It should also be noted that Section 9.1.2.6.e. contains a contradictory exception permitting parking between a building and public sidewalks in the case of Gas Stations in *Intensification Areas*.

- Also in Section 9.2.3.9 - Building Types and Development Criteria, Gas Stations, Section 9.2.3.9.d. requires that:

Where a Gas Station contains a car wash, the car wash shall generally be located to the rear of the site and setback a minimum of 30 metres from any Low-Rise Residential designation.

IOL is opposed to this arbitrary minimum setback of 30 metres of a car wash from any Low-Rise Residential Designation. This type of detailed requirement is not warranted within the Official Plan but rather, if necessary, would be better suited in a zoning by-law or urban design guidelines.

- Section 10.2.1.4 – Interpretation states that it is the policy of Council:

To recognize legally existing land uses as they exist at the time this Plan is approved. These land uses shall be deemed to conform to this Plan. Minor extensions, reductions or expansions of such uses shall be permitted without amendment to this Plan, provided that the intent of this Plan is not compromised...

It is IOL's position that the section above needs to be revised to allow for the redevelopment of legally existing uses for a similar use while remaining in compliance with the Official Plan without the uncertainty presented by the conditions attached to the above deeming provision. Gas Stations are somewhat different from typical uses as their facilities are comprised of dispensing pumps, underground storage equipment, kiosks, canopies and other equipment that need to be replaced or rebuilt periodically to adhere to safety and environmental legislation and regulations. They are also mainly outdoor areas

which are subject to wear and tear as a result of weather, road salts and traffic. For these reasons, and in order to meet evolving customer demands, existing Gas Stations need to be redeveloped from time to time. The deletion of the words "*provided that the intent of this Plan is not compromised*" (which are themselves incapable of being clearly interpreted), would ensure that the routine and necessary redevelopment of Gas Stations currently existing throughout the City of Vaughan does not trigger an amendment to the Official Plan. However, as a first principle it is IOL's position, consistent with that of the Cdn. Fuels, that no gas station site, vacant or occupied, should be rendered non-conforming.

- Section 5.2.3.8 – Supporting and Transforming the Retail Sector, Drive-through Facilities, prohibits drive-through facilities as follows:

Drive-throughs facilities are a complement to general retail activity and shall only be located such that the use does not adversely affect the goals of intensification, pedestrianization, attractive streetscapes, transit supportiveness, or have an adverse impact on residential neighbourhoods. In addition to and in recognition of Intensification Areas and Heritage Conservation Districts, which are already subject to a prohibition of drive-through facilities, it is intended that the prohibition shall also pertain to all Intensification Areas except Primary Intensification Corridors that are not Regional Corridors as identified on Schedule 1.

The redevelopment of Esso gas stations currently operating with drive-through facilities will be hindered by the above prohibition as it will result in those existing Gas Stations to simply become "Legal Non-conforming", which for the reasons stated above, is unacceptable. Further, the drive-through prohibition will dramatically impact Esso's' interests and the needs of the travelling public.

The inclusion of the drive-through prohibition is inappropriate as it has been approved by without relevant studies supporting such a prohibition. Additionally, the Vaughan Official Plan does not define the term "*drive-through facility*" which makes a clear interpretation of Section 5.2.3.8 difficult.

Cdn. Fuels has actively participated in the process of the new City of Vaughan Official Plan and, as a member company, IOL was listed in all past correspondence and representations made to the City by Cdn. Fuels. Specifically, Cdn. Fuels and representatives from some member companies met with City Planning Staff on June 24, 2010 to discuss the issues outlined above and others. At that time, staff indicated these issues would be considered and that revisions to the Official Plan would be made as appropriate. Despite a Council direction on September 27, 2011 to do so, staff has not contacted Cdn. Fuels since the June 2010 meeting and the above-described issues remain outstanding. Cdn. Fuels has continued to express concerns through deputations to the Committee of the Whole on June 14, 2010 and April 2, 2012 and to the York Region Planning and Economic Development Committee on June 13, 2012. Additionally letters to

November 12, 2012
Page 5

the City of Vaughan were filed on June 7, 2012, July 5, 2012, July 27, 2010, September 12, 2011 and April 2, 2012

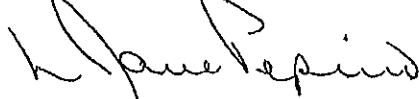
Please accept this letter, the attached Appellant Form, the enclosed cheque in the amount of \$125, payable to the Ministry of Finance, and the enclosed cheque in the amount of \$480 made payable to the Regional Municipality of York, as the IOL appeal of the of new City of Vaughan Official Plan in its entirety.

We would be pleased to meet with appropriate Regional and City Officials to discuss IOL's concerns in greater detail.

Should you require any further information or clarification respecting any aspects of this appeal, please do not hesitate to contact the undersigned, or Emily Elliott, Land Use Planner, of this office at 416-865-3069. Acknowledgement of receipt of this appeal would be greatly appreciated. Please provide any further notices associated with this appeal to the undersigned. Thank you very much.

Yours truly,

AIRD & BERLIS LLP



N. Jane Pepino, C.M., Q.C., LL.D.

NJP/ee

cc. Don Dussault, Imperial Oil Limited
Michael Goldberg, Goldberg Group
Claudia Storto, Solicitor, City of Vaughan
Ryan Co, Planner, Ontario Municipal Board

Encl.

13436440.1





Environment and Land Tribunals Ontario
Ontario Municipal Board
655 Bay Street, Suite 1500 Toronto, Ontario M5G 1E5
TEL: (416) 212-6349 or Toll Free: 1-866-448-2248
FAX: (416) 326-5370
www.eltio.gov.on.ca

**APPELLANT FORM (A1)
PLANNING ACT**

**SUBMIT COMPLETED FORM
TO MUNICIPALITY/APPROVAL AUTHORITY**

Date Stamp - Appeal Received by Municipality

Receipt Number (OMB Office Use Only)

Part 1: Appeal Type (Please check only one box)

SUBJECT OF APPEAL	TYPE OF APPEAL	PLANNING ACT REFERENCE (SECTION)
Minor Variance	<input type="checkbox"/> Appeal a decision	45(12)
Consent/Severance	<input type="checkbox"/> Appeal a decision	53(19)
	<input type="checkbox"/> Appeal conditions imposed	
	<input type="checkbox"/> Appeal changed conditions	53(27)
	<input type="checkbox"/> Failed to make a decision on the application within 90 days	53(14)
Zoning By-law or Zoning By-law Amendment	<input type="checkbox"/> Appeal the passing of a Zoning By-law	34(19)
	<input type="checkbox"/> Application for an amendment to the Zoning By-law – failed to make a decision on the application within 120 days	34(11)
	<input type="checkbox"/> Application for an amendment to the Zoning By-law – refused by the municipality	
Interim Control By-law	<input type="checkbox"/> Appeal the passing of an Interim Control By-law	38(4)
Official Plan or Official Plan Amendment	<input type="checkbox"/> Appeal a decision	17(24) or 17(36)
	<input checked="" type="checkbox"/> Failed to make a decision on the plan within 180 days	17(40)
	<input type="checkbox"/> Application for an amendment to the Official Plan – failed to make a decision on the application within 180 days	22(7)
	<input type="checkbox"/> Application for an amendment to the Official Plan – refused by the municipality	
Plan of Subdivision	<input type="checkbox"/> Appeal a decision	51(39)
	<input type="checkbox"/> Appeal conditions imposed	51(43) or 51(48)
	<input type="checkbox"/> Failed to make a decision on the application within 180 days	51(34)

Part 2: Location Information

All lands within municipality

Address and/or Legal Description of property subject to the appeal:

Municipality/Upper tier: City of Vaughan / Region of York

Part 3: Appellant InformationFirst Name: Don Last Name: DussaultImperial Oil Limited

Company Name or Association Name (Association must be incorporated – Include copy of letter of incorporation)

Professional Title (if applicable): _____

E-mail Address: don.i.dussault@esso.ca

By providing an e-mail address you agree to receive communications from the OMB by e-mail.

Daytime Telephone #: 905.736.0194 Alternate Telephone #: 905.892.8044Fax #: 905.982.4995Mailing Address: P.O. Box 1490, Fonthill
Street Address Apt/Suite/Unit# City/TownOntario L0S 1E2
Province Country (if not Canada) Postal CodeSignature of Appellant: _____ Date: _____
(Signature not required if the appeal is submitted by a law office.)

Please note: You must notify the Ontario Municipal Board of any change of address or telephone number in writing. Please quote your OMB Reference Number(s) after they have been assigned.

Personal information requested on this form is collected under the provisions of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, and the *Ontario Municipal Board Act*, R.S.O. 1990, c. O. 28 as amended. After an appeal is filed, all information relating to this appeal may become available to the public.

Part 4: Representative Information (if applicable)

I hereby authorize the named company and/or individual(s) to represent me:

First Name: N. Jane Last Name: PepinoCompany Name: Aird & Berlis LLPProfessional Title: SolicitorE-mail Address: jpepino@airdberlis.com

By providing an e-mail address you agree to receive communications from the OMB by e-mail.

Daytime Telephone #: 416.865.1500 Alternate Telephone #: _____Fax #: 416.863.1515Mailing Address: 181 Bay Street Suite 1800 Toronto
Street Address Apt/Suite/Unit# City/TownOntario M5J 2T9
Province Country (if not Canada) Postal CodeSignature of Appellant: [Signature] Date: Nov 12/12

Please note: If you are representing the appellant and are NOT a solicitor, please confirm that you have written authorization, as required by the Board's Rules of Practice and Procedure, to act on behalf of the appellant. Please confirm this by checking the box below.

☐ I certify that I have written authorization from the appellant to act as a representative with respect to this appeal on his or her behalf and I understand that I may be asked to produce this authorization at any time.

Part 5: Language and Accessibility

Please choose preferred language: ☒ English ☐ French

We are committed to providing services as set out in the *Accessibility for Ontarians with Disabilities Act, 2005*. If you have any accessibility needs, please contact our Accessibility Coordinator as soon as possible.

Part 6: Appeal Specific Information

1. Provide specific information about what you are appealing. For example: Municipal File Number(s), By-law Number(s), Official Plan Number(s) or Subdivision Number(s):

Appeal of City of Vaughan's new Official Plan, City File No. OP.25.1.

2. Outline the nature of your appeal and the reasons for your appeal. Be specific and provide land-use planning reasons (for example: the specific provisions, sections and/or policies of the Official Plan or By-law which are the subject of your appeal - if applicable). **If more space is required, please continue in Part 9 or attach a separate page.

Please see covering letter.

THE FOLLOWING SECTIONS (a&b) APPLY ONLY TO APPEALS OF ZONING BY-LAW AMENDMENTS UNDER SECTION 34(11) OF THE *PLANNING ACT*.

- a) DATE APPLICATION SUBMITTED TO MUNICIPALITY: _____
(If application submitted before January 1, 2007 please use the O1 'pre-Bill 51' form.)

- b) Provide a brief explanatory note regarding the proposal, which includes the existing zoning category, desired zoning category, the purpose of the desired zoning by-law change, and a description of the lands under appeal:
**If more space is required, please continue in Part 9 or attach a separate page.

Part 7: Related Matters (if known)

Are there other appeals not yet filed with the Municipality? YES ☐ NO ☒

Are there other planning matters related to this appeal? YES ☒ NO ☐
(For example: A consent application connected to a variance application)

If yes, please provide OMB Reference Number(s) and/or Municipal File Number(s) in the box below:

The new City of Vaughan Official Plan has been appealed for Regional Council's failure to make a decision by various other parties. (File No. PL 111184)

Part 8: Scheduling Information

How many days do you estimate are needed for hearing this appeal? ☐ half day ☐ 1 day ☐ 2 days ☐ 3 days
☐ 4 days ☐ 1 week ☒ More than 1 week – please specify number of days: 8 days

How many expert witnesses and other witnesses do you expect to have at the hearing providing evidence/testimony?
Various

Describe expert witness(es)' area of expertise (For example: land use planner, architect, engineer, etc.):
Land Use Planner, urban designer, traffic expert, industry representative

Do you believe this matter would benefit from mediation? YES ☒ NO ☐
(Mediation is generally scheduled only when all parties agree to participate)

Do you believe this matter would benefit from a prehearing conference? YES ☒ NO ☐
(Prehearing conferences are generally not scheduled for variances or consents)

If yes, why? To determine the scope of the hearing, the various parties and the issues list.

Part 9: Other Applicable Information **Attach a separate page if more space is required.

[illegible]

Part 10: Required Fee

Total Fee Submitted: \$ 125

Payment Method: ☐ Certified cheque ☐ Money Order ☒ Solicitor's general or trust account cheque

- The payment must be in Canadian funds, payable to the Minister of Finance.
- Do not send cash.
- PLEASE ATTACH THE CERTIFIED CHEQUE/MONEY ORDER TO THE FRONT OF THIS FORM.

C	<u>4</u>
Item #	<u>14</u>
Report No.	<u>14 (CW)</u>
Council -	<u>APRIL 23/13</u>

From: Mark Flowers <markf@davieshowe.com>
Sent: Wednesday, April 10, 2013 1:47 PM
To: Clerks@vaughan.ca
Cc: Storto, Claudia; Trzaska, Karen
Subject: Thornhill Centre Street Area Land Use Plan Modifications - City of Vaughan Official Plan 2010 Volume 2 (File No. 26.10)
Attachments: Letter to J Mackenzie re Centre Street Study Dec 19 2011.pdf

We are legal counsel to Arthur Fisch and 1096818 Ontario Inc. (the owners of 1260-1314 Centre Street, Vaughan) as well as 2090396 Ontario Limited (the owner of 1500 Centre Street, Vaughan), all of whom are appellants/parties to the Vaughan Official Plan (2010) proceeding before the Ontario Municipal Board.

It only very recently came to our attention that the City's Committee of the Whole was considering a report from the Commissioner of Planning regarding the Centre Street Corridor Study at its meeting yesterday. We had previously written to the City and had requested notification of further matters pertaining to the Centre Street Corridor Study – see, for example, the attached letter to the Commissioner of Planning dated December 19, 2011 (which, admittedly, had not been copied to the City Clerk's Office).

In any event, kindly ensure that we receive notice of any decision(s) of the Committee or City Council and any further reports and/or public meetings pertaining to the Centre Street Corridor Study and/or proposed modifications.

In addition, we note that the staff report considered by the Committee yesterday recommended that staff proceed with the Dufferin / Centre Street Secondary Plan Study (PL-9027). Thus, please add us to the notification list for any public notices pertaining to that proposed Secondary Plan Study.

Thank you.

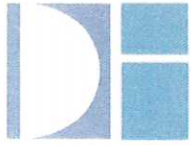
Mark Flowers
Professional Corporation
markf@davieshowe.com
Direct Line: 416.263.4513



Davies Howe Partners LLP
Lawyers
5th Floor, 99 Spadina Avenue
Toronto, ON M5V 3P8
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Please refer to: **Mark Flowers**
e-mail: markf@davieshowe.com

Davies
Howe
Partners
LLP

December 19, 2011

By E-Mail

Lawyers

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Toronto, Ontario
M5V 3P8

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John MacKenzie, Commissioner of Planning
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

Dear Mr. MacKenzie:

**Re: Centre Street Corridor Study
Submissions on behalf of Arthur Fisch and 1096818 Ontario Inc.
1260, 1272, 1282, 1294, 1304 and 1314 Centre Street, Vaughan**

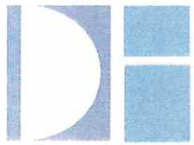
We are counsel to Dr. Arthur Fisch and 1096818 Ontario Inc. (c/o Arthur Fisch), the owners of lands municipally known as 1272 and 1294 Centre Street and 1260, 1282, 1304 and 1314 Centre Street, respectively, located on the north side of Centre Street between Concord Road and Vaughan Boulevard in the City of Vaughan (the "Lands").

Background

Our clients have made numerous submissions in relation to the City's proposed new Official Plan and have also actively participated in the City's Centre Street Corridor Study, including, most recently, attending the Public Open House on November 23, 2011.

We have reviewed the "Draft" version of the Centre Street Land Use Study (October 2011), prepared by the City's consultants, The Planning Partnership and Poulos & Chung (the "Draft Study"), as well as the "Draft" version of the Urban Design Guidelines (November 2011) and Streetscape Master Plan (November 2011) for the Centre Street Corridor.

We understand that, at the November 23rd Public Open House, Dr. Fisch requested a meeting with City staff in order to discuss his concerns with the Draft Study, but was advised that he should first put his concerns in the form of a written submission.



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Accordingly, the purpose of this submission is to identify a number of concerns that our clients have with respect to the Draft Study and other associated draft documents. This submission is not necessarily exhaustive in this regard, but does identify a number of key concerns and comments that our clients hope will form the basis of further discussion with City staff, as well as appropriate modifications to any proposed planning documents that the City may bring forward.

Draft Land Use Study (October 2011)

Implementation

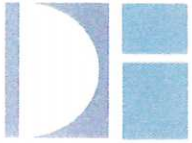
First, from an implementation perspective, we note that the proposal in the Draft Study is to adopt amendments to Volume 2 of the City's new (adopted but unapproved) Official Plan. However, we request that any Official Plan amendments proposed by the City be amendments to the existing in-force policies, which could also be incorporated into the new Official Plan at an appropriate time.

Among other things, we suspect that amending the in-force Official Plan may allow the proposed amendments (with or without modification) to be approved in a more timely fashion. This approach is particularly appropriate given the apparent recognition that the existing policy framework is not sufficient to properly guide redevelopment within this portion of the Centre Street Corridor, as reflected in the following comments contained in the Draft Study:

Local level policies for Centre Street ... are antiquated, and not in conformity with Regional or Provincial requirements for transit supportive density and built form along transit corridors...

The Official Plan policies ... and the Zoning By-law both require updating to bring them into conformity and to permit mixed uses and an appropriate scale of redevelopment along Centre Street.

The Draft Study also recognizes the need to amend the City's Zoning By-law No. 1-88, but indicates that an Official Plan Amendment must be approved before the Zoning By-law Amendment can be considered. To our knowledge, there is no apparent reason why a City-initiated Zoning By-law Amendment could not be considered concurrently with a proposed Official Plan Amendment. In fact, the *Planning Act* specifically contemplates this parallel approach. Thus, subject to our comments below regarding the substance of the Draft Study, we request that the City consider concurrently initiating proposed zoning amendments to implement a proposed Official Plan Amendment for the Centre Street Corridor.



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Maximum Density and Height

The Draft Study and associated draft documents have recognized that there will be significant transit investment in this area and that Centre Street needs to be planned as a "future transit corridor". However, our clients are concerned that the proposed maximum density and heights proposed for the Lands are set too low and do not represent an optimization of Centre Street as a planned transit corridor.

We understand that the Lands are proposed to be designated "Mid-Rise Mixed-Use B", subject to a maximum density of 1.25 FSI across the entire Lands, with a maximum of six (6) storeys along the Centre Street frontage of the Lands and a maximum of two (2) storeys for the rear portion of the Lands.

In our view, the preferred plan identified in the Draft Study is not an accurate demonstration of the type and scale of development that is appropriate for a Regional Corridor such as Centre Street. The proposed density should be higher, recognizing that an average density of 2.5 FSI is identified for Regional Corridors. We further note that the Public Realm section in the Draft Urban Design Guidelines (November 2011) identifies the intersections of Concord Boulevard / Centre Street and Vaughan Boulevard / Centre Street as "Gateways"; therefore, greater heights in the Esplanade Area are warranted as a means to focus building height transition.

It is not apparent, based on the Draft Study, what rationale is being used to establish these specific maximum heights and density. Thus, we request that the City provide us with any additional rationale being used to establish these proposed maximum limits, including, for example, any angular plane and/or shadow study analysis to justify the maximum heights that are proposed.

The rationale being used to establish the proposed maximum density and heights for the Lands is particularly puzzling in view of the fact that the April 2010 draft of the City's Official Plan contemplated a maximum density of 2.0 FSI, with a height limit of six storeys across the entirety of the Lands. In fact, the current proposal to limit the maximum height of a building on the rear portion of the Lands to only two storeys represents a reduction from the existing, "as-of-right" permissions.

Similarly, we see no justification for the proposed Official Plan policy to restrict the potential use of height bonusing under Section 37 of the *Planning Act* within the proposed "Mid-Rise Mixed-Use B" designation. In appropriate circumstances, Section 37 of the *Planning Act* can be used to secure important community benefits in conjunction with a development approval where increased height and/or density are permitted. Although the City may choose not to engage Section



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37 in any particular case, there is no apparent need to limit the potential use of this planning tool.

Built Form, Urban Design and Sustainable Buildings

The proposed built form and urban design policies in the draft Official Plan Amendment are too prescriptive, and far more detailed than is necessary and/or appropriate for an Official Plan. In our experience, many of the items proposed to be dealt with in these policies are more typically found within zoning regulations and/or urban design guidelines.

Further, design guidelines are, as the term implies, intended simply as "guidelines" for the design of new development. Thus, it is not appropriate to establish policies that require "consistency" or "conformity" with guideline documents. The concern with such policies is heightened where the guideline documents are outside of the Official Plan and, therefore, may be amended at anytime and/or approved by the municipality without any right of appeal.

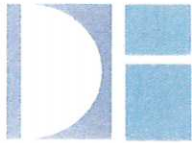
The proposed policies also reference the requirement for "comprehensive development plans", but do not explain what is to be included within such plans. Thus, we request clarification as to what is intended by these proposed policies.

Finally, we are concerned that the proposed policies regarding sustainable buildings and design are beyond the authority of the municipality. In addition, as you are likely aware, all of the sustainable design policies of the proposed York Region Official Plan are currently under appeal to the Ontario Municipal Board. Thus, until the York Region appeals have been resolved, the proposed sustainable design policies for the Centre Street Corridor are premature.

Draft Streetscape Master Plan and Urban Design Guidelines (November 2011)

Similar to the comments provided above, our clients are concerned with the apparent inflexibility of the Draft Streetscape Master Plan and the Draft Urban Design Guidelines. Guiding principles may be considered and encouraged, but their implementation should be governed by site plans and implementing zoning by-laws. The following are some examples where there is concern that the "guidelines" do not provide sufficient flexibility:

- the proposed street pattern does not reflect phasing of development, property lines and does not recognize that some landowners may not be able to provide a public street, and that private streets may be suitable;



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- building placement and the proposed 7 metre setback for a boulevard streetscape and corresponding to the Esplanade Area may result in underutilized space along the streetscape;
- shared lay-by parking and flex space may create conflicts and use too much land; and
- multiple rows of trees and furnishings may not be practical and may consume too much land.

Conclusion

We trust that you will find these comments to be of assistance in completing the Centre Street Corridor Study and preparing the appropriate planning instruments for consideration by City Council.

On behalf of our clients, we reiterate Dr. Fisch's request to meet with City staff and/or the City's consultants in order to further discuss the comments and concerns reflected in this submission.

We look forward to receiving your response to this submission, together with the information requested.

We further request that we be notified of any additional or revised documents that may be prepared regarding the Centre Street Corridor Study.

Yours truly,

DAVIES HOWE PARTNERS LLP

Mark R. Flowers

copy: A. Sicilia, City of Vaughan
D. Birchall, City of Vaughan
R. McQuillin, City of Vaughan
A. Ko, Region of York
S. Patano, Weston Consulting Group Inc.
A. Fisch and 1096818 Ontario Inc.

AIRD & BERLIS LLP

Barristers and Solicitors

N. Jane Pepino, C.M., Q.C., LL.D.

Direct: 416.865.7727

E-mail: jpepino@airdberlis.com

April 9, 2013

Our File No. 113747

BY EMAIL

Mr. Jeffrey Abrams
Clerk's Department
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

C	<u>7</u>
Item #	<u>14</u>
Report No.	<u>14 (cw)</u>
<u>Council - April 23/2013</u>	

Dear Mr. Abrams:

**Re: Committee of the Whole Meeting – April 9, 2013, Item 14
Thornhill Centre Street Area Land Use Plan Modifications
City of Vaughan Official Plan 2010 – Volume 2, Section 12.10
File No. 26.10**

We act on behalf of the Canadian Fuels Association ("Cdn. Fuels"), formerly the Canadian Petroleum Products Institute, with respect to its interest in the new City of Vaughan Official Plan. Cdn. Fuels is an incorporated association of major Canadian companies involved in the refining, distribution, and/or marketing of petroleum products. Cdn. Fuels' member companies own a majority of automobile service stations ("Gas Stations") within the City of Vaughan, including those Gas Stations owned and operated by Imperial Oil Limited (Esso), Suncor Energy (Petro-Canada), Shell, Ultramar and Husky Energy (Husky).

The mission of Cdn. Fuels includes initiating discussions and dialogue in the development of public policy and regulation serving the long term interests of the Canadian consumer and the Canadian petroleum industry. Cdn. Fuels has a genuine interest in ensuring that its member stations are safe and viable while meeting customer needs and also being compatible with the needs of the community. As such, Cdn. Fuels has significant concerns with some of the proposed policies of the new City of Vaughan Official Plan ("VOP 2010").

Cdn. Fuels' concerns with Volume 1 of the VOP 2010 were carefully outlined in Cdn. Fuels' Notice of Appeal, filed with the Region of York on August 24, 2012, and attached to this letter for your reference. We have reviewed the Thornhill Centre Street Area Land Use Plan ("Centre Street Plan") and the report regarding modifications to the Centre Street Plan, to be considered by the Committee of the Whole on April 9, 2013. Our concerns with the Centre Street Plan are as follows:

- Map 12.10.A

In accordance with Section 12.10.10.1, Gas Stations are only permitted in the locations identified on Map 12.10.A. Currently, Map 12.10.A shows only one Gas

Station within the Centre Street Plan area, that being the Gas Station located at the southwest corner of Dufferin Street and Centre Street. However, an Esso Gas Station is currently situated on the lands municipally known as 1030 Centre Street, which are located on the north side of Centre Street, west of New Westminster Drive. According to Map 12.10.A, 1030 Centre Street is proposed to be designated Mid-Rise Mixed-Use "A".

The Centre Street Plan formerly contained policies at Section 12.10.8.5 to permit the following uses on the property at 1030 Centre Street: *"the sale of auto fuel, oil and lubricant and other related products, the provision of repair and maintenance services for vehicles, and the existing car wash and convenience retail use as listed on the property."* Former Section 12.10.8.5 also contained compatibility criteria for any future redevelopment of the site. This section has been removed by the modifications to the Centre Street Plan without explanation.

The exclusion of 1030 Centre Street as a Gas Station on Map 12.10.A and the removal of former Section 12.10.8.5 effectively renders the Esso Gas Station site "legal non-conforming" as Gas Stations are not listed as a permitted use in the Mid-Rise Mixed-Use "A" designation and are not specifically permitted by Section 12.10.8.5. This is unacceptable as Legal Non-conforming status would hinder the redevelopment of this Gas Station, which includes replacement of equipment as necessary to ensure the safe operation of the station and continuing upgrades, as market and customers demand.

- Section 12.10.11 – Special Policy Area

The policies regarding the Gas Station shown on Map 12.10.A are set out in Section 12.10.10. Section 12.10.10.2 permits any Gas Station designated on Map 12.10.A to be developed in accordance with the land use designation of the immediately adjoining land without amendment to this Area Specific Policy.

The lands immediately adjacent to the Gas Station shown on Map 12.10.A are designated Low-Rise Residential and Special Policy Area. We request clarification with respect to the policies of the Special Policy Area, specifically Section 12.10.11.2 which states that, *"The urban design, parking and other general policies of this Official Plan, including the 'Service Station/Gas Bar' policy, which in effect prohibits a service station use at the southwest corner of Dufferin and Centre Street, shall apply for any development within this designation."*

The intent of Section 12.10.10.2 is unclear. Currently there is no Gas Station at the southwest corner of Dufferin Street and Centre Street and a Gas Station would not be permitted by the Low-Rise Residential Designation of those lands. Further, it is unclear what the "Service Station/Gas Bar" policy of the Vaughan Official Plan referred to by Section 12.10.11.2 is as there are many policies respecting Gas Stations in Volume 1 of the Vaughan Official Plan and policies respecting Gas Stations in the Centre Street Plan.

April 9, 2013
Page 3

Should you require any further information or clarification please do not hesitate to contact the undersigned, or Emily Elliott, Land Use Planner, of this office at 416-865-3069. Please provide any further notices associated with the Centre Street Plan, including notice of adoption of the revised Centre Street Plan to the undersigned. Thank you very much.

Yours truly,

AIRD & BERLIS LLP



✉ N. Jane Pepino, C.M., Q.C., LL.D.

NJP/ee

cc. J. Roy, Cdn. Fuels
M. Goldberg, Goldberg Group
A. Sicilia, Vaughan Policy Planning Department

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AIRD & BERLIS LLP

Barristers and Solicitors

N. Jane Pepino, C.M., Q.C., LL.D.

Direct: 416.865.7727

E-mail: jpeplno@airdberlis.com

August 24, 2012

Our File No. 113747

BY COURIER

Mr. Denis Kelly
Regional Clerk
Regional Municipality of York
17250 Yonge Street
Newmarket, ON L3Y 6Z1

Dear Mr. Kelly

Re: Appeal of the new City of Vaughan Official Plan

We act on behalf of the Canadian Petroleum Products Institute ("CPPI") with respect to its interest in the new City of Vaughan Official Plan. CPPI is an incorporated association of major Canadian companies involved in the refining, distribution, and/or marketing of petroleum products. CPPI member companies own a majority of automobile service stations ("Gas Stations") within the City of Vaughan (the "City"), including those Gas Stations owned and operated by Imperial Oil Limited (Esso), Suncor Energy (Petro-Canada), Shell, Ultramar and Husky Energy (Husky).

The mission of CPPI includes initiating discussions and dialogue in the development of public policy and regulation serving the long term interests of the Canadian consumer and the Canadian petroleum industry. CPPI has a genuine interest in ensuring that its member stations are safe and viable while meeting customer needs and also being compatible with the needs of the community. As such, CPPI has a significant concerns with some of the proposed policies of the new City of Vaughan Official Plan. CPPI's areas of concern are as follows:

- Section 9.2 - Land Use Designation and Permitted Building Types - Gas Stations in areas designated Mid-Rise Mixed Use, High-Rise Mixed Use, Employment Commercial Mixed Use, Community Commercial Mixed Use and Prestige Employment are subject to the following criteria:
 - (A) *the use is located on an arterial street as indicated on Schedule 9;*
 - (B) *the use is limited to one Gas Station per intersection; and,*
 - (C) *no Gas Stations shall be permitted at the intersection of two arterial streets as indicated on Schedule 9.*

Many existing Gas Stations in the City are located at the intersection of two arterial streets in order to provide service to motorists passing in different directions without requiring a change in direction. Many of these high traffic intersections

currently have more than one Gas Station, as road medians or traffic conditions prevent motorists from accessing Gas Stations located across a street. A single Gas Station could not provide adequate and safe service for the total motor vehicle traffic at many intersections in the City or in the alternative, would require added traffic movements increasing congestion and delay. Further, requiring that Gas Stations locate at the intersection of only one arterial street would result in twice the number of Gas Stations in the City to serve the same amount of vehicle traffic, as well as forcing Gas Stations to intersections of collector streets, which are more likely to be close to Residential neighbourhoods.

Additionally, the inclusion of the above sections would result in those existing Gas Stations at an intersection where more than one Gas Station exists, or on an intersection of two arterial streets, to simply become "Legal Non-conforming". (Subject to the provisions of Section 10.2.1.4, see below). This is unacceptable as Legal Non-conforming status would hinder the redevelopment of these Gas Stations, which includes replacement of equipment as necessary to ensure the safe operation of the stations, and continuing upgrades and changes to the offerings at Gas Stations, as market and customers demand.

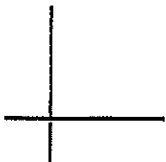
- Section 9.2.3.9 - Building Types and Development Criteria, Gas Stations imposes specific policies and development criteria on Gas Stations. Section 9.2.3.9.c. requires that:

Where a Gas Station contains a retail building greater than 100 square metres, the retail building shall front onto at least one public street, with no driveways or parking spaces located between the building and the public street.

The above section is too prescriptive for an Official Plan and rather, an Official Plan should call for Urban Design Guidelines, which set out detailed policies.

Section 9.2.3.9 is not compatible with the design of modern Gas Stations. Moreover, modern Gas Stations allow for the "one stop shopping" concept where the public can perform a multitude of daily tasks on one site thus avoiding otherwise separate small trips. Additionally, modern Gas Stations are equipped with public washrooms adapted for customers with disabilities. In order for modern Gas Stations to accommodate these services, a building in excess of 100 square metres is required.

The requirement that a retail building greater than 100 square metres be located facing the street, with no driveways or parking spaces located between the building and the street, makes it impossible for a modern Gas Station to function. The gas pumps and canopy must be fronting the retail building to allow access for motorist customers and to allow the Gas Station attendant to monitor the pump islands. Based on the above, this requirement of the Official Plan is unworkable. It should also be noted that Section 9.1.2.6.e. contains a contradictory exception permitting parking between a building and public sidewalks in the case of Gas Stations in *Intensification Areas*.



- Also in Section 9.2.3.9 - Building Types and Development Criteria, Gas Stations, Section 9.2.3.9.d, requires that:

Where a Gas Station contains a car wash, the car wash shall generally be located to the rear of the site and setback a minimum of 30 metres from any Low-Rise Residential designation.

CPPI is opposed to this arbitrary minimum setback of 30 metres of a car wash from any Low-Rise Residential Designation. This type of detailed requirement is not warranted within the Official Plan but rather, if necessary, would be better suited in a zoning by-law or urban design guidelines.

- Section 10.2.1.4 – Interpretation states that it is the policy of Council:

To recognize legally existing land uses as they exist at the time this Plan is approved. These land uses shall be deemed to conform to this Plan. Minor extensions, reductions or expansions of such uses shall be permitted without amendment to this Plan, provided that the intent of this Plan is not compromised...

It is CPPI's position that the section above needs to be revised to allow for the redevelopment of legally existing uses for a similar use while remaining in compliance with the Official Plan without the uncertainty presented by the conditions attached to the above deeming provision. Gas Stations are somewhat different from typical uses as their facilities are comprised of dispensing pumps, underground storage equipment, kiosks, canopies and other equipment that need to be replaced or rebuilt periodically to adhere to safety and environmental legislation and regulations. They are also mainly outdoor areas which are subject to wear and tear as a result of weather, road salts and traffic. For these reasons, and in order to meet evolving customer demands, existing Gas Stations need to be redeveloped from time to time. The deletion of the words "*provided that the intent of this Plan is not compromised*" (which are themselves incapable of being clearly interpreted), would ensure that the routine and necessary redevelopment of Gas Stations currently existing throughout the City of Vaughan does not trigger an amendment to the Official Plan.

CPPI has actively participated in the process of the new City of Vaughan Official Plan. Specifically, CPPI and representatives from some member companies met with City Planning Staff on June 24, 2010 to discuss the issues outlined above and others. At that time, staff indicated these issues would be considered and that revisions to the Official Plan would be made as appropriate. Despite a Council direction to so, on September 27, 2011, staff has not contacted CPPI since the June 2010 meeting and the above-described issues remain outstanding. CPPI has continued to express concerns through deputations to the Committee of the Whole on June 14, 2010 and April 2, 2012 and to the York Region Planning and Economic Development Committee on June 13, 2012. Additionally letters to the City of Vaughan were filed on June 7, 2012, July 5, 2012, July 27, 2010, September 12, 2011 and April 2, 2012.



The purpose of this letter is to appeal to the Ontario Municipal Board Regional Council's failure to make a decision with respect to the new City of Vaughan Official Plan, pursuant to subsection 17(40) of the *Planning Act*. It has been in excess of 180 days since the new Vaughan Official Plan was received by the Region, and a decision has not been rendered. Please accept this letter, the attached form and enclosed cheque in the amount of \$125, payable to the Ministry of Finance, as CPPI's appeal of the of new City of Vaughan Official Plan in its entirety.

We would be pleased to meet with appropriate Regional and City Officials to discuss CPPI's concerns in greater detail.

Should you require any further information or clarification respecting any aspects of this appeal, please do not hesitate to contact the undersigned, or Emily Elliott, Land Use Planner, of this office at 416-865-3069. Acknowledgement of receipt of this appeal would be greatly appreciated. Please provide any further notices associated with this appeal to the undersigned. Thank you very much.

Yours truly,

AIRD & BERLIS LLP



N. Jane Pepino, C.M., Q.C., LL.D.

NJP/ee

cc. J. Roy, CPPI
M. Goldberg, Goldberg Group
J. Abrams, Clerk, City of Pickering

12993869.1



Environment and Land Tribunals Ontario
Ontario Municipal Board
655 Bay Street, Suite 1500 Toronto, Ontario M5G 1E5
TEL: (416) 212-6349 or Toll Free: 1-866-448-2248
FAX: (416) 326-5370
www.elt.o.gov.on.ca

**APPELLANT FORM (A1)
PLANNING ACT**

**SUBMIT COMPLETED FORM
TO MUNICIPALITY/APPROVAL AUTHORITY**

Date Stamp - Appeal Received by Municipality

Receipt Number (OMB Office Use Only)

Part 1: Appeal Type (Please check only one box)

SUBJECT OF APPEAL	TYPE OF APPEAL	PLANNING ACT REFERENCE (SECTION)
Minor Variance	<input type="checkbox"/> Appeal a decision	45(12)
Consent/Severance	<input type="checkbox"/> Appeal a decision	53(19)
	<input type="checkbox"/> Appeal conditions imposed	
	<input type="checkbox"/> Appeal changed conditions	53(27)
	<input type="checkbox"/> Failed to make a decision on the application within 90 days	53(14)
Zoning By-law or Zoning By-law Amendment	<input type="checkbox"/> Appeal the passing of a Zoning By-law	34(19)
	<input type="checkbox"/> Application for an amendment to the Zoning By-law – failed to make a decision on the application within 120 days	34(11)
	<input type="checkbox"/> Application for an amendment to the Zoning By-law – refused by the municipality	
Interim Control By-law	<input type="checkbox"/> Appeal the passing of an Interim Control By-law	38(4)
Official Plan or Official Plan Amendment	<input type="checkbox"/> Appeal a decision	17(24) or 17(36)
	<input checked="" type="checkbox"/> Failed to make a decision on the plan within 180 days	17(40)
	<input type="checkbox"/> Application for an amendment to the Official Plan – failed to make a decision on the application within 180 days	22(7)
	<input type="checkbox"/> Application for an amendment to the Official Plan – refused by the municipality	
Plan of Subdivision	<input type="checkbox"/> Appeal a decision	51(39)
	<input type="checkbox"/> Appeal conditions imposed	51(43) or 51(48)
	<input type="checkbox"/> Failed to make a decision on the application within 180 days	51(34)

Part 2: Location Information

All lands within municipality

Address and/or Legal Description of property subject to the appeal:

Municipality/Upper tier: City of Vaughan / Region of York

Part 3: Appellant Information

First Name: _____ Last Name: _____

The Canadian Petroleum Products Institute

Company Name or Association Name (Association must be incorporated – include copy of letter of incorporation)

Professional Title (if applicable): _____

E-mail Address: lean.roy23@sympatico.ca

By providing an e-mail address you agree to receive communications from the OMB by e-mail.

Daytime Telephone #: 416.222.5991 Alternate Telephone #: _____Fax #: 416.492.2514

Mailing Address: <u>20 Adelaide Street East</u>	<u>Suite 901</u>	<u>Toronto</u>
Street Address	Apt/Suite/Unit#	City/Town
<u>Ontario</u>		<u>M5C 2T6</u>
Province	Country (if not Canada)	Postal Code

Signature of Appellant: _____ Date: _____
(Signature not required if the appeal is submitted by a law office.)

Please note: You must notify the Ontario Municipal Board of any change of address or telephone number in writing. Please quote your OMB Reference Number(s) after they have been assigned.

Personal information requested on this form is collected under the provisions of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, and the *Ontario Municipal Board Act*, R.S.O. 1990, c. O. 28 as amended. After an appeal is filed, all information relating to this appeal may become available to the public.

Part 4: Representative Information (if applicable)

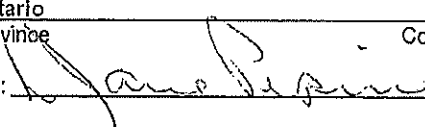
I hereby authorize the named company and/or individual(s) to represent me:

First Name: N. Jane Last Name: PepinoCompany Name: Aird & Berlls LLPProfessional Title: SolicitorE-mail Address: jpepino@airdberlls.com

By providing an e-mail address you agree to receive communications from the OMB by e-mail.

Daytime Telephone #: 416.865.1500 Alternate Telephone #: _____Fax #: 416.863.1515

Mailing Address: <u>181 Bay Street</u>	<u>Suite 1800</u>	<u>Toronto</u>
Street Address	Apt/Suite/Unit#	City/Town
<u>Ontario</u>		<u>M5J 2T9</u>
Province	Country (if not Canada)	Postal Code

Signature of Appellant:  Date: Aug 24/12

Please note: If you are representing the appellant and are NOT a solicitor, please confirm that you have written authorization, as required by the Board's Rules of Practice and Procedure, to act on behalf of the appellant. Please confirm this by checking the box below.

☐ I certify that I have written authorization from the appellant to act as a representative with respect to this appeal on his or her behalf and I understand that I may be asked to produce this authorization at any time.

Part 5: Language and Accessibility

Please choose preferred language: ☒ English ☐ French

We are committed to providing services as set out in the *Accessibility for Ontarians with Disabilities Act, 2005*. If you have any accessibility needs, please contact our Accessibility Coordinator as soon as possible.

Part 6: Appeal Specific Information

1. Provide specific information about what you are appealing. For example: Municipal File Number(s), By-law Number(s), Official Plan Number(s) or Subdivision Number(s):

Appeal of City of Vaughan's new Official Plan, City File No. OP.25.1.

2. Outline the nature of your appeal and the reasons for your appeal. Be specific and provide land-use planning reasons (for example: the specific provisions, sections and/or policies of the Official Plan or By-law which are the subject of your appeal - if applicable). **If more space is required, please continue in Part 9 or attach a separate page.

Please see covering letter.

THE FOLLOWING SECTIONS (a&b) APPLY ONLY TO APPEALS OF ZONING BY-LAW AMENDMENTS UNDER SECTION 34(11) OF THE *PLANNING ACT*.

- a) DATE APPLICATION SUBMITTED TO MUNICIPALITY: _____
(If application submitted before January 1, 2007 please use the O1 'pre-Bill 51' form.)

- b) Provide a brief explanatory note regarding the proposal, which includes the existing zoning category, desired zoning category, the purpose of the desired zoning by-law change, and a description of the lands under appeal:
**If more space is required, please continue in Part 9 or attach a separate page.

Part 7: Related Matters (if known)

Are there other appeals not yet filed with the Municipality?

YES ☐ NO ☒

Are there other planning matters related to this appeal?

YES ☒ NO ☐

(For example: A consent application connected to a variance application)

If yes, please provide OMB Reference Number(s) and/or Municipal File Number(s) in the box below:

The new City of Vaughan Official Plan has been appealed for Regional Council's failure to make a decision by various other parties. (File No. PL 111184)

Part 8: Scheduling Information

How many days do you estimate are needed for hearing this appeal? ☐ half day ☐ 1 day ☐ 2 days ☐ 3 days
☐ 4 days ☐ 1 week ☒ More than 1 week – please specify number of days: 8 days

How many expert witnesses and other witnesses do you expect to have at the hearing providing evidence/testimony?
Various

Describe expert witness(es)' area of expertise (For example: land use planner, architect, engineer, etc.):

Land Use Planner, urban designer, traffic expert, industry representative

Do you believe this matter would benefit from mediation?

YES



NO



(Mediation is generally scheduled only when all parties agree to participate)

Do you believe this matter would benefit from a prehearing conference?

YES



NO



(Prehearing conferences are generally not scheduled for variances or consents)

If yes, why? To determine the scope of the hearing, the various parties and the issues list.

Part 9: Other Applicable Information *Attach a separate page if more space is required.

Please see covering letter.

Part 10: Required Fee

Total Fee Submitted: \$ 125

Payment Method:



Certified cheque



Money Order



Solicitor's general or trust account cheque

- The payment must be in Canadian funds, payable to the Minister of Finance.
- Do not send cash.
- PLEASE ATTACH THE CERTIFIED CHEQUE/MONEY ORDER TO THE FRONT OF THIS FORM.

12993916.1

RUETER SCARGALL BENNETT LLP

LAWYERS

250 Yonge Street
Suite 2200
P.O. Box 4
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M5B 2L7
t 416 869-9090
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Robert G. Miller
Direct Line: 416 869-2203
robert.miller@rslawyers.com

April 08, 2013

VIA E-MAIL & COURIER

Jeffrey Abrams
City Clerk
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Dear Mr. Abrams:

**Re: City of Vaughan
Committee of the Whole – April 9, 2013 Meeting
Agenda Item 14 – Thornhill, Centre Street
Land Use Plan Modifications
City of Vaughan Official Plan 2010 – Volume 2
Section 12.10**

c15
Communication
cw: April 9/13
Item: 14

We are the solicitors for Palmerston Properties Limited, the owner of the lands known municipally as 1082 Centre Street (the "Subject Lands"). The Subject Lands have an area of approximately 0.7 acres and are located on the north side of Centre Street approximately mid-way between New Westminister Drive and Vaughan Boulevard.

The Subject Lands are currently improved by a one-storey commercial retail building of approximately 2551 square feet that is tenanted by and operated as Country Style location. Adjacent land uses are: single-detached residential to the south (on the other side of Centre Street); retail commercial and single-detached residential to the north; retail commercial (the Rio Centre Thornhill Plaza) to the east; and, retail commercial (the Main Entrance Centre) to the west.

We are writing to advise of our clients concerns with and objection to some of the proposed modification to section 12.10 of the Vaughan Official Plan 2010 (the "VOP 2010"). Our client supports the intensification of the Centre Street Corridor and therefore, in principle, supports the intent of the proposed modifications outlined in the staff report which is Item 14 on the Agenda for the April 9, 2013 meeting of the Committee of the Whole. However, our client is concerned that the proposed Land Use and Density Plan, which is Attachment 3 to the staff report, may designate the

RSB
LAWYERS

Subject Lands as Urban Square, essentially a parkland designation, and/or Public Street.

It is not possible to determine with certainty whether these designations, in fact, apply to the Subject Lands since Attachment 3 is not scaled and the location of these designations may be conceptual, however, it is clear that they are located in the immediate vicinity of the Subject Lands. Our client is concerned that, given the relatively small size of the Subject Lands, the application of all or part of the one or both of these designations to the Subject Lands could adversely impact, if not completely eliminate, the development potential of the site and consequently detrimentally effect the property value of the site.

As we have only recently been retained on this matter, we have not yet been able to fully analyze the impacts of the proposed modifications on our client. Out of abundance of caution, we are writing to make our concerns known to the Committee and to Council and to protect our client's appeal rights regarding the approval of the proposed modifications. We recognize that the VOP 2010 is currently under appeal and that it is not being recommended that Council adopt the modifications set out in the staff report. As the Ontario Municipal Board is now the approval authority, Council is being requested to recommend that the Ontario Municipal Board approve the proposed modifications as part of the VOP 2010 appeal process. We also note that the VOP 2010 was appealed for non-decision under section 17(40) of the *Planning Act* that the submission of concerns or objections prior to adoption is not a prerequisite for the filing of an appeal under that section.

As stated above, our client is not opposed, in principle, to the intensification of the Centre Street Corridor, however, our client is concerned that the proposed designation of the Subject Lands as Public Street and/or Urban Square, may virtually eliminate the development potential of the site.

Such a result would be contrary to good planning, especially when there are larger development parcels in the vicinity which could accommodate these uses while retaining their development potential. We would be pleased to meet with staff to discuss and hopefully resolve our client's concerns in a mutually satisfactory manner.

If you have any questions or require any clarifications regarding the above, please do not hesitate to contact the undersigned.

Yours truly,

RUEYER SCARGALL BENNETT LLP

A handwritten signature in black ink, appearing to be 'RGM', written over the firm name.

Robert G. Miller
RGM/aw

cc: client



McCarthy Tétrault LLP
PO Box 48, Suite 5300
Toronto-Dominion Bank Tower
Toronto ON M5K 1E6
Canada
Tel: 416-362-1812
Fax: 416-868-0673

Christopher J. Tanzola
Partner
Direct Line: (416) 601-7855
Direct Fax: (416) 868-0673
Email: ctanzola@mccarthy.ca

April 8, 2013

VIA EMAIL

Mayor and Members of Council
Committee of the Whole
City of Vaughan
City Hall
2141 Major Mackenzie Drive
Vaughan ON L6A 1T1

Attention: City Clerk

c16
Communication
CW: April 9/13
Item: 14

Your Worship and Members of Council:

**Re: Thornhill Centre Street Area Land Use Plan Modifications
City of Vaughan Official Plan 2010, Volume 2, Section 12.10
File 26.10, Ward 5**

We are the solicitors for Blue Water Ranch Developments Inc. and Fernbrook Homes (Centre Street) Limited (collectively, "**Blue Water**"), who are developing the property on the east side of New Westminster Drive, north of Centre Street. Blue Water has applied to the City of Vaughan for a Zoning By-law Amendment (File No. Z.08.032) and Site Plan Approval (File No. DA.13.014).

We understand that the report to be considered by the Committee of the Whole applies to lands located to the west of our client's property and that no modifications to the land use designations or Official Plan policies otherwise applicable to the Blue Water site are being proposed in conjunction with this report.

Notwithstanding that the Blue Water property is outside the area under consideration, on behalf of our client, we hereby request notice of the outcome of the Committee's deliberations and any further consideration of this matter by City of Vaughan Council or any other committees. Our contact information is provided above.

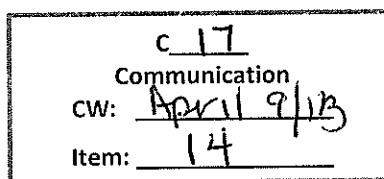
Yours truly,

McCarthy Tétrault LLP

Per:

Christopher J. Tanzola
Partner
CJT

c. P. Stellato/S. Zavaros
P. Levine



Fogler, Rubinoff LLP
Lawyers

77 King Street West
Suite 3000, PO Box 95
TD Centre

Toronto, ON M5K 1G8
t: 416.864.9700 | f: 416.941.8852
foglers.com

April 9, 2013

Reply To: Joel D. Farber
Direct Dial: 416.365.3707
E-mail: jfarber@foglers.com
Our File No. 11/1121

VIA EMAIL

City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON
L6A 1T1

Attention: Clerk, Committee of the Whole

Dear Mayor Bevilacqua and Members of Council:

**Re: New City of Vaughan Official Plan –Thornhill Centre Street Land Use Plan
Committee of the Whole Meeting April 9, 2013 File 26.10**

We are the solicitors for RioCan Holdings Inc., owner of the shopping centre at 1054 Centre Street known as the “RioCentre Thornhill” on the north side of Centre Street, west of New Westminster Drive. Our client's lands are presently developed with a commercial centre of approximately 140,000 sq.ft. (exclusive of the separately owned gas station property) including a No Frills supermarket and a Winners store.

We have been engaged in the ongoing land use planning study for Centre Street, as well as in the City's new Official Plan exercise in respect of the subject lands. However, and notwithstanding the importance of client's site in the Centre Street land use plan, the City's consultation process thus far has not included any focused discussion with RioCan as to the opportunities and constraints on the future redevelopment of its site.

First and foremost, RioCan generally supports land use planning policies to implement smart growth along the corridor including the opportunities for intensification and the introduction of higher density residential uses. RioCan also recognizes that the corridor represents a unique opportunity to create an appealing urban environment to attract new residents, new jobs and to enhance the existing built form. We also wish to note that RioCan owns a number of properties in Vaughan, including a number of potential redevelopment opportunities in the local area. RioCan's substantial investment in the community shows its commitment to the City and the potential future opportunities presented in Vaughan.

With the proposed revisions to the Area Specific Policies for Volume 2 of the 2010 VOP as set out in Staff Report COW0409 13-14, there remains a number of key concerns from RioCan's perspective including but not necessarily limited to the following matters:

1. The proposed land use plan eliminates all of the currently existing retail permissions for a substantial area of RioCan's property by way of the introduction of Low Rise Residential and Mid Rise Residential land use designations. The existing retail land use permissions are long standing and predate development of the surrounding residential community to the north, so there should be no concern with land use compatibility [Land Use and Density Plan Map 12.10.A];
2. The proposed Mid Rise Mixed Use Area A policies contain caps on the size of the permitted grocery store as well as other retail uses. There is no planning basis for the implementation of any cap on retail floor space. In our view, opportunities for additional non-residential intensification and employment opportunities should be promoted – not limited [12.10.5.2];
3. It is inappropriate to require that all buildings in the Mid Rise Mixed Use Area A be mixed use, or to require a minimum amount of non-residential gross floor area. This restriction could result in the delayed redevelopment of the site by precluding the possibility of, for example, a new residential building – a mix of uses can still be planned and achieved for the site whether or not the buildings are all mixed use [12.10.5.3];
4. It is inappropriate to prohibit stand alone retail uses within the area proposed to be designated Mid Rise Mixed Use Area A. This prohibition is not required, restricts potential redevelopment opportunities, and could also result in delayed redevelopment of the site [12.10.5.5];
5. It is inappropriate to require that the permitted grocery store be located on the second storey, or otherwise at grade but "sleeved" with small shops at grade. The permitted grocery store can be established at grade without the imposition of a requirement for small shops in a manner that furthers the redevelopment of the corridor and presents an animated and active streetscape [12.10.5.6.b];
6. The proposed transportation plan is obviously significantly burdensome to our client. The RioCan site can be fully serviced by a system of private roads and laneways. Our client is therefore not in a position to agree to any policy establishing a new public road through its lands. This future opportunity is something that can only be agreed to in the context of the processing of future development applications for our client's lands. We suggest that the policy indicate that the road is conceptual only, and will not be implemented as a requirement of any future land use approval. In addition, the City must confirm that it will be financial responsible for the road, if

created, as it would not appear to be of any particular benefit to our clients lands, which already have access from New Westminster and Centre Street [Map 12.10.a and Policy12.10.12.8];

7. The proposed land use policies regulating performance standards and urban design are highly prescriptive. Detailed regulations concerning set backs, building heights, step back and angular plane requirements, podium requirements, parking area landscaping and regulation should be dealt with in the zoning by-law, and not in Official Plan policy [12.10.2.1.c and 12.10.2.1.u and others];
8. Policies related to architectural elements are not appropriate in an Official Plan – Such policies should be contained within urban design guidelines that can more appropriately guide architectural treatment in the corridor. There is a concern with the subjectivity and lack of direction that is provided in the proposed Official Plan policies [12.10.2.1];
9. We do not understand the basis for, or the requirements of, the proposed Design Review Panel including its jurisdiction [12.10.2.4];
10. We do not understand the basis for the substantial 7 m setback required for the Centre Street lot frontage [12.10.2.1.u.ii];
11. It is not appropriate or fair to require an enhanced landscaped buffer of 4 m in addition to any required rear yard setback from the existing low rise residential property to the north as this unfairly burdens our client's site to the benefit of the neighbouring properties to the north [12.10.2.1.c.ii];
12. We do not understand the basis for the substantial rear yard setback requirements for detached rear yard garage situations [12.10.4.6];
13. The Urban Square policies are not appropriate and essentially amount to expropriation of land without compensation. If land for an urban square is required by the City, then such land must either be expropriated or obtained via parkland requirements – a landowner or condominium corporation should not be forced to maintain public (or publicly accessible) lands [12.10.13.5 and 12.10.13.6];

We regret not being able to attend today's meeting of the COW, although we will have a representative in the audience to monitor the discussion and to consider any other input from Council, staff or members of the public.

We would ask the Committee to direct staff and the City's consultant to pursue direct and focussed discussions with our client as well as other owners of land within the study area to

determine what changes to the proposed land use policies are possible to achieve consensus on the Volume 2 policies for the Centre Street corridor.

We look forward to continuing to work with the City in achieving mutually agreeable long term land use policies for our client's site and the Centre Street corridor which appropriately recognize the constraints and opportunities for the RioCan site.

Yours truly,

FOGLER, RUBINOFF LLP

"Joel D. Farber"

Joel D. Farber

cc. RioCan (Jordan Robins and Stefan Wisniowski)

c 19
Communication
CW: April 9/13
Item: 14

Brownridge Ratepayers Association
21 Checker Court; Thornhill ON L4J 5X4
Tel. 905-760-0330 Fax 905-669-4808 MGRacco@rogers.com

8 April 2013

Vaughan Members of Council
John.Mackenzie@Vaughan.ca
Clerks@Vaughan.ca

Re: Thornhill Centre Street Area Land Use Plan, CW 9/4/2013

Dear Members of Council:

I am writing to you on behalf of the Brownridge RPA, as I cannot attend today's CW meeting at 1 p.m.

Our concerns are:

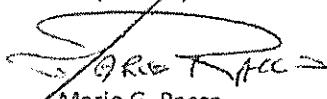
1. We are pleased to see some improvements made to the report, after our meeting.
2. We can't support staff's recommendation because:
 - a. The density is unacceptable.
 - b. The community has made clear that we do not want to see high density residential, west of New Westminster Drive.
 - c. The community has accepted more than its fair share of high density residential in the same area - between New Westminster Dr. & Bathurst St.

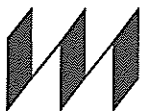
The community took a position in 1986, 27 years ago, that we are prepared to accept changes between Concord Rd. and Vaughan Blvd., but the only change we will be supportive of is for Professional Office development on existing property lots (single).

This is one of the first developed areas in Vaughan, and some residents have been living in the area for more than 50 years. It would be unacceptable for Council to ignore the community's wishes, which are reasonable.

We see merits in making some changes to the commercial area so that it will reflect better the needs of the community and improve the overall aesthetics of the community.

Respectfully


Mario G. Racco
President, BRPA



**WESTON
CONSULTING**

planning + urban design

c 20
Communication
cw: April 9/13
Item: 14

April 9, 2013

File 5606

City Clerk
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario L6A 1T1

Dear Sir,

**RE: City of Vaughan Draft Official Plan: Volume 2 – April 2013
Thornhill Centre Street Area Land Use Plan Modifications
1238 Centre Street
File #OP.25.1**

Weston Consulting (WC) is the planning consultant representing the owner of the above noted property. The owner's intentions are to retain existing permissions for the subject property and ensure that an appropriate framework is in place to facilitate the eventual redevelopment of the subject property at a higher density and mix of uses.

WC has been monitoring the Thornhill Centre Street Area Land Use Plan and attended the November 23rd Open House for the Centre Street Corridor Study on behalf of the owner. Furthermore, a submission to the City of Vaughan was made on December 16, 2011, which provided background information for the lands and provided comments in relation to the City's Official Plan, Draft Centre Street Land Use Study, Streetscape Master Plan and Urban Design Guidelines. The comments previously identified in our 2011 correspondence remain applicable where appropriate; however, we wish to provide the following supplementary comments.

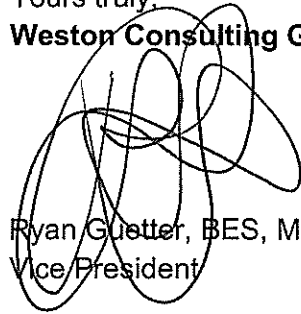
The following comments are provided in relation to the proposed modifications to the Thornhill Centre Street Area Land Use Plan and draft Section 12.10, in Volume 2 of the Vaughan Official Plan 2010 (April 9, 2013 Committee Report) as it relates to the above noted property:

1. Height - We understand that the maximum height for the subject lands has been modified to a maximum height of 4 storeys along Centre Street frontage of the lands. We further understand that the proposed policies permit consideration for additional height up to 6 storeys in accordance with detailed site specific requirements. In our review of the site specific requirements, it is unclear how and where the policies provide for 6 storey development. It continues to be our understanding that building heights greater than 6 storeys should be supported in certain locations where they are contained within the 45 degree angular plane provisions from the northern property line and where they provide appropriate transition to adjacent lands to the north. Building heights greater than what is proposed would assist in providing transit supportive densities in locations that are appropriate and would also achieve a balance between open space and building mass for these areas. We further do not support the restriction of 2.5 storey heights as proposed in the northern portion of the Mixed Use Area B designation.
2. Density – We note that the proposed net density for Mixed Use Area B is 1.6 FSI. In accordance with the Region of York Official Plan, overall densities along transit supportive corridors should achieve an average FSI target of 2.5. We suggest that the proposed density of 1.6 FSI for this portion of the Regional Corridor does not represent an optimization of the density for this area, particularly, for certain individual sites that may develop in the area independently.
3. Comprehensive Development Plans – Our review of the draft policies indicate that additional policies regarding comprehensive development planning have been incorporated. While we recognize the importance of coordinated planning within this block, there should be sufficient flexibility to allow individual sites to proceed on their merit based on satisfying general principles of the plan.
4. Parking – We support policies that would permit underground parking below streets, particularly beneath shared laneways or public laneways.
5. Mixed Uses – We suggest that there be a wide range of use permissions, which would support the mixed use nature of transit corridors. However, we do not support a cap on the maximum permitted floor area for retail uses as proposed.

We request that the above comments be considered by the Committee and Staff. We reserve the right to provide further comments in relation to these documents, as necessary.

Should you have any questions in relation to this correspondence, please contact Jane McFarlane at ext. 225, or the undersigned at ext. 241.

Yours truly,
Weston Consulting Group Inc.



Ryan Guetter, BES, MCIP, RPP
Vice President

Cc: D. Birchall, City of Vaughan
A. Sicilia, City of Vaughan
R. McQuillin, City of Vaughan
J. MacKenzie, City of Vaughan
D. Gluzberg, Klim Art Galleries Inc.



**WESTON
CONSULTING**

planning + urban design

c21
Communication
CW: April 9/13
Item: 14

City Clerk
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario L6A 1T1

April 9, 2013
File 5030

Dear Sir,

**RE: City of Vaughan Draft Official Plan: Volume 2 – April 2013
Thornhill Centre Street Area Land Use Plan Modifications
1260, 1272, 1282, 1294, 1304 and 1314 Centre Street
File #OP.25.1**

Weston Consulting is Group Inc. (WCGI) is the planning consultant for Dr. Arthur Fisch, the owner of the above noted properties, municipally known as 1260, 1272, 1282, 1294, 1304 and 1314 Centre Street, in the City of Vaughan (herein referred to as the 'subject lands'). The subject lands are located on the northeast corner of Centre Street and Concord Road in the community of Thornhill. The subject properties are currently occupied by single family dwellings.

WCGI has been monitoring the City's preparation of the new Official Plan (Volume 1 and 2) and the Thornhill Centre Street Area Land Use Plan as it relates to the subject lands. Previous submission were made to the City and Region on February 9, 2010, May 27, 2010, June 3, 2010, and October 27, 2010 expressing our opinion that there is potential for greater intensification in the form of mixed use development at this site than what the existing planning documents permit.

In relation to the Thornhill Centre Street Area Land Use Study, we attended the May 5, 2011 and June 7, 2011 workshops and the November 23, 2011 and May 15, 2012 Open Houses. We also attended a meeting with City Staff and their Planning Consultants on January 25, 2012 to discuss our issues and concerns with the proposed Plan and Policies.

It is noted here that since our participation in the Official Plan review process and the Thornhill Centre Street Area Land Use Study, an appeal to the Ontario Municipal Board (OMB) was filed by our clients legal counsel with respect to specified policies, maps and schedules of the Official Plan as they apply to the subject property.

WCGI has more recently reviewed the draft Official Plan Volume 2 document attached to the April 9, 2013 Staff Report. At this time, WCGI offers the following comments on the proposed modifications to Section 12.10 – Centre street Corridor, of Volume 2 of the Vaughan Official Plan 2010 as it relates to the above noted subject property:

1. We continue to support the designation of the subject lands as Mid-Rise Mixed-Use. A mixed-use designation that incorporates both residential and commercial uses is appropriate for the subject lands.
2. We understand that the maximum height for the subject lands has been modified to a maximum height of 4 storeys along the Centre Street frontage of the lands, whereas a maximum of 6 storeys was previously contemplated. While the proposed policies permit consideration for additional height up to 6 storeys in accordance with detailed site specific requirements, it is unclear how and where the policies provide for a 6 storey development. It continues to be our opinion that 6 storeys be permitted at a minimum across the site.
3. The proposed minimum height of 2.5 storeys at the corner of Concord Road and Centre Street and along the rear of the subject lands is still too low as the Draft Urban Design Guidelines (November 2011) identifies the intersection of Concord Road/Centre Street as one of the "Gateways" and adjacent low rise residential development consists of 3 storey heights. Greater heights are warranted as a means to focus building height transition.
4. The proposed net density is maintained at 1.6 FSI. The proposed net density still needs to be increased in order to achieve densities sustainable of a Regional Corridor.
5. We support the inclusion of policies in the Official Plan that promote comprehensive planning, however, the proposed policies concerning comprehensive planning and the detailed site specific requirements are too prescriptive. There should be enough flexibility to allow individual sites to proceed on their own merit based on satisfying the general principles of the plan.
6. The proposed built form and urban design policies are too prescriptive and detailed than is necessary for an Official Plan and more appropriate for zoning regulations and/or urban design guidelines. For instance:
 - a. The requirement for outdoor amenity space in the form of courts is too prescriptive, as some development proposals may not be able to achieve this form of development in all instances; and
 - b. 7 metre rear yard laneway/access driveway requirement is also too prescriptive and may not be achievable in all circumstances.

As indicated above, there are many issues identified in our previous submissions that have not been addressed. We request that the above noted comments be considered by the Committee and City Staff.

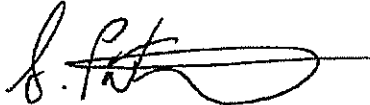
We further request that we be notified of any additional or revised documents that may be prepared regarding Section 12.10, Centre Street Corridor, of Volume 2 of the Vaughan Official Plan 2010.

Should you have any questions or require clarification on this matter, please contact Jane McFarlane (ext. 225) or the undersigned.

Yours truly,

Weston Consulting Group Inc.

Per:



Sandra K. Patano, BES MES MCIP RPP
Senior Planner

Cc: Dr. Arthur Fisch
Mark Flowers, Davies Howe Partners LLP
John MacKenzie, City of Vaughan
Diana Birchall, City of Vaughan
Melissa Rossi, City of Vaughan

COMMITTEE OF THE WHOLE APRIL 9, 2013

**THORNHILL CENTRE STREET
AREA LAND USE PLAN MODIFICATIONS
CITY OF VAUGHAN OFFICIAL PLAN 2010-VOLUME 2,
SECTION 12.10
FILE: 26.10
WARD 5**

Recommendation

The Commissioner of Planning recommends:

1. That the policies for the subject lands contained in Section 12.10 of Volume 2 of the City of Vaughan Official Plan 2010 (VOP 2010), adopted September 7, 2010 be modified in accordance with the policies and schedules contained in Attachment 9 of this report;
2. That all section references to the Vaughan Official Plan 2010 (Volume 1) be revised to be consistent with Volume 1, as a result of the modifications approved by Council on September 27, 2010, March 20, 2012 and April 17, 2012 and as recommended for approval by the Ontario Municipal Board by Region of York Council on June 28, 2012;
3. That this report and Council minutes be forwarded to the Ontario Municipal Board and the Region of York as the City of Vaughan's recommended modifications to Section 12.10, Volume 2 of the VOP 2010, and that the Ontario Municipal Board and Region be requested to consider the modifications to the noted section accordingly, as part of the process leading to its approval;
4. That City staff be authorized to make any additional changes to the relevant text and schedules of the VOP 2010- Volumes 1 and 2, necessary to ensure consistency with the direction provided above; and that staff be authorized to work with the Region and Province, as necessary, to finalize the wording to effect the modifications reflected in this report;
5. That the Ontario Municipal Board and the Region of York be advised that the Council modifications approved in respect of the City of Vaughan Official Plan 2010, Volume 2, meet the requirements of Section 26, (1) (a)(i), (ii) and (iii) of the Planning Act RSO. 1990, C.P. 13, as amended;
6. That staff proceed with the Dufferin/Centre Street Secondary Plan Study (PL-9027), as outlined in section C.3. (a) of this report. The Study has an approved funding of \$67,400.00 in the 2012 Capital budget.
7. That when the future Secondary Plan study for the Promenade Mall area is undertaken, the scope of the work include a review of current demographics and proposed population numbers for Community Planning Area (CPA) # 9, vis-à-vis the corresponding Active Together Master Plan recommendations for the provision of facilities and community services.

Contribution to Sustainability

The proposed Thornhill Centre Street Area Land Use Plan/Policies are consistent with "Green Directions Vaughan", the City's Sustainability and Environmental Master Plan. The Centre Street land use policies also conform to the Region of York's policies for complete communities, by providing for environmental protection, sustainable community design, and economic vitality and growth. The Centre Street Area Land Use policies address the following "Green Directions Vaughan" goals:

“Goal 2: Ensure sustainable development and redevelopment.”

Objective 2.2 “To develop Vaughan as a city with maximum greenspace and an urban form that supports our expected population growth.”

“Goal 4: To create a vibrant community for citizens, businesses and visitors.”

Objective 4.1 “To foster a city with strong social cohesion, an engaging arts scene, and a clear sense of its culture and heritage.”

Objective 4.2 “To ensure that the City of Vaughan attracts businesses and investment that will result in well-paying jobs for Vaughan citizens, a sustainable tax base, and continuing prosperity into the 21st century.”

Economic Impact

The Thornhill Centre Street Land Use Study was funded through the capital budget for the Vaughan Official Plan Project – PL-9003-07.

Communications Plan

Notice of this meeting has been communicated to the public by the following means:

- Posted on the www.vaughan.ca online calendar, City Page Online, City Update (corporate monthly e-newsletter) and the Policy Planning Department website http://www.vaughan.ca/projects/policy_planning_projects/thornhill_centre/Pages/default.aspx;
- Posted to the City’s social media sites, Facebook and Twitter;
- By Canada Post to the Thornhill Centre Street Area Land Use Study mailing list, to all land owners within the subject lands, and to an expanded polling list including all land owners 200 metres or more from the boundary line of the subject lands;
- Placed in the Thornhill Liberal on March 28, 2013;
- By Canada Post to almost 1500 addresses on the Vaughan Tomorrow/Official Plan Review mailing list; and,
- To the Official Plan Review e-mail list.

Purpose

To report on and obtain direction on proposed modifications to Section 12.10 of VOP 2010 (Volume 2) respecting the Centre Street Land Use Plan, arising from the land use study and related public consultation process. The Council ratified report and recommended modifications will be forwarded to the Ontario Municipal Board and the Region of York with the request that the modifications be incorporated into Section 12.10 of Volume 2, as part of the Official Plan approval process.

Background - Analysis and Options

Study Area

The study area is located on the north side of Centre Street between Concord Road and New Westminster Drive.

City of Vaughan Official Plan 2010

The Vaughan Official Plan 2010 applies to all lands in the City. The new Official Plan has been produced in two volumes. Volume 1 introduces general policies applicable throughout the City; and, Volume 2 includes site and area specific policies for areas that require more detailed policy treatments, and a number of Secondary Plans. The study area is included in Section 12.10 – Centre Street Corridor, of Volume 2.

The Thornhill Centre Street Area Land Use Study and Consultation Process

The study process included a public consultation program in association with the Thornhill Centre Street Corridor Urban Design Guidelines and Streetscape Master Plan Study (the principle study). The planning process leading up to this report included two public workshops, two open houses, and a statutory public hearing with stakeholders; including residents, businesses and developers, and their agents.

The following provides a brief overview of the public consultation process:

- The review of the corridor between Vaughan Boulevard and New Westminister Drive was directed by Vaughan Council at its meeting of September 7, 2010, in consideration of the item pertaining to the VOP 2010.
- At the Council meeting of March 8, 2011 the staff recommendation from the Committee of the Whole meeting of February 22, 2011 was approved as follows:
 - “1. That the Planning Partnership be retained on a single source basis in accordance with the City’s purchasing policies, to undertake a land use study of the north side of the Centre Street corridor from the intersection of Centre Street and Concord Road, to the intersection of Centre Street and New Westminister Drive;
 - 2. That the Terms of Reference for the area land use study be an adjunct to the on-going Thornhill Centre Street Corridor Urban Design guidelines and Streetscape Master plan Study (the principle study);
 - 3. That the draft Terms of Reference forming attachment #2 to this report, be approved;
 - 4. That the amount of \$48,000 to complete the additional work requested by Council be funded from the capital budget for the Vaughan Official Plan Review Project- PL-9003-07; and,
 - 5. That the director of Purchasing Services be authorized to execute the appropriate contract documents.”
- May 5, 2011 and June 7, 2011 - Introduction to the study, and visioning workshops were held with the surrounding community and study area landowners.
- November 23, 2011 - An open house was held to present the draft Land Use Plan, Urban Design Guidelines and Streetscape Master Plan.
- April 20, 2012 - A notice of open house and public hearing was mailed together with a newsletter to all landowners within the study area, to surrounding neighbours within 150 metres of the study area boundary, to ratepayer associations, and to individuals who had requested notification. The newsletter which was prepared by the Communications Department in consultation with the Policy Planning Department, addressed pertinent questions from residents in the vicinity of the study area and provided information on the study process, and proposed draft Land Use Policy document.

- On May 15, 2012, the open house and Committee of the Whole (Public Hearing) were held to present the Study Report and proposed (draft) Land Use Plan/Policies.
- On May 29, 2012, Vaughan Council approved the following recommendation:
 - “1) That the following recommendation contained in the report of the Commissioner of Planning, dated May 15, 2012, be approved:

“That the Study Report for the Thornhill Centre Street Area Land Use Study (2012), prepared by the Planning Partnership, and the corresponding draft Land Use Plan/Policies be received; and that any issues identified by the public and Council, be addressed in a comprehensive report to Committee of the Whole.”
 - 2) That the following be approved:
 - 1. That staff examine decreasing the height maximums at the Centre Street frontage in the Mid-Rise Mixed Use B designation (Site 2) from 6 storeys to 4 storeys in order to provide a more appropriate transition to the low-rise residential area to the north, given the limited lot depths in this stretch of the Centre Street corridor;
 - 2. That staff also examine the designation of the building identified as “M” in the Site 1 area located immediately south of the bulb of MacArthur Drive, from a maximum of 8 storeys to 6 storeys;
 - 3. That staff, in light of the significant intensification already in place in the area, provide a strategy on how to develop a comprehensive and holistic approach to the further development of the Centre Street Corridor from Bathurst to Dufferin Streets, including the areas as far north as New Westminster Drive (at Bathurst Street), and the Promenade lands to the south;
 - 4. That this be reported on as part of the comprehensive technical report to Committee of the Whole;
 - 5. That staff appropriately increase the radius for notification of land owners in consultation with the local Ward Councillor; and,
 - 6. That the deputations and communications to the public hearing meeting be received.”

Structure of this Report

This report to the Committee of the Whole is the result of the direction provided above. The report is set-out in four parts as follows:

- A. The Policy Context
- B. The Proposed Land Use Plan/Policies
- C. Addressing Council Direction of May 29, 2012 and Refinements to the Draft Thornhill Centre Street Plan/Policies since the Public Hearing of May 15, 2012
- D. Summary of New Comments received on the Draft Land Use Plan/Policies (Public Hearing of May 15, 2012)

A. The Policy Context

The Study area is subject to municipal, Regional and Provincial planning policy. Given its current character and policy context, it presents the following challenges:

- The quality and role of the pedestrian realm has taken a secondary position to the vehicular orientation of the street and development sites. As a result the pedestrian activity is poor due to a general lack of attractive urban design attributes and amenities, and a lack of uses conducive to pedestrian activity in parts of the corridor.
- Existing densities, land uses and urban design in the study area do not reflect current Provincial, Regional or municipal policy for Regional Intensification Corridors.

The policies of the pertinent levels of government are discussed below.

(1) The Provincial Policy

The Provincial Policy Statement 2005 (PPS)

The PPS supports efficient land use, a mix of housing types and densities, residential intensification, public transit ridership and the protection of cultural heritage. It promotes the planning of public streets, spaces and facilities to meet the needs of pedestrians and facilitate pedestrian and non-motorized movement. It encourages growth in built up areas and identifies transit corridors within urban areas as key areas for intensification and redevelopment.

(i) Ontario Transit-Supportive Guidelines (2012)

The guidelines developed by the Ministry of Transportation in recognition of the Provincial investment in major transportation initiatives, and recent Provincial policies, emphasize the inter-dependent relationship between transit ridership and land use patterns. The guidelines are predicated on:

- the designing of “complete streets”; designing streets to reflect the land use and transportation context, and conversely organizing the appropriate land use mix to respond to the transportation context;
- establishing performance standards related to factors such as pedestrian safety, comfort and ease of use of transit and evaluating performance regularly;
- placing the highest density and greatest mix of uses nearest transit;
- promoting a pleasant pedestrian experience on routes to and from transit stops to boost ridership;
- safe and convenient streets for cyclists can extend the reach of transit as much as 5 km; and,
- accessible and attractive transit stops encourage transit use.

Places to Grow: The Growth Plan for the Greater Golden Horseshoe (2006)

The Places to Grow Plan is the Province’s growth plan for the Greater Golden Horseshoe. It is based on a set of principles for guiding decisions on how land is to be developed and public investments are managed. It supports the building of compact, vibrant neighbourhoods, the protection and conservation of valuable natural resources, the optimization of the use of existing and new infrastructure to support growth in a compact efficient form. It further specifies that intensification should be directed “generally throughout the “built-up area” and especially along intensification corridors and at major transit station areas (Section 2.22.3.6).

It is noted that the vivaNext Bus Rapid Transit (BRT) line is planned to run along Centre Street between Dufferin Street and Bathurst Street (see Attachment 1); and a BRT station is planned in the study area between Vaughan Boulevard and New Westminster Drive.

(2) The York Region Official Plan (YROP) (2009)

The York Region Official Plan was adopted by Regional Council in December of 2009 and approved by the Minister of Municipal Affairs and Housing on September 7, 2010. The Plan was appealed and is now in the final stages of approval at the Ontario Municipal Board. The majority of the Plan is in effect as of January 14, 2013.

York Region's Intensification Strategy (2009), is reflected in the YROP. It is the basis for the Region's plan for delivering the amount of intensification required by the Province in order to meet the assigned level of population to 2031. The Intensification Strategy is based on a Regional Intensification Framework that includes a hierarchy of Regional Centres and Corridors, GO stations, Local Centres and Corridors, other major corridors, and local infill. All lower-tier municipalities are required to complete their own intensification strategy to meet the intensification targets outlined in the YROP in accordance with the Regional hierarchy.

The Centre Street Study area is identified as part of a Regional Corridor and it links the Highway 7 and Bathurst Street portions of the corridor. The following policies in Sections 5.3 - Intensification and 5.4 - Regional Centres and Corridors, of the York Region Official Plan are of particular relevance to the Centre Street study area. It is also noted that these policies capture important highlights of the York Region Transit Oriented Development (TOD) Guidelines approved by the Region in 2006, and which are also applicable to Regional Corridors. It is the policy of Regional Council:

- " 5.3.4. That the distance to a transit stop in the Urban Area is within 500 metres (a 5-to-10-minute walk) for 90% of the residents and no more than 200 metres for 50% of residents.
- 5.4.1. That the Regional Centres and Corridors serve a critical role as the primary locations for the most intensive and greatest mix of development within the Region.
- 5.4.28. That Regional Corridors are planned to function as urban main streets that have a compact, mixed-use, well-designed, pedestrian-friendly and transit-oriented built form.
- 5.4.34. To require a comprehensive approach to intensification along Regional Corridors: Local municipalities will establish key development areas and other forms of intensification along Regional Corridors. Key development areas once established will support an overall long term density target of 2.5 FSI for developable areas."

The Centre Street Land Use Study Area is located adjacent to the Thornhill Town Centre (area between New Westminster Drive and Bathurst Street, north and south of Centre Street), which has been evolving as an urban centre since the early 1980s. Official Plan Amendment 671 (Thornhill Town Centre) approved in 2005, establishes a more detailed and updated policy framework to direct mixed-use development, including high-rise development, in this area. The Vaughan Official Plan 2010 (VOP 2010), recognizes the Thornhill Town Centre as a Primary Centre.

The study area because of its proximity to the Thornhill Town Centre, currently enjoys priority YRT bus service, and is projected to receive BRT service in the 2015-2020 timeframe. The study area, and in particular Site 1 (see Attachment 1), is considered a priority area for intensification because of its location adjacent to the Thornhill Town Centre, and the BRT stop which is projected to be sited mid-block between Vaughan Boulevard and New Westminster Drive.

(3) The City of Vaughan Official Plan (VOP 2010)

The VOP 2010 establishes the urban structure plan for directing growth throughout the City. This structure is outlined in Section 2.2.1.1 of the Official Plan. It provides for a hierarchy of intensification areas that vary by densities and the planned mix of uses. At the top of this hierarchy are the following: The Vaughan Metropolitan Centre (the Regional Centre), the Regional Intensification Corridors, and then Primary Centres, Local Centres, and Primary Intensification Corridors. The City's urban structure was established to conform to Provincial and Regional policy. With respect to Regional Intensification Corridors, the following description is provided in Section 2.2.1.1:

- “ ii. Regional Intensification Corridors will be a major focus for intensification on the lands adjacent to major transit routes, at densities and in a form supportive of the adjacent higher-order transit. The Regional Intensification Corridors link the Vaughan Metropolitan Centre with other intensification areas in Vaughan and across York Region.”

The VOP 2010 also states that the policies related to Intensification Areas will be consistent with the policies of the Provincial Policy Statement, the Provincial Growth Plan for the Greater Golden Horseshoe and the York Region Official Plan.

It is noted that at the time Volume 2 of the VOP 2010 was prepared the “vision” for an intensified corridor had not yet been established. Therefore the site specific policies contained in Volume 2, applying to Centre Street, are a carry-over of the previous OPA 672 (Thornhill Centre Street Official Plan Amendment, 2005) policies. The “Where and How to Grow - Directions on future growth in the City of Vaughan to 2031” report, prepared by Urban Strategies Inc., does however identify the study area as a “Priority Opportunity Area” for intensification.

(4) Ontario Municipal Board Appeals

Five property owners within the study area have submitted appeals to the Vaughan Official Plan 2010; and, the land area currently subject to appeals encompasses approximately 75% of the study area. All appellants have cited issues respecting the proposed VOP 2010 commercial designations and FSI density ranges of 0.8 -1.5; asserting that residential mixed-use and higher densities are more appropriate in this area.

B. The Proposed Land Use Plan/Policies

The proposed land use plan and policies for the Thornhill Centre Street Study area are summarized as follows:

(1) Land Use Designations

The following land use designations are proposed for the study area:

(i) Low-Rise Residential “A”

The Low-Rise Residential “A” designation permits residential units in the form of townhouses, and public and private open space. The net maximum density and height permitted within this designation is .75 FSI and 2.5 storeys (or 9.5 m, whichever is less), respectively. This designation provides the transition between the higher densities and heights proposed in the southerly portion of Site 1 (see Attachment 2) of the study area, and the established low-rise residential community on Katerina Avenue to the north.

(ii) Mid-Rise Residential

The permitted uses within the Mid-Rise Residential designation include residential units in the form of mid-rise buildings, home occupations, community facilities, day cares, and public and private open spaces. The maximum net density and height permitted within this designation are 2.5 FSI and 6 storeys, respectively. This designation helps achieve the higher densities expected in the Regional corridor while providing the transition to the higher density mixed-use designation immediately adjacent to Centre Street. Two restaurant(s) and/or café(s) are also permitted in this designation within a mid-rise residential building, fronting onto the public park. Each of the two eating establishments is limited to a maximum gross floor area of 500 sq.m.

(iii) Mid-Rise Mixed-Use “A”

The Mid-Rise Mixed-use “A” designation permits residential, commercial, community, and cultural uses in a mixed-use, mid-rise building format with commercial or cultural/community uses required at grade. This designation permits a maximum net density of 2.8 FSI, and a range of heights from 3-8 storeys, with a maximum height of 12 storeys permitted at the northwest corner of Centre Street and New Westminster Drive (see Attachment 2). This designation helps to achieve the transit supportive densities and street animation expected in a Regional Corridor.

(iv) Mid-Rise Mixed-Use “B”

The uses permitted in this designation include residential units, home occupations, community facilities, daycares, cultural uses, retail and restaurant uses, office uses and public and private open spaces. Buildings must be in a mixed-use building form with commercial or cultural/community uses provided at grade. The proposed designation permits a maximum net density of 1.6 FSI and heights ranging from 2.5 to 4 storeys respectively (see Attachment 2) with consideration for additional height up to 6 storey maximum in accordance with detailed site specific requirements. It contributes to the density targets established for the Regional Corridor, but recognizes the transition to the established low-rise residential neighbourhood to the north. The building form, which introduces residential mixed-use development with commercial elements, including retail and restaurant uses along the Centre Street frontage, is intended to animate this portion of the corridor.

(2) Urban Design Policies

The focus of the proposed urban design policies is to create an attractive, safe and pedestrian-friendly environment and to provide transitioning policies, where applicable, to benefit the nearby low-rise neighbourhoods. The over-arching design policies are summarized as follows:

- (i) Buildings shall have active facades including primary windows and entrances facing the street.
- (ii) Buildings fronting on public or private streets shall not be separated from the street by either parking areas or drive aisles.
- (iii) Buildings shall be sited to minimize their impact on existing neighbouring properties.
- (iv) Further reverse lot development will not be permitted on Centre Street.
- (v) Buildings shall be designed with high quality architectural materials, and variation in certain elements of the façade treatment should be provided.

- (vi) Surface parking if required, shall be located at the interior of a development block, and be screened by buildings. Access to underground parking shall be appropriately integrated into the building it serves and located so as to minimize physical and visual impacts on public sidewalks and open spaces.
- (vii) Individual front-accessed garages for grade related residential units such as detached, semi-detached or townhouses should not protrude beyond the main front building wall, and should occupy no more than 40% of the width of the building or unit frontage.
- (viii) The following set-back requirements are provided:
 - a. A build-within zone 2.0 m – 3 m from any lot line fronting a street.
 - b. Notwithstanding (a) above, buildings fronting on Centre Street between New Westminster Drive and Vaughan Boulevard shall be setback a minimum of 7 m from the front lot line; and, a minimum of 6 m between Vaughan Boulevard and Concord Road.
 - c. A minimum rear yard setback of 7.5 m is required for any development abutting an existing residential property. In addition, to the minimum rear yard setback requirement, a minimum 4 metre landscaped buffer consisting of a minimum double row of trees, is required extending for the entire length of the rear property line where abutting an existing low-rise residential property. Where detached rear garages are provided and accessed by a rear laneway, the minimum rear yard setback for the dwelling unit shall be 13.5 m from the laneway.
- (ix) Minimum step-backs are provided for buildings of various heights.
- (x) A minimum facing separation distance of 20 m between adjacent buildings for all portions of the buildings taller than 6 storeys or 22 m.
- (xi) Design policies specific to buildings greater than 8 storeys in height permitted only in the east part of the study area.
- (xii) All proposed developments within the land use study area may be subject to review by the City's Design Review Panel.

(3) Application of Section 37 of the Planning Act (Bonusing Provisions)

The proposed Thornhill Centre Street land use policies provide for the use of the Section 37 Bonusing provisions in the Mid-Rise Mixed –Use "A" land use designation of the Plan on land east of Vaughan Boulevard. The policies allow the City to consider additional density and height beyond the permitted maximums set for this designation, in exchange for community benefits. The consideration of Section 37 use and the evaluation of relevant community benefits, will take place during the development review process. The community benefits are prioritized as follows:

- (i) Monetary contributions towards funding enhanced streetscaping in the Centre Street corridor. This includes streetscaping above City established service levels.
- (ii) The following community service/facility needs within the Plan area and broader Community Planning Area (CPA) # 9, in addition to the community benefits identified for Section 37 use in the VOP 2010, are to be considered in the priority in which they are listed:
 - a) Cultural amenities, including public art and outdoor cultural event space within the boundaries of the subject lands.

- b) The provision of community facilities as identified by the City as desirable for the planning area, but which are not accommodated in the City's standard levels of service.
- c) The following community services/facilities within the broader Thornhill CPA # 9:
 - Renewal of existing community centre facilities, library space, and indoor skating arenas as necessary.

C. Addressing Council Direction of May 29, 2012 and Refinements to the Draft Thornhill Centre Street Plan/Policies since the Public Hearing of May 15, 2012

The Council direction of May 29, 2012 is addressed in numerical order as follows:

1. **That staff examine decreasing the height maximums at the Centre Street frontage in the Mid-Rise Mixed-Use B designation (Site 2) from 6 storeys to 4 storeys in order to provide a more appropriate transition to the low-rise residential area to the north, given the limited lot depths in this stretch of the Centre Street corridor.**

Response:

Staff, in consultation with the City's Consultant for the Centre Street Study, have examined the possibility of reducing the heights in Site 2, as indicated in the Council directive. Given the considerable depth of the subject lots, and that the northern half of the lots are limited to a maximum building height of 2.5 storeys, there do not appear to be adverse effects in terms of shading, light, and noise (subject to mitigation measures being applied) from a 6-storey building on Centre Street as opposed to a 4-storey building. However, in consideration of the planning context and to ensure that future development in the Mid-Rise Mixed-Use B designation will include variations in heights at the street frontage, promoting both better design and sunlight penetration into the interior of the subject lands, the following new policy has been proposed:

Section 12.10.6.7 a):

"Within the lands identified as Mid-Rise Mixed-Use B on Map 12.10.A and identified as having a height range of 2.5 – 4 storeys* on Map 12.10.B., the minimum building height shall be 2.5 storeys and the maximum building height shall be 4 storeys or 16 metres, whichever is less. Predicated on achieving a built form similar to that illustrated in the Concept Plan (Appendix 2), and proposed development in accordance with policies (12.10.6.9 – 12.10.6.12* *); a portion of the Centre Street frontage may be permitted to have a maximum height of 6 storeys or 22 metres, whichever is less."

**These newly proposed policies are described in detail in the following section of this report.

In addition, it is recognized that redevelopment of Site 2 must be comprehensively planned in order to ensure excellent site design, efficient traffic flow, and an appropriate transition and buffers to the existing low-rise residential immediately to the north. The following section of this report discusses the introduction of new policies to ensure a comprehensive approach.

(a) Planning for the Comprehensive Redevelopment of Site 2

The north side of Centre Street between Concord Road and Vaughan Boulevard, forming Site 2 of the Planning area, is composed of 12 lots, the majority of which are individually owned and maintained as residential properties. The lots were not initially designed to accommodate more intensive forms of development and are therefore accessed by individual driveways at Centre Street. As such, each lot would be encumbered by a driveway minimizing its development potential. In addition, the bus rapidway will be constructed in the middle of Centre Street without access between the north and south sides of Centre Street, except at signalized intersections. Therefore, the subject lots will not have the benefit of direct access from eastbound Centre Street traffic lanes or the opportunity for direct egress to the eastbound Centre Street traffic lanes.

For a variety of reasons, including: minimizing construction impacts on adjacent residential lots; facilitating safe and efficient access to development parcels at signalized intersections; ensuring integrity of the streetscape design along Centre Street; maximizing development potential of the subject lots; and, optimizing the amount and design of outdoor amenity spaces, a comprehensive approach to the redevelopment of Site 2 is required. To this end, the following new policies (sections 12.10.6.9 - 12.10.6.12) are recommended:

- (i) Recognizing that the planned bus rapid transitway will limit in-bound turns from the west, and out-bound easterly turns on the north side of Centre Street, a minimum 7 metre rear yard laneway/access driveway shall be provided adjacent to the south side of the required 4 metre landscape buffer, connecting Concord Road and Vaughan Boulevard. An easement to the City shall be provided over the entire length of the rear yard laneway/access driveway and shall be achieved as a condition of Site Plan approval, as per Section 41. (7) a). of the Planning Act.
- (ii) Comprehensive planning and development of land parcels shall be required within the Mid-Rise Mixed-Use B designation; development parcels shall be assembled to the satisfaction of the City in order to minimize access points to Centre Street, and to facilitate the development of the rear yard laneway/access driveway. Appropriate reciprocal easements shall be granted by all owners to permit right-of-ways over access laneways to Centre Street and over the rear yard laneway/access driveway.
- (iii) To augment outdoor open space within the Mid-Rise Mixed-Use B designation, required amenity space to serve private developments shall be provided in the form of at-grade outdoor courts and located to the rear of the future buildings. In order to optimize the size and design of these outdoor amenity areas, they shall be planned and developed in co-ordination with adjoining lots included in the assembled development parcel.
- (iv) Prior to approving development applications in the Mid-Rise Mixed-Use B designation, the City shall require that landowners enter into an agreement(s) to the satisfaction of the City, to facilitate the comprehensive and co-ordinated development of properties in this portion of the Centre Street corridor, and to ensure equitable cost sharing for such aspects as the shared rear yard laneway/access driveway, sanitary sewer connections, hydro, storm water, the north boundary 4 m landscape buffer, and other common right-of-ways.

2. **That staff also examine the designation of the building identified as “M” in the Site 1 area located immediately south of the bulb of MacArthur Drive, from a maximum of 8 storeys to 6 storeys.**

Response:

Through further examination of the noted lands (see concept plan for Site 1, building “M”, Attachment 4), staff in consultation with the City’s Consultant, have reduced the maximum height at the mid-point of the Mid-Rise Mixed-Use “A” designation for the particular land parcel, from 8 to 6 storeys. The reduction as now reflected on the proposed Land Use Plan, will provide a better transition in height to the proposed 2.5 storey development which will be located adjacent to the Mid-Rise Mixed-Use “A” designated lands. The reduction also ensures that any future 8 storey development will be located a minimum of approximately 70 m (230 ft) from the property line of existing low-rise development on McArthur Drive to the north.

3. **That staff in light of the significant intensification already in place in the area, provide a strategy on how to develop a comprehensive and holistic approach to the further development of the Centre Street corridor from Bathurst to Dufferin streets, including the areas as far north as New Westminster Drive (at Bathurst Street and the Promenade lands to the south).**

Response:

A study of the Thornhill Centre Street corridor, including the Dufferin/Centre Street Gateway, and the portion of the Thornhill Town Centre between Centre Street and just south of North Park Road (the Liberty development), was undertaken previously, in 2003. The Thornhill Centre Street Study (2003) resulted in Official Plan Amendments 671 (2005), for the area within the Thornhill Town Centre, and 672 (2005), for the north Centre Street Spine from the Dufferin Street Gateway to New Westminster Drive.

A large proportion of the OPA 671 (Thornhill Town Centre) lands are now either built-out or approved for development, as are the remainder of the Thornhill Town Centre north lands (north of North Park Road). Approximately 1/6 of the area of the lands in the Thornhill Town Centre north remains vacant or subject to redevelopment. The existing or approved mid-rise and high-rise residential development in the Thornhill Town Centre ranges in height from 4-22 storeys, and density from 1.35 FSI to 6.89 FSI (see map and corresponding charts, Attachments 7 and 8). The more recently proposed Baif (density of 4.37 FSI) and Liberty (density of 4.43 FSI) developments, are at higher densities than the 3.5 FSI permitted by the Official Plan.

The 2003 Thornhill Centre Street Study did not focus on detailed “visioning” for the Dufferin/Centre Street Gateway or Promenade Mall areas, as there was little interest in redevelopment of these lands at that time. However, the Vaughan Official Plan 2010, Volume 1, Schedule 14-A, identifies both areas as subject to future Secondary Plan Review. At this time more consideration should be given to moving ahead with the Dufferin/Centre Street Gateway Study, as discussed below.

(a) The Dufferin/Centre Street Gateway Secondary Plan Study

The budget for the Dufferin/Centre Street Gateway Secondary Plan Study (PL-9027-12), was approved as part of the City’s Capital Budget for the 2012/2013 timeframe. Given the City’s interest in resolving the Highway 407 future ramp issue at this intersection, recent office/commercial development approvals for the northwest corner, and development pressures and community concerns, it is recommended that the study be initiated as soon as possible. The purpose of this Secondary Plan Study is to provide a preferred land use and urban design

framework for the area outlined on Attachment 11. The land use study will help inform City recommendations to the Provincial agencies, who collectively own or manage a significant proportion of the lands in the study area.

With respect to the question of the possible siting of the future 407 ramp in the vicinity of the Dufferin Street/Centre Street intersection, the following background is provided. At the Council meeting of August 25, 2003, Council directed (in part):

“That the Ministry of Transportation/ETR be requested to remove any plans for construction of an interchange at Highway 407 and Centre/Dufferin Streets from its program for future development of Highway 407.”

Several years later at the Council meeting of March 23, 2009, the following recommendation (in part) of the Special Committee of the Whole (Working Session), was adopted by Council:

- “2) That the City of Vaughan confirms their objection to Option 3, a full interchange at Centre Street, but supports a feasibility study of Option 2, or variation thereof, for a partial interchange on Centre Street to take place prior to 2015;
- 3) That staff participate in the terms of reference particularly as it relates to the impact on local roads;
- 4) That the Ministry of Transportation/ETR be requested to protect the necessary lands;”

The lands subject to the Option 2 partial ramp configuration, including access/egress locations, are contained entirely within the Hydro Corridor immediately east of Highway 407; and, the Parkway Belt lands immediately west of Highway 407, north of Centre Street. The date for commencement of the feasibility study for Option 2 has not yet been set; however, given that the Dufferin/Centre Street Gateway lands are situated far enough east of the Option 2 - ramp site, the planning for the Gateway should not be delayed.

The Dufferin/Centre Street Gateway Study will entail a background review of existing conditions, active development applications, and recent Provincial and Regional Policy with respect to the subject lands. Exploration of different land use scenarios will be conducted in consultation with Infrastructure Ontario, MTO, Hydro One, the Region of York, other property owners within the subject lands, and the respective community. A traffic analysis of the preferred land use scenario will also be completed.

(b) Community Services Evaluation

A concern respecting the adequacy of community services in light of the significant intensification in the Thornhill Town Centre (north), and the intensification proposed for the study area, was raised by both Council and area residents at the Public Hearing of May 15, 2012.

It is recognized that with the higher density developments currently underway in the City's Regional Intensification Corridors and Primary Centres, a conscientious approach to providing the necessary community facilities and services to accommodate significant increases in population will be required. In September of 2012, the City of Vaughan Development Planning Department

implemented the practice of requiring a Community Facilities and Services Impact Study for all development applications (Official Plan, zoning, subdivision, and site plan) pertaining to high-rise developments. In addition, the Policy Planning Department also includes a “community services” component in the “terms of reference” of all studies in intensification areas, to ensure that there will be sufficient services for the proposed land use scenario.

In anticipation of the greater densities that are expected in the Highway 7/Centre Street Regional Intensification Corridor, the current Centre Street Study includes a Community Services Evaluation (Chapter 4). The evaluation is based on a review of the findings and recommendations of existing studies and policy documents for the City, including the Active Together Master Plan for Parks, Recreation, Culture and Libraries (2008), the Vaughan Social Services Study (2009), and the policies for Community Infrastructure found in Chapter 7 of the VOP 2010, Volume 1. The Active Together Master Plan provides a detailed assessment of the supply and demand for community services in Vaughan’s ten “Community Planning Areas” for the years 2006 to 2031.

The Master Plan is currently under review to update community profiles, recreational trends, public input (including the household survey), and review of the existing inventory. The review which will also provide recommendations regarding overall facility planning, is tentatively scheduled to be completed by mid 2013. The Social Services Study provides a more general assessment of other types of services such as public transit and access to housing.

1) Community Service Planning in Vaughan

Community service planning in Vaughan is based on Community Planning Areas (CPAs). The Active Together Master Plan uses the CPA’s demographic profile, along with public input and activity and facility assessments, to determine specific requirements for community parks and facility needs, indoor and outdoor recreation facilities, including multi-use space that can be used for recreational arts and cultural programs, and libraries. For each service type, the Master Plan outlines:

- the existing supply;
- planning context (including public input collected through an attitudinal survey); and,
- assessment of need (based on established standards and targets for service provision).

Based on this information, proposals are made for the location of new facilities (if needed), and formal action plan items. See Attachment 6 for mapping of existing community services within one kilometre of the Centre Street study area.

The Centre Street Study area is located within the Thornhill CPA # 9 (see Attachment 5). Between 2006 and 2031, the population of the Thornhill Community Planning Area is expected to grow by 25,360 residents, representing a 40% increase in population (Active Together Master Plan, Figures 3.3 and 3.4). The greatest levels of intensification are expected adjacent to the study area, in the Thornhill Town Centre, and along the Steeles Avenue and Yonge Street corridors. The population projections are based on traffic zone forecasts provided by the Region of York (2007). The same growth forecasts have been used in the preparation of the City’s VOP 2010; however, it is noted that while the Region’s distribution across traffic

zones is more general, the VOP 2010 specifically targets growth through preparation of Secondary Plans. The “Where and How to Grow - Directions on future growth in the City of Vaughan to 2031” report (June 2009), which is used as a background resource in the preparation of City Secondary Plans, identifies “Priority Opportunity Areas” for intensification. It is noted that the Centre Street study area is identified as “a Priority Opportunity Area” for intensification with an allocation of approximately 974 additional residential units.

The “Where and How to Grow” Report (pg. 41 & 45), forecasts growth in the CPA # 9 as follows:

			Approved Development Applications *	Proposed Development Applications**
Location	Units	People	People	People
Dufferin/Centre Gateway	828	1,682		
Thornhill Centre St. Study Area	974	2,009		
Thornhill Town Centre North (area between New Westminster Drive and Bathurst, north of Centre Street)	1,382	2,987	2,009	+ 3,571 = 5,580
Thornhill Town Centre South (Promenade Mall area)	1,847	3,897		
TOTAL	5,036	10,575		
Yonge-Steeles Corridor	6,164	12,345		
TOTAL	11,200	22,920		

* and ** See Attachments 7 and 8 for details

Total projected population by Active Together Master Plan –	<u>25,360</u>
Total projected population by “Where and How to Grow” Report –	<u>22,920</u>
Difference -	2,440 People

Development applications approved since the growth forecasts were derived, will result in an increased population of approximately 2,009 people in the Thornhill Town Centre north, with a potential additional population of 3,571 people should the currently proposed development applications in this area be approved as submitted. As highlighted above, this would result in 5,580 additional residents in the Thornhill Town Centre north. Since the Active Together Master Plan (ATMP) has actually used a higher population figure of 25,360 residents (from Regional forecasts), the higher population would be mostly accounted for; however, approximately 1/6 of the development/redevelopment area in the Thornhill Town Centre north has yet to be included in the totals forecast for the area, and the trend is toward

increasing intensification beyond what was originally anticipated in the Thornhill Town Centre OPA 671.

In consideration of the increases to population that might occur in CPA # 9 above what was accounted for in the ATMP, staff recommend that when the future planning study for the Promenade Mall area is undertaken, the scope of the work include a review of current demographics and proposed population numbers for CPA # 9, vis-à-vis the corresponding Master Plan recommendations for facilities and community service levels. In addition, as an interim measure, staff in Development Planning will continue to require Community Impact Studies for major redevelopment proposals. These measures will ensure that the CPA will continue to be sufficiently serviced as per City standards.

(i) Parkland

The 2008 ATMP recommends targets for the provision of parkland in communities within the City of approximately 4.0 ha (active and passive parkland combined) per 1000 residents. City staff note that the Thornhill community is generally well served by parkland and has a current provision standard of 3.3 ha of parkland (active and passive parkland combined) per 1000 residents. The ATMP also recognizes that based on the current service ratios, this community will require additional parkland to meet the needs of the projected future population by 2031. In addition, the ATMP recommends a hierarchy of parkland types, which is now incorporated in the VOP 2010. Urban squares are noted as a type of parkland appropriate in intensification areas.

The provision of open space for new residents, as proposed in the Centre Street Land Use Policies, of approximately 0.69 ha and the proposed urban square would be less than what is required using the 1 ha to 300 dwelling units ratio. However, given the location of the study area immediately adjacent to a Regional Corridor, and the relatively limited area of the subject lands; the Thornhill Centre Street Study Report (2012), indicates that the amount of parkland and parkland typology proposed is appropriate for the Plan. Section 7.3.2.2 of the VOP 2010 acknowledges that smaller parks/urban squares may be appropriate in intensification areas “in order to better fit into the desired planned context of these areas and to take advantage of available land resources.”

The following new policy (section 12.10.6.11), has been included in the proposed modifications since the Public Hearing of May 15, 2012, to further augment the open space in the study area (Site 2):

“To augment outdoor open space within the Mid-Rise Mixed-Use B designation, required amenity space to serve private developments shall be provided in the form of at-grade outdoor courts and located to the rear of future building structures. In order to optimize the size and design of these outdoor amenity areas, they shall be planned and developed in co-ordination with adjoining lots included in the assembled development parcel.”

Based on the proposed distribution of parkland, all new residents will be within the required 500 m/10-minute walk of the new parkland. The subject lands are also located within a 25-35 minute walk of an existing district park (York Hill), and a 25 minute walk to the Concord Thornhill Regional Park. It

is recommended that the cash-in-lieu of parkland funds which would be provided through development of the subject lands, should be used to acquire/upgrade parkland where the opportunities arise within the broader CPA # 9.

(ii) Indoor and Outdoor Recreational Facilities

The ATMP provides a detailed assessment of the supply and need for a variety of indoor and outdoor recreational facilities. The ATMP states that the Thornhill CPA # 9 is well-served by recreational facilities, however, the following facilities will be needed within the CPA by 2031:

- Up to two new basketball courts
- One new skateboard park
- One new waterplay

In addition, the ATMP identifies a number of facility types that are over-supplied in the CPA and could be converted to other uses such as those listed above. The document also recommends that existing community centres should be renovated and/or retrofitted as necessary to keep pace with the quality associated with newer community centres and encourages multi-purpose program spaces, seniors' rooms, teen rooms, pre-school rooms and fitness centres throughout all appropriate community facilities (existing, new and renewed).

The proposed Centre Street Land Use Plan may accommodate a new water play facility in the proposed park areas and the policies of the Plan build in options for generating funds for the construction/renewal of recreational facilities in the CPA using density bonusing provisions under Section 37 of the Planning Act. Appendix 1 of the draft land use policies provides a priority list of service needs as benefits to be considered under the Section 37 Bonusing provisions of the Planning Act. The suggested use of Section 37 Bonusing provisions is expanded upon in section B. (3) of this report.

It is also noted that staff are reviewing City policies regarding the utilization of cash-in-lieu of parkland funds, to develop a program that would consider that an appropriate percentage of the funds collected, be used to retrofit parkland/facilities in the vicinity of the residential development providing the funds.

(iii) Arts and Cultural Facilities

The ATMP provides a more general overview of the use and supply of existing cultural facilities in the Thornhill CPA # 9. While no specific new facilities are identified, strategies are recommended to support arts and culture in existing City facilities, including the use of Section 37 of the Planning Act to assist in providing public art funding.

(iv) Libraries

To accommodate new growth in the Thornhill CPA # 9 specifically, an additional 5,326.0 sq.ft of library space will be needed by 2031, however, this space is to be provided outside the CPA, but within the geographic radii distribution standard for community libraries of 2.4 km. In addition, the Master Plan highlights the need for the Vaughan Public Libraries to develop a strategy for facility renewal of older libraries to continue to provide an

adequate level of service and programming for the population they serve. The proposed Centre Street Study policies identify renewal of libraries in the list of possible uses for Section 37 bonusing funds.

(v) Other Social Services

The City of Vaughan Social Services Study (2009) found that there are other types of service requirements for specific demographic groups across the City: families and children, youth, seniors and new immigrants. Identified common service needs of these demographic groups include: access to affordable housing and provision of complete and accessible neighbourhoods, and availability of transportation options. With regard to housing, new immigrants and families with children are more likely to require access to rental and affordable housing, while seniors may require seniors-targeted housing to meet their changing needs. For families with children, land use policy can also be used to improve availability of childcare by permitting small-scale daycares more broadly, while youth can benefit from provisions for smaller-scale community recreational spaces.

Public transit was identified as key to improving access to employment for youth and new immigrants and an important consideration for seniors who also may not have the use of a private vehicle. The need for urban design controls that promote healthy and walkable communities was also identified. Walkable communities benefit everyone, but seniors in particular, since they may otherwise become confined to their home and suffer from isolation.

The proposed land use and urban design policies will expand the inventory of smaller more affordable housing units, and may contribute to additional daycare facilities; improve walkability throughout the study area; and, provide additional meeting places for social interaction. The future provision of higher-order transit along Highway 7/Centre Street will also ensure greater mobility and more equitable access to services for people of all ages and backgrounds in the community.

2) Summary of Community Services Evaluation

The review of the Active Together Master Plan, Social Services Study and “Community Infrastructure” policies of Volume 1 of the VOP 2010, indicates that the intensification proposed on the subject lands has been anticipated with respect to community service needs, and that it can be accommodated. Generally, the Thornhill CPA # 9 is well served with respect to community services, and the proposed Thornhill Centre Street policies may aid in supplying some of the projected future needs primarily through the procurement of cash-in-lieu of parkland funds, and to a lesser extent, through the use of the Section 37 Bonusing provisions. The projected parkland needs may be accommodated in part, through future redevelopment of the Promenade Mall area, and in the upgrading of existing parks/parks’ facilities in the larger CPA # 9.

As explained earlier in this report, staff recommend that when the planning study for the Promenade Mall area is undertaken, the scope of the work include a review of current demographics and proposed population numbers for CPA # 9, vis-à-vis the corresponding Master Plan recommendations for facilities and community service levels, to ensure that the CPA will continue to be sufficiently serviced as per City standards.

4. **That staff appropriately increase the radius for notification of land owners in consultation with the local Ward Councillor.**

Response:

Staff have consulted with the Ward Councillor and as a result have expanded the direct notice mailing list from a radius of 150 m from the subject lands to 200 m; and notice of this Committee of the Whole meeting was placed in the Thornhill Liberal on the date of March 28, 2013. These measures are in addition to the typical City notification protocol for VOP 2010 Committee of the Whole meetings.

Deletion of Draft Strata Parking Policy

The draft Thornhill Centre Street Land Use Plan Policies presented at the Public Hearing of May 15, 2012, included a policy permitting the use of strata parking arrangements under public local streets in the planning area. However, upon further research and discussion respecting the introduction of strata parking in City policy, it is considered premature to include such policies in the Centre Street Plan. The complexities and potential liabilities to the City merit a more thorough review. Aspects of strata parking, including principles, procedures, and legal practicalities, will need to be examined in order to establish a City position on the use of this development tool.

D. Summary of New Comments received on the Draft Land Use Plan/Policies (Public Hearing of May 15, 2012)

The City received a number of letters and deputations in response to the May 15, 2012, public hearing, which was held for the draft Centre Street Area Land Use Plan/Policies. Generally, residents cited concerns respecting the relatively greater heights and densities proposed in the draft Centre Street Land Use Plan, raising issues of sun-shadowing, loss of privacy, and greater traffic congestion. These concerns are re-iterations of previous comments that were addressed in the May 15, 2012 Committee of the Whole-Public Hearing report (provided for reference as Attachment 10).

The following are new comments received either through written letters or by deputation at the public hearing, followed by staff responses.

1. **Are any improvements necessary to the sewer system to accommodate the proposed intensification in this area.**

Response:

The study area is identified as a Primary Intensification Corridor in the City-Wide Water and Wastewater Master Plan Class EA. The Master Plan report indicates that the existing sanitary sewers along Centre Street, Concord Road, and New Westminster Drive can accommodate the additional flow proposed by the Thornhill Centre Street Area Plan.

2. **Will a one fare system be considered for the BRT/subway such that there would be a seamless transfer of passengers from the BRT to the subway; and, will a new Go Transit station be added now near the 407/Centre Street/CN Rail line between Dufferin and Keele Street.**

Response:

VivaNext has advised that the design of the stations provides easy and accessible passenger transfers. As for a one fare system, it is expected that this will ultimately be accomplished through the PRESTO system, which has already been test launched on a few transit systems in Ontario-including YRT/Viva. Respecting GO Transit service, GO

Transit/ Metrolinx are in the early stages of looking at a potential station west of the Centre Street study area. An Environmental Assessment, which has yet to be scheduled, would be required to permit the station.

3. **Has the Transportation Report for the Centre Street study area confirmed that there will be no constraints to the OPA 671 approved levels of development for the lands on the northeast side of Centre Street/Westminster Drive as a result of intensification as proposed by the study.**

Response:

The Transportation Impact Assessment (2011) prepared by Poulos and Chung concluded that “the bounding arterial roads and intersections along Centre Street can satisfactorily accommodate the vehicle demands generated by this proposed development and the demands resulting from the forecast 2021 and 2026 background traffic flows.”

4. **Will there be enough parking and will it be provided at no cost to the consumer as it is currently.**

Response:

Development proposals which may be submitted under new Official Plan policies, would be required to provide sufficient parking as per the City Zoning By-law standards. It is noted that City Parking Standards are under review. Typically, there has been free parking provided for retail establishments across the City, however the decision to charge for parking will rest with the landowner.

5. **Will there be enough school capacity to support the proposed intensification.**

Response:

The proposed Plan/Policies have been circulated to both the York Region Public and Catholic School Boards. Each of the Boards assesses the requirement for new school facilities based on current and anticipated student enrollments. Both School Boards have commented that there is no requirement for additional schools as a result of the proposed intensification.

6. **Can mature trees, rather than young ones, be utilized for the streetscaping project, and will the cost of streetscaping entail any additional expense to the tax payers.**

The streetscaping for both sides of Centre Street, from Dufferin to Bathurst Streets, is part of the vivaNext Bus Rapid Transit project. The tree species for the street boulevards are selected by the Region of York/vivaNext Consortium at the detailed design stage and the cost of streetscaping will be paid through the vivaNext project funds. Any enhancements to the streetscape design would be funded by the City through development charges. The City can also apply to the Municipal Streetscape Partnership Program for a maximum 50% funding of the cost of streetscape enhancements by the Region of York. Streetscape enhancements typically include pedestrian light arms on street light poles and additional planting.

7. **Why is office space not included in the proposed draft Land Use Plan.**

Response:

Office uses are permitted in the Mid-Rise Mixed-Use A, and the Mid-Rise Mixed-Use B designations of the proposed Plan. The estimated office GFA for the subject lands is

approximately 30,046 sq.m, however there is no limit on the amount of office commercial that could be developed on the subject lands.

8. Will a Community Impact Study be done for the study area.

Response:

Generally, the study area is well served by existing community centres and libraries within the Community Planning Area (CPA # 9). See response to Council direction section C. 3. (b) of this report. However, Community Impact Studies are now being requested for high-rise development applications to the east of this study area, where Official Plan or zoning by-law amendment applications are required for increases to density.

9. Have the Ministry of the Environment (MOE) Guidelines been addressed with respect to the impacts of the proposed intensification on the existing community.

Response:

There are several different types of MOE Guidelines that staff must consider in reviewing development proposals. Certain MOE Guidelines (O.Reg 153, etc.) apply to industrial sites or to other sites which may have undergone some form of soil contamination. Service stations for example, must undergo regulatory tests and remediation procedures prior to redevelopment for alternative uses. These procedures and regulations are applicable at the development application stage. MOE regulations also apply when new industrial uses are proposed in proximity to residential use. In these cases MOE Separation Guidelines must also be met to ensure that any undue noise, vibration, or odour which might be generated by the use will not have a negative impact on the surrounding lands. Since the proposed Plan does not include any industrial uses, MOE Guidelines regarding land use compatibility would not apply. At the development application stage, the City must ensure that any MOE regulations with respect to noise impact studies and noise attenuation measures for new development abutting Centre Street are followed.

10. Would the proposed intensification take place all at once, or in phases; and, are there plans to mitigate noise and dust associated with construction.

Response:

The proposed intensification would likely take place in phases over a variable time period as many of the property owners have leases with the existing businesses. Different owners may have varying plans/time horizons, and market conditions may affect investment timing.

Respecting noise and dust associated with the construction phases, the City does have regulations in place through the City Noise By-law if construction is taking place outside of the daytime hours. In addition, there are measures applied through Development Agreements and/or Site Plan Agreements to control dust and construction debris. However, it is acknowledged that any development construction in close proximity to an established area, can cause inconvenience over its duration.

11. There is no mention of proposed Urban Design Guidelines for the south side of Centre Street; are there any Plans for improved Streetscaping/ Urban Design for these Lands.

Response:

The Centre Street Area Land Use Study did not include the south side of Centre Street, as these lands are back-lotted onto the Regional Corridor, and form part of the internal residential neighbourhoods. However, the Streetscape Master Plan and Urban Design Guidelines Study underway for the entire stretch of the Centre Street Corridor from Highway 7 to Bathurst Street does apply to both the north and south sides of Centre Street. The south side boulevard of Centre Street between Concord Road and New Westminster Drive, is proposed to become a linear green landscaped space with a varied public right-of-way width, 0.5 m paver snow storage strip, 1.5 m meandering pathway and minimum 2.3 m width naturalized rain gardens, alternating from being adjacent to curb, to being adjacent to the property line. Decorative and pedestrian lighting is to be integrated with street light poles and co-ordinated with street trees in respect to placement and spacing. The Streetscape Master Plan and Urban Design Guidelines are still under study, and will be presented at a future Working Session of Council once a final draft of each has been prepared.

- 12. The private laneway proposed at the northern portion of the study area, abutting Katerina Drive properties, could cause security/safety issues.**

Response:

The townhouse with rear-lane way building typology has been widely used in Markham and other GTA municipalities, including the City of Vaughan. There has been no correlation between increased crime and the application of this building form. The laneways, particularly in the newer developments, are required to be well lit as per the standards expected for local roads, and designed as open and highly visible thoroughfares.

- 13. It may be difficult to implement the various designations; the City should consider consolidating some of the designations.**

Response:

The proposed land uses and height and density ranges are provided to ensure that the negative impacts of commercial uses or taller buildings are minimized at the property boundaries abutting existing residential uses. Land use designations are organized such that commercial uses are permitted fronting Centre Street, and residential uses are permitted in descending density/height as you move north from the Centre Street corridor toward the boundary of existing residential. The multiple designations also help to ensure variations in building typologies.

- 14. The proposed buffer and setbacks at the northern boundary of the subject lands appear to be onerous from the perspective of the landowners.**

Response:

The setbacks proposed are standard for the residential housing type proposed. The proposed landscape buffer is provided to ensure a consistent privacy buffer between new development on the subject lands and the established low-rise residential lots located on internal neighbourhood blocks.

- 15. The Shadow Impact Analysis only shows certain times of the day, what about other times of the day.**

Response:

Conventional standard times and dates were used to illustrate the shadowing patterns; one can extrapolate based on these patterns to other times of the day. Generally early or later hours are not helpful, as shadows are elongated because the sun is low on the horizon and thus even a 2-storey building will cast long shadows. These times are generally not considered because shadows are to be expected and would not be deemed to have an adverse impact.

Zoning

The zoning provisions of By-law 1-88 will remain in effect until they are updated or replaced by zoning which is consistent with the VOP 2010, including the site specific policies for Centre Street. Initial work on the preparation of a new by-law is now underway.

Relationship to Vaughan Vision 2020

The proposed Centre Street Land Use Policies are consistent with the priorities set by Council in the Vaughan Vision 20/20 Plan, and in particular with the City's commitment to "plan and manage growth and economic vitality". The following specific initiatives are of particular relevance to the Centre Street Study area:

- Support and co-ordinate land use planning for high capacity transit at strategic locations in the City.
- Complete and implement the Growth Management Strategy (Vaughan Tomorrow).
- Conduct the 5-year review of the Official Plan as part of the Growth Management Strategy 2031.

Regional Implications

The proposed Centre Street Land Use Policies support key objectives of the Region of York Official Plan. Specifically the implementation of the Regional Plan's following objectives outlined in Section 5.0 – Building Cities and Complete Communities.

- (i) "To create vibrant and sustainable urban areas."
- (ii) "To achieve attractive and vibrant urban Regional Corridors that link Regional Centres."

Conclusion

The Thornhill Centre Street Land Use Study was initiated in March of 2011. The proposed Centre Street Land Use Plan/Policies are the result of a comprehensive review of current Provincial, Regional, and City land use policy, the surrounding land use context; and, an interactive public consultation process.

The proposed modifications to Section 12.10 – Centre Street Corridor, of Volume 2 of VOP 2010, forming Attachment 9, represent the changes recommended by staff as described in this report. It is also recommended that this report and the resulting Council minutes be forwarded to the Ontario Municipal Board and Region of York, as the City of Vaughan's modifications to Section 12.10 of Volume 2 of VOP 2010, for their consideration as part of the Official Plan approval process.

Attachments

1. Location Map: Thornhill Centre Street Study Area
2. Building Height Maximums
3. Land Use and Density Plan
4. Concept Plans – Sites 1 & 2
5. City of Vaughan Active Together Master Plan – Map of Thornhill Community Planning Area # 9
6. Existing Community Services in 1 Km Radius of Centre Street Study Area
7. Map - Existing/Approved/Proposed Mid and High-Rise Development Surrounding Centre Street Study Area
8. Charts – Existing/Approved/Proposed Mid and High-Rise Development Surrounding Centre Street Study Area
9. Proposed Track Changes to Section 12.10 of Volume 2, VOP 2010
10. Committee of the Whole Public Hearing Report- May 15, 2012
11. Dufferin/Centre Street Gateway Study Area

Report prepared by:

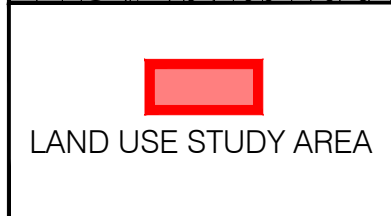
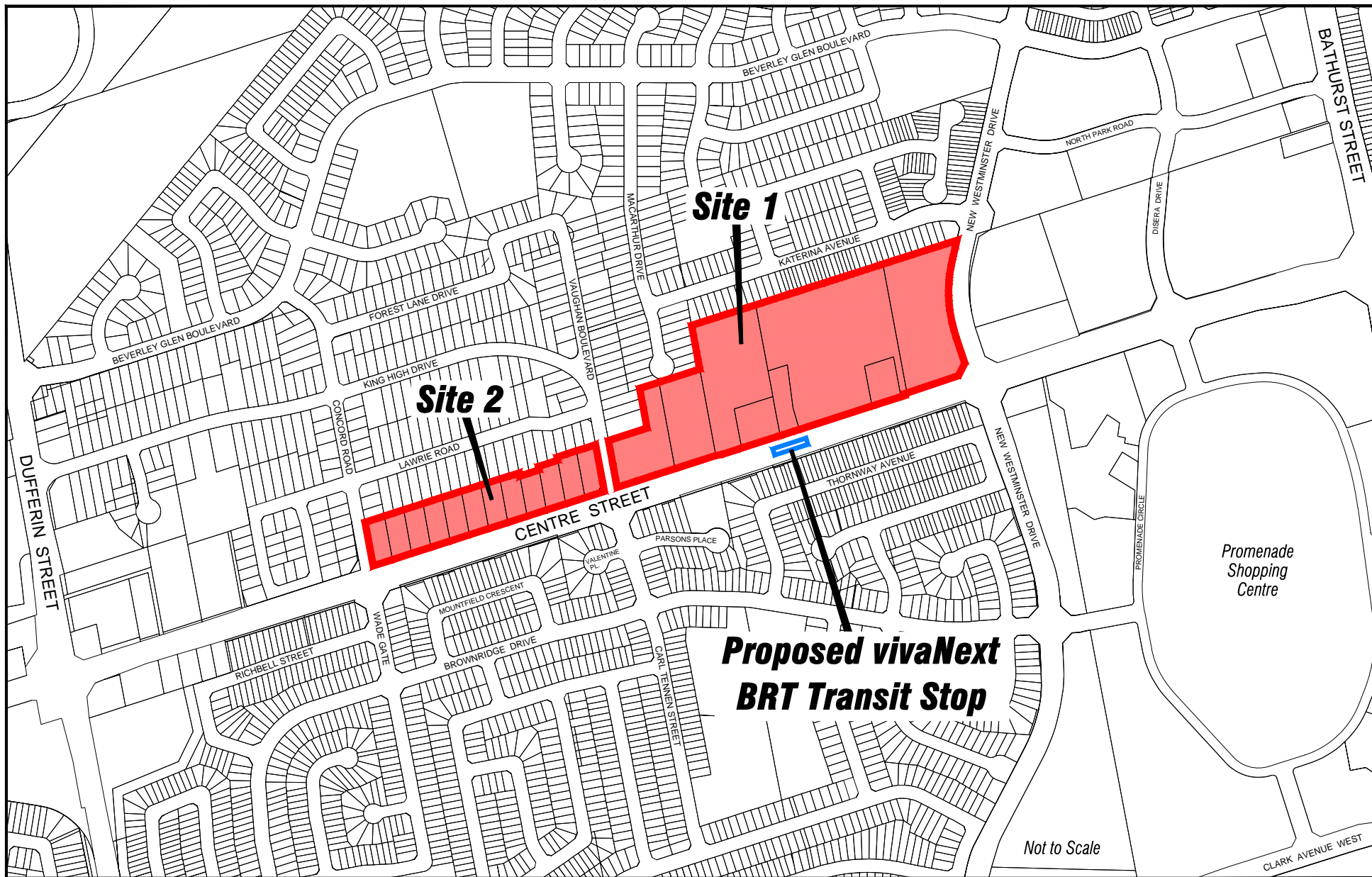
Anna Sicilia, Senior Planner, ext. 8063
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Respectfully submitted,

JOHN MACKENZIE
Commissioner of Planning

DIANA BIRCHALL
Director of Policy Planning

/lm



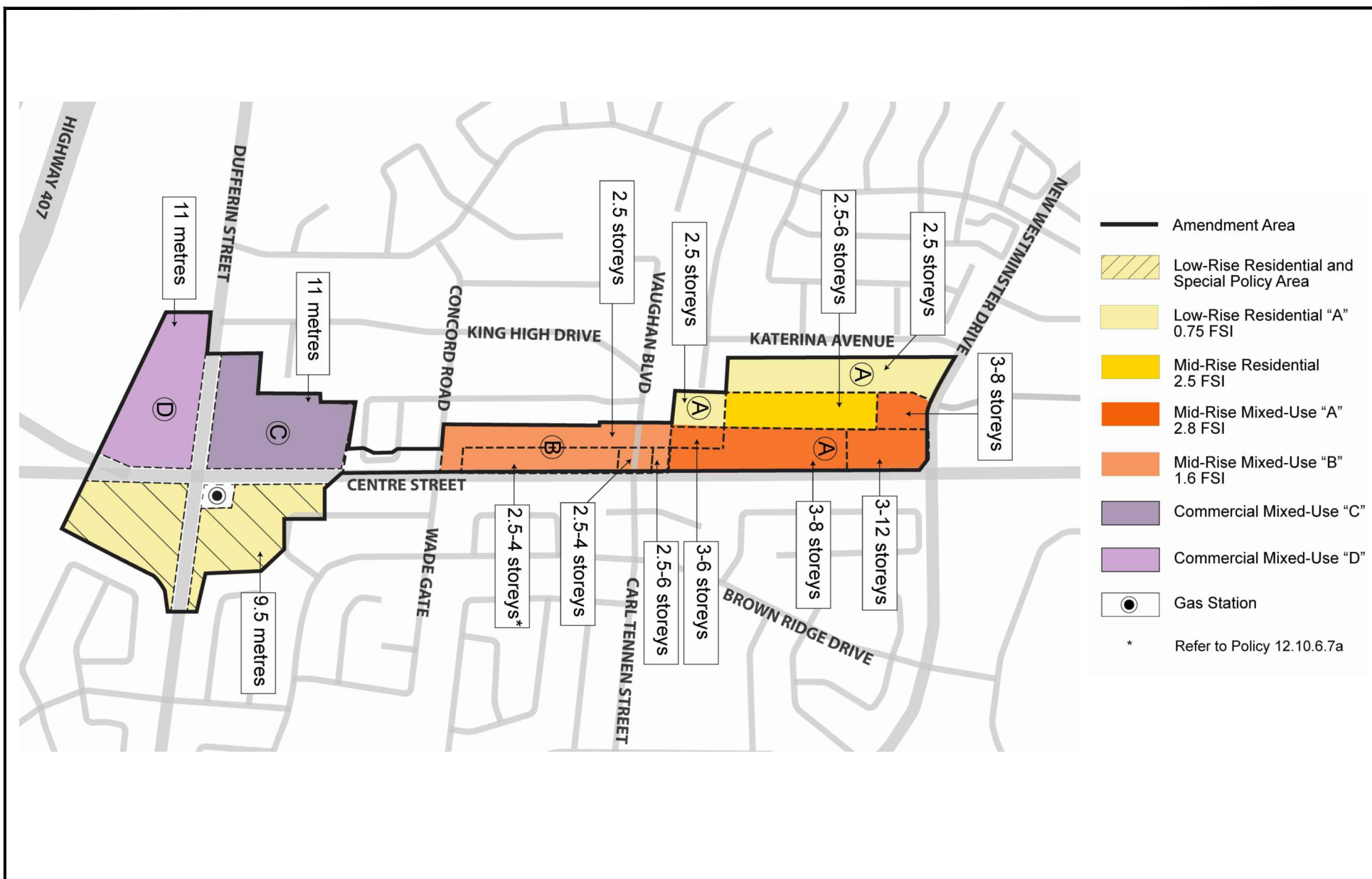
Location Map

Thornhill Centre Street Study
Attachment No. 1

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April 09, 2013

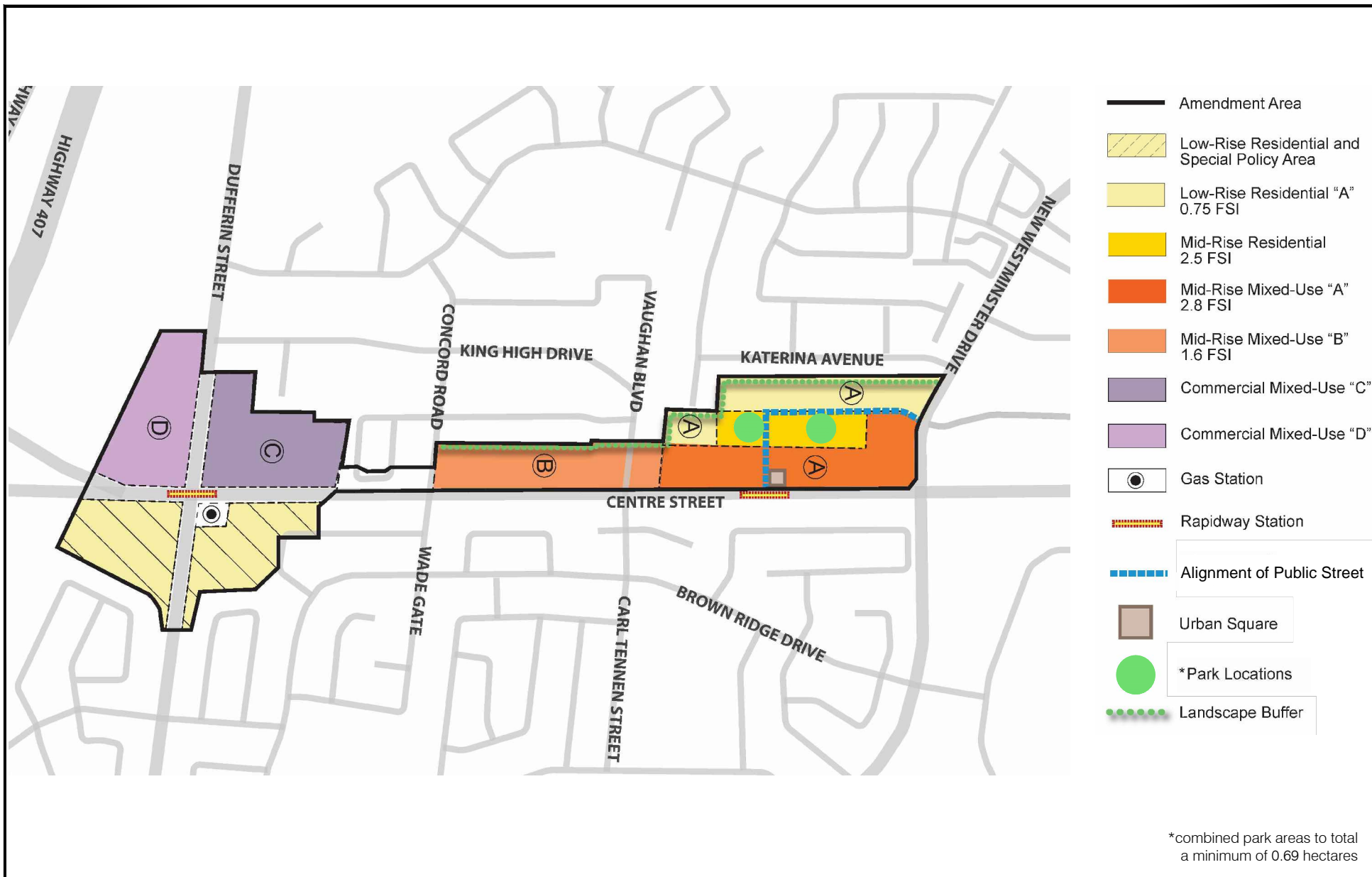


Proposed Building Heights

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Land Use & Density Plan

Attachment No. 3

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FIGURE 4a:  Site specific preferred plan for SITE 1

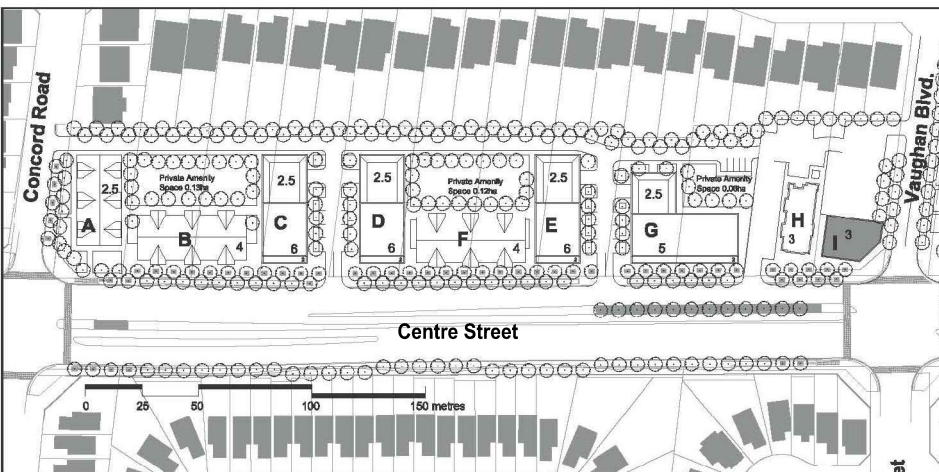
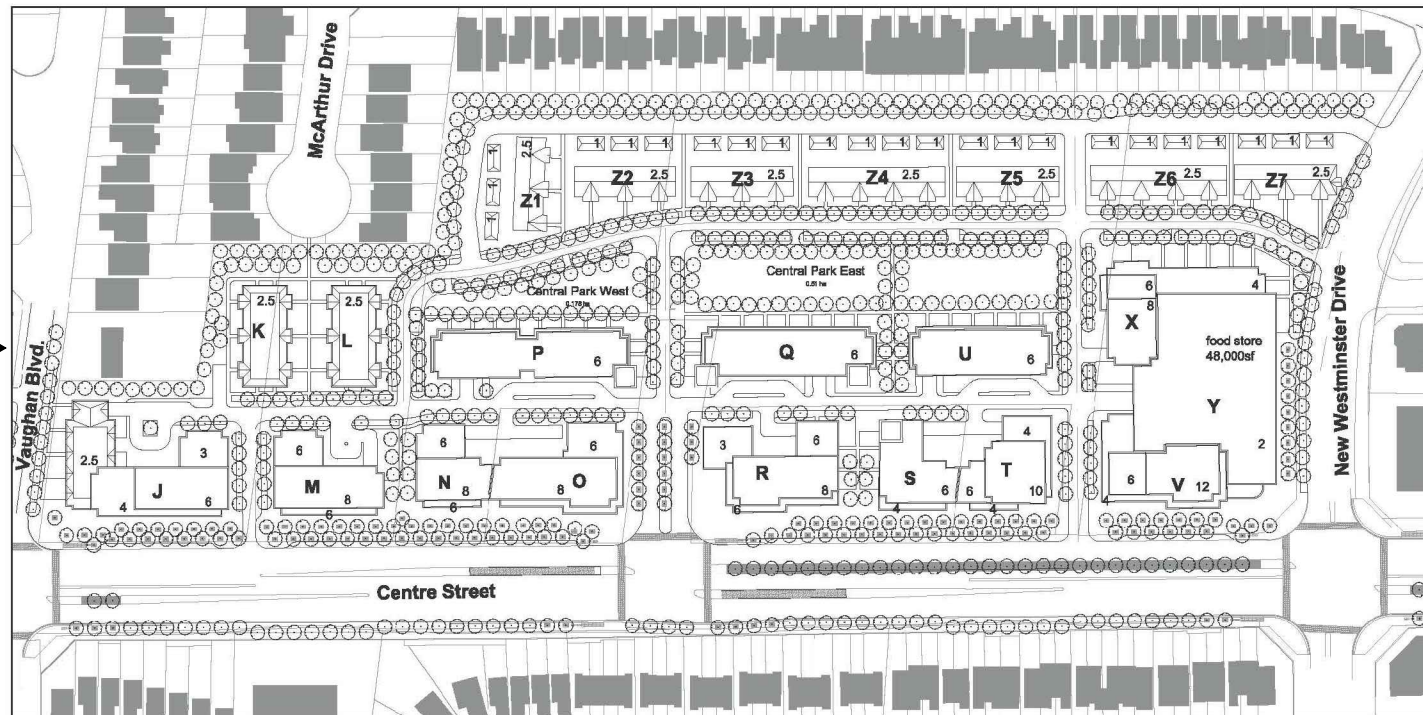


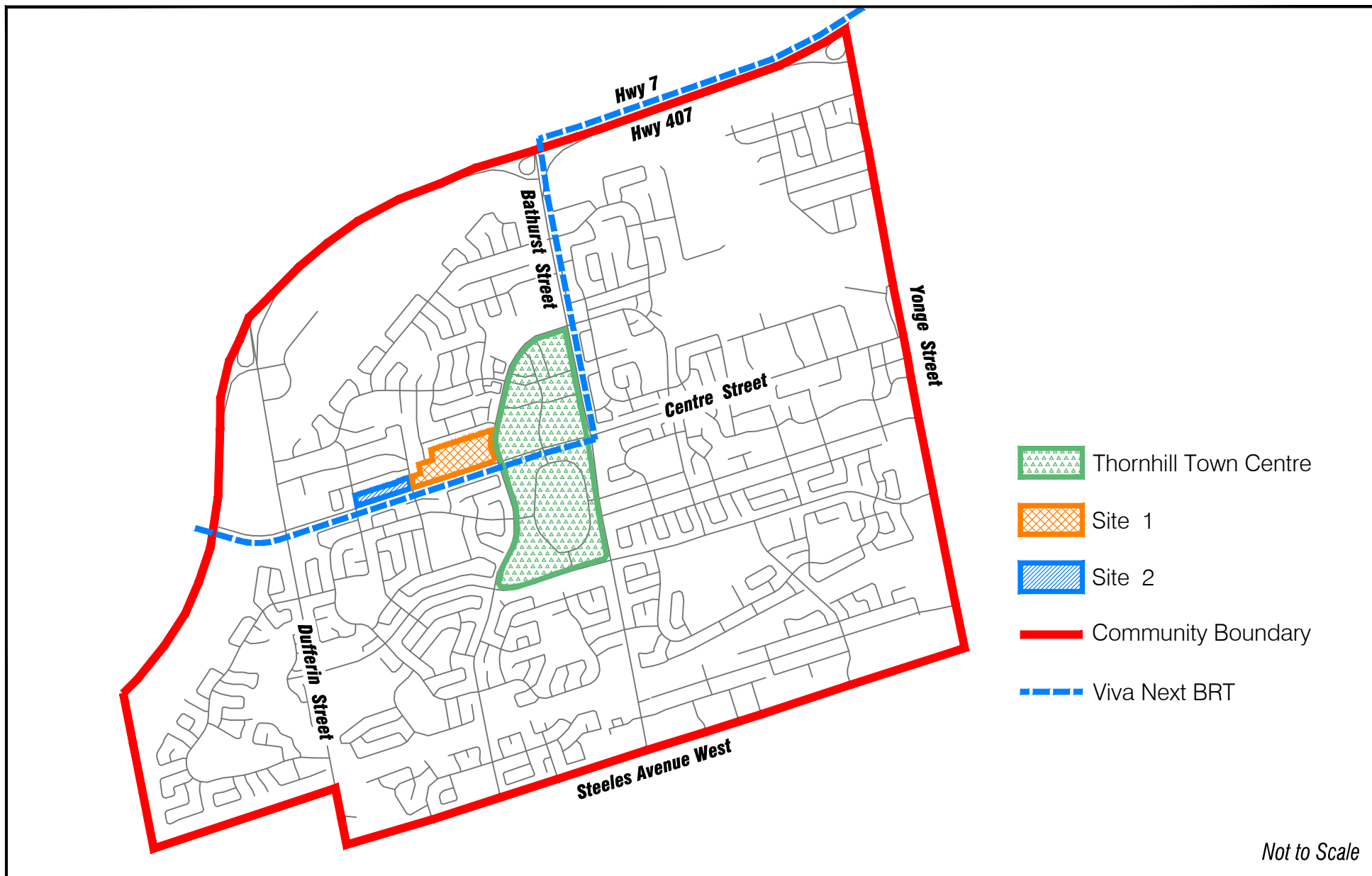
 FIGURE 4b:
Site specific preferred plan for SITE 2

Conceptual Site Plans

Attachment No. 4

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Thornhill Community Planning Area No. 9

Attachment No. 5

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Existing Community Services

Within 1 km radius of Centre Street Study Area

Attachment No. 6


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**Existing or Approved Mid & High-Rise Residential
(Thornhill Town Centre)**

	Name	Storeys	Units	People	Density
1	YRC #570	16	290		145.6 uph
2	YRC #622	16	213		166.9 uph
3	YRC #605	16	217		163.0 uph
4	YRC #585	16	217		163.0 uph
5	Promenade Park	16(2)	250		208.8 uph
6	YRC #834	16	250		165.0 uph
7	YRC #769	16	249		322.6 uph
8	YRC #974	10	120		456.1 uph
9	Chartwell Seniors Residence	5
10	Liberty "H"	16	203	424	3.16 FSI
11	Liberty "K"	4	80	167	3.16 FSI
12	Liberty "G"	18	203	424	3.16 FSI
13	Liberty "B"	15	361		1.20 FSI
14	Liberty "A"	15	361		1.20 FSI
15	Liberty "F"	16	223	466	1.97 FSI
16	Liberty "E"	18	253	528	1.97 FSI
17	Liberty "C"	18	253		1.35 FSI
18	Liberty "D"	22	231		6.89 FSI
Totals				2,009	

 Development Applications approved subsequent to population forecasts for the 2031 year horizon utilized in the Active Together Master Plan (2008).

**Proposed/In Process High-Rise Residential
(Thornhill Town Centre North)**

	Name	Storeys	Units	People	Density
1	Baif – 2 Beverley Glen Blvd.	29 and 12	803	1678	4.37 FSI
2	Liberty L& M – 7890 Bathurst St.	25 and 12	438	915	4.43 FSI
3	Blue Water Ranch – 784 Centre Street	19 and 22	468	978	5.6 FSI
Total Proposed Population				3571	

**Proposed/In Process Commercial
(Dufferin/Centre Street Gateway)**

Name	Office	Retail	Density
Vaughan Crossings Inc. - n/w corner of Centre Street and Dufferin Street	5,338 sq.m (4-storey building)	4,667 sq.m (1-storey building)	0.5 FSI

Existing-Approved-Proposed Development

Mid & High Rise Development Surrounding Centre Street Study Area

Attachment No. 8

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April 09, 2013

Proposed Modification to Volume 2 of the Vaughan Official Plan 2010

As per the Centre Street Corridor Land Use Study, the following modifications to policy 12.10 of Volume 2 of the Vaughan Official Plan are recommended. Policy modifications and additions are shown in orange, while deletions are shown as strikeouts.

12.10 Centre Street Corridor

12.10.1 Goals

- 12.10.1.1. The goal of ~~this Area Specific Policy~~ ~~this Secondary Plan~~ is to improve the Centre Street Corridor, shown on Map 12.10.A, as an attractive, pedestrian-friendly and transit-supportive corridor through the application of a comprehensive, coordinated and integrated approach to planning, transportation, ~~environmental sustainability~~ and urban design, ~~based on consistent with the Centre Street Urban Design Guidelines, which shall set of urban design policies consistently applied~~ ~~apply~~ to all new development and redevelopment.

12.10.2 Urban Design

- 12.10.2.1. Future development in the Centre Street Corridor ~~will address~~ ~~shall be in conformity with~~ the following urban design policies as they apply to the public realm and private lands, in order to create an attractive, safe and pedestrian-friendly environment, ~~with appropriate relationships to adjacent existing low-rise neighbourhoods:~~
- a. Buildings ~~should~~ ~~shall~~ have active facades including primary windows and entrances facing the street, ~~to provide convenient accesses to pedestrians and users of public transit;~~
 - b. ~~When buildings are located close to the street, the buildings should~~ ~~Buildings fronting on public or private streets shall~~ not be separated from the street by either parking areas or drive aisles;
 - c. ~~Buildings should be sited to minimize their impact on neighbouring properties, respecting and protecting the existing scale and character of adjacent residential neighbourhoods;~~
 - c. All developments shall respect and protect the existing scale and character of adjacent low-rise residential neighborhoods by minimizing visual, noise, light, privacy and shadow impacts; and shall be subject to the following policies:
 - i. A minimum rear yard setback of 7.5 metres is required for any development abutting an existing low-rise residential property;
 - ii. In addition to the minimum rear yard setback requirement, a minimum 4 metre Landscaped Buffer consisting of a minimum double row of trees, is required extending for the entire length of the rear property line where abutting an existing low-rise residential property;
 - iii. The height and massing of all buildings are subject to a 45-degree angular plane originating from the nearest property line of any low-rise residential area or existing low-rise residential development that is within 80 metres of the building(s) site;
 - iv. Access to parking, loading and servicing areas should be integrated within buildings, and oriented to minimize visual, noise and light impacts on abutting

- existing low-rise residential properties;
- v. The elevation of new buildings adjacent to existing residential properties should be designed in a complementary residential form and character and should ensure minimal overlook into existing private backyards;
 - vi. Uses or functions that generate traffic and noise at late hours shall be directed away from locations that abut existing low-rise residential properties; and,
 - vii. Lighting plans, designs and fixtures shall be sensitive to ensuring minimal environmental light pollution and no adverse impact on abutting existing low-rise residential properties;
- d. Further reverse lot development (residential and/or commercial) will not be permitted along Centre Street. Where parking access is located off the street by way of an internal driveway circulation system, the units ~~should~~ **shall** still have a functional primary pedestrian entrance that relates to Centre Street;
 - e. The area between the building wall and the street ~~should~~ **shall** contribute to a positive social and visual environment on the street;
 - f. Buildings ~~should~~ **shall** be designed with a high level of **quality** architectural materials;
 - g. Large, blank walls and repetitive facades ~~should~~ **shall** be avoided. Variation in certain elements of façade treatment should be provided;
 - h. Architectural variation and animation ~~should~~ **shall** be encouraged and include building elements such as balconies, windows, porches, railings, entrances and awnings and attractive signage where appropriate;
 - i. **Landowners shall consolidate driveways and provide interconnected rear laneways, where appropriate, as sites develop or redevelop over time;**
 - j. ~~Surface parking should~~ **shall** have the least possible impact on the public realm; large surface parking areas are discouraged;
 - k. **Surface parking, if required, shall be located in the interior of a development block, and screened by buildings. Off-street parking shall not be located between the building and the street. and if required, should be setback, screened and buffered from the street edge, with comfortable pedestrian routes provided through and around parking areas which are**
 - l. **Parking areas shall be** shaded with trees ~~at a ratio of one tree per five parking spaces and in accordance with the City of Vaughan Parking Design Guidelines;~~
 - m. ~~Where the grade changes over the length or width of the site,~~ **adequate grade relationships should be retained and ground floor retail shall be flush with the public sidewalk; accommodation for the grade changes, if required, be accomplished on the site within the parking lot or within the buildings, not at the street edge;**
 - n. **Individual front-accessed garages for grade related residential units such as**

detached, semi-detached or townhouses should not protrude beyond the main front building wall, and should occupy no more than 40% of the width of the building or unit frontage;

- ~~o.~~
- ~~k.~~ Service and loading areas are prohibited adjacent to public streets and must, at all times, be effectively screened and, ~~if possible,~~ **generally** fully enclosed;
- ~~p.~~
- ~~l.~~ Access to underground parking ~~should~~ **shall** be appropriately integrated into the buildings it serves and located so as to minimize physical and visual impact on public sidewalks and open spaces;
- ~~q.~~
- ~~m.~~ Garbage will be stored within ~~the~~ **a** building;
- ~~r.~~ **Roof heating, ventilation, air conditioning and mechanical equipment for new buildings shall be erected behind a parapet wall to screen noise and visibility from abutting existing low-rise residential properties and the public realm;**
- ~~s.~~
- ~~n.~~ ~~Urban Design Guidelines and~~ Architectural Control Guidelines may be required from development applicants, and shall address both built form and public realm considerations to the satisfaction of the City; ~~and,~~
- ~~t.~~
- ~~o.~~ The following area-specific policies apply to properties located within the four quadrants around the Dufferin Street and Centre Street intersection:

 - i. Corner sites should be defined with more intense development and high quality architecture and serve as landmarks or gateway entry points;
 - ii. Development density shall be concentrated close to the Dufferin/Centre **Street** intersection, and along the frontages of Dufferin Street and Centre Street;
 - iii. Maximum permitted building heights shall provide for the tallest buildings, including landmark buildings, to be located at the key corner locations, and such buildings shall be designed to allow stepping down of the heights from the corner back towards adjacent low-density residential neighbourhoods. The minimum height for buildings at key corner locations shall be two-storeys;
 - iv. Pedestrian and vehicle crossings at the key intersection shall be well defined;
 - v. Streetscape and street furniture shall be high quality and of unified design to clearly demarcate the gateway;
 - ~~vi. Landowners should consolidate driveways and provide interconnected laneways, where appropriate, as sites develop or redevelop over time; and,~~
 - ~~vii. Commercial and/or mixed-use buildings shall be built to within 3 metres of the front property line and residential buildings setback, with soft landscaping (up to 5 metres) from the front property line.~~
 - vi. With regard to the Fisherville Creek channel which traverses the subject lands, action items in the Don River Watershed Plan – Implementation Guide**

(TRCA 2009), such as the regeneration plan for the Upper West Don River subwatershed, shall be considered in the redevelopment plans for any lands adjacent to this tributary. Such action items regarding stream restoration may include, but are not limited to: daylighting of the channel, flood remediation, improving riparian cover, improving public access and viewing opportunities around the creek, and controlling terrestrial invasive species.

- u. When locating and massing a building on a lot, the following policies shall apply:
 - i. The build-within zone is between 2.0 and 3.0 metres from any lot line fronting a street. A minimum of 80 percent of the main front wall, and a minimum of 60 percent of the exterior sidewall of the proposed building shall be within the build-within zone.
 - ii. Notwithstanding policy 12.10.2.1.t.i. above, buildings along the north frontage of Centre Street between New Westminster Drive and Vaughan Boulevard shall be setback a minimum of 7 metres from the lot line fronting Centre Street; and, 6 meters for frontages between Vaughan Boulevard and Concord Road.
 - iii. Front porches or other entry features associated with grade-related residential uses may encroach beyond the defined build-within zone up to 2.0 metres from the front lot line.
 - iv. Permanent structural components of any non-residential building (colonnades and balconies) are not permitted to encroach into the defined pedestrian realm. The following encroachments into the public realm and onto or over the public sidewalk may be permitted subject to approval of an appropriate permit by the City:
 - Awnings;
 - Outdoor cafés and seating for restaurants;
 - Planters to delineate outdoor café and restaurant seating; and,
 - Semi-permanent structures, including perpendicular signage attached to the building.
 - v. The amount of any permitted encroachment for non-residential buildings, whether temporary or permanent, shall be established by the City on a site-by-site basis.
 - vi. Buildings six (6) storeys or 22 metres in height, whichever is less, are subject to a minimum front and exterior side yard setback of 1.5 metres at the third or fourth storey.
 - vii. Buildings greater than six (6) storeys or 22 metres and up to and including 8 storeys or 28 metres in height, whichever is less, are subject to:
 - a minimum front and exterior side yard setback of 3.0 metres at the third or fourth storey;
 - for properties fronting on Centre Street or other streets and open spaces that are wider than 30 metres, this setback may be provided at the fifth

or sixth storey;

- a maximum building length of 80 metres for levels of the building above the sixth storey or 22 metres that face a public street or open space; and,
- a minimum facing separation distance of 20 metres between adjacent buildings.

viii. Buildings greater than 8 storeys or 28 metres in height, whichever is less, are subject to:

- a minimum lot frontage of 50 metres;
- a minimum podium height of 3 storeys;
- a maximum podium height of 6 storeys or 22 metres, whichever is less, for buildings on Centre Street; and, 4 storeys or 16.5 metres, whichever is less, on all other streets;
- a minimum front and exterior side yard stepback of 3.0 metres above the podium;
- a maximum gross residential floorplate size of 750 square metres for levels of the buildings above the podium;
- a maximum gross office/commercial floorplate size of 1,600 square metres for levels of the buildings above the podium;
- a maximum building length of 30 metres for the levels of a residential building above the podium that face a public street or open space;
- a maximum building wall length of 40 metres for the levels of an office/commercial building above the podium that face a public street or open space; and,
- a minimum separation distance of 20 metres between the levels above the podium of adjacent buildings taller than 8 storeys or 29 metres and up to and including 12 storeys; and, 30 metres for adjacent buildings taller than 12 storeys.

12.10.2.2. Minor deviations to the quantitative factors included within the Urban Design Policies in Section 12.10.2.1 above may be permitted, up to a 5% variation, provided that they assist the City in achieving higher quality urban design or other objectives of this Plan, as determined through the development application process.

12.10.2.3. In addition to the policies of this Plan, the implementing zoning by-law shall establish specific requirements related to building height and massing, including angular planes, setbacks and step backs.

12.10.2.4. All proposed developments within the Area Specific Policy area may be subject to review by a Design Review Panel to ensure consistency with the Centre Street Corridor Urban Design Guidelines and any future Architectural Control Guidelines.

12.10.3 Land Use: Low Rise Residential

12.10.3.1. Notwithstanding policy 9.2.1.1, the following policies apply to the lands identified as

Low-Rise Residential on Map 12.10.A.

- 12.10.3.2. In **Low-Rise Residential** areas the permitted uses shall be residential units.
- 12.10.3.3. In **Low-Rise Residential** areas the permitted building types shall be Detached Houses pursuant to policy 9.2.3.1.
- 12.10.3.4. The net density in **Low-Rise Residential** areas shall not exceed 22 units per ha. In addition existing single family detached dwelling units exceeding a density of 22 units per ha shall be permitted.
- 12.10.3.5. For the purposes of calculating net residential density in **Low-Rise Residential** areas, a net residential hectare shall include local streets and residential collector roads as well as the land for the dwelling units, but shall exclude parks, walkways and other public open space uses.

12.10.4 Land Use: Low Rise Residential A

- 12.10.4.1. Notwithstanding policy 9.2.1.1., the following policies apply to the lands identified as **Low-Rise Residential A** on Map 12.10.A.
- 12.10.4.2. In **Low-Rise Residential A** areas the permitted uses shall include:
 - a) residential units;
 - b) public and/or private open space, including parks and urban squares, pursuant to policy 12.10.13; and,
 - c) public and/or private utilities.
- 12.10.4.3. In **Low-Rise Residential A** areas the permitted building types shall be Townhouses pursuant to policy 9.2.3.2.
- 12.10.4.4. Notwithstanding policy 9.2.3.2., building heights within **Low Rise Residential A** shall be regulated as shown on Map 12.10.B, and described as follows:
 - a) Within the land identified as **Low Rise Residential A** as shown on Map 12.10.A., the maximum building height shall be two and a half (2.5) storeys or 9.5 metres, whichever is less.
- 12.10.4.5. Notwithstanding policy 9.2.3.2., Townhouses may front onto a private street.
- 12.10.4.6. Where detached rear garages are provided accessed by a rear laneway, the minimum rear yard setback shall be 13.5 metres from the laneway.
- 12.10.4.7. The maximum net density within **Low Rise Residential A** shall be 0.75 FSI. Net density is the ratio of gross floor area to net developable area of the site, which excludes lands to be conveyed for public purposes such as streets and open spaces.

12.10.5 Land Use: Mid-Rise Mixed-Use A

- 12.10.5.1. Notwithstanding policy 9.2.1.1, the following policies apply to the lands identified as **Mid-Rise Mixed-Use A** on Map 12.10.A.
- 12.10.5.2. Permitted uses in **Mid-Rise Mixed-Use A** area include:
 - a. Residential units;
 - b. *Home Occupations*;

- c. *Community facilities*;
 - d. *Day Cares*;
 - e. Cultural uses, including commercial galleries and performing arts theatres;
 - f. *Retail* uses, including restaurants, up to a maximum permitted Gross Floor Area of 2,000 square metres per individual establishment, subject to the policies of Section 5.2.3;
 - g. No more than one grocery store, which shall not exceed a maximum permitted Gross Floor Area of 7,000 square metres;
 - h. Office uses;
 - i. Parking structures, pursuant to policies 12.10.12.5., 12.10.12.6., and consistent with the Centre Street Urban Design Guidelines;
 - j. *Hotel*;
 - k. public and/or private open space, including parks and urban squares, pursuant to policy 12.10.13;
 - l. public and/or private utilities; and,
 - m. Institutional uses.
- 12.10.5.3. In areas designated as **Mid-Rise Mixed-Use A**, mixed-use buildings shall be required, including a mix of office, *retail* and/or residential uses. Within the designation, a range of 30% or more of the gross floor area is encouraged for retail and office-commercial uses.
- 12.10.5.4. In areas designated as **Mid-Rise Mixed-Use A**, *retail* uses or cultural/community facilities shall be required at-grade in all buildings fronting Centre Street. Floor-to-floor grade level heights for non-residential uses shall be no less than 4.5 metres.
- 12.10.5.5. Stand-alone *retail* uses are not permitted in areas designated as **Mid-Rise Mixed-Use A**.
- 12.10.5.6. Permitted building types in **Mid-Rise Mixed-Use A** area shall include:
- a. Low to mid-rise residential and/or office mixed-use buildings forms;
 - b. Large format grocery store integrated within a mixed-use building form, located at either the second storey with smaller retail shops at grade, or located at-grade but sleeved with smaller retail shops fronting the street;
 - c. Public or private institutional buildings.
- 12.10.5.7. Notwithstanding policy 9.2.3.5, building heights within **Mid-Rise Mixed-Use A** shall be regulated as shown on Map 12.10.B, and described as follows:
- a) Within the lands identified as **Mid-Rise Mixed-Use A** on Map 12.10.A and identified as **Mid-Rise 3-12 storeys** on Map 12.10.B., the minimum building height shall be 3 storeys and the maximum building height shall be 12 storeys or 43 metres, whichever is less.
 - b) Within the lands identified as **Mid-Rise Mixed-Use A** on Map 12.10.A and identified as **Mid-Rise 3-8 storeys** on Map 12.10.B., the minimum building height shall be 3 storeys and the maximum building height shall be 8 storeys or 28 metres, whichever is less.
- 12.10.5.8. Notwithstanding policy 9.2.1.5, The maximum net density within **Mid-Rise Mixed-Use A** shall be 2.8 FSI. Net density is the ratio of gross floor area to net developable area of the site, which excludes lands to be conveyed for public purposes such as streets and open spaces.

- 12.10.5.9. The City shall work with landowners to develop a coordinated strategy for achieving an enhanced streetscape design along the north frontage of Centre Street between New Westminster Drive and Vaughan Boulevard, to facilitate on-street parking and provide an expanded pedestrian realm.

12.10.6 Land Use: Mid-Rise Mixed-Use B

- 12.10.6.1. Notwithstanding policy 9.2.1.1, the following policies apply to the lands identified as **Mid-Rise Mixed-Use B** on Map 12.10.A.
- 12.10.6.2 Permitted uses in **Mid-Rise Mixed-Use B** area shall include:
- a. Residential units;
 - b. *Home Occupations*;
 - c. *Community facilities*;
 - d. *Day Cares*;
 - e. Cultural uses, including commercial galleries and performing arts theatres;
 - f. *Retail* uses fronting on Centre Street, including restaurants, up to a maximum permitted Gross Floor Area of 500 square metres per individual establishment, subject to the policies of Section 5.2.3;
 - g. Office uses;
 - h. public and/or private open space, including parks and urban squares, pursuant to policy 12.10.13; and,
 - i. public and/or private utilities; and,
 - j. Institutional uses.
- 12.10.6.3. In areas designated as **Mid-Rise Mixed-Use B**, mixed-use buildings shall be required, including a mix of office, *retail* and/or residential uses. Within the designation, a range of 30% or more of the gross floor area is encouraged for retail and office-commercial uses.
- 12.10.6.4. In areas designated as **Mid-Rise Mixed-Use B**, *retail* uses or cultural/community facilities shall be required at-grade in all buildings fronting Centre Street. Floor-to-floor grade level heights for non-residential uses shall be no less than 4.5 metres.
- 12.10.6.5. Stand-alone *retail* uses are not permitted in areas designated as **Mid-Rise Mixed-Use B**.
- 12.10.6.6. Permitted building types in **Mid-Rise Mixed-Use B** area shall include:
- a. Low to mid-rise residential and/or office mixed-use buildings forms;
 - b. Low to mid-rise residential and/or office building forms; and,
 - c. Public or private institutional buildings.
- 12.10.6.7. Notwithstanding policy 9.2.3.5, building heights within **Mid-Rise Mixed-Use B** shall be regulated as shown on Map 12.10.B, and described as follows:
- a) Within the lands identified as Mid-Rise Mixed-Use B on Map 12.10.A and identified as having a height range of 2.5 – 4 storeys* on Map 12.10.B., the minimum building height shall be 2.5 storeys and the maximum building height shall be 4 storeys or 16 metres, whichever is less. Predicated on achieving a built form similar to that illustrated in the Concept Plan (Appendix 2), and proposed development in accordance with policies (12.10.6.9 – 12.10.6.12); a portion of the Centre Street frontage may be permitted to have a maximum height of 6 storeys or 22 metres, whichever is less.

- b) Within the land identified as **Mid-Rise Mixed-Use B** on Map 12.10.A and identified as **Low-Rise 2.5-4 storeys** on Map 12.10.B., the minimum building height shall be 2.5 storeys and the maximum building height shall be 4 storeys or 16 metres, whichever is less.
 - c) Within the land identified as **Mid-Rise Mixed-Use B** on Map 12.10.A and identified as **Low-Rise 2.5 storeys** on Map 12.10.B., the maximum building height shall be 2.5 storeys or 9.5 metres, whichever is less.
- 12.10.6.8. Notwithstanding policy 9.2.1.5, the maximum net density within **Mid-Rise Mixed-Use B** shall be 1.6 FSI. Net density is the ratio of gross floor area to net developable area of the site, which excludes lands to be conveyed for public purposes such as streets and open spaces.
- 12.10.6.9. Recognizing that the planned bus rapid transitway will limit in-bound turns from the west, and out-bound easterly turns on the north side of Centre Street, a minimum 7 metre rear yard laneway/access driveway shall be provided adjacent to the south side of the required 4 metre landscape buffer, connecting Concord Road and Vaughan Boulevard. An easement to the City shall be provided over the entire length of the rear yard laneway/access driveway and shall be achieved as a condition of Site Plan approval, as per Section 41. (7) a) of the Planning Act.
- 12.10.6.10. Comprehensive planning and development of land parcels shall be required within the **Mid-Rise Mixed-Use B** designation; development parcels shall be assembled to the satisfaction of the City in order to minimize access points to Centre Street, and to facilitate the development of the rear yard laneway/access driveway. Appropriate easements shall be granted by all participating owners to permit right-of-ways over access laneways to Centre Street and over the rear yard laneway/access driveway.
- 12.10.6.11. To augment outdoor open space within the **Mid-Rise Mixed-Use B** designation, required amenity space to serve private developments shall be provided in the form of at-grade outdoor courts and located to the rear of future building structures. In order to optimize the size and design of these outdoor amenity areas, they shall be planned and developed in co-ordination with adjoining lots included in the assembled development parcel.
- 12.10.6.12. Prior to approving development applications in the **Mid-Rise Mixed-Use B** designation, the City shall require that landowners enter into an agreement(s) to the satisfaction of the City, to facilitate the comprehensive and coordinated development of properties in this portion of the Centre Street corridor, and to ensure equitable cost sharing for such aspects as: the shared rear yard laneway/access driveway, sanitary sewer connections, hydro, storm water, the north boundary 4 m landscape buffer, and other common right-of-ways.
- 12.10.6.13. The City shall work with landowners to develop a coordinated strategy for achieving an enhanced streetscape design along the north frontage of Centre Street between New Westminster Drive and Vaughan Boulevard, as per the Urban Design Guidelines, to facilitate on-street parking and provide an expanded pedestrian realm.

12.10.7 Land Use: Mid-Rise Residential

- 12.10.7.1. Notwithstanding policy 9.2.1.1, the following policies apply to the lands identified as **Mid-Rise Residential** on Map 12.10.A.
- 12.10.7.2. Permitted uses in **Mid-Rise Residential** area shall include:

- a. Residential units;
- b. *Home Occupations*;
- c. *Community facilities*;
- d. *Day Cares*;
- e. Maximum two grade-level restaurants and/or cafes fronting on a park and contained within a residential building, up to a maximum permitted Gross Floor Area of 500 square metres per individual establishment;
- f. public and/or private open space, including parks and urban squares, pursuant to policy 12.10.13; and,
- g. public and/or private utilities.
- h. Institutional uses.

12.10.7.3. Permitted building types in **Mid-Rise Residential** area shall include:

- a. Low to mid-rise residential buildings forms; and,
- c. Public or private institutional buildings.

12.10.7.4. Notwithstanding policy 9.2.3.5, building heights within **Mid-Rise Residential** shall be regulated as shown on Map 12.10.B, and described as follows:

- a) Within the land identified as **Mid-Rise Residential** on Map 12.10.A. and identified as **Mid-Rise 2.5-6 storeys** on Map 12.10.B., the minimum building height shall be 2.5 storeys and the maximum building height shall be 6 storeys or 22 metres, whichever is less.

12.10.7.5. Notwithstanding policy 9.2.1.5, the maximum net density within **Mid-Rise Residential** shall be 2.5 FSI. Net density is the ratio of gross floor area to net developable area of the site, which excludes lands to be conveyed for public purposes such as streets and open spaces.

12.10.4 Land Use: **Commercial Mixed-Use Area A**

~~12.10.4.1. Notwithstanding policy 9.2.1.1, the following policies apply to the lands identified as **Commercial Mixed-Use A** on Map 12.10.A.~~

~~12.10.4.2. Permitted uses in **Commercial Mixed-Use Area A** area shall include:~~

- ~~a. small scale office uses; and,~~
- ~~b. religious institutions, day care centres, schools, and libraries.~~

~~12.10.4.3. Notwithstanding policy 9.2.1.5 the maximum height for any building within the **Commercial Mixed-Use A** designation shall be two and one-half storeys (11 metres). The one-half storey is permitted in the roof of the building, and its floor area may be up to 50% of the GFA of the second storey. The one-half storey shall be incorporated in a peaked-roof design, with the roof having a minimum pitch of 45° and maximum of 60° off the horizontal.~~

~~12.10.4.4. To encourage operational compatibility any development within the **Commercial Mixed-Use A** designation will be required to proceed by way of site-specific zoning by-law amendment, and site development applications shall have specific regard to operational matters, including but not limited to parking, lighting, loading and service areas. Also, a consolidation of individual driveways is required wherever possible within this designation.~~

12.10.5 Land Use: **Commercial Mixed-Use Area B**

~~12.10.5.1. Notwithstanding policy 9.2.1.1, the lands at the northeast corner of Vaughan~~

~~Boulevard and Centre Street, being Lots 92, 93, 94, 95 and 96, Registered Plan 3541, and municipally known as 1130, 1144, 1152, 1164, 1176 Centre Street and identified as **Commercial Mixed-Use Area B** on Map 12.10.A, shall be developed only in accordance with the following policies:~~

- ~~a. The permitted uses include business and professional offices and commercial uses, provided that the minimum gross floor area devoted to business and professional offices shall not be less than 60% of the gross floor area of the building(s);~~
- ~~b. Notwithstanding a) above, general commercial uses such as any automotive related uses, places of amusement or entertainment, or any commercial uses requiring outside storage shall not be permitted; commercial uses permitted shall be defined in the implementing zoning by-law;~~
- ~~c. The total ground gross floor area devoted to all eating establishment uses shall be a maximum of 30% of the ground floor area of each building in this development, provided that a maximum of 30% of the total gross floor area of each building devoted to all eating establishment uses shall be developed for convenience or take-out eating establishments; and no drive-through style restaurants shall be permitted;~~
- ~~d. The maximum floor space index shall be 0.8 F.S.I.;~~
- ~~e. Substantial landscape areas shall be provided to screen the parking areas from abutting roadways, particularly on Centre Street, and to provide an attractive "campus style" setting oriented to the pedestrian streetscape and complementary to the adjacent residential neighbourhood;~~
- ~~f. The massing and conceptual design of all buildings shall be low profile, being limited to a combination of two and three storeys in building height, and shall be compatible with residential areas to the north and west; and,~~
- ~~g. Comprehensive assembly and/or development of the entire Subject Lands is required, with implementation to occur on the basis of a comprehensive zoning by-law and site plan.~~

~~12.10.5.2. The following building types are permitted in **Commercial Mixed-Use Area B** shown on Map 12.10.A pursuant to policies in Section 9.2.3:~~

- ~~a. Employment/Industrial buildings; and,~~
- ~~b. Low-Rise buildings.~~

12.10.8

12.10.6 Land Use: Commercial Mixed-Use Area C

12.10.8.1.

~~12.10.6.1.~~ Permitted uses in **Commercial Mixed-Use Area C** areas shall be existing commercial uses, retail stores for the buying, leasing and exchanging of goods and services, restaurants, banks and business and professional offices.

12.10.8.2.

~~12.10.6.2.~~ New commercial uses must be compatible with the proposed site, in terms of building design and coverage, parking provided, landscaping and buffering, and adjacent land uses. Council consideration should be given to broadening the permitted retail and service commercial uses within an implementing Zoning By-law and definitions to allow a greater range of commercial uses which reflect evolving consumer needs

without imposing negative impacts on neighbouring residential areas.

12.10.8.3.

~~12.10.6.3.~~ Such uses shall only be approved consolidated in nodes in accordance with good design principles with emphasis on common internal traffic circulation. Access to internal road shall only be by service or collector roads, wherever possible.

12.10.8.4.

~~12.10.6.4.~~ Notwithstanding the above, the lands municipally known as 1453 and 1465 Centre Street, being Lots 3 and 4, Registered Plan 3668, shall be subject to the following:

- a. The Lands shall be used only for the purpose of a sit down restaurant having a maximum gross floor area of 450 square metres and containing a maximum of 100 seats;
- b. The Lands shall not be developed until such time as full municipal services are available; and,
- c. The Lands have been identified by the Ministry of Transportation and ~~Communications~~ as future Highway #407 interchange and accordingly these lands are to be utilized for the above-noted specified commercial use (i.e. restaurant) until such time as the property is required for the physical construction of Highway #407 by the Ministry of Transportation and Communications.

12.10.8.5.

~~12.10.6.5.~~ Comprehensive development plans will be required for new development in all **Commercial Mixed-Use Area C** areas and such development shall be subject to the approval of site plans by the City through agreements or letters of undertaking, whichever is in effect.

12.10.8.6.

~~12.10.6.6.~~ No residential use shall be permitted in commercial areas other than as a direct accessory and related individual use to a permitted use.

12.10.8.7.

~~12.10.6.7.~~ Building setbacks, visual screening, planting and/or fencing shall be provided between commercial uses and adjacent residential areas, except where such areas form an integral part of medium and high density residential schemes.

12.10.8.8.

~~12.10.6.8.~~ The following building types are permitted in **Commercial Mixed-Use Area C** shown on Map 12.10.A pursuant to policies in Section 9.2.3:

- a. Employment/Industrial buildings; and,
- b. Low-Rise buildings.

12.10.9

~~12.10.7~~ Land Use: Commercial Mixed-Use Area D

12.10.9.1.

~~12.10.7.1.~~ Notwithstanding policies 9.2.1.1, the following policies apply to the area identified as **Commercial Mixed-Use Area D** on Map 12.10.A.

12.10.9.2.

~~12.10.7.2.~~ A wide range of industrial, office, business and civic uses shall be permitted. No outside storage of goods or materials shall be permitted in this designation, provided

that the priority uses for the area shall be offices, hotels with related hospitality and conference facilities, major corporate complexes and other prestige employment uses. The amount and type of retail commercial and personal service uses shall be limited to that which is ancillary to these priority functions and, in orientation and location, such uses shall be integrated within a development devoted to the priority uses.

12.10.9.3.

~~12.10.7.3.~~ In addition to the uses listed in policy 12.10.8.2, the following recreational and Institutional uses shall also be permitted:

- a. community facilities;
- b. arenas (private or public);
- c. swimming pools (private or public);
- d. greenway systems;
- e. places of worship;
- f. public health facilities;
- g. cultural and social facilities;
- h. day care centers;
- i. non-profit clubs and organizations; and,
- j. Branch Colleges

12.10.9.4.

~~12.10.7.4.~~ Civic uses are also permitted. Accordingly, a new fire station may be located in the area. If the City-owned site on Dufferin Street, currently the existing Patricia Kemp Community Centre, is no longer required for civic purposes, this property may be reused for noncivic employment purposes permitted by the Prestige Area designation, without further amendment to this Plan.

12.10.9.5.

~~12.10.7.5.~~ A “service station/gas bar” use shall not be permitted within the subject lands.

12.10.9.6.

~~12.10.7.6.~~ Hydro Electric utility facilities are also a permitted use within the subject lands. If certain lands owned by Vaughan Hydro are identified as surplus to hydro needs, they may be developed for purposes permitted by the **Commercial Mixed-Use** designation described in policies 12.10.9.1 and 12.10.9.2, in conjunction with nearby private lands and in accordance with the applicable site-specific policies of this subsection.

12.10.9.7.

~~12.10.7.7.~~ The zoning by-law shall establish the permitted uses and development standards.

12.10.9.8.

~~12.10.7.8.~~ Vehicular access to lots abutting arterial roads and provincial highways shall generally be from the internal road network. Access to the provincial or arterial road systems shall be subject to the approval of the appropriate authority.

12.10.9.9.

~~12.10.7.9.~~ In instances where through lots are provided, buildings shall be designed so that all elevations facing a street present a “front” elevation. Loading areas are not considered appropriate in any yard facing a street. The location of loading areas will be controlled in the zoning by-law.

12.10.9.10.

~~12.10.7.10.~~ Notwithstanding policy 9.2.1.6, the lands identified as **Commercial Mixed-Use Area**

D on Map 12.10.A shall be limited to a maximum overall density of 1.0 FSI.

12.10.9.11.

~~12.10.7.11.~~ Any site-specific rezoning application must be based on a Council approved comprehensive plan addressing the location of local roads, street access points, pedestrian connections, buildings, etc.

12.10.9.12.

~~12.10.7.12.~~ As a pre-requisite to the approval of development applications, comprehensive assembly or land exchanges shall be required in order to create efficient parcels to accommodate the intended development, as well as co-ordinated access to Dufferin Street for all land uses.

12.10.9.13.

~~12.10.7.13.~~ Access to all development parcels shall be consolidated by means of new public road(s) connecting the development parcels to Dufferin Street at planned signalized locations or, alternatively, in the event that comprehensive assembly makes the public road provision unnecessary, by means of private agreements, easements and/or rights-of way to achieve the same consolidation of access points for all land uses, including Vaughan Hydro facilities.

12.10.9.14.

~~12.10.7.14.~~ The following building types are permitted in **Commercial Mixed-Use Area D** shown on Map 12.10.A pursuant to policies in Section 9.2.3:

- a. Employment/Industrial buildings; and,
- b. Low-Rise buildings.

12.10.10

~~12.10.8~~ Land Use: Gas Station

12.10.10.1.

~~12.10.8.1.~~ Notwithstanding policy 9.2.1.1 regarding Gas Stations, such uses are permitted in the locations identified on Map 12.10.A.

12.10.10.2.

~~12.10.8.2.~~ Notwithstanding the above, any Gas Station site designated on Map 12.10.A may be developed in accordance with the land use designation of the immediately adjoining land without amendment to this **Area Specific Policy** ~~Secondary Plan~~.

12.10.10.3.

~~12.10.8.3.~~ Convenience Retail uses are permitted on the same site as an automobile gas bar, provided that such uses are sensitively designed and integrated on the site, and in particular, are compatible with surrounding development.

12.10.10.4.

~~12.10.8.4.~~ Outside storage shall be limited in any future implementing zoning by-laws.

~~12.10.8.5.~~ On the property at 1030 Centre Street, where an automobile service station is located, the permitted uses shall be the sale of auto fuel, oil and lubricant and other related products, the provision of repair and maintenance services for vehicles, and the existing car wash and convenience retail use as listed on the property. Any future redevelopment of this site shall be subject to the following compatibility criteria:

- a. ~~The site shall be developed pursuant to an approved site plan which demonstrates proper site access, internal traffic circulation, adequate parking, substantial landscaped areas and appropriate urban design characteristics that~~

~~will ensure compatibility with the adjacent lands; and,~~

- ~~b. The design, appearance and scale of development on the site shall be consistent with the existing and intended character of the surrounding community, with utmost consideration given to aesthetic design.~~

12.10.11

12.10.9 Special Policy Area

12.10.11.1.

~~12.10.9.1.~~ Lands within the Special Policy Area shall be subject to further study by the applicant.

12.10.11.2.

~~12.10.9.2.~~ Prior to the submission of any development proposal, the applicant shall provide a planning study, including a traffic report, public participation component, rationale for proposed density and land uses, noise study, and a height and massing study demonstrating consistency with the urban design principles of this Official Plan. The urban design, parking, and other general policies of this Official Plan, including the "Service Station/Gas Bar" policy, which in effect prohibits a service station use at the southwest corner of Dufferin and Centre Street, shall apply for any development within this designation. This Study shall provide the justification for any proposed Official Plan Amendment to redesignate the lands.

12.10.11.3.

~~12.10.9.3.~~ Until such Official Plan Amendment is submitted in accordance with the aforementioned Special Policy Area requirements, the current **Low-Rise Residential** and Gas Station designations shall apply to the southern portion of the Western Gateway.

12.10.12

12.10.10 Transportation and Street Network

12.10.12.1.

~~12.10.10.1.~~ That the Region of York recognize the importance of maintaining full movement access to the existing commercial centres, **and the future redevelopment of those commercial centres**, on the north side of Centre Street between Vaughan Boulevard and New Westminster Drive, and reflect this in the planning for any transit facilities in the Centre Street Corridor between Bathurst and Dufferin Street.

12.10.12.2. Comprehensive development plans shall ensure the establishment of a highly connected and permeable network of local streets that accommodate pedestrians and cyclists and promote pedestrian connectivity to planned transit facilities.

12.10.12.3.

~~12.10.10.2.~~ Sharing of parking will be encouraged within the **Area Specific Policy area** ~~Secondary Plan Area~~, subject to evaluation by the City.

12.10.12.4.

~~12.10.10.3.~~ Within the **Area Specific Policy area** ~~Secondary Plan Area~~, parking underground and in structures shall be encouraged.

12.10.12.5. Where parking structures are permitted, the frontages shall predominately consist of retail uses or other active uses that animate the street.

12.10.12.6. The design and materiality of parking structures shall be of a high quality and in

keeping with adjacent buildings and be consistent with the City of Vaughan's Parking Design Guidelines.

~~12.10.10.4. To assist with the reduction in large surface parking areas within the Secondary Plan, a reduction to the current parking standards for commercial development shall be applied to all surface and/or structured parking provided. A parking standard of a minimum of 4.0 spaces/100 square metres will be used in calculating the required parking spaces for retail commercial development in any designation within the Secondary Plan.~~

12.10.12.7. Pursuant to policy 4.3.2, reduced parking requirements shall be promoted within the Area Specific Policy area.

12.10.12.8. Map 12.10.A. identifies the potential alignment of public street with an 18.0 right-of-way within the Area Specific Policy area. It is intended to optimize connectivity while providing flexibility for a range of development scenarios. Minor modifications to the location and alignment of the planned public street are permitted without amendment to this plan.

12.10.13 Open Spaces

12.10.13.1. The City shall promote open space features as key aesthetic and functional components that complement adjacent developments.

12.10.13.2. The open space system within the Area Specific Policy area should be focused on a interconnected system of Parks, Landscaped Buffers and Urban Squares that are safe, inviting and interactive spaces. A high standard of hard and soft landscaping shall be required and shall be maintained in a healthy condition.

12.10.13.3. Parks are open spaces that are generally landscaped areas for both passive and active recreational activities. They serve as important amenities for the new residential population as well as the surrounding neighbourhoods. The potential location of new Parks are conceptual and generally correspond to central sites within major development blocks. The scale and programming will hinge on a variety of factors such as adjacent land uses, densities and local needs.

12.10.13.4. Landscaped Buffers are linear green open spaces that serve to provide an appealing and "soft" transitional interface between new development areas and the backyards of existing low-rise homes in adjacent neighbourhoods. They can also assist in mitigating any potential visual impacts associated with headlights, loading and parking areas. The scale and extent of these open spaces will vary but shall not be less than 4.0 wide and may consist of trees, shrubs, planting beds, drainage swales and pedestrian pathways.

12.10.13.5. Urban Squares are generally paved open spaces associated with a civic or commercial function. They vary in shape and size depending on their purpose, but are generally smaller and more intimate in scale than parks. Urban Squares generally serve high pedestrian traffic areas and may be used to accommodate events and activities that generate large crowds. Urban squares function best when they are framed by highly animated uses such as shops, restaurants and cafes, and consideration is given to microclimate for comfortable use.

12.10.13.6. Notwithstanding policy 7.3.1.2.a., the following development criteria shall apply to the development of an Urban Square:

- a. an Urban Square shall have a minimum frontage on the abutting sidewalk of 30

metres, and a depth of at least 30 metres;

- b. large development sites may include a single, large scale Urban Square and/or a series of smaller Urban Squares;
- c. Urban Squares shall be designed to reinforce a high quality formalized relationship with its adjacent building use and the streetscape;
- d. Hard and soft landscape elements and features within the Urban Square shall be designed to define and articulate activity areas, circulation, entry points, seating and gathering areas.
- e. Urban Squares shall reflect high quality design and support year round use; and,
- f. Urban Squares shall be built and maintained by the landowner, and a public access easement provided in favour of the City shall ensure that the space is open and accessible to the public at all times, or as identified in the easement agreement.

12.10.13.7. Map 12.10.A. identifies the planned location for Open Spaces and Urban Squares within the Area Specific Policy area. Minor modifications to the location of planned Open Spaces and Urban Squares are permitted without amendment to this plan.

12.10.14 Community Sustainability

12.10.14.1. All development in the Area Specific Policy area shall have regard for the goals and objectives of the City's Community Sustainability and Environmental Master Plan (Green Directions Vaughan) and consider the action items within the Don River Watershed Plan – Implementation Guide (TRCA 2009) with respect to the regeneration plan for the Upper West Don River subwatershed and specifically the Fisherville Creek.

12.10.14.2 Consistent with policy 9.1.3.3, applications for development in the Area Specific Policy area shall include a Sustainable Development Report that describes how the proposed development supports this plan's objectives regarding environmental sustainability and the requirements of any subsequently approved Community Energy Plan. Sustainable Development Reports shall address at a minimum the following:

- a. energy efficiency;
- b. water conservation;
- c. renewable energy use;
- d. heat island mitigation;
- e. stormwater management; and,
- f. solid waste management.

12.10.15 Implementation

12.10.15.1 This Area Specific Policy shall be implemented using some or all of the following, as provided for under the Planning Act:

- a. the approval of individual draft plans of subdivision/condominium and part lot

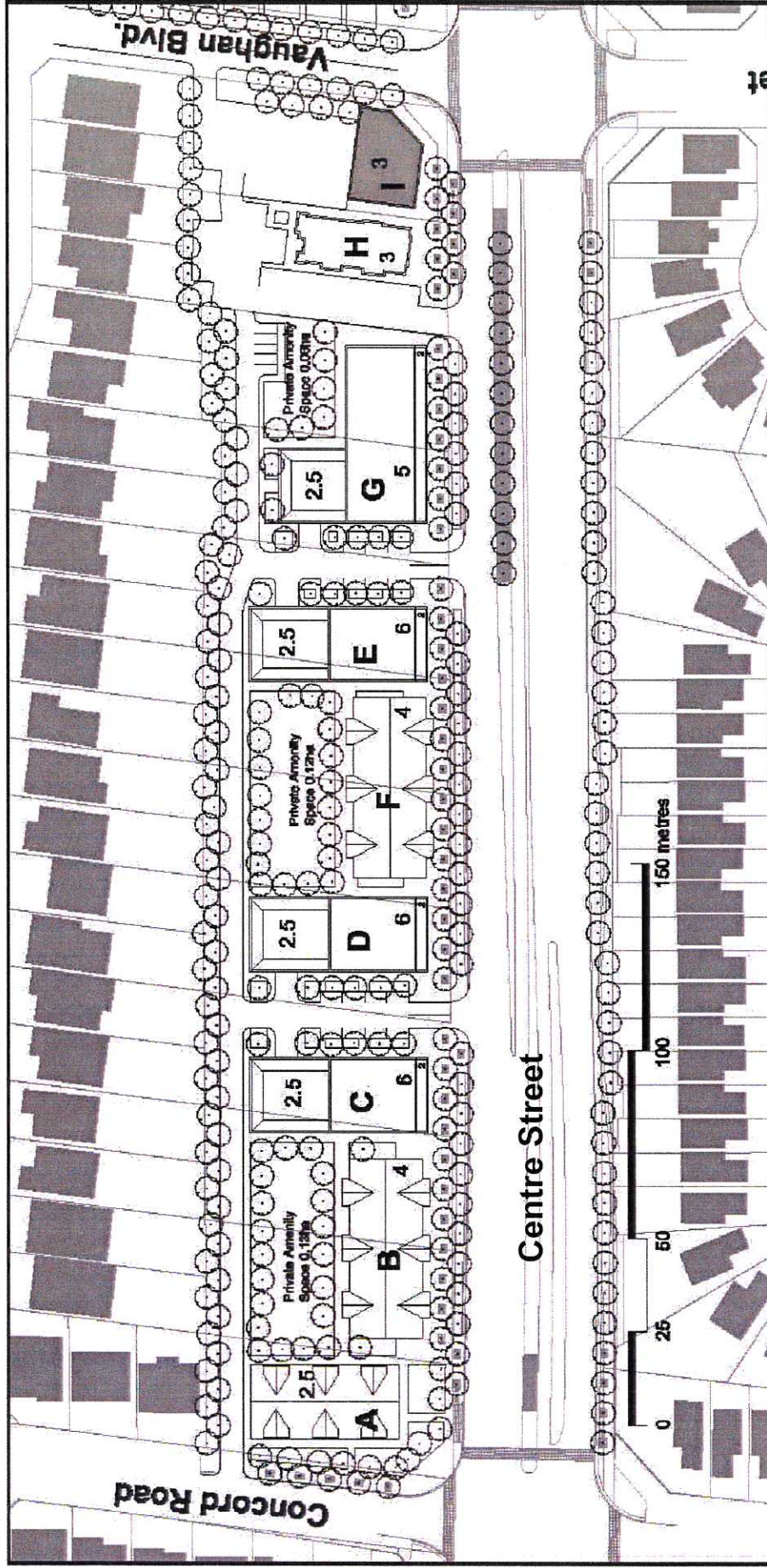
- control exemptions;
 - b. the enactment of zoning by-laws;
 - c. applicable only on those lands identified as **Mid-Rise Mixed-Use A** on Map 12.10.A, the use of density and height bonusing provisions in exchange for community benefits as identified in **Appendix I – Priority Community Benefits** or as determined by the City;
 - d. the execution of Letters of Undertaking and/or registration of site plan agreements;
 - e. the use of the Holding Symbol “H”;
 - f. the dedication of parkland or cash-in-lieu of parkland;
 - g. the use of powers and incentives enabled by a Community Improvement Plan;
 - h. the use of development agreements registered on title.
- 12.10.15.2. To facilitate a coordinated phasing approach to development within the Centre Street Corridor, the requirement for a Development Concept Report as outlined in policy 10.1.1.5. shall apply to the lands identified on Map 12.10.A.

Appendix I – Priority Community Benefits

Monetary contributions secured through Section 37 of the Planning Act should be prioritized towards funding enhanced streetscaping along Centre Street.

In addition, second to the priority of funding for enhanced streetscaping above City established service levels along Centre Street, the following have been identified as Community Service/Facility needs in the Centre Street Corridor and broader Community Planning Area #9 – Thornhill. They should be considered (according to the priority in which they are listed); in addition to the community benefits identified for Section 37 use in the VOP 2010, Volume 1, Section 10.1.2.9:

1. Cultural amenities, including public art and outdoor cultural event space within the boundaries of the subject lands.
2. The provision of community facilities identified by the City as desirable for the planning area, but which are not accommodated in the City's standard levels of service.
3. The following community services/facilities within the broader Community Planning Area #9 – Thornhill:
 - Renewal of existing community centre facilities, library space, and indoor skating arenas as necessary.

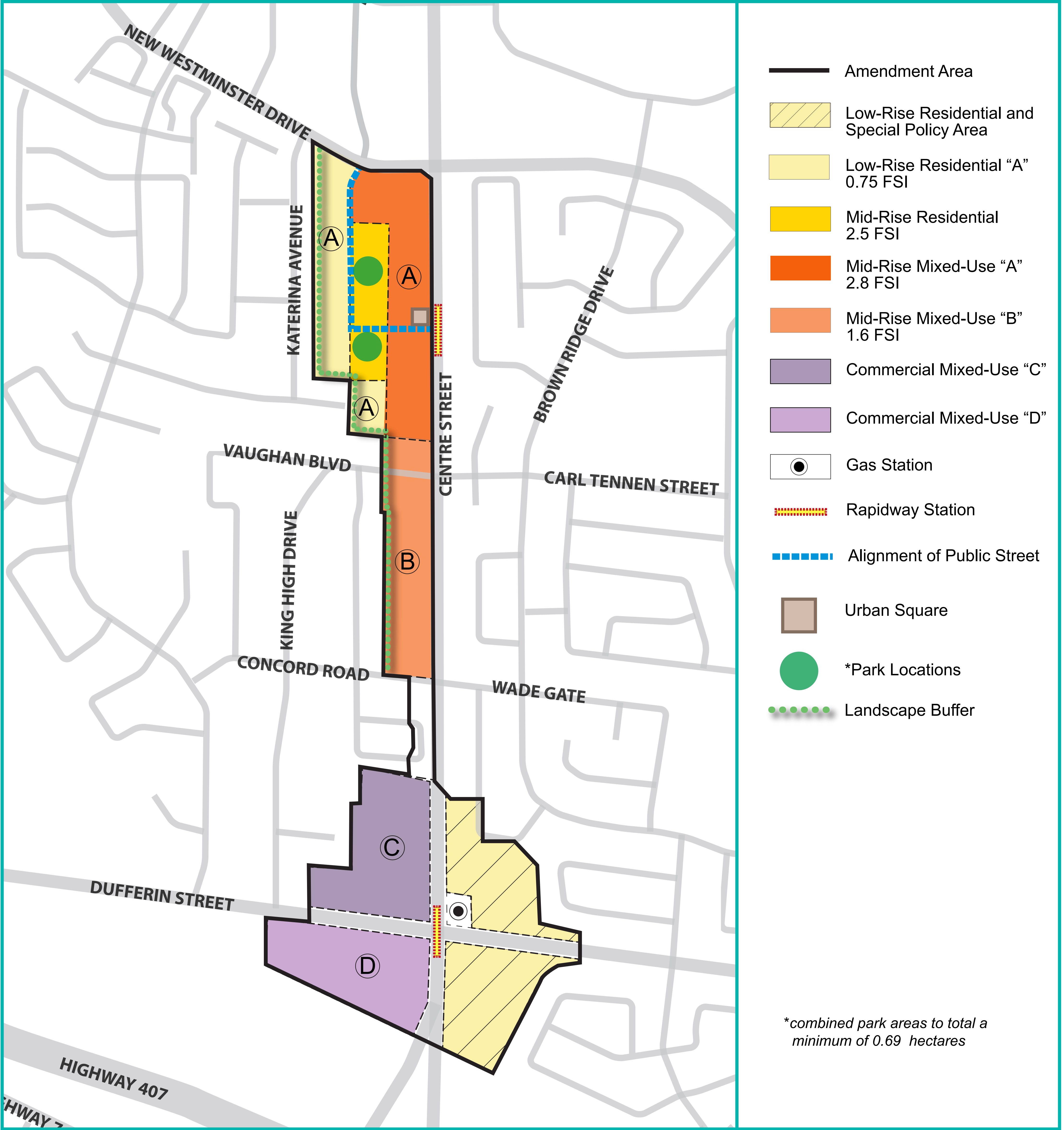


Appendix II

Concept Plan for Site 2

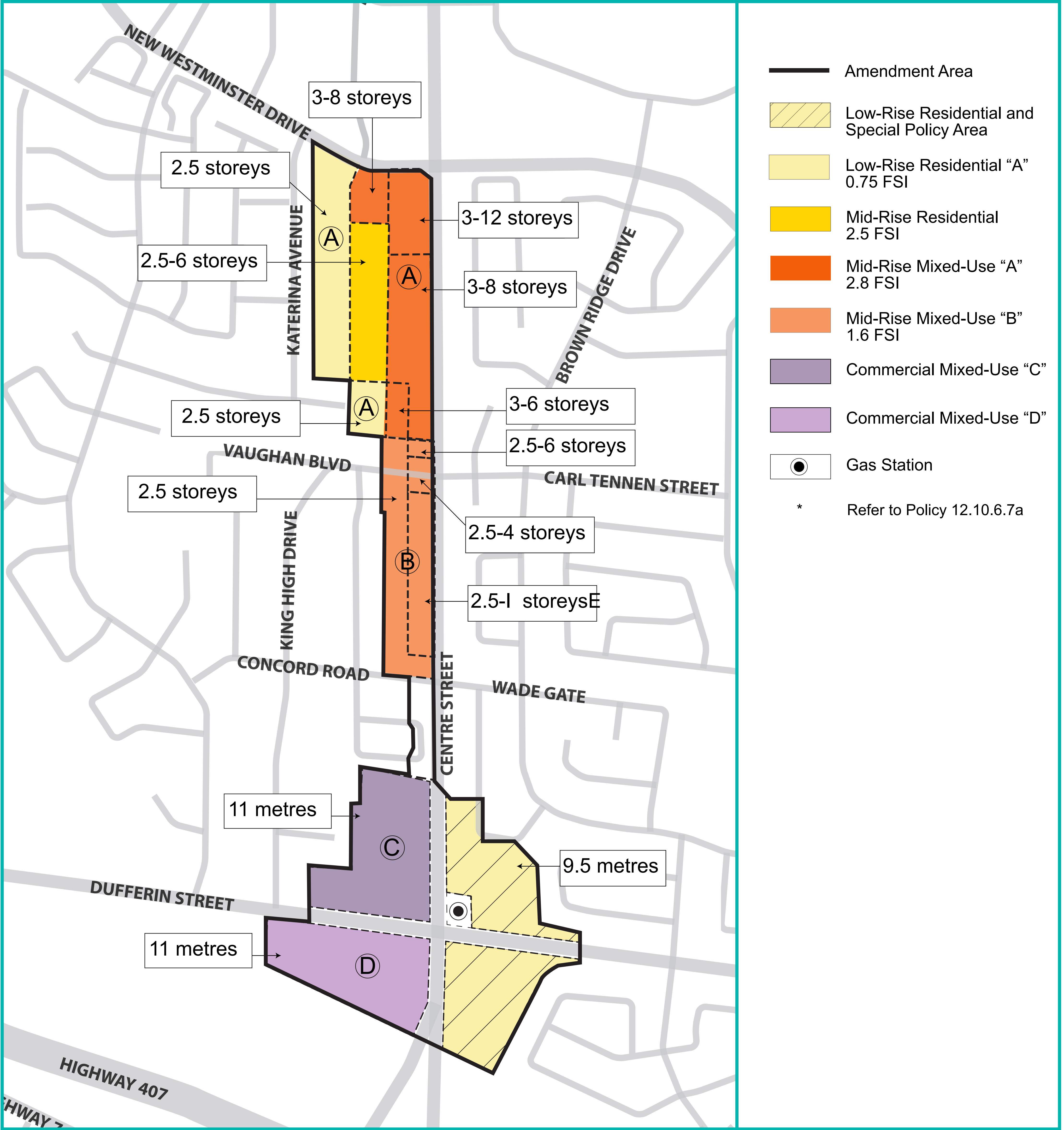
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Map 12.10.A: Centre Street Corridor



BUILDING HEIGHT MAXIMUMS

Map 12.10.B: Centre Street Corridor



COMMITTEE OF THE WHOLE (PUBLIC HEARING) MAY 15, 2012**1. THORNHILL CENTRE STREET
AREA LAND USE STUDY
FILE: 26.10
WARD 5****P.2012.18****Recommendation**

The Commissioner of Planning recommends that:

1. That the Study Report for the Thornhill Centre Street Area Land Use Study (2012), prepared by the Planning Partnership, and the corresponding draft Land Use Plan/Policies be received; and that any issues identified by the public and Council, be addressed in a comprehensive report to Committee of the Whole.

Contribution to Sustainability

The proposed Centre Street Area Land Use Plan/Policies are consistent with “Green Directions Vaughan”, the City’s Sustainability and Environmental Master Plan. The Centre Street land use policies also conform to the Region of York’s policies for complete communities, providing policies for environmental protection, sustainable community design, and economic vitality and growth. The Centre Street Area Land Use policies address the following “Green Directions Vaughan” goals:

“Goal 2: Ensure sustainable development and re-development.”

Objective 2.2 “To develop Vaughan as a city with maximum greenspace and an urban form that supports our expected population growth.”

“Goal 4: To create a vibrant community for citizens, businesses and visitors.”

Objective 4.1 “To foster a city with strong social cohesion, an engaging arts scene, and a clear sense of its culture and heritage.”

Objective 4.2 “To ensure that the City of Vaughan attracts businesses and investment that will result in well-paying jobs for Vaughan citizens, a sustainable tax base, and continuing prosperity into the 21st century.”

Economic Impact

The Thornhill Centre Street Land Use Study was funded through the capital budget for the Vaughan Official Plan Project – PL-9003-07.

Communications Plan

The May 15, 2012 Public Hearing, was advertised on the City of Vaughan website on April 20, 2012. In addition, on April 20, 2012, notices were mailed directly to all landowners within the study area, to surrounding neighbours within 150 metres of the study area boundary, to ratepayer associations, and to individuals who had requested notification. A refined draft Land Use Study/Plan document was also posted on the City website on May 1, 2012 to permit public review of the document in advance of the Public Hearing date.

A newsletter was also prepared by the Communications Department in consultation with the Policy Planning Department, to address pertinent questions from residents in the vicinity of the study area and generally to promote understanding of the study process, and proposed draft Land Use Policy document to date. The newsletter was mailed together with the notice of Public Hearing on April 20, 2012.

Purpose

To present the Study Report and proposed draft Land Use Plan/Policies for the Centre Street study area at a Committee of the Whole Public Hearing. A final report with recommendations, which takes into consideration comments from the Public Hearing, and other public agencies, will proceed to a future Committee of the Whole Council meeting.

Background - Analysis and Options

Study Area

The study is located on the north side of Centre Street between Concord Road and New Westminster Drive. The review of the corridor between Vaughan Boulevard and New Westminster Drive was directed by Vaughan Council at its meeting of September 7, 2010, in consideration of the item pertaining to the City of Vaughan Official Plan 2010. The direction to undertake the study states:

“That staff be instructed to conduct a study of the area on the north side of Centre Street between New Westminster Drive and Vaughan Boulevard to consider its appropriate designation for intensification; and that any changes to the current designation that is before Council today be dealt with through modification at the York Region stage of review of this plan.”

After the Council meeting of September 7, 2010, the City received a request for modifications to the VOP 2010 land use designations from the owner of several lots located in the adjacent stretch of Centre Street, from Concord Road to Vaughan Boulevard. As a result staff recommended to Committee of the Whole on February 22, 2011 that this additional portion of the corridor be included in the land use study (see Attachment #1). This recommendation was approved by Committee and ratified at the Council meeting of March 8, 2011.

Existing Official Plan and Zoning

The Centre Street Study area is designated Commercial Mixed-Use “A”, “B”, and “C” in Volume 2 of the VOP 2010. Commercial Mixed-Use “A” permits small scale office uses and limited institutional use at a maximum density and height of 1.0 FSI, and 2.5 storeys; Commercial Mixed-Use “B” permits business and professional offices and commercial uses at a maximum density and height of 0.8 FSI and 3 storeys; Commercial Mixed-Use “C” permits a wider range of commercial uses including: existing commercial, retail stores, restaurants, banks and business and professional offices at a maximum density and height of 1.5 FSI and 4 storeys.

The subject lands are zoned R3 Residential Zone, C1-Restricted Commercial Zone, C2 General Commercial Zone, and C6 Highway Commercial Zone, subject to various exceptions across the different zoning categories.

The Planning Context

The Study area is subject to municipal, Regional and Provincial planning policy. Given its current character and policy context it presents the following challenges:

- The quality and role of the pedestrian realm has taken a secondary position to the role of the street as a vehicular transportation route. As a result the pedestrian activity is poor due to a general lack of attractive urban design attributes and amenities, and a lack of uses conducive to pedestrian activity in parts of the corridor.
- Existing densities, land uses and urban design in the study area are not reflective of Provincial, Regional or municipal policy for Regional Intensification Corridors.

The policies of the pertinent levels of government are discussed below.

(1) The Provincial Policy

The Provincial Policy Statement 2005 (PPS)

The PPS supports efficient land use, a mix of housing types and densities, residential intensification, public transit ridership and the protection of cultural heritage. It promotes the planning of public streets, spaces and facilities to meet the needs of pedestrians and facilitate pedestrian and non-motorized movement. It encourages growth in built up areas and identifies transit corridors within urban areas as key areas for intensification and redevelopment.

(i) Ontario Transit-Supportive Guidelines (2012)

The guidelines developed by the Ministry of Transportation in recognition of the Provincial investment in major transportation initiatives, and recent Provincial policies, emphasize the inter-dependent relationship between transit ridership and land use patterns. The guidelines are predicated on:

- the designing of “complete streets”; designing streets to reflect the land use and transportation context, and conversely organizing the appropriate land use mix to respond to the transportation context;
- establishing performance standards related to factors such as pedestrian safety, comfort and ease of use of transit and evaluating performance regularly;
- placing the highest density and greatest mix of uses nearest transit;
- promoting a pleasant pedestrian experience on routes to and from transit stops to boost ridership;
- safe and convenient streets for cyclists can extend the reach of transit as much as 5 km; and,
- accessible and attractive transit stops encourage transit use.

Places to Grow- The Growth Plan for the Greater Golden Horseshoe (2006)

The Places to Grow Act provides a vision and growth plan for the Greater Golden Horseshoe in Southern Ontario and is based on a set of principles for guiding decisions on how land is to be developed and public investments are managed. It supports the principles of building compact vibrant neighbourhoods, the protection and conservation of valuable natural resources, the optimization of the use of existing and new infrastructure to support growth in a

compact efficient form. It further specifies that intensification should be directed “generally throughout the “built-up area” and especially along intensification corridors and major transit station areas (Section 2.22.3.6).

It is noted that a Bus Rapid Transit (BRT) station is planned for the study area between Vaughan Blvd. and New Westminster Drive.

(2) The York Region Official Plan (YROP) (2009)

The York Region Official Plan was adopted by Regional Council in December of 2009 and approved by the Minister of Municipal Affairs and Housing on September 7, 2010. It is currently subject to appeals and is awaiting an Ontario Municipal Board Hearing.

York Region's Intensification Strategy (2009), was developed in support of the York Region Official Plan. It is the basis for the Region's plan for delivering the amount of intensification required by the Province to meet the assigned level of population to 2031. The Intensification Strategy is based on a Regional Intensification Framework that includes a hierarchy of regional centres and corridors, GO stations, local centres and corridors, other major corridors, and local infill. All lower-tier municipalities are required to complete their own intensification strategy to meet intensification targets outlined in the YROP in accordance with the Regional hierarchy.

The Centre Street Study area is identified as part of a Regional Corridor and it links the Highway 7 and Bathurst Street portions of the corridor. The following policies in Sections 5.3 - Intensification and 5.4 - Regional Centres and Corridors, of the York Region Official Plan are of particular relevance to the Centre Street study area. It is also noted that these policies capture important highlights of the York Region Transit Oriented Development (TOD) Guidelines approved by the Region in 2006, and which are also applicable to Regional Corridors.

- (i) That Regional Corridors are planned to function as urban main streets that have a compact, mixed-use, well-designed, pedestrian-friendly and transit-oriented built form.
- (ii) To require a comprehensive approach to intensification along Regional Corridors. Local municipalities will establish key development areas and other forms of intensification along Regional corridors. Key development areas once established will support an overall long term density target of 2.5 FSI for developable areas.
- (iii) That Regional corridors are planned to:
 - minimize the walking distance to anticipated transit stops through provision of walkways, and more direct road patterns and in urban areas. The distance to a transit stop should generally be no more than 500 m (5-10 minute walk) for 90% of residents, and no more than 200 m for 50% of residents;
 - encourage shared parking requirements and on-street parking;
 - to require, as a condition of development approval, the provision of facilities to encourage an increase in the mode share of cycling trips, such as covered bicycle storage, lockers, and shower facilities; and,
 - site design that orients the main building entrance(s) towards the street(s), and that does not permit the placement of surface parking spaces between the main building entrance and the major street.

The Centre Street Land Use Study Area is located adjacent to the Thornhill Town Centre (area between New Westminister Drive and Bathurst Street, north and south of Centre Street), which has been evolving as an urban centre since the early 1980s. Official Plan Amendment 671 (Thornhill Town Centre) approved in 2005, establishes a more detailed and updated policy framework to direct mixed-use development, including high-rise development, in this area. The Vaughan Official Plan 2010 (VOP 2010), recognizes the Thornhill Town Centre as a Primary Centre.

The study area because of its proximity to the Thornhill Town Centre, enjoys priority YRT bus service, and is projected to receive YRT Bus Rapid Transit (BRT) Service in the 2015-2020 timeframe. The study area, and in particular Site 1 (see Attachment #1), is considered a priority area for intensification because of its location adjacent to the Thornhill Town Centre, and the BRT stop which is projected to be sited mid-block between Vaughan Boulevard and New Westminister Drive.

(3) The City of Vaughan Official Plan (VOP 2010)

The VOP 2010 establishes an urban structure plan for directing growth throughout the City. This structure is outlined in section 2.2.1.1 of the Official Plan which includes a hierarchy of intensification areas that vary from the higher to lower densities and mix of uses. At the top of this hierarchy are the following: The Vaughan Metropolitan Centre (the Regional Centre), the Regional Intensification Corridors, and then Primary Centres, Local Centres, and Primary Intensification Corridors. The City's urban structure was established to conform to Provincial and Regional policy. With respect to Regional Intensification Corridors, the following description is provided in section 2.2.1.1:

- “ ii. Regional Intensification Corridors will be a major focus for intensification on the lands adjacent to major transit routes, at densities and in a form supportive of the adjacent higher-order transit. The Regional Intensification Corridors link the Vaughan Metropolitan Centre with other intensification areas in Vaughan and across York Region.”

The VOP 2010 also states that the policies related to Intensification Areas will be consistent with policies for such areas as identified in the Provincial Policy Statement, the Provincial Growth Plan for the Greater Golden Horseshoe and the York Region Official Plan.

It is noted that at the time Volume 2 of the VOP 2010 was prepared the “vision” for an intensified corridor had not yet been established. Therefore the site specific policies contained in Volume 2, applying to Centre Street, are a carry-over of the previous OPA 672 (The Thornhill Centre Street Official Plan Amendment, 2005) policies. The “Where and How to Grow - Directions on future growth in the City of Vaughan to 2031” report, prepared by Urban Strategies Inc., does however identify the study area as a “Priority Opportunity Area” for intensification.

The Study

The Thornhill Centre Street Area Land Use Study was undertaken by City of Vaughan staff and the City's Consultant, the Planning Partnership. The Land Use Study has been completed in co-ordination with the Thornhill Centre Street Corridor Urban Design Guidelines and Streetscape Master Plan for a wider study area, extending along Centre Street from Hwy 7 to Bathurst Street. The land use component of the study was initiated in late March of 2011.

The Urban Design Guidelines and Streetscape Master Plan

The Urban Design Guidelines and Streetscape Master Plan Study for the wider study area began in January of 2010 and has been ongoing in co-ordination with the Land Use Study since the latter was initiated in March of 2011. The draft Urban Design Guidelines and Streetscape Master Plan documents were presented at the Public Open House on November 23, 2011 and are posted on the City website. Both documents will be presented at a future Working Session of Council once a final draft of each has been prepared.

The Development of the Draft Land Use Plan/Policies

The next several sections of this report summarize the study process and main considerations in the development of the proposed Centre Street Plan and land use policies. The major components of the planning process are described under the following five headings: (1) Community Consultation; (2) Key Principles and Objectives Shaping the New Vision for the Study Area; (3) Regional Corridors: Provincial, Regional, and Municipal Policy Frameworks; (4) Transitioning to the Surrounding Low-Rise Neighbourhoods; and (5) Refinements to the Draft Thornhill Centre Street Plan/Policies since the Public Open House of November 23, 2011. The preferred land use plan is a result of applying the principles for transformation highlighted in the "Key Principles and Objectives" section, and the public input provided throughout the consultation process.

(1) Community Consultation

The study process included a public consultation program in association with the Thornhill Centre Street Corridor Urban Design Guidelines and Streetscape Master Plan Study (the principle study).

Workshops were held with the surrounding community and study area landowners on May 5 and June 7 of 2011 to introduce the land use study, provide an update on the study progress for the Streetscape Master Plan, and to conduct a workshop on the land use component of this combined study. The community within the study area, and surrounding area were notified of the workshops by mail on April 21st, and May 23rd respectively, and the notices were also posted two weeks in advance of each workshop date on the City website. The workshops were well attended with over 30 people participating at each event.

An Open House was held on November 23, 2011 to present the draft Land Use Plan, Urban Design Guidelines and Streetscape Master Plan. The draft Land Use Study/Plan document was also posted on the City website under the quick links menu - "Major Projects and Reports", to permit the community to review the proposed policies and design guidelines prior to the open house event.

(2) Key Principles and Objectives Shaping the New Vision for the Study Area

The preferred land use plan for the study area was developed in accordance with the objectives and principles which are outlined below; and, which were prepared in consultation with the study area stakeholders and surrounding residents.

- (i) Create a destination with a strong visual identity and sense of place by enhancing the landscape and built environment.
- (ii) Promote high quality design by enhancing the streetscape, open spaces, pathways, architecture and amenities.

- (iii) Develop a mixed-use corridor based on the following objectives:
- evolve from an auto-oriented street to a multi-modal corridor;
 - enhance the pedestrian experience and facilitate pedestrian movement;
 - create a unified and high quality streetscape;
 - integrate environmental sustainability;
 - ensure development is of an appropriate scale that engages the street and transitions to the neighbourhoods; and,
 - ensure that all public spaces are designed to be accessible and safe.
- (iv) Respect the existing neighbourhoods: Proposed development concepts should complement the adjacent low-rise residential neighbourhood by providing a transition in scale. Higher densities should be located adjacent to Centre Street and the Town Centre, and transition down towards the northerly and westerly established low density neighbourhoods. In addition, urban design guidelines should ensure that any potential adverse affects of proposed higher density development are mitigated through carefully considered design features and requirements.
- (v) Have regard for the Provincial, Regional and municipal planning frameworks for Regional Corridors/Regional Intensification Corridors: The planning framework generally provides that these corridors be planned to function as urban main streets that have a compact, mixed-use, well-designed, pedestrian friendly, and transit-oriented built form, with densities supportive of planned public transit.

(3) Regional Corridors: Application of Provincial, Regional, and Municipal Policy Frameworks

The Provincial, Regional and municipal policy frameworks for Regional Corridors/Regional Intensification Corridors provide that these streets and adjacent lands be planned in consideration of public transit. The policies direct that land uses, densities and urban design should encourage ridership among local residents and employees working in the area. The governing policies for Regional Corridors speak to the “Four Principles of Transit Supportive Planning”. It is important to note that the focus of the transit supportive planning principles on quality urban design and pedestrian friendly streets/connections, is consistent with the “Key Principles and Objectives” for the study area, as outlined in the previous section of this report:

- (i) There is a direct relationship between transit ridership and distance from the station.

Locating development within a short walking distance (five-minute walk, or about 300 to 500 m from transit stations), encourages transit use, thereby maximizing transit ridership. The preferred plan for Centre Street places all residents of the corridor between Vaughan Blvd. and New Westminster Drive, within a 300 metre walk of the planned transit station. The portion of the corridor between Concord Road and Vaughan Blvd. falls within 500 m which is also considered in close proximity to the planned station between Vaughan Boulevard and New Westminster Drive.

- (ii) Density drives transit ridership.

This second principle is based on studies which conclude that there is a strong relationship between density and transit ridership. The higher the density (residents and/or employees, and preferably both), the higher the transit ridership potential. In recommending a 2.06 FSI for Site 1, and 1.29 FSI for Site 2, the preferred plan respects the intent to intensify along Regional Corridors, while at the same time

recognizing that there is an established low-rise residential community in close proximity to this portion of the corridor.

- (iii) Land use has an impact on transit use patterns.

To promote a balanced ridership pattern it is ideal to have multiple land uses in proximity to each other. In addition, mixed land uses are also beneficial for creating lively streets and complete communities. The preferred plan introduces mixed use residential/commercial development. With an estimated ratio of 2 residents for every 1 job, the preferred Plan has the potential to achieve the recommended resident to employment ratio of approximately 2:1 provided by the Regional Official Plan (section 4.1.2).

Development Statistics for Sites 1 and 2

	Site 1	Site 2
Site Area	9.48 ha	2.42 ha
Total GFA	144,843 m ²	31,175 m ²
Residential GFA	102,855 m ²	19,751 m ²
Retail GFA	19,476 m ²	3,890 m ²
Office GFA	22,512 m ²	7,534 m ²
FSI (Net)	2.06	1.29
Parkland	0.69 ha	0
Private Amenity Space	0	0.31 ha
No. of Units	937	220
No. of Units per ha	133 uph	91 uph
No. of Residents *	1,966	461
No. of Retail Jobs	487	97
No. of Office Jobs	834	279

* No. of Residents is based on average unit size for applicable residential typologies and typical persons per unit figures from Table 7 of the City of Vaughan's *Where and How to Grow* report. Employment estimates are based on the assumption that office space generates 1 job/27m², and retail space generates 1 job/40 m².

- (iv) Good urban design has an impact on ridership.

Good urban design has an impact on ridership by enhancing mobility and comfort at stations and along pedestrian routes to and from transit stations. Special attention to design is essential for the streetscape and mobility networks, buildings, transit stations, open spaces and public realm in general. Buildings should relate to streets and transit stations, and provide shelter, interest and amenity to pedestrians and the block pattern should be permeable. Streets should be designed to accommodate various transportation modes, but also act as public places in their own right. Land uses, built form, and streetscape elements should create attractive, safe and accessible surroundings. These elements include sidewalks, street furniture, trees and other special landscaping.

Although more detail will be provided respecting the Streetscape Master Plan and Urban Design aspects of the Centre Street Study in a subsequent report to a Working Session of Council, it is important to note at this point that a great deal of emphasis has been placed on the design of the Centre Street right-of-way and the local street

network to ensure a comfortable and esthetically pleasing public realm for pedestrians. The land uses at the street edge have also been developed to ensure activity on the street with commercial or other active uses at grade. The draft Urban Design Guidelines ensure that the massing of buildings and the public realm will respond to the surrounding context and frame the street.

(4) Transitioning to the Surrounding Low –Rise Residential Neighbourhoods

While new mixed-use development and higher-order transit typically invigorates an area and its surrounding neighbourhoods by introducing pronounced urban design improvements and desirable amenities; it is also recognized that careful integration of higher density development with established adjacent low-rise residential is imperative. Therefore an important objective in developing the preferred land use vision was that the established low-rise neighbourhoods located in close proximity to the study area not be negatively impacted by new development on the subject lands. To address this concern, the preferred land use plan has been organized into descending heights/densities towards the existing low density residential located to the north. The heights step down to a maximum 2.5 storeys in the north portion of the proposed plan, and the potentially higher traffic and noise generating commercial uses front onto Centre Street.

Also, the Urban Design Guidelines provide for building heights taller than 3 storeys and within 80 m of an established low-rise residential area to be subject to a 45 –degree angular plane originating from the nearest property line of that low-rise residential area. This particular guideline is provided to mitigate the impact of shadowing on the surrounding residential areas. As well, a minimum 4 m treed landscape buffer has been required at the north boundary of the study area as an attractive screening interface to the established low density residential areas. Additional measures for the interface with the established residential community have been provided in the proposed Urban Design Guidelines and they include, but are not limited to:

- Directing access to parking and servicing areas, and surface parking away from the abutting residential.
- Providing for screening of HVAC and other mechanical equipment.
- Design of building elevations which are complementary to adjacent existing residential.
- Lighting approaches sensitive to adjacent residential.

(5) Refinements to the Draft Thornhill Centre Street Plan/Policies since the Public Open House of November 23, 2011

Since the time of the final public consultation meeting on November 23, 2011, the draft Land Use Plan/Policies have been refined taking into consideration preliminary comments from the Region of York, internal City Departments, landowners within the study area, and residents in the surrounding community. Refinements which may be of particular importance to the community and area land owners are noted as follows:

- (i) The proposed maximum heights within the Mid-Rise Mixed-Use designation which were previously shown as 10 storeys fronting the north side of Centre Street, have now been reduced to 8 storeys. This change is in consideration of the surrounding land use context, and particularly the concern expressed by the community respecting proposed heights.
- (ii) The maximum height at the northeast corner of Centre Street and Concord Road has been reduced from 6 storeys to 2.5 storeys. This adjustment was made to provide a

better transition in height from the subject lands to the existing low-rise residential lots located immediately across Concord Road on the north/west corner of this intersection.

- (iii) Maximum heights at the northeast corner of Centre Street and Vaughan Boulevard, within the Mid-Rise Mixed-Use “B” designation, have also been reduced from a 6 storey maximum fronting Centre Street, to 4 storeys, and 2.5 storeys respectively, towards the corner. This proposed modification will provide more consistency with respect to heights of recently constructed buildings on the northwest corner of this intersection. The height reduction will also provide a better transition to the side yard of the low-rise residential lot immediately to the north of the subject lands.
- (iv) The following policy has been added to the proposed land use policies (section 12.10.2.1, c. ii.) :

“In addition to the minimum rear yard setback requirement, a minimum 4 metre landscaped buffer consisting of a minimum double row of trees, is required extending for the entire length of the rear property line where abutting an existing low-rise residential property.”

This policy will ensure that the buffer which is introduced in the (draft) Centre Street Urban Design Guidelines, is designed to provide a consistent privacy buffer between new development on the subject lands and the established low-rise residential lots to the north.

- (v) The heights within the Low-Rise Residential “A” designation have been reduced from a maximum of 3 storeys to a maximum of 2.5 (or 9.5 m).

In addition, the maximum height in the northern portion of the Mid-Rise Mixed-Use “B” designation remains at 2.5 storeys; however, the maximum height in metres has been reduced from 11 m to 9.5 m, providing a consistent approach throughout the northerly interface of the subject lands with the adjacent low-rise residential community.

- (vi) A policy has been added to the Mid-Rise Residential designation to permit two restaurant(s) and/or café(s), in a mixed-use built form, fronting onto the proposed park to the north. Each of the two establishments is limited to a maximum gross floor area of 500 sq.m. This policy will provide the possibility for a social meeting area/amenity to complement the public park.
- (vii) The east/west public street proposed in Site 1 has been re-aligned to meet New Westminster Drive at an access point directly aligned to the access point of the planned east/west street on the east side of New Westminster Drive.
- (viii) Section 12.10.5.2, f. and G. respecting the maximum permitted GFA for individual retail uses within the Mid-Rise Mixed-Use “A” designation has been revised for clarity to read:

“f. Retail uses, including restaurants, up to a maximum permitted GFA of 2,000 sq.m per individual establishment, subject to the policies of section 5.2.3.”

“g. No more than one grocery store, which shall not exceed a maximum permitted GFA of 7,000 sq.m.”

- (iv) A separate Land Use Schedule has been added to the policy document reflecting the proposed maximum net FSIs for the different designations within the study area; whereas in the original draft of the Plan, the FSIs were shown as average gross FSIs across the various designations. The assignment of net FSI maximums will assist City staff when reviewing development applications for smaller land parcels within a particular designation. In some instances the FSIs have also been revised to reflect changes to the concept plan, land use policies, and urban design policies as a result of modifications to the original draft Plan as described above.

The Proposed Land Use Plan/Policies

The proposed land use Plan and policies for the Thornhill Centre Street Study area are summarized as follows:

(1) Land Use Designations

The following land use designations are proposed for the study area:

(i) Low-Rise Residential "A"

The Low-Rise Residential "A" designation permits residential units in the form of townhouses, and public and private open space. The net maximum density and height permitted within this designation is .75 FSI and 2.5 storeys (or 9.5 m, whichever is less), respectively. This designation provides the transition between the higher densities and heights proposed in the southerly portion of Site 1 (see Attachment # 2) of the study area, and the established low-rise residential community on Katerina Avenue to the north.

(ii) Mid-Rise Residential

The permitted uses within the Mid-Rise Residential designation include residential units in the form of mid-rise buildings, home occupations, community facilities, day cares, and public and private open spaces. The maximum net density and height permitted within this designation are 2.5 FSI and 6 storeys, respectively. This designation helps achieve the higher densities expected in the Regional corridor while providing the transition to the higher density mixed-use designation immediately adjacent to Centre Street. Two restaurant(s) and/or café(s) are also permitted within this designation within a mid-rise residential building, fronting onto the public park. Each of the two eating establishments is limited to a maximum gross floor area of 500 sq.m.

(iii) Mid-Rise Mixed-Use "A"

The Mid-Rise Mixed-use "A" designation permits residential, commercial, community, and cultural uses in a mixed-use, mid-rise building format with commercial or cultural/community uses required at grade. This designation permits a maximum net density of 2.8 FSI, and a range of heights from 3-8 storeys, with a maximum height of 12 storeys permitted at the northwest corner of Centre Street and New Westminster Drive (see Attachment #2). This designation helps to achieve the transit supportive densities and street animation expected in a Regional Corridor.

(iv) Mid-Rise Mixed-Use “B”

The uses permitted in this designation include residential units, home occupations, community facilities, day cares, cultural uses, retail and restaurant uses, office uses and public and private open spaces. Buildings must be in a mixed-use building form with commercial or cultural/community facility uses provided at grade. The proposed designation permits a maximum net density of 1.6 FSI and heights ranging from 2.5 to 6 storeys respectively (see Attachment #2). It contributes to the density targets established for the Regional Corridor, but recognizes the transition to the established low-rise residential neighbourhood to the north. The building form which introduces residential mixed-use development with commercial elements, including retail and restaurant uses along the Centre Street frontage, seeks to animate this portion of the corridor.

(2) Urban Design Policies

The focus of the proposed urban design policies is to create an attractive, safe and pedestrian-friendly environment, and to provide transitioning policies where applicable, to benefit the nearby established low-rise neighbourhoods. The over-arching design policies are summarized as follows:

- (i) Buildings shall have active facades including primary windows and entrances facing the street;
- (ii) Buildings fronting on public or private streets shall not be separated from the street by either parking areas or drive aisles;
- (iii) Buildings shall be sited to minimize their impact on neighbouring properties;
- (iv) Further reverse lot development will not be permitted on Centre Street;
- (v) Buildings shall be designed with high quality architectural materials, and variation in certain elements of façade treatment should be provided;
- (vi) Surface parking if required, shall be located at the interior of a development block, and screened by buildings. Access to underground parking shall be appropriately integrated into the building it serves and located so as to minimize physical and visual impacts on public sidewalks and open spaces.
- (vii) The following set-back requirements are provided:
 - a. A build-within zone 2.0 m – 3 m from any lot line fronting a street.
 - b. Notwithstanding (a) above, buildings fronting on Centre Street between New Westminster Drive and Vaughan Boulevard shall be setback a minimum of 7 m from the front lot line; and, a minimum of 6 m between Vaughan Boulevard and Concord Road.
 - c. A minimum rear yard setback of 7.5 m is required for any development abutting an existing residential property. Where detached rear garages are provided and accessed by a rear laneway, the minimum rear yard setback shall be 13.5 m from the laneway.

- (viii) Minimum step-backs are provided for buildings of various heights.
- (ix) A minimum facing separation distance of 20 m between adjacent buildings for all portions of the buildings taller than 6 storeys or 22 m.
- (x) Design policies specific to buildings greater than 8 storeys in height.
- (xi) All proposed developments within the land use study area may be subject to review by the City's Design Review Panel.

(3) Open Space and Community Services

The proposed land use plan includes two urban parks with a total area of 0.69 ha, and an urban square in Site 1. An urban square is proposed at the future transit station between New Westminster Drive and Vaughan Boulevard. Other private open spaces, and an additional urban square, while not required by the Official Plan policies are included for consideration in the concept plan included in the Land Use Study document and in the "Centre Street Urban Design Guidelines" document. The public square(s) will provide amenity space for social activities and passive recreation.

The land use study area is located within the wider Thornhill Community Planning Area (CPA) # 9 identified in the City of Vaughan's Active Together Master Plan (see Attachment #4). The Active Together Master Plan identifies a need for both additional active and passive parkland for CPA # 9 by 2031. However, given the location of the study area immediately adjacent to a Regional Corridor, and the relatively limited area of the subject lands; the Thornhill Centre Street Study Report (2012), indicates that the amount of parkland, and parkland typology proposed, although yielding less than the proposed unit total would demand in parkland dedication, is appropriate for the Plan. It is suggested that the cash-in-lieu of parkland funds which would be provided through development of the subject lands, should be used to acquire parkland where the opportunities arise within the broader CPA # 9.

The Active Together Plan also identifies other community service/facility needs in the CPA # 9. Appendix 1 of the draft land use policies provides a priority list which service needs as benefits to be considered under the Section 37 Bonusing provisions of the Planning Act. The suggested use of Section 37 Bonusing provisions is expanded upon in a subsequent section of this report.

(4) Street Network and Streetscape Treatment

The study area is organized in flexible development blocks that support a fine-grained street network that is highly permeable to pedestrians; and, the massing of buildings has been designed to respond to the surrounding context and frame the street. Local streets are designed to connect destinations with a particular emphasis on the pedestrian experience, while avenues will contribute to the creation of lively commercial streets. Boulevards will feature a significant public interface to support retail, high activity nodes such as urban squares, and other key public destinations.

To create lively multi-modal streets the development concept includes three street typologies for the length of Centre Street between Dufferin Street and Bathurst Street: avenues, boulevards and greenways. The future staff report on the Streetscape Master Plan will describe in detail the features of each of these typologies. The particular typology which applies to the Centre Street right of way within the land use study area is the "boulevard" form.

The boulevard typology is tailored to respond to the unique single-sided urban condition which exists throughout the portion of Centre Street that is the focus of the land use study. Because of the challenge created by the back-lotted residential condition on the south side of Centre Street, the majority of the activity and animation on the street will occur on the north side of Centre Street. In order to achieve a complete street with a vibrant urban interface, generous setbacks are recommended. Design themes for this portion of the Centre Street streetscape include accommodation of heavy to moderate pedestrian activity, patio spill-out space, and an increased emphasis on landscape treatments. The treatment proposed for the north side of Centre Street between Concord Road and New Westminster Drive, includes the following components:

- Up to a 45 m wide ROW for Centre Street
- 0.5 m wide paver snow strip adjacent to roadways as per YRRT details
- 2.8 m wide parking lay-by where possible
- 2.3 m wide tree and furnishing zones including long rain garden planters
- 2.0 m wide concrete paved sidewalk
- Pedestrian scale lighting
- High quality furnishings

Internal to the study area, two new local public streets (an east/west and a north/south) are proposed on Site 1, and several new private streets are expected throughout the study area as conceptualized on Attachment # 3 to this report. The public streets, one of which intersects with New Westminster Drive, and the other with Centre Street, will facilitate the traffic volumes expected in the immediate vicinity of the large food store, and the higher density residential areas of the study area.

(5) Application of Section 37 of the Planning Act (Bonusing Provisions)

The draft Thornhill Centre Street land use policies provide for the use of Section 37 Bonusing provisions within the Mid-Rise Mixed –Use "A" land use designation of the Plan. The policies allow the City to consider additional density and height beyond the permitted maximums set for this designation, in exchange for community benefits. The consideration of Section 37 use and the evaluation of relevant community benefits, will take place during the development review process. The community benefits are prioritized as follows:

- (i) Monetary contributions towards funding enhanced streetscaping in the Centre Street corridor.
- (ii) The following community service/facility needs within the Plan area and broader Community Planning Area (CPA) # 9, in addition to the community benefits identified for Section 37 use in the VOP 2010, are to be considered in the priority in which they are listed:
 - a) Cultural amenities, including public art and outdoor cultural event space within the boundaries of the subject lands.
 - b) The provision of community facilities as identified by the City, within the boundaries of the subject lands.
 - c) The following community services/facilities within the broader CPA #9-Thornhill:

- Renewal of existing community centre facilities, library space, and indoor skating arenas.
- Other community services/facilities identified by the City.

Summary of Predominant Comments respecting (draft) Land Use Plan/Policies received from Surrounding Residents

A. The City of Vaughan has received a number of letters from residents within the surrounding Thornhill community and from the landowners in the study area. Two petitions have been received by the City with respect to the Centre Street Study, one of which objects to the York Region vivaNext Bus Rapid Transit (BRT) line for this stretch of Centre Street. This petition represents 14 residential addresses in the vicinity of the study area. The BRT line is planned to run from Highway 7 along Centre Street to Bathurst in the 2015-2020 time frame. It is important to note that as part of the "Hwy. 7 Corridor and Vaughan North-South Link Public Transit Improvements Environmental Assessment, 2005", three alignment alternatives were evaluated in the area between Yonge and Keele Streets:

- 1) Along Highway 7 between Centre and Bathurst Streets.
- 2) Along the Hydro right-of-way between Centre and Bathurst Streets.
- 3) Along Centre Street between Highway 7 and Bathurst Street, connecting back to Highway 7 at Bathurst Street.

The third alternative was approved in consideration of the following factors:

- The route serves existing demand, community facilities and a major shopping area while also providing the opportunity for urban design improvements in the rights-of-way.
- It has the potential to attract ridership from existing commercial and residential land uses on both sides of the alignment, as well as future transit-oriented intensification and redevelopment at the Dufferin and Bathurst nodes on Centre Street.
- A connection to a future 407 Transitway service can be achieved at the Bathurst and Highway 7 intersection.

The second petition which is in response to the proposed land use plan/policies, represents 162 residential homes located in close proximity to the study area (located within approximately 150 m of the boundary of the subject lands), and 58 residential homes in the wider community (greater than 150 m from the boundary of the study area). The issues identified by residents within the petition, and staff responses to same are summarized as follows:

- 1. The height maximum for new development in the subject lands should be 2.5 storeys as greater heights are perceived as blocking sunlight to the existing surrounding residential.**

Response:

The shadow impact analysis of the development concept plan, shows that shadow impacts on the existing residences are no different, and in some instances better than the existing as-of-right development permissions allow. This is the case for most properties, with the exception being minimal impact on some properties along Lawrie Road during the colder months (December-February).

Between March 21 and September 21, when shadow impacts are of greatest concern for pedestrians or for backyard use, there are no shadow impacts on adjacent properties. During the winter solstice (December 21) when the sun is at its lowest point, even 2.5 storey buildings cast long shadows onto adjacent properties in the earlier and later hours of the day. However, shadow impacts are minimal and not adverse, with some shadows reaching into several adjacent properties for no more than a 2-hour duration. It should be noted that there are virtually no impacts by the afternoon hours, and that in some cases the impacts would be greater under current regulations, particularly for properties along Katerina Ave.

2. The greater density proposed will cause increased traffic congestion.

Response:

There will be negligible added vehicular traffic once the modal split is considered. The primary boundary streets are forecast to provide reasonable and good levels of operating conditions, and there is no incentive for background traffic to leave the primary streets and initiate a slow stop and go trip through a residential area. Rapid transit will make this area highly accessible, providing viable transportation options to the car and better operating conditions for primary vehicle movements on Centre Street.

3. The existing commercial should remain as it serves the surrounding community.

Response:

The viable commercial establishments, including the No Frills food store are likely to re-locate to the Centre Street frontage where they will still be in close proximity to the surrounding community. The re-location is strategic in order to minimize nuisance effects on adjacent residential uses and to animate the newly designed sidewalk and boulevard. It is anticipated that given the proposed design improvements, and residential intensification, additional commercial uses will be drawn to this location.

Additional issues raised by individual residents perceived to be related to mid-rise development:

1. Increased night light pollution.

Response:

The City regulates light pollution through the Site Plan Approval process which is required for commercial and mixed-use developments. As a condition of development approval for any commercial or mixed-use development, a lighting plan with an appropriate photometric design must be submitted which demonstrates that the proposed lighting plan will not have an impact on adjacent properties.

In addition, the Centre Street Urban Design Guidelines, section 6.4 – Lighting, provides lighting guidelines for private developments as follows:

“Lighting should be downcast with full cutoff to reduce light pollution and address night sky condition.”

- 2. Decrease in air quality which can adversely impact our health and well-being as well as discourage pedestrian and bicycle movement.**

Response:

The fundamental premise of the proposed land uses and design guidelines are to create an environment conducive to, and supportive of, walking, cycling and transit choices thereby improving the current conditions. In addition the Streetscape Master Plan introduces pedestrian and cycling-friendly streetscape design, including dedicated cycling lanes, an increased number of pedestrian and cycling connections, and a substantial enhancement of the pedestrian realm. The public realm enhancements include pedestrian lighting, planting, decorative paving, pedestrian wayfinding and signage, clearly delineated crosswalks, and street furnishings. All of the foregoing should in fact encourage pedestrian and bicycle movement rather than deter it, as well as rendering these modes of travel safer. In addition, all streetscape elements are designed to comply with the emerging Ontario Accessible Built Environment Standards.

- 3. Increased noise pollution.**

Response:

Continuous mid-rise buildings proposed fronting on Centre Street, in conjunction with enhanced streetscaping that will include more trees and calmed traffic, will serve as a buffer, so that there would actually be a reduction in the audibility of noise and vibration produced by traffic on the arterial streets, as a result of the proposed development.

- 4. Threaten our backyard privacy.**

Response:

Overlook on adjacent properties that would infringe on privacy is a consequence of a taller building in close enough proximity to enable direct view into a yard or house. The combination of required rear yard setbacks or street separations, landscaped buffers, angular planes and height limits ensure that there are no adverse overlook issues associated with new developments abutting or adjacent to existing neighbourhoods.

- 5. Decreased enjoyment of our private and public green space.**

Response:

There is no foreseen decrease of enjoyment of private green space as explained in the responses above; and, where currently there is no public green space within the subject lands, the development of the proposed plan would add two new public parks (totaling approximately .69 ha of open space), and an urban square creating a social gathering space for the community. In addition a 4m green buffer is proposed between new development and abutting existing development comprising a mixture of green elements, including street trees, and planting areas. Wider sidewalks with landscaped boulevards are also introduced.

6. Potentially decreased the resale value of our single family homes.

Response:

There are a number of examples that can be cited which actually assert that the opposite is true. Higher order transit by virtue of the convenience value of public transportation; enhanced streetscapes; and, increased urban design quality and public amenity which typically accompany the installation of the new transit service, tend to increase the value of properties in adjacent neighbourhoods. A few examples are provided as follows:

- (i) Vancouver's sky train on Cambie Street- The LRT service which opened for operation on Cambie Street in Vancouver in 2009 has been credited for the more than doubling of nearby real estate values, which began at price ranges in the 1.5 million bracket and now average around 3 million. (Vaughan Citizen- February 26, 2012- "Keep Communities in Mind, Group Hears").
- (ii) A comprehensive study of property values adjacent to new rail transit investments in American cities overwhelmingly concluded a positive impact that varied between 3% and 40%, with the greater increases correlating with the closer proximity to the transit stations. There was also an even more positive impact on higher income areas. (Roderick Diaz, "Impacts of Rail Transit on Property Values").
- (iii) A review of 22 major published works on the impacts of LRTs across North America concluded that there was a direct correlation between increased residential property values and accessibility to higher order transit infrastructure. Moreover, the few instances where there was a decrease in value correlated to properties that were directly adjacent to rail lines and impacted by associated nuisances that were not properly mitigated. (Fact Sheet prepared for the South Sacramento Corridor Phase 2 Project, 2004)

Summary of Comments raised by Land Owners respecting the draft Land Use Plan/Policies

- B. The predominant concerns raised by land owners within the study area are organized into two groupings based on their location within Site 1 or Site 2 of the study area.

Site 1

- 1. There should be more flexibility with respect to the permission of commercial land uses; commercial establishments should be able to locate anywhere within Site 1.**

Response:

The proposed land use designations for the subject lands are organized such that commercial is permitted fronting Centre Street, and residential uses are permitted in descending density/height as you move north from the Centre Street corridor. The reasons for the location of commercial as such are to add vitality to the Centre Street public realm, and also to ensure an optimum transition between commercial and low-rise residential uses. This arrangement will minimize any potential noise/lighting nuisance to adjacent residential, that might be associated with the commercial uses.

- 2. Additional height and density should be permitted for the subject lands fronting Centre Street, and Section 37 of the Planning Act should be applicable to the remainder of the subject lands to permit additional height and density on the entire lands in exchange for community benefits.**

Response:

The densities proposed in the land use plan/policy document are the result of a review of current Provincial, Regional, and municipal planning policy, urban design factors, the surrounding land use context, and a public consultation process. The draft policies address a range of objectives and concerns, and are considered to strike an appropriate balance with respect to densities and heights prescribed to the subject lands.

Site 2

- 1. The densities and heights proposed for Site 2 lands are too low and not appropriate for a Regional corridor.**

Response:

The heights and densities proposed for the subject lands are the result of careful study as stated above. It should be noted that the heights and densities proposed for Site 2 are lower relative to Site 1, primarily due to their further distance from the Thornhill Town Centre (where a transit stop is also sited) and because their depth is significantly more shallow than Site 1, permitting less transitional area to the established residential adjacent to the northern boundary of the lands.

- 2. The proposed built form and urban design policies are too prescriptive/detailed for an Official Plan.**

Response:

Within the last several years as the City continues to mature into a more urban area, there has been a pronounced emphasis placed on urban design excellence. It is necessary to include the proposed detail with respect to built form in order to achieve the desired form and quality of design. The study area is located on a Regional Corridor and it is important to achieve an attractive public realm with a thriving pedestrian boulevard to meet the Key Principles and Objectives of the vision highlighted earlier in this report.

Recognizing that slight deviations from the numerical factors provided within the Urban Design section of the policy document could otherwise require Official Plan Amendments, a new clause, section 12.10.2.2, has been added to provide a degree of flexibility in this respect. This policy permits minor deviation to the quantitative development requirements reflected in the Urban Design section of up to a 5% variation; provided that they assist the City in achieving higher quality urban design or other objectives of the Plan, as determined through the development application process.

Regional Implications

The draft Centre Street Study/Land Use Policies document supports key objectives of the Region of York Official Plan, adopted by Regional Council on December 16, 2009 and approved by the Ministry of Municipal Affairs and Housing on September 7, 2010. Specifically the implementation of the Regional Plan's following objectives outlined in Section 5.0 – Building Cities and Complete Communities.

- (i) "To create vibrant and sustainable urban areas."
- (ii) " To achieve attractive and vibrant urban Regional corridors that link Regional Centres."

Conclusion

The Thornhill Centre Street Land Use Study which was initiated in March of 2011, was completed in co-ordination with the Thornhill Centre Street Corridor Urban Design Guidelines and Streetscape Master Plan for the wider area of study extending from Highway 7 and Centre Street, to Bathurst and Centre Streets.

The draft Centre Street Land Use Plan/Policies are the result of a comprehensive review of current Provincial, Regional, and City land use policy, the surrounding land use context; and, an interactive public consultation process. Comments on the draft Plan received from the public and Council at this Public Hearing or in writing, will be addressed in a comprehensive report to a future Committee of the Whole meeting.

Attachments

1. Location Map: Thornhill Centre Street Study Area
2. Existing and Proposed Heights (Maximum Heights)
3. Existing and Proposed Designations (Maximum Net FSIs)
4. City of Vaughan Active Together Master Plan – Map of Thornhill Community Planning Area # 9
5. Centre Street Land Use Study and Draft Land Use Plan/Policies (Council Only)

Report prepared by:

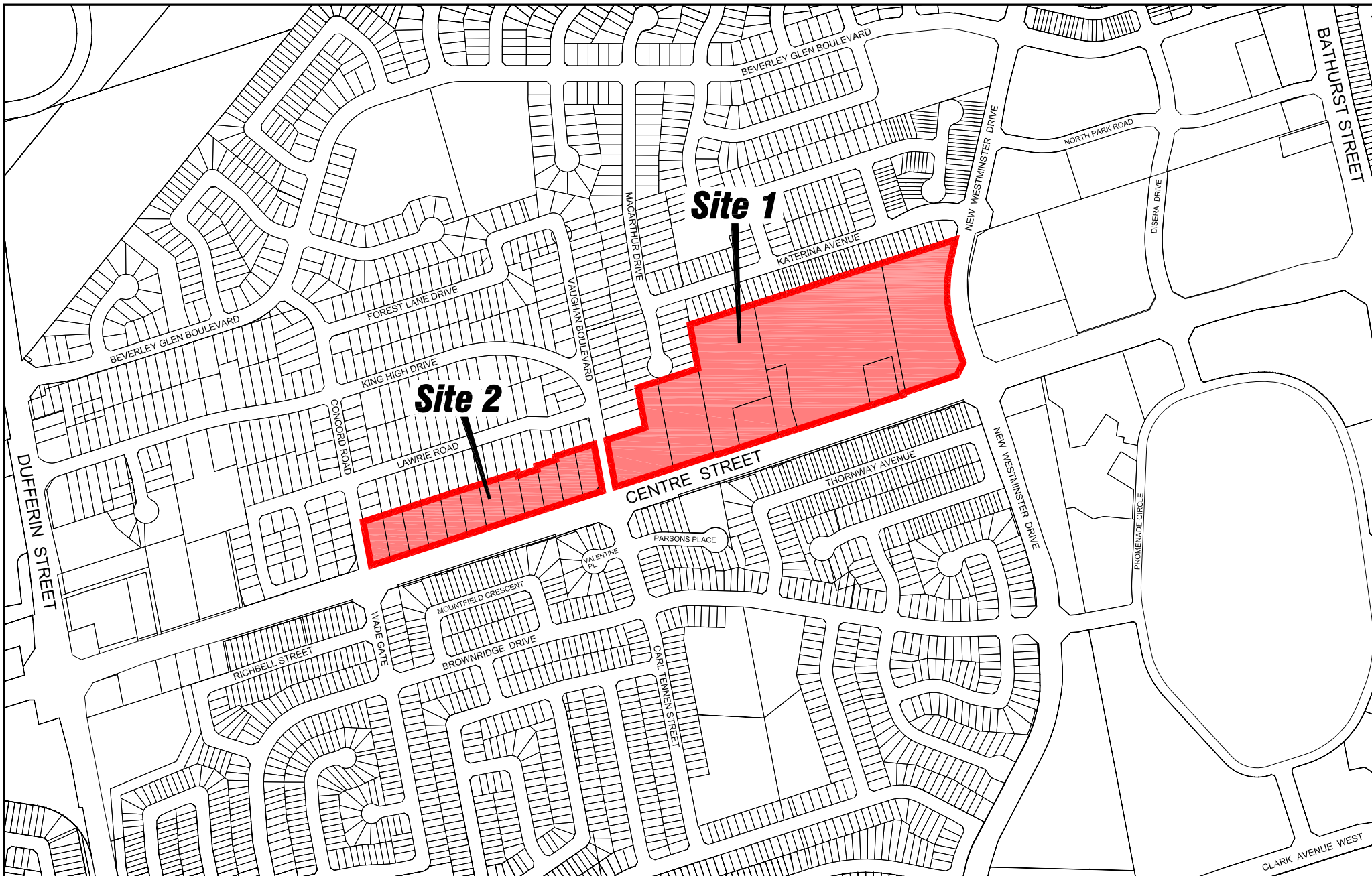
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Director of Policy Planning

/lm



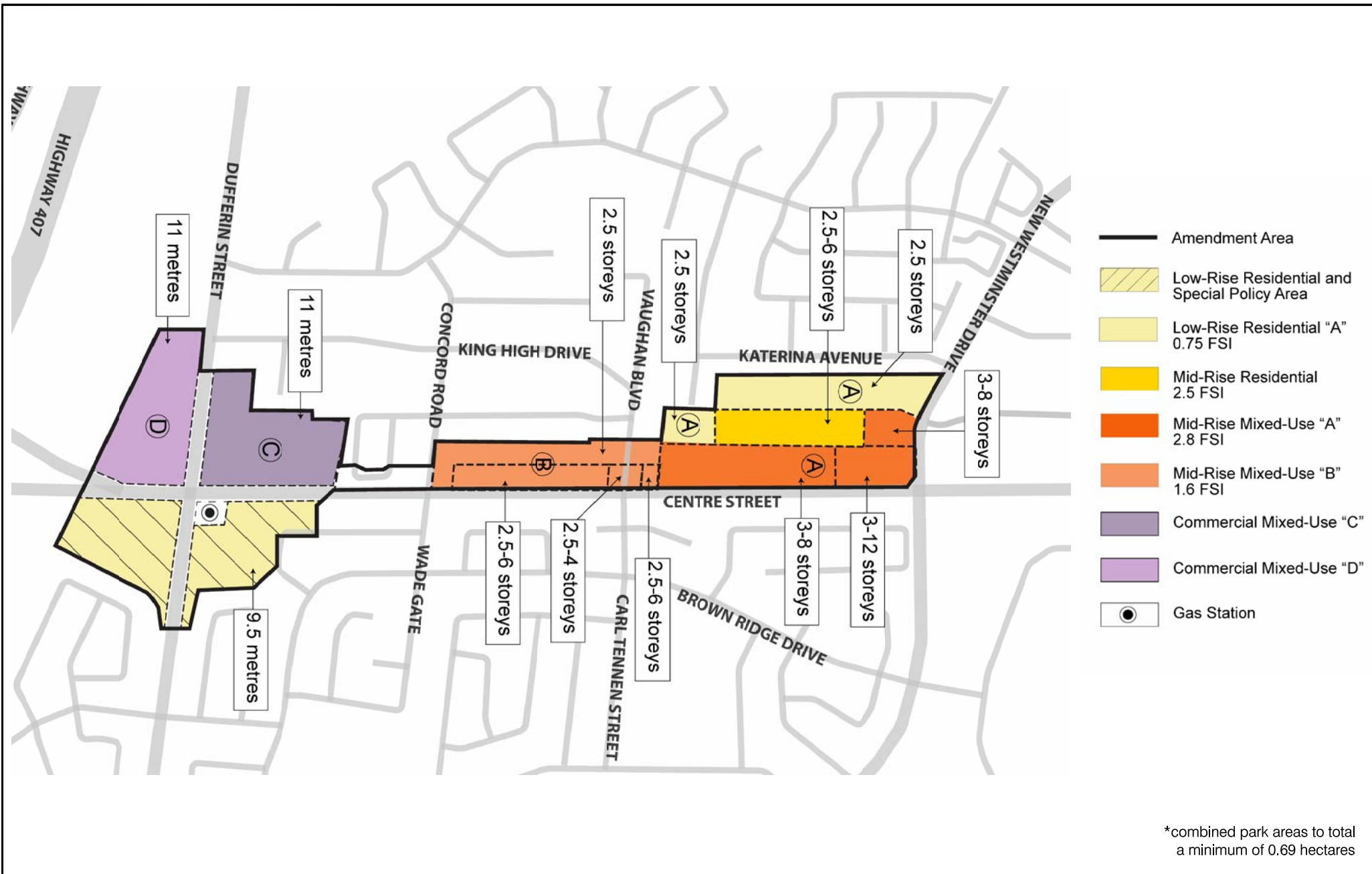
Location Map

Thornhill Centre Street Study
Attachment No. 1

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FILE: 26.10
May 15, 2012



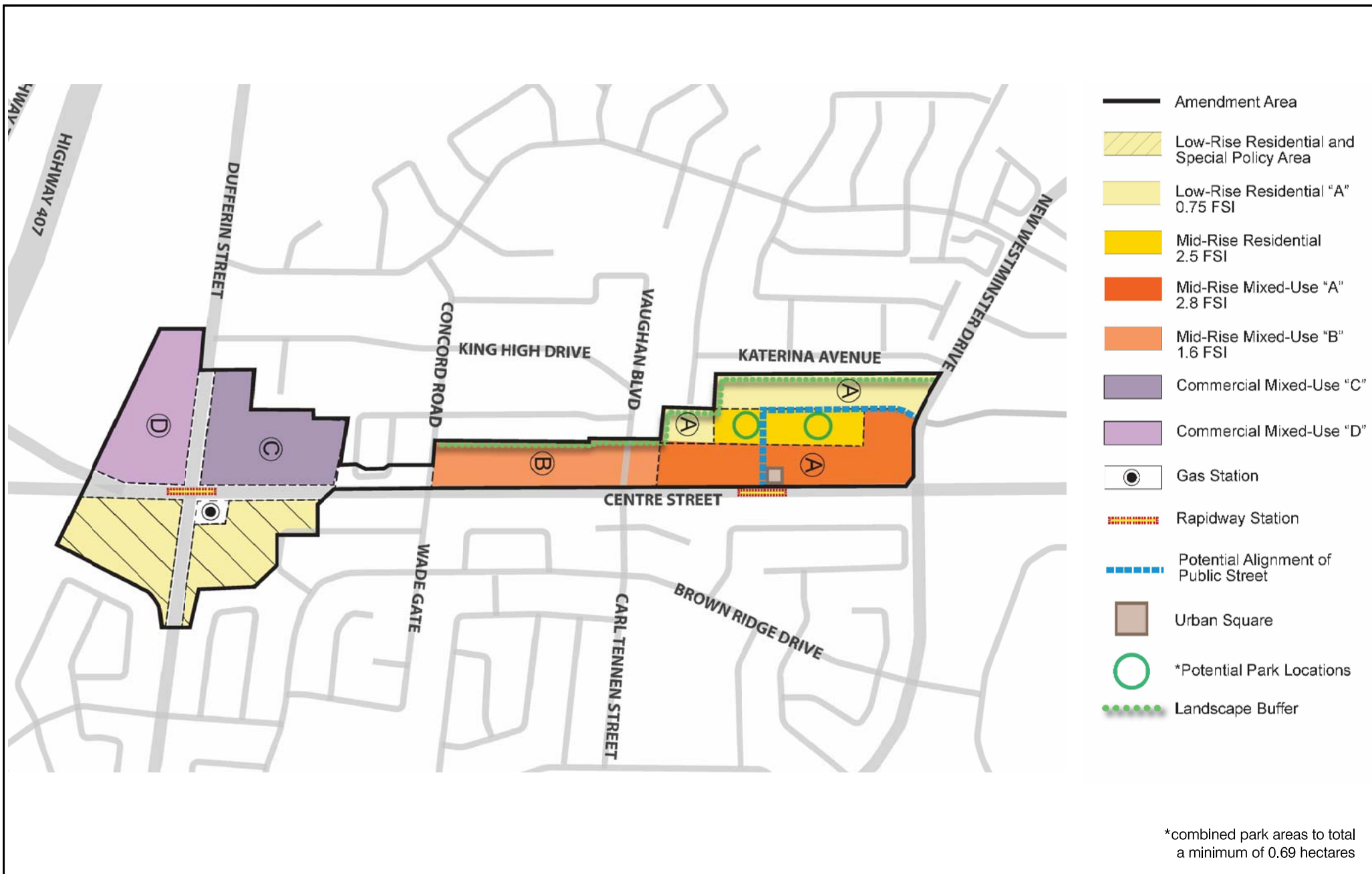
Existing & Proposed Heights

Community Planning Area No. 9 - Thornhill

Attachment No. 2

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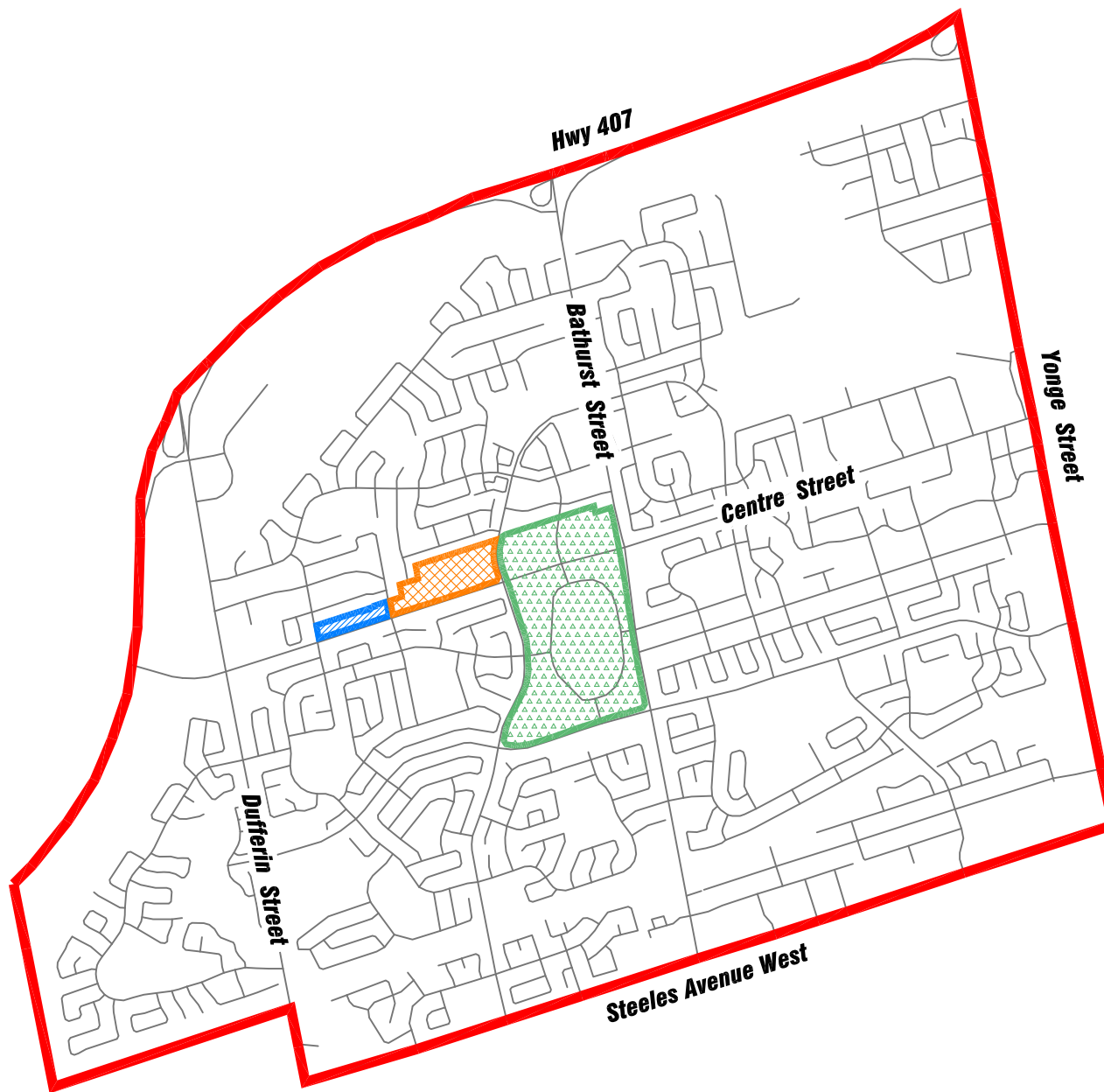
Existing & Proposed Designations

Community Planning Area No. 9 - Thornhill

Attachment No. 3

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-  Thornhill Town Centre
-  Site 1
-  Site 2

Not to Scale

Context Location Map

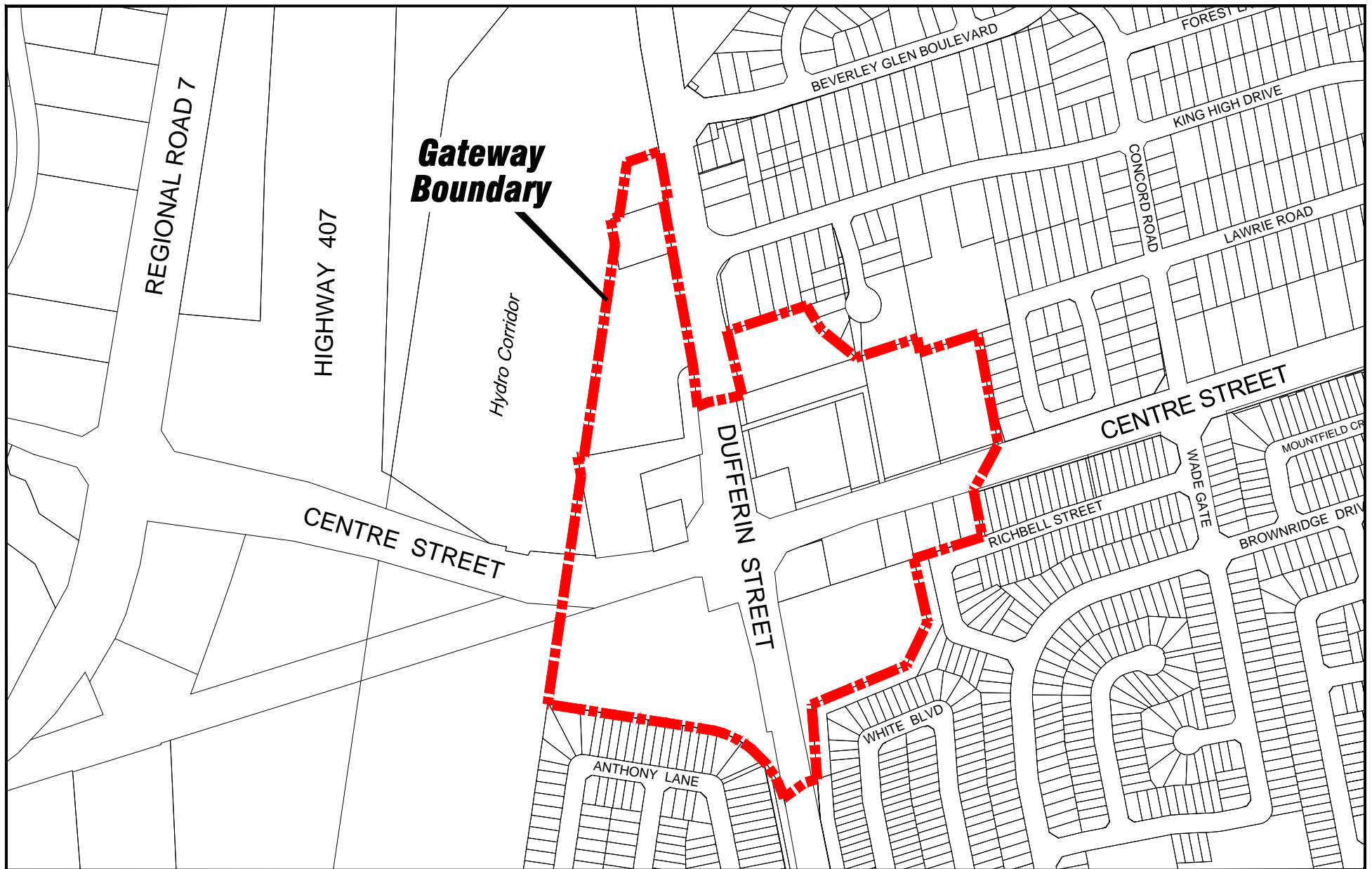
Community Planning Area No. 9 - Thornhill
Attachment No. 4

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COMMUNITY
PLANNING AREA No.9



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May 15, 2012



Dufferin/Centre Street Gateway

Attachment No. 11

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April 09, 2013