

Ontario Land Tribunal
Tribunal ontarien de l'aménagement
du territoire



ISSUE DATE: June 03, 2021

CASE NO(S): PL111184

The Ontario Municipal Board (the "OMB") and the Local Planning Appeal Tribunal (the "LPAT") is continued under the name Ontario Land Tribunal (the "Tribunal"), and any reference to the Ontario Municipal Board or Board or Local Planning Appeal Tribunal in any publication of the Tribunal is deemed to be a reference to the Tribunal.

PROCEEDING COMMENCED UNDER subsection 17(40) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant:	1042710 Ontario Limited (aka Royal Centre)
Appellant:	1096818 Ontario Inc.
Appellant:	11333 Dufferin St et al
Appellant:	1191621 Ontario Inc.; and others
Subject:	Failure to announce a decision respecting Proposed New Official Plan City of Vaughan
Municipality:	City of Vaughan
OMB Case No.:	PL111184
OMB File No.:	PL111184
OMB Case Name:	Duca v. Vaughan (City)

Heard: May 3 to 12, 2021 by video hearing

APPEARANCES:

Parties

Regional Municipality of York

City of Vaughan

Counsel

B. Ogunmefun (in *absentia*)

B. Engell

E. Lidakis

L. Dyer (student-at-law)

J. Fisch, R. Fisch, B. Fisch and
1096818 Ontario Inc.
("Appeal 61" or "Fisch")

M. Flowers
Z. Fleisher

Centre Street Properties Inc.
Vogue Investments Ltd.
("Appeals 78 and 79" or "Vogue")

RioCan Holdings Inc.
("Appeal 82" or "RioCan")

J. Farber

1150 Centre Street GP Inc.
("Appeal 105" or "Sorbara")

C. Tanzola

DECISION DELIVERED BY S. TOUSAW AND ORDER OF THE TRIBUNAL

INTRODUCTION

[1] Among the numerous appeals filed against the City of Vaughan 2010 Official Plan ("VOP"), Appeals 61, 78, 79, 82 and 105 pertain to policies affecting the Centre Street Corridor. A lengthy hearing was scheduled for these appeals, but at the Parties' request to continue settlement discussions, the hearing did not commence until day seven, at which time settlements involving revised draft policies and map schedules were presented for all five appeals.

[2] The City has kept the Region of York ("Region") apprised of the status of appeals to the VOP and the Region did not appear at the settlement hearing.

[3] The Tribunal withheld its Decision to enable a full review of the proposed modified policies and maps against the substantial volume of oral and written evidence received. As set out below, the Tribunal allows the appeals in part, approves the modifications to relevant policies and maps as settled among the Parties, and approves those sections of the VOP as modified.

[4] Underlining the Parties' settlement and the Tribunal's findings here are the evolution of provincial and regional policies and the City's approach to accommodating growth with appropriate height, density and mixed uses along transit corridors while protecting adjacent low-rise neighbourhoods, all in pursuit of complete communities. The planning witnesses who testified here agree that the characteristics of the Centre Street Corridor and the resulting settled policies are a "model example" of these planning principles.

[5] The Tribunal compliments the Parties in their resolution of substantial appeals that precluded a lengthy hearing and more importantly, result in a well-planned and favourable approach to city-building.

PARTY STATUS

[6] At the outset of the hearing, the Tribunal denied a request for Party status from the Brownridge Ratepayers Association ("BRA").

[7] Mario Racco, representative of BRA, filed the request for Party status on May 5, 2021 and spoke to the request at the hearing. BRA covers an area to the south of Centre Street and, having only recently become aware that this hearing was scheduled, wished to provide comments or concerns to the Tribunal if such arose from the proposed settlements.

[8] All Appellants opposed the request, as led by detailed submissions on behalf of Appellants Fisch and Vogue (Exhibit 2), resulting in the Tribunal's reasons for denial of Party status below. The City took no position on the request.

[9] The request of the BRA was addressed at three separate Case Management Conferences ("CMC") in 2013, resulting in BRA being granted Participant status with direction to file a motion should it continue to seek Party status. No such motion was

ever filed during the subsequent seven years. As a registered Participant, BRA was sent correspondence as proceedings continued, including notice for the most recent CMC of November 24, 2020 and the Tribunal's Decision therefrom approving the Procedural Order ("PO") for this hearing. BRA failed to file a Participant Statement as directed by the PO.

[10] The Tribunal denied the request for Party status given BRA's admitted absence in these proceedings for a considerable time, its failure to comply with the directions of the (then) Ontario Municipal Board, and the unacceptably late timing of the request today.

CENTRE STREET CORRIDOR APPEALS

[11] The area known as the Centre Street Corridor ("Corridor") under s. 12.9 of the VOP, consists of lands on the north side of Centre Street, from New Westminster Drive in the east to Concord Road in the west. To the east of the Corridor are substantial commercial and residential developments of a Primary Centre (Thornhill). To the north, south and west of the Corridor are low-rise residential neighbourhoods.

[12] The Appellants' properties account for most of the Corridor's area. Starting at the east side, RioCan owns 5.17 hectares ("ha") containing large retail stores. Abutting next, Vogue owns 2.49 ha containing commercial plazas, and abutting it, Sorbara owns a vacant site of 0.81 ha. On the most westerly site, Fisch owns 1.21 ha of formerly occupied low-density residential lots.

[13] Written, visual and oral evidence was received from three Registered Professional Planners ("RPP") whom the Tribunal qualified to provide opinion evidence in land use planning: Antonio Volpentesta retained by Fisch and Sorbara; Murray Evans retained by Vogue; and Timothy Smith retained by RioCan. The City concurred with the evidence heard and did not call a RPP.

FINDINGS

[14] On the uncontested planning evidence in support of the settlement achieved by the Parties, the Tribunal makes the following findings.

[15] The Corridor is highly suitable for redevelopment of its existing low-rise, commercial plazas to greater height, density and a mix of uses given its location adjacent to a Primary Centre with taller high-rise towers, situated along an Intensification Corridor served by Bus Rapid Transit and planned for eventual Light Rail Transit, and containing deep lots capable of achieving desirable transition to adjacent low-rise areas. Centre Street's wide right-of-way provides ample setbacks from the back-lots of the low-rise subdivision to its south, and also accommodates a bicycle lane, pedestrian way and landscaped areas between the transit/vehicular lanes and the proposed mixed-use buildings.

[16] The policies presented here evolve from the City's position developed in 2013 after further study of the area following the 2010 adoption of the VOP. The City agreed then that this commercial area should transition to a mixed-use neighbourhood and proposed that modest mid-rise building heights be allowed. After further study, the City agreed that somewhat taller buildings are appropriate, and with the Appellants continuing to advance taller buildings, the Parties found middle ground which, necessarily, also meets the various statutory requirements. The Parties settled on a gradation of building heights and densities suitable for both the entire area and individual sites, in recognition of current provincial, regional and local policies and guidelines.

[17] Overall, the modified policies allow for an increase in building heights from the City's 2013 version. Although a substantial change in certain sections of the Corridor, heights and uses are specifically prescribed for various locations, including low-rise

residential as an intervening land use between the tallest buildings and the neighbourhood to the north. Permitted development is clearly articulated through specific land use designations, maximum height and density notations and instructive policies.

[18] The tallest mixed-use buildings (up to 22 storeys) are permitted at the east end of the Corridor and transition down in height and land use (to 3 storeys, residential use) to the north. Along Centre Street, an east-west height transition also results from the High-Rise Mixed Use designation beginning at the Centre Street – New Westminster Drive intersection through a central Mid-Rise Mixed Use ‘A’ designation (up to 12 storeys) and finally a Mid-Rise Mixed Use ‘B’ designation (up to 9 storeys) to Concord Road in the west. The resulting permitted densities achieve rates supportive of the Region and City’s policies for housing and mixed-uses along Corridors.

[19] The proposed Urban Design policies reflect the principles and directions of the City-Wide Urban Design Guidelines, 2018. The policies address grade-level setbacks, podium heights, stepbacks and other requirements for an enhanced and active streetscape in pursuit of the area’s transition from an automobile-dominated commercial environment to a complete community and urban main street supporting social interaction, active transportation, and reliant on and supportive of public transit. The height and massing of mid-rise and high-rise buildings are subject to a 45-degree angular plane from the property line of adjacent low-rise uses outside of the Corridor, to ensure compatibility of visual, privacy and shadow impacts. The plan includes a new public street alignment and policies for parkland dedication, size and location.

[20] The settled policies are consistent with the Provincial Policy Statement, 2020 directions for the efficient use of land, intensification along a priority corridor and support for transit while ensuring suitable transition to adjacent uses. Similarly, the policies conform with the A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 directions for optimizing intensification within strategic growth areas including a

major transit station area. As a result, the policies also have due regard to matters of provincial interest in s. 2 of the *Planning Act* (“Act”). The policies conform with the Region’s Official Plan for lands within a Regional Corridor with appropriate consideration of nearby established neighbourhoods. The policies are also consistent with the structure of the VOP related to appropriate intensification along a Regional Intensification Corridor while ensuring lower heights adjacent to Low-Rise Residential neighbourhoods.

[21] To assist with the settlement discussions, the Appellants developed site plans for proposed development which were reviewed by the City. Although some of the plans are more advanced, while others are at the early conceptual stage, all of the plans assist in demonstrating the proposed policies’ continuity progressing westward from the Primary Centre and compatibility with adjacent stable neighbourhoods.

[22] The policies and designations also apply to certain lands within the Corridor that are not represented in these proceedings. Those lots have similar characteristics to the Appellants’ lands, and given their location within the Corridor, are properly included in the gradation of height, density and land use, and the design requirements of new development.

[23] The Tribunal finds that the modified policies satisfy all statutory tests and represent good planning in the public interest. The Parties’ settlement is implemented by allowing the appeals in part and approving the modified policies.

ORDER

[24] The Tribunal Orders, pursuant to s. 17(50) of the *Planning Act*, in respect of the City of Vaughan Official Plan 2010 as adopted by the City of Vaughan on September 7, 2010, subject to Council modifications on September 27, 2011,

March 20, 2012, and April 17, 2012, and modified and endorsed by the Regional Municipality of York on June 28, 2012, that:

- a. Appeals 61, 78, 79, 82 and 105 of the City of Vaughan Official Plan are allowed in part;
- b. The City of Vaughan Official Plan Volume 2, Centre Street Corridor Area Specific Policy 12.9, is hereby modified and approved as modified in accordance with Attachment 1 forming part of this Order;
- c. The City of Vaughan Official Plan Volume 1, Schedules 13 and 14B, are hereby modified and approved as modified to reflect the approval of modified Policy 12.9 in accordance with Attachments 2 and 3 forming part of this Order; and
- d. The balance of Appeals 61, 78, 79, 82 and 105 of the City of Vaughan Official Plan are hereby dismissed.

“S. Tousaw”

S. TOUSAW
MEMBER

Ontario Land Tribunal

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The Conservation Review Board, the Environmental Review Tribunal, the Local Planning Appeal Tribunal and the Mining and Lands Tribunal are amalgamated and continued as the Ontario Land Tribunal.

PL111184 – Attachment 1

12.9 Centre Street Corridor

12.9.1 Goals & Vision

12.9.1.1 The goal of this Area Specific Policy is to enable and guide the transformation of the Centre Street Corridor, shown on Map 12.9.A, as an attractive, connected, pedestrian-friendly and transit-supportive mixed use corridor through the application of a comprehensive, co-ordinated and integrated approach to planning, transportation, and environmental sustainability and implementing this goal with a vision of high quality urban design pursuant to the City-Wide Urban Design Guidelines (2018) tailored to the circumstances of this area.

12.9.2 Urban Design

12.9.2.1 Future development in the Centre Street Corridor shall be in general 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 fronting on public streets shall be designed to have active facades including primary windows and entrances facing the street;
- b. Buildings fronting on public or private streets shall not be separated from the street by either parking areas or drive aisles;
- c. All development shall respect and protect the existing scale and character of adjacent low-rise residential neighbourhoods by adequately limiting 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, including a Landscaped Buffer in accordance with Policy 12.9.8.4, is required for any development abutting an existing low-rise residential property;
 - ii. The height and massing of all mid-rise and high-rise buildings are subject to a 45-degree angular plane originating from the nearest property line of any existing low-rise residential properties not located within the Centre Street Corridor;
 - iii. Minor encroachments into the 45-degree angular plane for non-habitable space such as parapets or balconies may be permitted where the compatibility intent of the spatial separation regarding visual, privacy and

- shadow impacts is maintained and appropriate transition in heights is achieved;
- 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. 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
 - vi. 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 will be designed to maintain a functional prominent pedestrian entrance that relates to Centre Street;
 - e. The area between the building wall and the street shall contribute to a positive social and visual environment on the street;
 - f. Buildings shall be designed with high quality architectural materials;
 - g. Large, blank walls and repetitive facades shall be avoided. Variation in certain elements of façade treatment should be provided;
 - h. Architectural variation and animation 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 shall provide interconnected rear laneways, where appropriate, as sites develop or redevelop over time;
 - j. Surface parking shall have minimal impact on the public realm and 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;
 - l. Parking areas shall be landscaped with trees in accordance with the City-Wide Urban Design Guidelines (2018);

- m. Where the grade changes over the length or width of the site, adequate grade relationships should be retained and ground floor *retail* entrances shall be flush with the public sidewalk;
- 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. Service and loading areas are prohibited adjacent to public streets and must, at all times, be effectively screened and generally fully enclosed;
- p. Access to underground parking 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. Garbage will be stored within a building;
- r. Roof heating, ventilation, air conditioning and mechanical equipment for new buildings shall be enclosed within a mechanical penthouse, screened by durable materials in keeping with the design of the building or located behind a parapet wall to screen noise and visibility from abutting existing low-rise residential properties and the public realm;
- s. When locating and massing a building on a lot, the following additional policies shall apply:
 - i. Buildings along the north frontage of Centre Street between New Westminster Drive and Concord Road shall be setback a minimum of 7.0 metres from the lot line fronting Centre Street, with the exception of the base building or podium of buildings as identified in Policies 12.9.2.1.s.iv, v and vi below which may project into the 7.0 metre setback to a minimum setback of 3.5 metres starting 7.5 metres above grade and in accordance with the City-Wide Urban Design Guidelines (2018);
 - ii. 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 Concord Road to facilitate on-street parking and provide an expanded pedestrian realm;
 - iii. Aside from the projection permitted in Policy 12.9.2.1.s.i above, the amount of any permitted at grade encroachment of buildings into the 7.0 metre setback shall be established by the City on a site-by-site basis and in

accordance with the City-Wide Urban Design Guidelines (2018) and having regard to the particular context of this area, the transit station, and anticipated pedestrian traffic;

- iv. Buildings up to 9 storeys or 30 metres in height, whichever is less, are subject to:
- a minimum base building height of 3 storeys;
 - a maximum base building height of 7 storeys or 25 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 setback above the base building of 3.5 metres from the face of the base building;
 - a minimum exterior side setback above the base building of 3.0 metres from the face of the base building; and
 - a minimum rear yard setback of 7.5 metres.
- v. Buildings 10 to 12 storeys or 40 metres in height, whichever is less, are subject to:
- a minimum base building height of 3 storeys;
 - a maximum base building height of 8 storeys or 28 metres, whichever is less;
 - for buildings fronting on Centre Street, an appropriate front yard setback above the base building shall be determined through site-specific zoning by-law amendments, having regard to the surrounding built form context and the City-Wide Urban Design Guidelines (2018); and
 - above the base building, a minimum exterior side setback shall be determined through site-specific zoning by-law amendments, having regard to the surrounding built form context and the City-Wide Urban Design Guidelines (2018).
- vi. Buildings greater than 12 storeys or 40 metres in height, whichever is less, are subject to:
- a minimum podium height of 3 storeys;
 - a maximum podium height of 8 storeys or 28 metres, whichever is less;
 - for buildings fronting on Centre Street, an appropriate front yard setback above the podium shall be determined through site-specific zoning by-

law amendments, having regard to the surrounding built form context and the City-Wide Urban Design Guidelines (2018);

- a minimum exterior side setback above the podium of 3.0 metres from the face of the podium;
- a maximum gross residential floorplate size of 850 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; and
- a separation distance generally of at least 25 metres for adjacent buildings taller than 12 storeys.

12.9.2.2 Any variations from Policy 12.9.2.1 above, shall, to the satisfaction of the City, be minor and shall respond to the unique conditions or context of a site. Such variations, with the exception of variations to height and/or density, will not require an amendment to this Area Specific Policy provided that they are supported through an Urban Design Brief that has been prepared to the satisfaction of the City. Detailed development standards to implement the policies set out in Policy 12.9.2.1 will be provided through the City's Zoning By-law, including site-specific amendments, if appropriate.

12.9.2.3 In addition to the policies of this Area Specific Policy, the implementing zoning by-law shall establish specific requirements related to building height and massing, including angular planes, setbacks and stepbacks.

12.9.2.4 All proposed developments within the Centre Street Corridor may be subject to review by a Design Review Panel to ensure consistency with the policies in this section as well as the City-Wide Urban Design Guidelines (2018).

12.9.3 Land Use: Low-Rise Residential

12.9.3.1 Notwithstanding Policy 9.2.2.1, the following policies shall apply to the lands identified as **Low-Rise Residential** on Map 12.9.A.

12.9.3.2 In **Low-Rise Residential** areas, the permitted uses shall include:

- a. Residential units;
- b. *Retail* or commercial uses in a stand-alone or multi-unit format which existed as of the date of approval of this Area Specific Policy;

- c. Public and/or private open space, including Parks and Urban Squares, pursuant to the policies in Section 12.9.8; and
 - d. Public and/or private utilities.
- 12.9.3.3 Notwithstanding Policy 9.2.2.1.c, in **Low-Rise Residential** areas the permitted building types shall be Townhouses and Stacked Townhouses (including back-to-back Stacked Townhouses).
- 12.9.3.4 Notwithstanding Policies 9.2.3.2 and 9.2.3.3, Townhouses and Stacked Townhouses (including back-to-back Stacked Townhouses) may front onto a private street and are subject to the following:
- i. Notwithstanding Policies 9.2.3.2.d and 9.2.3.3.d, Townhouse and Stacked Townhouse units may have front entrances oriented onto a private street, laneway and/or pedestrian mews;
 - ii. Notwithstanding Policies 9.2.3.2.e and 9.2.3.3.e., the facing distance between blocks of Townhouses and Stacked Townhouses (including back-to-back Stacked Townhouses) that are not separated by a public or private street or laneway shall be a minimum of 12 metres; and
 - iii. An enclosed structure that includes a stairwell, and may or may not include a mechanical penthouse, that provides access to a rooftop area is not considered a storey.
- 12.9.3.5 Notwithstanding Policies 9.2.3.2.a and 9.2.3.3.b, maximum building heights within **Low-Rise Residential** areas shall be regulated as shown on Map 12.9.B. Despite the maximum building height shown on Map 12.9.B for **Low-Rise Residential** areas, where buildings are separated from existing low-rise residential properties located outside of this Area Specific Policy by one or more intervening buildings, the maximum height shall be 4 storeys.
- 12.9.3.6 Where detached rear garages are provided and accessed by a rear laneway, the minimum rear yard setback of the dwelling unit shall be 13.5 metres from the laneway.
- 12.9.3.7 The maximum net density within **Low-Rise Residential** areas shall be regulated as shown on Map 12.9.B.

12.9.4 Land Use: Mid-Rise Mixed-Use A

12.9.4.1 Notwithstanding Policy 9.2.1.1, the following policies apply to the lands identified as **Mid-Rise Mixed-Use A** on Map 12.9.A.

12.9.4.2 Permitted uses in the **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 2,500 square metres per individual establishment, subject to the policies of Section 5.2.3;
- g. *Retail* or commercial uses in a stand-alone or multi-unit format which existed as of the date of approval of this Area Specific Policy;
- h. Grocery stores, which shall not exceed a maximum permitted gross floor area of 7,000 square metres;
- i. Office uses;
- j. Parking structures, pursuant to Policies 12.9.7.5 and 12.9.7.6;
- k. *Hotel*;
- l. Public and/or private open space, including Parks and Urban Squares, pursuant to the policies in Section 12.9.8;
- m. Public and/or private utilities; and,
- n. Institutional uses.

12.9.4.3 In areas designated as **Mid-Rise Mixed-Use A**, with the exception of new buildings that do not have frontage on a public street or public park, mixed-use buildings shall be required, including a mix of office, *retail*, residential and/or other permitted non-residential uses. Existing buildings with commercial and *retail* uses can continue to be used, without the requirement to contain a mix of uses.

12.9.4.4 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, and non-

residential uses are encouraged at other levels above grade. Floor-to-floor grade level heights for non-residential uses shall be no less than 4.5 metres.

12.9.4.5 New stand-alone *retail* uses are not permitted in areas designated as **Mid-Rise Mixed-Use A**.

12.9.4.6 Permitted building types in **Mid-Rise Mixed-Use A** areas shall include:

- a. Low and mid-rise buildings; and
- b. Public or private institutional buildings.

12.9.4.7 Notwithstanding Policy 9.2.3.5, maximum building heights permitted within the **Mid-Rise Mixed-Use A** designation shall be regulated as shown on Map 12.9.B.

12.9.4.8 The maximum net density within the **Mid-Rise Mixed-Use A** designation shall be regulated as shown on Map 12.9.B.

12.9.5 Land Use: Mid-Rise Mixed-Use B

12.9.5.1 Notwithstanding Policy 9.2.1.1, the following policies apply to the lands identified as **Mid-Rise Mixed-Use B** on Map 12.9.A.

12.9.5.2 Permitted uses in the **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* or commercial uses in a stand-alone or multi-unit format which existed as of the date of approval of this Area Specific Policy;
- g. *Retail* uses fronting on Centre Street, including restaurants, up to a maximum permitted gross floor area of 1,250 square metres per individual establishment, subject to the policies of Section 5.2.3;
- h. Office uses;
- i. Public and/or private open space, including Parks and Urban Squares, pursuant to the policies in Section 12.9.8;

- j. Public and/or private utilities; and,
 - k. Institutional uses.
- 12.9.5.3 In areas designated as **Mid-Rise Mixed-Use B**, with the exception of new buildings that do not have frontage on a public street or public park, mixed-use buildings shall be required, including a mix of office, *retail*, residential and/or other permitted non-residential uses. Existing buildings with commercial and *retail* uses can continue to be used, without the requirement to contain a mix of uses.
- 12.9.5.4 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, and non-residential uses are encouraged at other levels above grade. Floor-to-floor grade level heights for non-residential uses shall be no less than 4.5 metres.
- 12.9.5.5 Stand-alone *retail* uses are not permitted in areas designated as **Mid-Rise Mixed-Use B**, except as an interim use, where the stand-alone *retail* uses existed as of the date of approval of this Area Specific Policy.
- 12.9.5.6 Permitted building types in the **Mid-Rise Mixed-Use B** area shall include:
- a. Low and mid-rise buildings; and,
 - b. Public or private institutional buildings.
- 12.9.5.7 Notwithstanding Policy 9.2.3.5, maximum building heights within the **Mid-Rise Mixed-Use B** designation shall be regulated as shown on Map 12.9.B.
- 12.9.5.8 The maximum net density within the **Mid-Rise Mixed-Use B** designation shall be regulated as shown on Map 12.9.B.
- 12.9.5.9 Recognizing that the 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, or other such alternative measures deemed satisfactory by the City, to connect all properties to Concord Road and/or Vaughan Boulevard.
- 12.9.5.10 Comprehensive planning and development of land parcels shall be required within the **Mid-Rise Mixed-Use B** designation; where feasible and appropriate, development parcels shall be assembled in order to minimize access points to Centre Street, and to facilitate the development of a 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 a rear yard laneway/access driveway.

12.9.5.11 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 high quality outdoor spaces, generally located to the rear of future buildings. In order to optimize the size and design of these outdoor amenity areas, where appropriate they shall be planned and developed in co-ordination with adjoining lots included in the assembled development parcel.

12.9.6 Land Use: High-Rise Mixed-Use

12.9.6.1 Notwithstanding Policy 9.2.2.6, the following policies apply to the lands identified as **High-Rise Mixed-Use** on Map 12.9.A.

12.9.6.2 Permitted uses in **High-Rise Mixed-Use** areas 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* or commercial uses in a stand-alone or multi-unit format which existed as of the date of approval of this Area Specific Policy;
- g. *Retail uses*, including restaurants, up to a maximum permitted gross floor area of 3,500 square metres per individual establishment, subject to the policies of Section 5.2.3;
- h. Grocery stores, which shall not exceed a maximum permitted gross floor area of 7,000 square metres;
- i. Office uses;
- j. Parking structures, pursuant to Policies 12.9.7.5 and 12.9.7.6;
- k. *Hotel*;

- 12.9.7.2 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.
- 12.9.7.3 Sharing of parking will be encouraged within the Centre Street Corridor, subject to evaluation by the City.
- 12.9.7.4 Within the Centre Street Corridor, parking underground and in structures shall be encouraged.
- 12.9.7.5 Where parking structures are permitted, the frontages shall predominately consist of *retail* uses or other active uses that animate the street.
- 12.9.7.6 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 and City-Wide Urban Design Guidelines (2018).
- 12.9.7.7 Pursuant to Policy 4.3.2.2, reduced parking requirements shall be promoted within the Centre Street Corridor.
- 12.9.7.8 Map 12.9.A identifies the potential alignment of a public street with a minimum 18.0 metre right-of-way within the Centre Street Corridor. 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 Area Specific Policy.

12.9.8 Open Spaces

- 12.9.8.1 The City shall promote open space features as key aesthetic and functional components that complement adjacent developments.
- 12.9.8.2 The open space system within the Centre Street Corridor should be focused on an 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. 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 locations 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.

12.9.8.3 Parks, as described in Policy 7.3.1.2.c, shall be provided generally as identified on Map 12.9.A, and shall be designed in accordance with Section 7.3.2. While the City's parkland dedication requirements are not changed for this Area Specific Policy, within the Centre Street Corridor it is the intention of the City to achieve parkland of 0.3 hectares per 1000 residents, with a minimum of 0.75 hectares of parkland.

12.9.8.4 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 metres wide, and may consist of trees, shrubs, planting beds, drainage swales and pedestrian pathways. Landscaped Buffers are required in all cases, except where it is within a private rear yard of a new low-rise residential property abutting the rear yard of a low-rise residential property outside of this Area Specific Policy area.

12.9.8.5 Map 12.9.A identifies the planned location for the Parks within the Centre Street Corridor. The final location, size and configuration of Parks will be determined through the development application process. Modifications to the location of the planned Parks, subject to City approval, are permitted without amendment to this Area Specific Policy.

12.9.9 Community Sustainability

12.9.9.1 All development in the Centre Street Corridor 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.

12.9.9.2 Consistent with Policy 9.1.3.3, applications for development in the Centre Street Corridor 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.

12.9.10 Implementation and Transition

12.9.10.1 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. 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; and
- h. the use of development agreements registered on title.

12.9.10.2 To facilitate a coordinated phasing approach to development within the Centre Street Corridor, the requirement for a Development Concept Report as outlined in Policy 10.1.1.7 shall apply to the lands identified on Map 12.9.A.

12.9.10.3 For all designations in this Area Specific Policy, 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, and shall include the area of private lanes and streets whether or not subject to a public easement.

12.9.10.4 In recognition of the need to stage the transition of the Centre Street Corridor from the existing low-rise built form to the more intense form of development envisioned

over the long term by this Area Specific Policy, interim development consisting of expansions and renovations to existing buildings shall continue to be permitted in accordance with Policy 10.2.1.4.

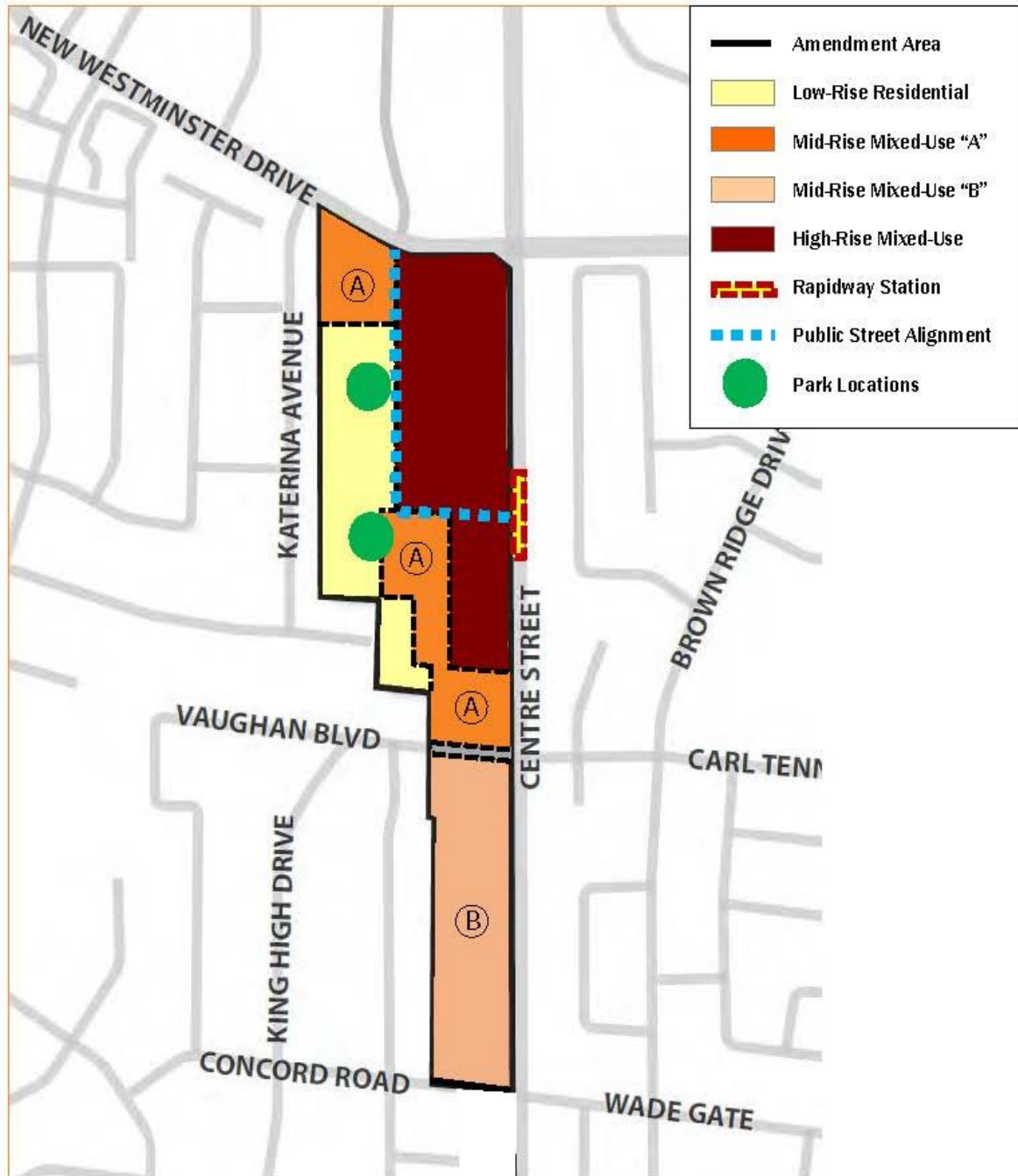
Appendix I – Priority Community Benefits

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:

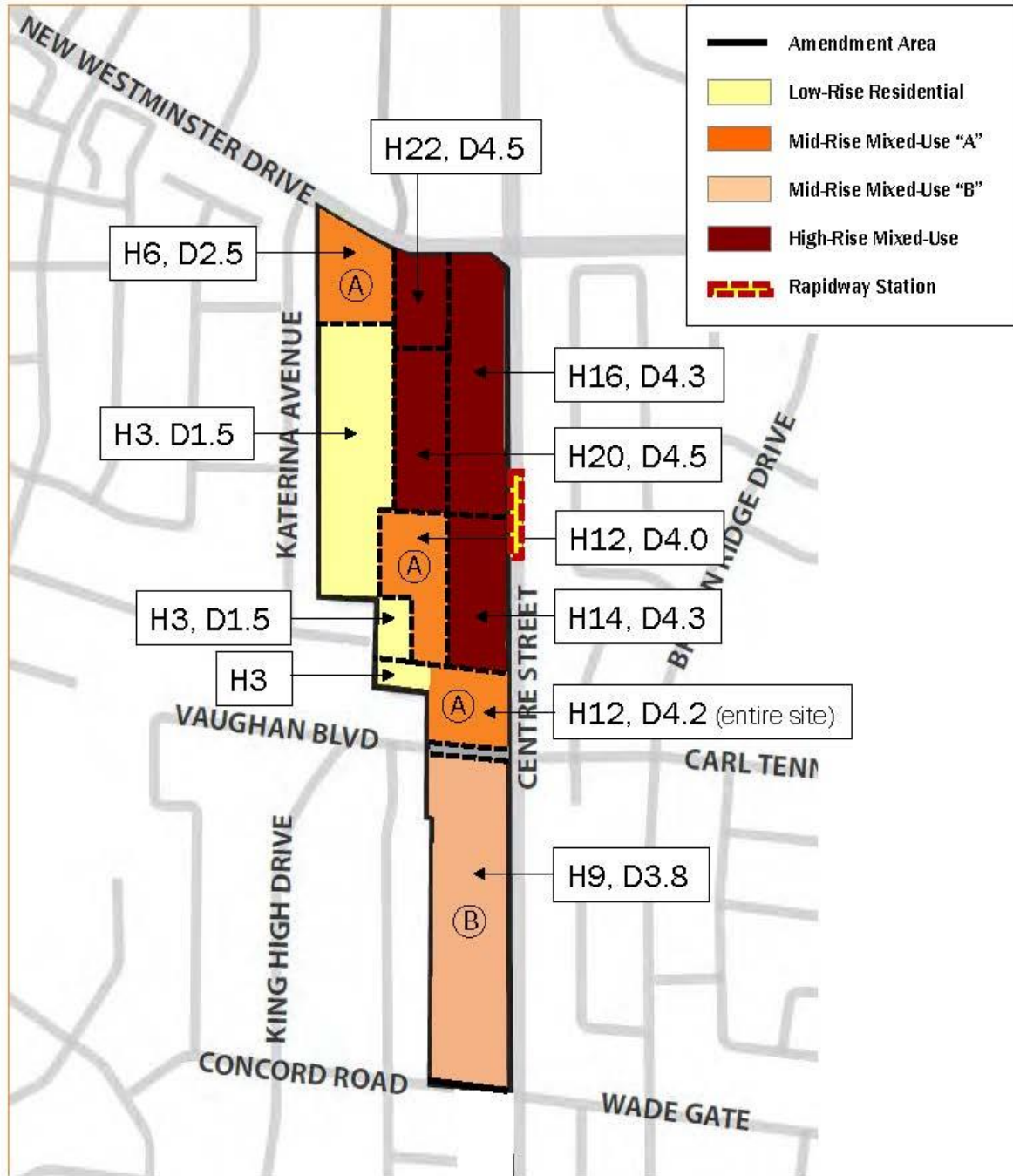
1. Cultural amenities, including public art and outdoor cultural event space within the boundaries of the subject lands.
2. The provision of community facilities identified by the City as desirable for the planning area, but which are not accommodated in the City's standard levels of service.
3. The 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.

MAP 12.9.A:
Centre Street Corridor Land Use Plan

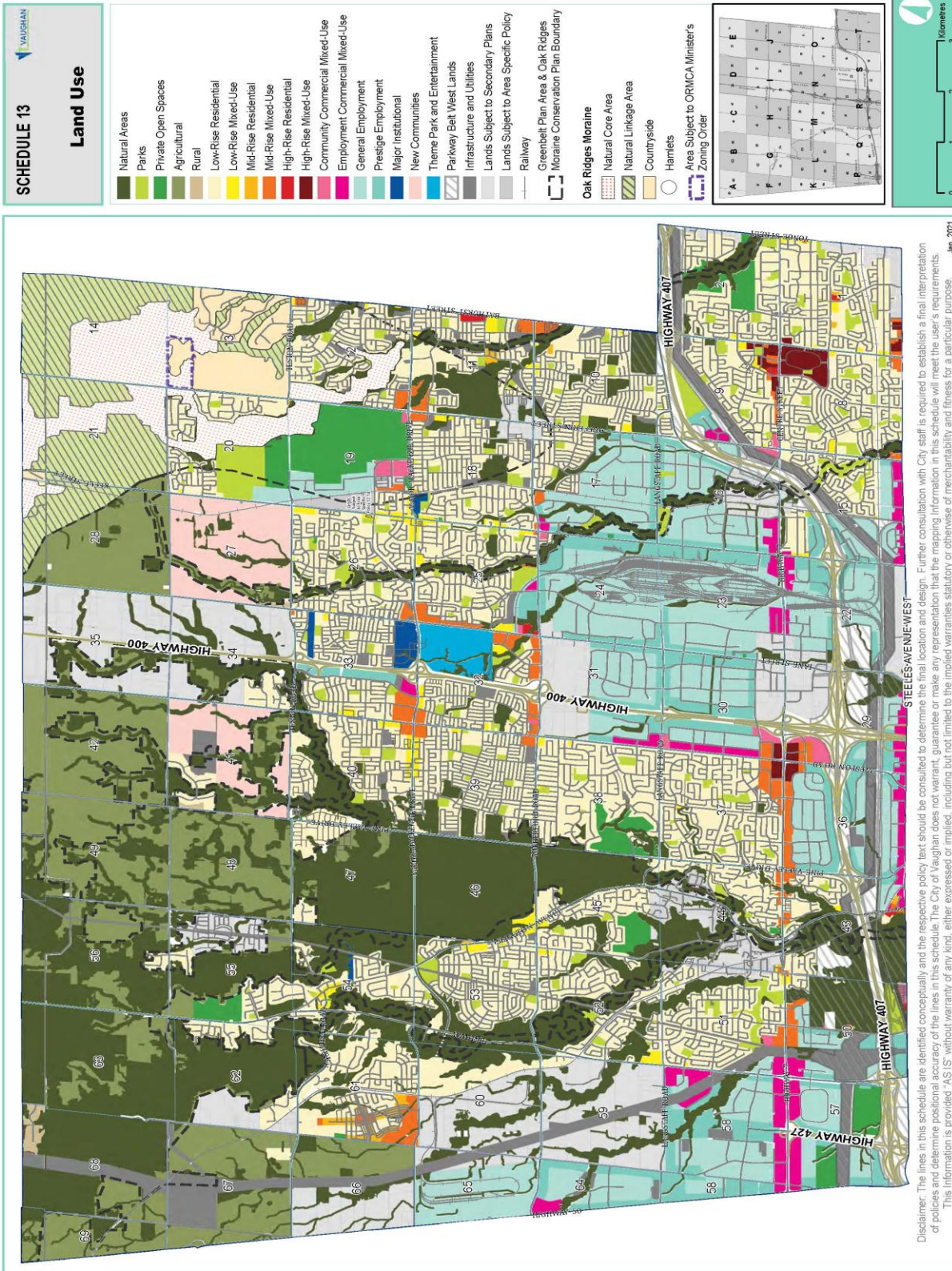


MAP 12.9.B:

Centre Street Corridor Building Height and Density Maximums



PL111184 – Attachment 2



PL111194 – Attachment 3

SCHEDULE 14B
Areas Subject to Area Specific Plans

Site #, Name, and Chapter

- 1. Heritage Conservation Districts, 12.2
- 2. Keele Valley Landfill Area, 12.3
- 3. Kleinburg Core, 12.4
- 4. Adult Entertainment Uses, 12.5
- 5. NE Quadrant of Major Mackenzie Dr. and Weston Rd., 12.6
- 6. Block 61 West - Nashville Heights, 12.7
- 7. Yonge Street Corridor in Thornhill, 12.8
- 8. Centre Street Corridor, 12.9
- 9. Kipling Avenue and Highway 7, 12.10
- 10. Bathurst and Centre Street, 12.11
- 11. Huntington Business Park, 12.12
- 12. Block 40/47, 12.13
- 14. NE Quadrant of Kipling Ave. & Highway 7, 12.15

See Minister's Decision on ORMCP Designation

Municipal Boundary

