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Urban Centres Zoning By-law: Status Update and Request for Release of Draft Framework Staff Report

Report Number: 2018-36

Department(s): Planning and Building Services

Author(s): Adrian Cammaert

Meeting Date: June 11, 2018

Recommendations

1. That the report entitled Urban Centres Zoning By-law: Status Update and Request for Release of Draft Framework, dated June 11, 2018, be received;
2. That the Urban Centres Zoning By-law Draft Framework, dated May 25, 2018, be released for public review over the summer months;
3. That following the public review period and subsequent to the Open House and Public Meeting, issues identified in this report, together with comments from the public and Committee, be addressed by staff in a comprehensive report to the Committee of the Whole, if required; and
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Purpose

This Report will provide a general status update on the Urban Centres Zoning By-law Project and request authorization to release the Urban Centres Zoning By-law Draft Framework to the public for review.

Background

Staff Report 2018-04 (February 5, 2018) provided Council with the last update on the Urban Centres Zoning By-law Project. Since that time, the project has substantially evolved. At this time, a Draft Framework has been prepared to directly implement the policies and land use designations of the Urban Centres Secondary Plan.

Urban Centres Zoning By-law: Status Update/Request for Release of Draft Framework

It is important to note that this Draft Framework is not a draft version of the Urban Centres Zoning By-law. Rather, it is a draft 'framework', without the final formatting, graphics or layout of the final product. These details will be finalized following another round of internal review and comment, as well as the public consultation period. Once all technical revisions have been completed, the document will be finalized in terms of formatting, graphics (drawings and illustrations) and the finalized mapping will be inserted. This process will result in the final zoning by-law, which will be presented to Committee of the Whole in September, 2018.

Discussion

Project Status Update

The project is currently in Task 30, in Phase 4 of the project schedule as shown below:

Phase 4 - By-law Refinement and Enactment
Task 28: Preparation of Draft Zoning By-law
Task 29: Town review/comment/revise Draft Zoning By-law
Task 30: Update Report and Committee of the Whole Authorizing Release of Draft ZBL Framework
Task 31: Public Review Period
Task 32: Meet with stakeholders / refine standards & drawings
Task 33: Public Open House
Task 34: Preliminary Staff Report and Statutory Public Meeting
Task 35: Finalize Zoning By-law
Task 36: Final Staff Report and Committee Approval
Task 37: Council Approval

Following the release of the Draft Framework, the 2 month (approximate) public review period will occur (Task 31). During this time, staff and the consulting team have allotted time to meet with key stakeholders (i.e. owners of significant land holdings and/or landowners contemplating future developments) to explore opportunities to refine the proposed zoning standards to reflect anticipated redevelopments (Task 32). Following these meetings, the draft zoning by-law will be presented to the public through the Open House and statutory Public Meeting on August 27 (Tasks 33 and 34). The draft Zoning By-law will then be revised to reflect the feedback received in Tasks 31, 32, 33 and 34

Urban Centres Zoning By-law: Status Update/Request for Release of Draft Framework

(Task 35). The final zoning by-law will then be ready for presentation to Committee of the Whole (Task 36) and ultimate approval by Council (Task 37) in September, 2018.

Draft Framework

The Draft Framework of the Urban Centres Zoning By-law is 132 pages in length and therefore not attached to this Report, however it is available in its entirety from Planning and Building Services for review. As an example, attached to this Report (Attachment 1) are the draft Zoning Map and the permitted use and performance standards for the Open Space zones.

The objective of this Draft Framework is to propose zoning on properties within the Urban Centres that directly implements the policies of the Urban Centres Secondary Plan. Revisions to the Draft Framework will occur in the coming months as a result of internal and public review and comment.

The Draft Framework is arranged in a conventional manner, with the Administration, Definitions and General Provisions sections in the beginning of the document. Parking and Loading, and specific Zone Provisions are found in the middle portion of the document, followed by Overlay Zones, Site Specific Provisions and Mapping towards the end of the document. This arrangement provides a familiar, intuitive format that users will find easily to navigate, as was an explicit goal of the project.

Regarding mapping, the Draft includes “Schedule A: Draft Zoning Map” which provides draft zoning per property. As a goal of this project was to directly implement the policies of the Urban Centres Secondary Plan, the provided zone categories mimic the land use designations of the Secondary Plan:

Secondary Plan Designation	Zone Category
Major Institutional	Institutional (I)
Mixed Use	Mixed Use 1 to 11 (MU 1 to MU 11)
Parks and Open Space	Open Space 1 to 3 (OS 1 to OS 3)

The Mixed Use areas are categorized into 11 zones. Individual density (floor space index) values have been created for each of these 11 zone categories that correspond with the density minimums and maximums provided in the Secondary Plan.

The Draft also imports the existing zoning of low density residential zones (R1 to R5) where low-density, residential land uses are present. These lands would need to be consolidated and rezoned to facilitate any form of large-scale redevelopment that is consistent with the corresponding Secondary Plan designation(s).

The Draft also includes “Schedule B: Height Maps”. Building height is a key focus in the Urban Centres, and it is felt that having building heights on a dedicated map will increase the ease of use of this document. Schedule B lists three height categories (low-rise, mid-rise and high-rise) and assigns metreages for each that correspond with the height minimums and maximums provided in the Secondary Plan.

Alignment with 2010-40 Amendments

In parallel to this project, work has been undertaken on the Town’s main zoning by-law (2010-40) to identify a series of amendments required to ensure consistency between the two by-laws. Over 60 amendments have been identified, to address technical errors, improve clarity and enforceability, respond to changing legislative and judicial decisions, address new circumstances, and consolidate existing by-laws. This work has now been completed (see Staff Report 2018-21 dated June 11, 2018) and it is proposed that the two projects be presented to the public at a single information session on August 27, consisting of an Open House and Public Meeting.

Referral to an Open House and Statutory Public Meeting

Through Staff Report 2018-04 (February 5, 2018), direction was received from Council to hold an Open House and statutory Public meeting in May, 2018. However, as noted above additional time was needed to identify amendments required to Zoning By-law 2010-40 to ensure that the two by-laws will be aligned with each other.

The required amendments to Zoning By-law 2010-40 have now been identified (see Staff Report 2018-21 dated June 11, 2018) to ensure consistency between the two documents, and it is proposed that a single Public Meeting be held for both amendments. Staff are targeting August 27 for this Open House and Public Meeting.

Non-Applicable Properties

Certain properties have been omitted from this version of the draft framework of the Urban Centres Zoning By-law, as explained below. Therefore, these properties remain under the zoning provided in Zoning By-law 2010-40.

17600 Yonge Street (Upper Canada Mall):

This property is subject to a site-specific policy in the Secondary Plan which applies the zoning provided in Zoning By-law 2010-40 to be applicable until a Master Plan is prepared. Once this Master Plan is prepared, it will be adopted into the Secondary Plan through amendment, and specific zoning will then be introduced.

432 Davis Drive (southeast corner of Main Street and Davis Drive)

This property is currently designed Parks and Open Space in the Urban Centres Secondary Plan. Following discussion with York Region Rapid Transit, there is some interest in re-designating this property to contemplate various forms of development.

Urban Centres Zoning By-law: Status Update/Request for Release of Draft Framework

The Urban Centres Zoning By-law therefore excludes this property, pending conclusion of the re-examination of the Parks & Open Space designation.

35 Patterson Street, 693 Davis Drive & 713 Davis Drive (Hollingsworth arena and two abutting properties)

Background work on the potential redevelopment of these properties is currently being completed by the Town, and there is a desire to craft the ultimate zoning on these properties in a way that facilitates their redevelopment. However, the site-specific details for a redevelopment have not been prepared at this time and therefore the Urban Centres Zoning By-law excludes this property.

230 Davis Drive (property east of 212 Davis Drive)

This property was proposed to be designated Parks and Open Space under the Urban Centres Secondary Plan, however this designation was deferred. Given this deferral, the designation of the Town Official Plan applies (Urban Centres and Corridors) and the site's zoning under Zoning By-law 2010-40 continue to apply. Therefore, the Urban Centres Zoning By-law excludes this property, pending conclusion of this deferral and the confirmation of the site's Secondary Plan designation through a site specific amendment.

16780 Yonge Street (Mullock Estate)

Similar to 230 Davis Drive, this property was proposed to be designated Parks and Open Space under the Urban Centres Secondary Plan, however this designation was deferred and the deferral was then appealed. Therefore, the designation of the Town Official Plan applies (Urban Centres and Corridors) and the site's zoning under Zoning By-law 2010-40 continue to apply. The Urban Centres Zoning By-law therefore excludes this property, pending conclusion of this appeal.

(It should be noted that the Town's recent purchase of this property addresses the appeal, however the deferral is still technically in place as the formal dismissal of the OMB appeal has not yet been received from the Local Planning Appeal Tribunal).

Conclusion

The Urban Centres Zoning By-law project is progressing well and a draft framework has been prepared. This draft framework is being recommended to be released for public review and comment. Following this public consultation period, the Open House and Public Meeting will be held, providing additional opportunities for input.

Parallel to this project, work has been undertaken on the Town's main zoning by-law (2010-40) to identify a series of amendments required to ensure consistency between the two by-laws. This work has now been completed (see Staff Report 2018-21 dated June 11, 2018) and it is proposed that the two projects be presented to the public at a

single information session on August 27, consisting of an Open House and Public Meeting.

Business Plan and Strategic Plan Linkages

Well-Equipped & Managed:

- Balancing an ideal mix of residential, commercial, industrial and institutional land uses.
- Ensuring an appropriate mix of jobs to population and people to industry.
- Providing varied housing types, affordability and densities.

Well-Planned & Connected:

- Planning and managing growth through long-term plans and strategies, supported by short-term action plans.

Consultation

To date, public consultation has taken the form of:

- Individual Meetings with Key landowners (March 2, 2017)
- Stakeholder Engagement Session (April 4, 2017)
- Public Charrette (March 1, 2018)
- Staff also maintain a project website which provides project information and details on any upcoming public input opportunities: <https://bit.ly/2kNQ5QX>

As outlined in this Report, additional consultation is proposed through the release of the Draft Framework for public review over the summer months (June, July and August), followed by an Open House and the Statutory Public Meeting.

Human Resource Considerations

There are no human resource considerations associated with this report.

Budget Impact

There are no budget impacts directly associated with this report. This project has already been budgeted for and is tracking to be completed within budget.

Attachments

1. Example draft mapping and the permitted uses / performance standards tables for the Open Space zones, from the Framework of the Urban Centres Zoning By-law, May 25, 2018

Approval




Adrian Cammaert, MCIP, RPP, CNU-A
Senior Planner, Policy



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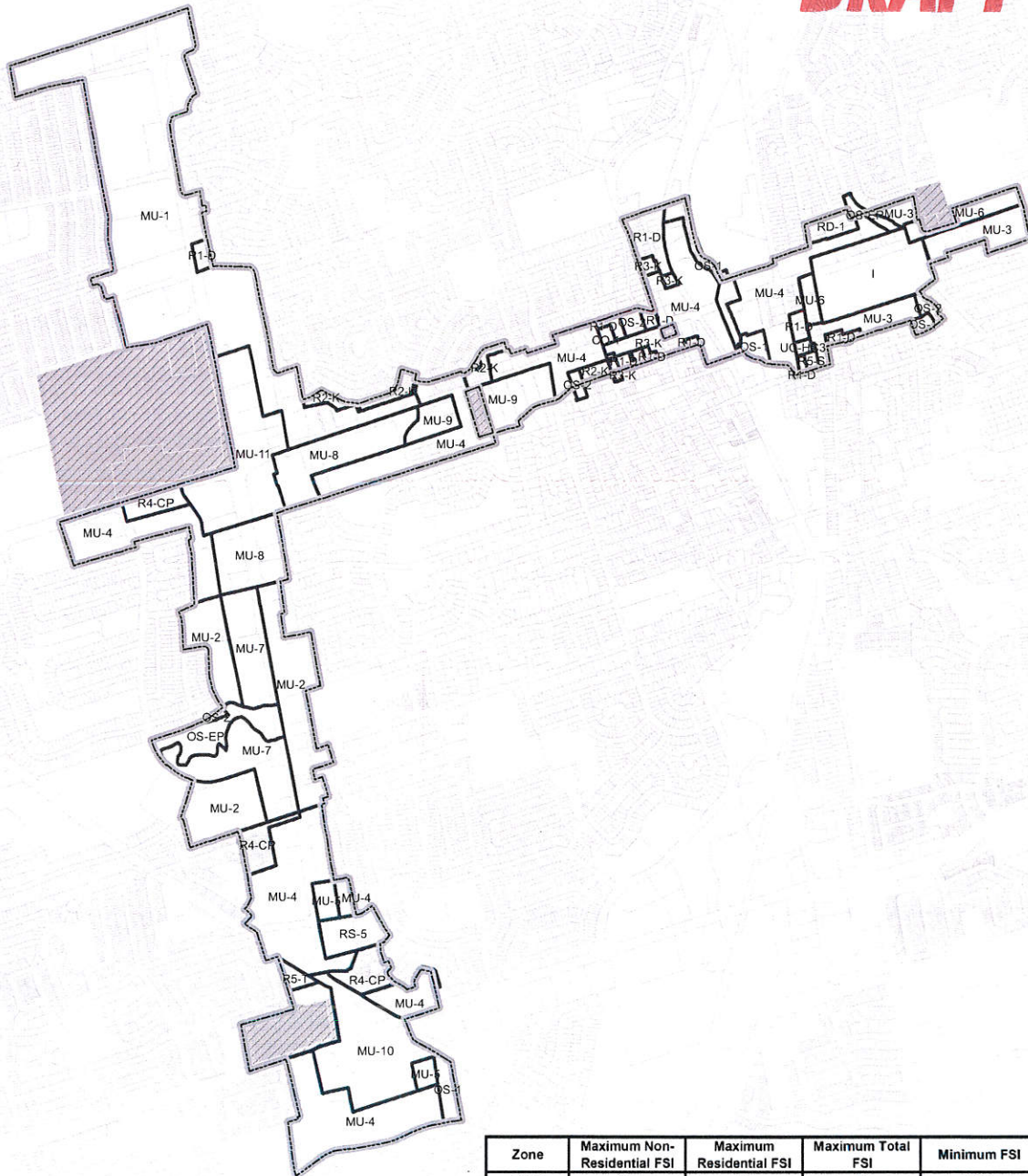
Contact

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WORKING DRAFT

NEWMARKET URBAN CENTRES Schedule A: Draft Zoning Map

Last Updated: May 25, 2018

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Zone	Maximum Non-Residential FSI	Maximum Residential FSI	Maximum Total FSI	Minimum FSI
MU 1	0.5	2	2	1.5
MU 2	1	1	2	1.5
MU 3	1.5	0.5	2	1.5
MU 4	0.5	1.5	2	1.5
MU 5	0.5	2	2.5	2
MU 6	2.5	0.5	2.5	2
MU 7	1.5	1	2.5	2
MU 8	1	1.5	2.5	2
MU 9	1	2	2.5	2
MU 10	1	2.5	3.5	2.5
MU 11	1.5	2	3.5	2.5



Hatched areas indicate lands in Secondary Plan area subject to By-law 2010-40.

500 250 0 500 Meters

6.5. Open Space Zones

No person shall use any land or erect, alter or use any *building* or *structure* in any Open Space Zone except in accordance with Sections 6.5.1 and 6.5.2 of this By-law.

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6.5.1. Permitted Uses

The following table establishes the uses permitted in the Open Space Zones:

Table 6.5.1: Open Space Zone Permitted Uses			
	OS-1	OS-2	OS-3
Park & Recreation Related Uses			
<i>Conservation Use</i>	P	P	P
<i>Cemetery</i>			
<i>Park</i>	P	P	
<i>Private Park</i>		P	
<i>Outdoor Recreation Facility</i>	P	P	
<i>Recreational Trails</i>	P	P	P
<i>Existing Golf Course</i>			
<i>Sports Arena</i>			
<i>Accessory Refreshment Pavilion</i>	P		
<i>Accessory Buildings & Structures</i>	PC ⁽¹⁾	PC ⁽¹⁾	PC ⁽¹⁾
Community Services / Cultural Facilities			
<i>Art Gallery</i>			
<i>Banquet Facility</i>			
<i>Community Centre</i>	P		
<i>Museum</i>			
<i>Private Club</i>			
<i>Place of Worship</i>			

P = Permitted

PC = Permitted, subject to certain conditions noted:

- (1) *Accessory Buildings and Structures* are permitted in accordance with Sections 4.1.2 (*Accessory Buildings and Structures*)

Open Space Zoning Exception Properties:

OS-2-93 – 56, 58, 60 Roxborough Road; 674, 678, 682, 684, 685, 691 Queen Street – Allows a particular driveway and establishes parking requirements for hospital and non-hospital associated units and other development standards. Also includes specific setbacks from watercourses.

SECTION 6 – ZONE PROVISIONS

Established by site specific By-law 2009-90.

6.5.2. Performance Standards

The following table and notations provided in Section 6.2.3 establish the zone standards applicable to the Open Space Zones:

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Table 6.5.2: Open Space Zone Development Standards			
	OS-1	OS-2	OS-3
Lot Standards			
Minimum Lot Area (sq.m.)			
Minimum Lot Area/Dwelling Unit (sq.m.)			
Minimum Lot Frontage (m.)			
Setbacks			
Minimum Front Yard Setback (m.)	9.0	9.0	
Maximum Front Yard Setback (m.)			
Minimum Rear Yard Setback (m.)	9.0	9.0	
Minimum Exterior Side Yard Setback (m.)			
Maximum Exterior Side Yard Setback (m.)			
Minimum Interior Side Yard Setback - 1 side (m.)	9.0	9.0	
Minimum Interior Side Yard Setback- each side 1 storey (m.)			
Minimum Interior Side Yard Setback- each side 1.5 storeys (m.)			
Minimum Interior Side Yard Setback- each side 2 storeys (m.)			
Minimum Interior Side Yard Setback - Other side (m.)	9.0	9.0	
Minimum Building Separation (m.)			
Floor Area Coverage and FSI			
Maximum Lot Coverage (% of lot area)	20	20	
Minimum Floor Area (sq.m.)			
Maximum Leasible Floor Area (sq.m.)			
Minimum Floor Space Index (x lot area)			
Maximum Floor Space Index (x lot area)			
Height			
Minimum Height (m.)			
Minimum Height (storeys)			
Maximum Height (m.)			
Maximum Height (storeys)	2	2	1