

# CITY OF VAUGHAN

## EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 20, 2018

Item 3, Report No. 11, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on, March 20, 2018.

### **3                    ZONING BY-LAW AMENDMENT FILE Z.17.039 RIVERS OF LIFE FELLOWSHIP ASSOCIATION INC. VICINITY OF KEELE STREET AND GANTNER GATE**

The Committee of the Whole (Public Hearing) recommends:

- 1) That the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management, dated March 6, 2018, be approved; and
- 2) That the deputation of Mr. Matt Alexander, Weston Consulting, representing the applicant, be received.

#### **Purpose**

To receive comments from the public and the Committee of the Whole on Zoning By-law Amendment File Z.17.039 for the subject lands shown on Attachments #1 and #2, to permit the development of a two-storey, 6,942 m<sup>2</sup> place of worship, as shown on Attachments #3 to #5, together with the site-specific zoning exceptions to the A Agricultural Zone identified in Table 1.

#### **Recommendation**

1. THAT the Public Hearing report for File Z.17.039 (Rivers of Life Fellowship Association Inc.) BE RECEIVED; and that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

#### **Report Highlights**

- To receive input from the public and the Committee of the Whole for a proposed place of worship with accessory uses and a one-storey parking structure.
- The policies existing prior to the adoption of VOP 2010 apply to Places of Worship. The proposed development conforms to the criteria in OPA #450 (Employment Area Plan), however a Zoning By-law Amendment is required.
- A technical report to be prepared by the Development Planning Department will be considered at a future Committee of the Whole meeting.

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### **Background**

The subject lands are located at the southeast corner of Keele Street and Gantner Gate and are known municipally as 9111 Keele Street. The 1.61 ha site consists of three separate parcels that are zoned A Agricultural Zone and EM1 Prestige Employment Area Zone, as shown on Attachment #2. The surrounding land uses are shown on Attachment #2.

### ***A Zoning By-law Amendment application is required to permit the proposed development***

The Owner has submitted Zoning By-law Amendment File Z.17.039 to amend Zoning By-law 1-88 to rezone the subject lands from EM1 Prestige Employment Area Zone and A Agricultural Zone, as shown on Attachment #2, to A Agricultural Zone and OS5 Open Space Environmental Protection Zone, in the manner shown on Attachment #3. In addition, the proposed rezoning would permit the site-specific zoning exceptions to the A Agricultural Zone, identified in Table 1 of this report. The proposed zoning amendment would permit the development of a two-storey, 6,942 m<sup>2</sup> place of worship with a one-storey parking structure and accessory uses, as shown on Attachments #3 to #5.

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

a) Date the Notice of Public Hearing was circulated: February 9, 2018.

The Notice of Public Hearing was also posted on the City's web-site at [www.vaughan.ca](http://www.vaughan.ca) and Notice Signs were installed on the property in accordance with the City's Notice Signs Procedures and Protocols.

b) Circulation Area: 150 m.

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. All written comments that are received will be reviewed by the Development Planning Department as input in the application review process and will be addressed in the final technical report at a future Committee of the Whole meeting.

### **Previous Reports/Authority**

Not applicable.

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#### **Analysis and Options**

##### ***Zoning exceptions are required to permit the development***

The following site-specific zoning exceptions to the A Agricultural Zone of Zoning By-law 1-88 are required to permit the development proposal:

Table 1:

	<b>Zoning By-law 1-88 Standard</b>	<b>Requirements of the A Agricultural Zone</b>	<b>Proposed Exceptions to the A Agricultural Zone</b>
a.	Permitted Uses	<ul style="list-style-type: none"> <li>• Agricultural Use</li> <li>• Veterinary Clinic</li> <li>• Single Family Dwelling</li> <li>• Home Occupation</li> <li>• Church</li> <li>• Community Centre</li> <li>• Day Nursery</li> <li>• Public Library</li> <li>• Public or Private Hospital</li> <li>• School</li> <li>• Bowling Green</li> <li>• Curling Rink</li> <li>• Swimming Pool</li> <li>• Skating Rink</li> <li>• Tennis Court</li> <li>• Cottage Industries</li> <li>• Wayside Pit/Quarry</li> </ul>	Permit a Church (Place of Worship) with the following accessory uses: <ul style="list-style-type: none"> <li>• Gymnasium</li> <li>• Eating Establishment (Café)</li> <li>• Retail Store (Bookstore and Library)</li> <li>• Production Studio</li> <li>• Pastor Accommodation Suites</li> <li>• Classrooms</li> <li>• Day Nursery</li> </ul>
b.	Minimum Front Yard Setback (Keele Street)	15 m	10.15 m (Parking Structure)
c.	Minimum Exterior Side Yard Setback (Gantner Gate)	15 m	5.76 m (Parking Structure) 6.18 m (Place of Worship)

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d.	Minimum Rear Yard Setback (Jacob Keffer Parkway)	15 m	6 m
e.	Maximum Building Height	11 m	14.6 m
f.	Minimum Landscape Strip Width	6 m	3 m (Jacob Keffer Parkway) 5.76 m (Gantner Gate)
g.	Minimum Parking Requirements	6,942 m <sup>2</sup> @ 11 spaces / 100m <sup>2</sup> = 764 spaces	267 spaces

Additional zoning exceptions may be identified through the detailed review of the Zoning By-law Amendment application, and will be considered in a technical report at a future Committee of the Whole meeting.

***The proposal conforms to the Official Plan, but requires amendments to Zoning By-law 1-88***

Official Plan Designation	<ul style="list-style-type: none"> <li>▪ The subject lands are designated “General Employment”, “Prestige Employment” and “Natural Areas” by Vaughan Official Plan 2010 (VOP 2010).</li> <li>▪ Section 9.2.1.10 of VOP 2010 states that “policies existing prior to the adoption of VOP 2010 remain in effect as they apply to Places of Worship, until such time as any new policies are approved.” To date, new places of worship policies have not been approved. Previous applications in the City for a Place of Worship in the employment area were assessed against Section 2.2.1 (1b) of OPA #450 (the Employment Area Plan), which would permit a use that is not specifically identified without the requirement of an Official Plan Amendment, subject to satisfying the following criteria:</li> </ul>
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- a) functional and physical compatibility with uses in the area;
- b) appropriateness to the employment area setting; and
- c) absence of nuisance or adverse effect on neighbouring uses through the emission of noise, dust, odour or other contaminants.
  - The proposed Place of Worship use is considered to conform to the criteria identified in Section 2.2.1 (1b) of OPA #450.
  - A portion of the subject lands are identified as “Core Features” in Schedule 2 - “Natural Heritage Network” of VOP 2010. Section 3.2.3.4 of VOP 2010 identifies Core Features and their minimum vegetation protection zones (VPZ). The submitted Environmental Impact Study prepared by WSP dated May 2016, identifies Natural Heritage features on the lands (i.e. woodlands) that are identified as “Core Features” under Section 3.2.3.4 of VOP 2010.
  - Section 3.2.3.10 of VOP 2010 states that Core Features and their related VPZs shall be conveyed to the City or TRCA as a condition of development approval, and that such features shall be brought into public ownership to ensure their continued protection and management.
  - Sections 5.2.1.2 and 9.2.1.12 of VOP 2010 requires appropriate mitigation measures between sensitive land uses and the Employment Area through the submission of studies (i.e. noise, vibration, odor) and the provision of landscaping and buffering.
  - Sections 9.2.2.10(d) and 9.2.2.11(e) of VOP 2010 require separation distances for sensitive land uses located within in the General Employment and Prestige Employment designations and adjacent, as identified in the Ministry of Environment and Climate Change (MOECC) D6 Guidelines (Compatibility between Industrial Facilities).
  - The proposed Zoning By-law Amendment would permit a development that conforms to the criteria in Section 2.2.1 (1b) of OPA #450, however the development limits of the subject lands and precise location of Core Features will need to be confirmed through the review of the subject application.

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Zoning	<ul style="list-style-type: none"> <li>▪ The 1.61 ha subject lands consist of three separate parcels, including a 1.11 ha lot that is zoned A Agricultural Zone, and two, 0.25 ha lots that are zoned EM1 Prestige Employment Area Zone by Zoning By-law 1-88, as shown on Attachment #2. The parcels that are zoned EM1 Zone were created through Draft Plan of Subdivision File 19T-86053 (Keelang Properties Limited), and are identified as Blocks 14 and 15 on Registered Plan 65M-3077, as shown on Attachment #2.</li> <li>▪ A Place of Worship is permitted in the A Agricultural Zone, but is not permitted in the EM1 Prestige Employment Area Zone.</li> <li>▪ The Owner intends to consolidate the three lots into one land holding to permit the development of the proposed Place of Worship.</li> <li>▪ The Owner has submitted Zoning By-law Amendment File Z.17.039 to rezone the subject lands to A Agricultural Zone and OS5 Open Space Environmental Protection Zone, in the manner shown on Attachment #3, together with the site-specific exceptions to the A Agricultural Zone, as identified in Table 1 of this report.</li> </ul>
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***Through a preliminary review of the application, the Development Planning Department has identified matters to be reviewed in greater detail***

	MATTERS TO BE REVIEWED	COMMENT(S)
a.	Conformity with Provincial Policies and Guidelines, Regional and City Official Plan Policies	<ul style="list-style-type: none"> <li>▪ The application will be reviewed in consideration of the following:                             <ul style="list-style-type: none"> <li>▪ the 2014 Provincial Policy Statement and the 2017 Growth Plan for the Greater Golden Horseshoe;</li> <li>▪ the policies of VOP 2010 and OPA #450; and</li> <li>▪ the MOECC D6 Guidelines, and Policies 5.2.1.2 and 9.2.1.12 in VOP 2010 respecting sensitive land uses adjacent to and within Employment Areas.</li> </ul> </li> </ul>

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b.	Appropriateness of Proposed Zoning Exceptions	<ul style="list-style-type: none"><li>▪ The appropriateness of rezoning the subject lands to A Agricultural Zone and OS5 Open Space Environmental Protection Zone, together with the proposed site-specific zoning exceptions identified in Table 1, will be reviewed in consideration of the existing and planned surrounding land uses.</li><li>▪ The limits of the proposed OS5 Open Space Environmental Protection Zone must be confirmed by the City, in consultation with the Toronto and Region Conservation Authority (TRCA).</li></ul>
c.	Studies and Reports	<ul style="list-style-type: none"><li>▪ The Owner has submitted the following studies and reports in support of the subject application, which must be approved to the satisfaction of the City and/or respective public approval authority:<ul style="list-style-type: none"><li>- Planning Justification Report</li><li>- Functional Servicing and Stormwater Management Report</li><li>- Noise and Vibration Study</li><li>- Arborist Report and Tree Protection Plan</li><li>- Parking Study</li><li>- Traffic Impact Study</li><li>- Phase 1 Environmental Site Assessment</li></ul></li><li>▪ Additional studies/reports may be required as part of the development application review process.</li></ul>
d.	Related Site Development File DA.16.062	<ul style="list-style-type: none"><li>▪ The Owner has submitted related Site Development File DA.16.062 to permit the proposed development, should the subject Zoning By-law Amendment application be approved.</li></ul>

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		<ul style="list-style-type: none"> <li>▪ The related Site Development Application will be reviewed in consideration of, but not limited to, the following matters:               <ul style="list-style-type: none"> <li>- the appropriateness, location, design and orientation of the proposed one-storey parking structure;</li> <li>- pedestrian and barrier free accessibility;</li> <li>- proper vehicular (including service vehicles such as fire and garbage trucks) turning movements on the proposed private road;</li> <li>- appropriate site design and building materials, snow storage, stormwater management, and servicing and grading;</li> <li>- accessibility and location of the proposed parking spaces;</li> <li>- the relationship of the proposed built form, building setbacks and design with the commercial land uses to the north, and employment land uses to the east and south, with attention to appropriate landscaping and noise attenuation, including potential on and off-site mitigation measures;</li> <li>- the appropriateness of the proposed Molok waste collection system; and</li> <li>- the appropriateness of the proposed access driveways on Gantner Gate and Jacob Keffer Parkway.</li> </ul> </li> <li>▪ All issues identified through the review of the related Site Development Application will be addressed together with the subject Zoning By-law Amendment application in a comprehensive technical report to a future Committee of the Whole Meeting.</li> </ul>
e.	Sustainable Development	<ul style="list-style-type: none"> <li>▪ Opportunities for sustainable design, including CPTED (Crime Prevention Through Environmental Design), LEED (Leadership in Energy and Environmental Design), permeable pavers, bio-swales, drought tolerant landscaping, energy efficient lighting, reduction in pavement etc., will be reviewed and implemented through the site plan approval process, if the application is approved.</li> </ul>

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f.	Toronto and Region Conservation Authority (TRCA)	<ul style="list-style-type: none"><li>▪ The subject lands are located within the Toronto and Region Conservation Authority (TRCA) Regulated Area under Ontario Regulation 166/06. The application, including the proposed development limits, must be reviewed by the TRCA, and the Owner will be required to satisfy all conditions of the TRCA.</li></ul>
g.	Environmental Impact Study	<ul style="list-style-type: none"><li>▪ The Owner has submitted an Environmental Impact Study (EIS) prepared by WSP, as a portion of the subject lands are designated “Natural Areas” and subject to the “Core Features” policies of Section 3.2.3.4 of VOP 2010. The exact limits of the developable lands and valleylands, including minimum vegetation protection zones, must be confirmed to the satisfaction of the City and the TRCA.</li><li>▪ Lands identified as valleylands, including the minimum VPZ, shall be conveyed to a public authority (i.e. the City or TRCA) as a condition of development approval to ensure their continued protection and management.</li></ul>
h.	Existing Trees	<ul style="list-style-type: none"><li>▪ The Arborist Report and Tree Protection Plan submitted in support of the subject application must be reviewed and approved by the Parks and Forestry Operations, Development Planning and Parks Development Departments. Should it be determined that trees are to be removed, then appropriate compensation in accordance with the City’s Replacement Tree Requirements will be required.</li></ul>
i.	Waste Management	<ul style="list-style-type: none"><li>▪ The Owner is proposing an external, unenclosed deep collection waste system (“Molok”) to service the proposed development, as shown on Attachment #3. The appropriateness of the proposed Molok collection waste system will be reviewed in consideration of the Waste Collection Design Standards of the Environmental Services Department, Solid Waste Management Division, and Development Planning Department.</li></ul>

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j.	Pedestrian and Bicycle Master Plan Study	▪ The application will be reviewed in consideration of the Vaughan Pedestrian and Bicycle Master Plan Study, which identifies a Community Neighbourhood Recreational Pathway along the southern limit of the subject lands within the valleylands. Design and implementation options for the proposed pathway will be considered through the review of the related Site Development application.
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### **Financial Impact**

Not applicable.

### **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 are located on Keele Street, identified as a Regional Road. The Owner is required to satisfy all requirements of the Region, including but not limited to potential road widening and sight triangle requirements, the provision of transit facilities as may be required, and servicing. Any 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, together with comments from the public and Vaughan Council expressed at the Public Hearing or in writing, and will be addressed in a comprehensive report to a future Committee of the Whole meeting.

This report was prepared in consultation with the Senior Manager of Development Planning and Director of Development Planning. For more information, please contact: Mark Antoine, Planner, Development Planning Department, Extension 8212.

### **Attachments**

1. Context Location Map
2. Location Map
3. Overall Master Site Plan & Proposed Zoning
4. Elevation Plan
5. Parking Structure Rendering - Southeast View

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#### **Prepared by**

Mark Antoine, Planner, ext. 8212

Christina Napoli, Senior Planner, ext. 8483

(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.)