

Committee of the Whole (Public Meeting) Report

DATE: Monday, September 19, 2022 **WARD:** 5

TITLE: PROMENADE LIMITED PARTNERSHIP
ZONING BY-LAW AMENDMENT FILE Z.22.026
1 PROMENADE CIRCLE
VICINITY OF BATHURST STREET AND CENTRE STREET

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: FOR INFORMATION

Purpose

To receive comments from the public and the Committee of the Whole on Zoning By-law Amendment Application Z.22.026 to amend Zoning By-laws 1-88 and 001-2021 to permit the development of a 6-storey office building with at-grade retail and two levels of underground parking and a public park on the Subject Lands with site-specific exceptions as shown on Attachments 2 to 4.

Report Highlights

- To permit a 6-storey office building with at-grade retail and underground parking and a public park
- This report identifies preliminary issues to be considered in a technical report to be prepared by the Development Planning Department at a future Committee of the Whole meeting

Recommendations

1. THAT the Public Meeting report for Zoning By-law Amendment File Z.22.026 (Promenade Limited Partnership) BE RECEIVED, and that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

Background

Location: 1 Promenade Circle (the 'Subject Lands'). The Subject Lands and the surrounding land uses are shown on Attachment 1.

Date of Pre-Application Consultation Meeting: February 1, 2022

An application has been submitted to permit the proposed development

Promenade Limited Partnership (the 'Owner') has submitted a Zoning By-law Amendment File Z.22.026 (the 'Application') for the Subject Lands amend Zoning By-law 1-88 and 001-2021 to permit a 6-storey office building with at-grade retail and two levels of underground parking and a public park (the 'Development') as shown on Attachments 2 to 4 as follows:

- a) to rezone the Subject Lands from 'C5 Community Commercial Zone' and 'RA5 High Density Residential' subject to site-specific Exception 9(480) by Zoning By-law 1-88 as shown on Attachment 1, to 'RA5 High Density Residential – Town Centre Zone' in the manner shown on Attachment 2, together with the site-specific zoning exceptions identified in Table 1 of this Report.
- b) to rezone the Subject lands from 'GC General Commercial Zone' and 'RM2 Residential Multiple Zone' subject to site-specific Exception 14.281 in Zoning By-law 001-2021 as shown on Attachment 1, to 'GC General Commercial Zone' in the manner shown on Attachment 2, together with the site-specific zoning exceptions identified in Table 2 of this Report.

Public Notice was provided in accordance with the Planning Act and Council's Notification Protocol

- a) Date the Notice of Public Meeting was circulated: August 19, 2022.

The Notice of Public Meeting was also posted on the City's web-site at www.vaughan.ca and a Notice Sign was installed along Bathurst Street in accordance with the City's Notice Signs Procedures and Protocols.

- b) Circulation Area: To all property owners within 300 m of the Subject Lands and to the Brownridge Ratepayers' Association and to anyone on file with the Office of the City Clerk having requested notice.
- c) No comments have been received as of August 23, 2022 by the Development Planning Department.

Any written comments received will be forwarded to the Office of the City Clerk to be distributed to the Committee of the Whole as a Communication and be reviewed and addressed by the Development Planning Department in a future technical report to the Committee of the Whole.

Previous Reports/Authority

A link to the Council adopted Promenade Centre Secondary Plan Report is found here:

Committee of the Whole June 21, 2022, Promenade Centre Secondary Plan (Item 20, Report No. 30)

Analysis and Options

The proposed development conforms with Vaughan Official Plan 2010

Official Plan Designation:

- “Primary Centre” on Schedule 1 – Urban Structure by Vaughan Official Plan 2010 (‘VOP 2010’) with a “Regional Intensification Corridor” overlay
- “High-Rise Mixed-Use” on Schedule 13 – Land Use by VOP 2010 with no maximum height or Floor Space Index (‘FSI’) requirement
- The “High-Rise Mixed-Use” designation permits a range of residential units, home occupations, community facilities, cultural uses, retail uses, office uses up to 12,500m², parking garages, hotels and gas stations
- The “High-Rise Mixed-Use” designation permits both mid-rise buildings (5 to 12 storeys in height) and high-rise buildings (generally over 12 storeys in height)
- Parks and Open Space are permitted in all land use designations, including the “High-Rise Mixed-Use” designation
- The Development proposes to permit a 6-storey office building with-at grade retail (9,902 m² of office gross floor area (‘GFA’) and 1,324 of retail GFA), an FSI of 3.25 times the area of the lot and a public park
- The Application conforms with VOP 2010

The Subject Lands are subject to the Council adopted Promenade Centre Secondary Plan Area

On June 28, 2022, Vaughan City Council adopted the “11.16 Promenade Centre Secondary Plan” (PCSP). The Subject Lands are designated “Mid-Rise Mixed-Use,” “Park” and “Community Commercial Mixed-Use” in the PCSP. The proposed office building is located within the “Mid-Rise Mixed-Use” designation with a maximum height of 12-storeys and density of 6.5 times the area of the lot, as shown on Attachment 5. The Development aligns with the land use policies for the Subject Lands as adopted by Council.

York Region is the approval authority for all lower-tier municipal Secondary Plans and requires an Official Plan Amendment, as adopted by Vaughan Council, to formalize the approval process of the Promenade Centre Secondary Plan.

Amendments to Zoning By-law 1-88 are required to permit the development

Zoning:

- “C5 Community Commercial Zone” and “RA5 High Density Residential – Town Centre Zone” by Zoning By-law 1-88, subject to site-specific Exception 9(480)
- Site-specific zoning exceptions are required to facilitate the Development
- The Owner proposes to rezone the Subject Lands to “RA5 High Density Residential – Town Centre” together with the following site-specific zoning exceptions:

Table 1:

	Zoning By-law 1-88 Standard	RA5 High Density Residential – Town Centre Zone Requirement	RA5 High Density Residential – Town Centre Zone Requirement Proposed Exceptions
a.	Permitted Uses	<ul style="list-style-type: none"> • apartment dwellings • bank or financial institution • retail store • business or professional office • personal service shop • video store 	<ul style="list-style-type: none"> • banquet hall • brewers retail outlet • business services establishment • clinic • club or health centre • community facilities • cultural uses • eating establishment • eating establishment, convenience • eating establishment, take-out, with or without outdoor patio • financial institution • general office • hand car wash and detailing establishment • hotel • institutional uses • LCBO Outlet • medical office • motor vehicle sales establishment • multi-unit building • pet grooming establishment, to be contain wholly enclosed with a building • pharmacy • photography studio • place of amusement • place of entertainment • place of worship • regulated health professional • retail store • service or repair shop • shopping centre

	Zoning By-law 1-88 Standard	RA5 High Density Residential – Town Centre Zone Requirement	RA5 High Density Residential – Town Centre Zone Requirement Proposed Exceptions
			<ul style="list-style-type: none"> • studio • supermarket • technical or commercial school • veterinary clinic • park/open space
b.	Minimum Parking Requirements	<u>Retail Uses</u> 4 parking spaces/100 m ² of GFA <u>Office Uses</u> 3.5 spaces / 100 m ² of GFA	<u>Retail Uses</u> 2 parking spaces/100 m ² of GFA <u>Office Uses</u> 1.5 spaces / 100 m ² of GFA

Additional zoning exceptions may be identified through the detailed review of the Application and will be considered in a technical report to a future Committee of the Whole meeting.

Council enacted By-law 001-2021 as the new Vaughan Comprehensive Zoning By-law

On October 20, 2021, Council enacted By-law 001-2021 as the new Vaughan comprehensive Zoning By-law ('Zoning By-law 001-2021'). A notice of the passing was circulated on October 15, 2021, in accordance with the Planning Act. The last date for filing an appeal to the OLT in respect of Zoning By-law 001-2021 was November 15, 2021. Zoning By-law 001-2021 is currently under appeal and, when in force, will replace Zoning By-law 1-88, as amended. Until such time as Zoning By-law 001-2021 is in force, the Owner will be required to demonstrate compliance with both Zoning By-law 001-2021 and Zoning By-law 1-88, as amended.

Amendments to Zoning By-law 001-2021 are required to permit the Development Zoning:

- "GC General Commercial Zone" and "RM2 Multiple Residential Zone 2", subject to site-specific Exception 14.281
- Site-specific zoning exceptions are required to facilitate the Development
- The Owner proposes to rezone the Subject Lands and "GC General Commercial Zone" together with the following site-specific zoning exceptions shown in Table 2 to permit the Development:

Table 2:

	Zoning By-law 01-2021 Standard	GC General Commercial Zone Requirements	GC General Commercial Zone Requirement Proposed Exceptions
a.	Permitted Uses	<ul style="list-style-type: none"> • Art studio • Automotive detailing • Business service • Clinic • Commercial school • Commercial storage • Financial institution • Funeral services • Fueling station • Garden centre • Health and fitness centre • Heavy equipment sales, rental and service establishment • Hotel • Micro-manufacturing • Motor vehicle rental • Motor vehicle repair • Motor vehicle sales • Office • Personal service • Pet care establishment • Place of assembly • Place of entertainment • Research and development • Restaurant • Restaurant, take-out • Retail • Retail, convenience • Service or repair shop • Supermarket • Taxi stand • Theatre • Veterinary clinic • Community facility • Community garden • Daycare centre 	<p>To permit a park/open space</p> <p>To permit the following uses within the proposed office building:</p> <ul style="list-style-type: none"> • banquet hall • brewers retail outlet • business services establishment • clinic • club or health centre • community facilities • cultural uses • eating establishment • eating establishment, convenience • eating establishment, take-out, with or without outdoor patio • financial institution • general office • hand car wash and detailing establishment • hotel • institutional uses • LCBO Outlet • medical office • motor vehicle sales establishment • multi-unit building • pet grooming establishment, to be contain wholly enclosed with a building • pharmacy • photography studio • place of amusement • place of entertainment • place of worship

	Zoning By-law 01-2021 Standard	GC General Commercial Zone Requirements	GC General Commercial Zone Requirement Proposed Exceptions
		<ul style="list-style-type: none"> • Emergency service • Place of worship • Public parking 	<ul style="list-style-type: none"> • regulated health professional • service or repair shop • shopping centre • studio • supermarket • technical or commercial school • veterinary clinic
b.	Maximum Height	11 m	28 m
c.	Minimum Parking Requirements	<u>Retail Uses</u> 6 parking spaces/100 m ² of GFA <u>Office Uses</u> 3.5 spaces / 100 m ² of GFA	<u>Retail Uses</u> 2 parking spaces/100 m ² of GFA <u>Office Uses</u> 1.5 spaces / 100 m ² of GFA

Additional zoning exceptions may be identified through the detailed review of the Application and will be considered in a technical report to a future Committee of the Whole meeting.

Following a preliminary review of the application, the Development Planning Department has identified the following matters to be reviewed in greater detail

	MATTERS TO BE REVIEWED	COMMENT(S)
a.	Conformity and Consistency with Provincial Policies, York Region and City Official Plan Policies	<ul style="list-style-type: none"> ▪ The Application will be reviewed for consistency and conformity with the Provincial Policy Statement, 2020 (the 'PPS'), A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended (the 'Growth Plan') and the policies of the York Region Official Plan, 2010 ('YROP'), VOP 2010 and the Council adopted Promenade Centre Secondary Plan
b.	Appropriateness of Amendments to Zoning By-law 1-88 and 001-2021	<ul style="list-style-type: none"> ▪ The appropriateness of the rezoning, zone categories and site-specific exceptions will be reviewed in consideration of the existing and planned surrounding land uses

	MATTERS TO BE REVIEWED	COMMENT(S)
		<ul style="list-style-type: none"> The Owner is proposing a stratified park encumbered by underground parking to be permitted in the RA5 High Density Residential – Town Centre Zone in By-law 1-88 and in the GC Commercial Zone in By-law 01-2021. Development Planning Department will assess the appropriateness of including the public park in the RA5 High Density Residential – Town Centre Zone and the GC Commercial Zone through the review of the Application
c.	Promenade Centre Secondary Plan Transportation Network	<ul style="list-style-type: none"> The road network in the PCSP shall be protected for and the dedication of lands should be conveyed to the City free of any costs and encumbrances for through this Application or any future phases
d.	Studies and Reports	<ul style="list-style-type: none"> The Owner submitted studies and reports in support of the Application available on the city's website at https://maps.vaughan.ca/planit/ (PLANit Viewer) and must be approved to the satisfaction of the City or respective approval authority. Additional studies and/or reports may be required as part of the application review process
e.	Urban Design Guidelines	<ul style="list-style-type: none"> The Development will be reviewed in consideration of the City of Vaughan City-wide Urban Design Guidelines and the Centre Street Urban Design Guidelines
f.	Public Agency/Municipal Review	<ul style="list-style-type: none"> The Application must be reviewed by York Region and the Toronto and Region Conservation Authority and external public agencies and utilities, municipalities and the Public, Separate, and French School Boards
g.	Sustainable Development	<ul style="list-style-type: none"> The Application will be reviewed in consideration of the City of Vaughan's Policies and Sustainability Metrics Program. The Development shall achieve a minimum Bronze score of 31
h.	Parkland Dedication	<ul style="list-style-type: none"> The Application will be reviewed in consideration of the requirements of the <i>Planning Act</i> and the City of Vaughan's Parkland Dedication Policy. The applicant is proposing a 0.25 ha park that will be conveyed to the City that is encumbered by underground parking

	MATTERS TO BE REVIEWED	COMMENT(S)
		<ul style="list-style-type: none"> ▪ The Council adopted Promenade Centre Secondary Plan contemplates permitting parking under parks provided the purpose, function and character of these facilities not materially or qualitatively compromised (Policy 11.7.4) ▪ The appropriateness of the proposed strata park arrangement will be reviewed through the Application and through related Site Development Application DA.22.050
i.	Related Site Development Application	<ul style="list-style-type: none"> ▪ The Owner has submitted related Site Development File DA.22.050 to be reviewed with the Application. Through changes to the <i>Planning Act</i> made by Bill 109, authority for the approval of Site Development Applications submitted on or after July 1, 2022, is now delegated to the Deputy City Manager of Planning and Growth Management or designate

Financial Impact

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

Broader Regional Impacts/Considerations

The Application has been circulated to the York Region Community Planning and Development Services Department for review and comment. The Subject Lands have access to and frontage (overall Promenade Mall site) onto Centre Street a Regional Rapid Transit and Intensification Corridor and Bathurst Street a Regional Transit Priority Network Corridor. The Owner is required to satisfy all requirements of York Region, including, but not limited to potential road widening requirements, access requirements, turning lanes and servicing. Any Regional issues will be addressed when the technical report is considered.

Conclusion

The preliminary issues identified in this report and any other issues identified through the processing of the Application will be considered in the technical review of the Application. Comments from the public and Vaughan Council expressed at the Public Meeting or in writing will be addressed in a comprehensive report to a future Committee of the Whole meeting.

For more information, please contact Daniela DeGasperis, Planner, Development Planning Department, ext. 8382.

Attachments

1. Context and Location Map
2. Site Plan and Proposed Zoning
3. Building Elevations – North and East
4. Building Elevations – South and West
5. Council Adopted Promenade Secondary Plan – Land Use Schedule

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