

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 1, 2019**

Item 4, Report No. 14, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 1, 2019.

#### **4. ZONING BY-LAW AMENDMENT FILE Z.17.039 SITE DEVELOPMENT FILE DA.16.061 RIVERS OF LIFE FELLOWSHIP ASSOCIATION VICINITY OF KEELE STREET AND GANTNER GATE**

**The Committee of the Whole recommends:**

- 1) That the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management dated April 2, 2019, be approved; and**
- 2) That the coloured elevations submitted by the applicant be received.**

#### **Recommendations**

1. THAT Zoning By-law Amendment File Z.17.039 (Rivers of Life Fellowship Association) BE APPROVED, to amend Zoning By-law 1-88, specifically to rezone the Subject Lands from “A Agricultural Zone” and “EM1 Prestige Employment Area Zone”, as shown on Attachment 1, to “A Agricultural Zone” and “OS5 Open Space Environmental Protection Zone”, in the manner shown on Attachment 2, together with the site-specific zoning exceptions on Table 1, to permit a master-planned, 6,856 m<sup>2</sup> two-storey place of worship, as shown on Attachments 2 and 3.
2. THAT Site Development Application DA.16.061 (Rivers of Life Fellowship Association) BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS, to the satisfaction of the Development Planning Department, to permit a 3,605 m<sup>2</sup>, two-storey Place of Worship as shown on Attachments 4 to 6, that represents Phase 1 of the master-planned Place of Worship shown on Attachments 2 to 3:
  - a) Prior to the execution of the Site Plan Agreement:
    - i) The Development Planning Department shall approve the final site plan, building elevations, landscape plan, landscape cost estimate and lighting plan;
    - ii) The Development Engineering Department shall approve the final site servicing and grading plan, erosion and sediment control plan, and servicing and stormwater management report;
    - iii) The Owner shall pay the Development Engineering Department’s Site Plan fee pursuant to the Fees and Charges By-law, as amended;

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- iv) The Owner shall consolidate and register the Subject Lands as one lot;
  - v) The Owner shall convey the lands zoned “OS5 Open Space Environmental Protection Zone” into public ownership (i.e. the Toronto and Region Conservation Authority or the City), free of all costs and encumbrances;
  - vi) The Owner shall enter into a Tree Protection Agreement with the City in accordance with the Council adopted Tree By-law 052-2018, and upon finalization of the landscape plan, shall quantify the value of tree replacements using the Urban Design Tree Replacement Valuation outlined in the City’s Tree Protection Protocol. The Owner shall not remove trees without written approval by the City;
  - vii) the Owner shall satisfy all requirements of the Environmental Services Department, Solid Waste Division;
  - viii) The Owner shall satisfy all requirements of York Region; and
  - ix) The Owner shall satisfy all requirements of the Toronto and Region Conservation Authority.
- b) The Site Plan Agreement shall include the following clauses:
- i) “The Owner shall pay to the City applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, Region of York, York Region District School Board and York Catholic District School Board.”
  - ii) “The Owner acknowledges that the City has Species at Risk within its jurisdiction which are protected under the *Endangered Species Act*. 2007. The Owner is required to comply with Ministry of Natural Resources and Forestry regulations and guidelines to protect these species at risk and their habitat. The Owner acknowledges that, notwithstanding any approvals made or provided by the City in respect to the Plan or the related Site Plan Agreement, the Owner must comply with the provisions of the *Act*.”

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3. THAT the Owner be permitted to apply for a Minor Variance Application(s) to the Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law for the Subject Lands comes into effect, to permit minor adjustments to the implementing Zoning By-law.

Item:



## Committee of the Whole Report

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**DATE:** Tuesday, April 02, 2019

**WARD:** 4

**TITLE: ZONING BY-LAW AMENDMENT FILE Z.17.039  
SITE DEVELOPMENT FILE DA.16.061  
RIVERS OF LIFE FELLOWSHIP ASSOCIATION  
VICINITY OF KEELE STREET AND GANTNER GATE**

**FROM:**

Jason Schmidt-Shoukri, Deputy City Manager, Planning and Growth Management

**ACTION:** DECISION

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### **Purpose**

To seek approval from the Committee of the Whole for Zoning By-law Amendment File Z.17.039 and Site Development File DA.16.061 for the Subject Lands shown on Attachment 1, to permit a master-planned two-storey 6,856 m<sup>2</sup> place of worship with accessory uses that is proposed to be developed in multiple phases, as shown on Attachments 2 to 6.

### **Report Highlights**

- The Owner proposes a master-planned, two-storey 6,854 m<sup>2</sup> Place of Worship as shown on Attachments 2 and 3.
- Zoning By-law Amendment and Site Development applications are required to permit the development.
- The development is planned in phases. Site Development File DA.16.061 has been submitted to permit Phase 1 for a 3,605 m<sup>2</sup> two-storey Place of Worship. A future Site Development Application(s) is required for future phases.
- The Development Planning Department supports the approval of the Zoning By-law Amendment and Site Development Applications, subject to the Recommendations in this report, as they permit a development that is consistent with the *Provincial Policy Statement 2014*, conforms to the Growth Plan 2017, the York Region Official Plan 2010, Vaughan Official Plan 2010, and is compatible with the existing and planned land uses in the surrounding area.

## **Recommendations**

1. THAT Zoning By-law Amendment File Z.17.039 (Rivers of Life Fellowship Association) BE APPROVED, to amend Zoning By-law 1-88, specifically to rezone the Subject Lands from “A Agricultural Zone” and “EM1 Prestige Employment Area Zone”, as shown on Attachment 1, to “A Agricultural Zone” and “OS5 Open Space Environmental Protection Zone”, in the manner shown on Attachment 2, together with the site-specific zoning exceptions on Table 1, to permit a master-planned, 6,856 m<sup>2</sup> two-storey place of worship, as shown on Attachments 2 and 3.
2. THAT Site Development Application DA.16.061 (Rivers of Life Fellowship Association) BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS, to the satisfaction of the Development Planning Department, to permit a 3,605 m<sup>2</sup>, two-storey Place of Worship as shown on Attachments 4 to 6, that represents Phase 1 of the master-planned Place of Worship shown on Attachments 2 to 3:
  - a. Prior to the execution of the Site Plan Agreement:
    - i) The Development Planning Department shall approve the final site plan, building elevations, landscape plan, landscape cost estimate and lighting plan;
    - ii) The Development Engineering Department shall approve the final site servicing and grading plan, erosion and sediment control plan, and servicing and stormwater management report;
    - iii) The Owner shall pay the Development Engineering Department’s Site Plan fee pursuant to the Fees and Charges By-law, as amended;
    - iv) The Owner shall consolidate and register the Subject Lands as one lot;
    - v) The Owner shall convey the lands zoned “OS5 Open Space Environmental Protection Zone” into public ownership (i.e. the Toronto and Region Conservation Authority or the City), free of all costs and encumbrances;
    - vi) The Owner shall enter into a Tree Protection Agreement with the City in accordance with the Council adopted Tree By-law 052-2018, and upon finalization of the landscape plan, shall quantify the value of tree replacements using the Urban Design Tree Replacement Valuation outlined in the City’s Tree Protection Protocol. The Owner shall not remove trees without written approval by the City;

- vii) the Owner shall satisfy all requirements of the Environmental Services Department, Solid Waste Division;
  - viii) The Owner shall satisfy all requirements of York Region; and
  - ix) The Owner shall satisfy all requirements of the Toronto and Region Conservation Authority.
- b. The Site Plan Agreement shall include the following clauses:
- i) “The Owner shall pay to the City applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, Region of York, York Region District School Board and York Catholic District School Board.”
  - ii) “The Owner acknowledges that the City has Species at Risk within its jurisdiction which are protected under the *Endangered Species Act*. 2007. The Owner is required to comply with Ministry of Natural Resources and Forestry regulations and guidelines to protect these species at risk and their habitat. The Owner acknowledges that, notwithstanding any approvals made or provided by the City in respect to the Plan or the related Site Plan Agreement, the Owner must comply with the provisions of the *Act*.”
3. THAT the Owner be permitted to apply for a Minor Variance Application(s) to the Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law for the Subject Lands comes into effect, to permit minor adjustments to the implementing Zoning By-law.

### **Background**

The Subject Lands (‘Subject Lands’) are located on the southeast corner of Keele Street and Gantner Gate, and are described as 9111 Keele Street and Blocks 14 and 15 on Registered Plan 65M-3077, shown as “Subject Lands” on Attachment 1. The Subject Lands consist of three separate parcels that are zoned “A Agricultural Zone” (9111 Keele Street) and “EM1 Prestige Employment Area Zone” (Blocks 14 and 15, Registered Plan 65M-3077) as shown on Attachment 1. The surrounding land uses are shown on Attachment 1.

### ***Zoning By-law Amendment and Site Development Applications have been submitted to permit the proposed development***

The Owner has submitted the following applications (the ‘Applications’) to permit a master-planned, 6,856 m<sup>2</sup> two-storey place of worship with accessory uses, including a retail store, eating establishment, multimedia centre and pastor accommodation suites (the ‘Development’), as shown on Attachments 2 and 3, for the Subject Lands shown on Attachment 1:

1. Zoning By-law Amendment File Z.17.039 to rezone the Subject Lands from “A Agricultural Zone” and “EM1 Prestige Employment Area Zone”, to “A Agricultural Zone” and “OS5 Open Space Environmental Protection Zone”, in the manner shown on Attachment 2, together with the site-specific zoning exceptions identified in Table 1 of this report.
2. Site Development File DA.16.061 to permit Phase 1 of the Development, being a 3,605 m<sup>2</sup>, two-storey Place of Worship with accessory uses including a retail store, eating establishment, multimedia centre and pastor accommodation suites, as shown on Attachments 4 to 6.

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

On February 9, 2018, the City circulated a Notice of Public Hearing (the “Notice”) to all property owners within 150 m of the Subject Lands. A copy of the Notice was also posted on the City’s website at [www.vaughan.ca](http://www.vaughan.ca) and notice signs were installed along the Keele Street, Gantner Gate and Jacob Keffer Parkway frontages of the Subject Lands in accordance with the City’s Notice Signs Procedures and Protocols.

Vaughan Council on March 20, 2018, ratified the recommendation of the Committee of the Whole to receive the Public Hearing report of March 6, 2018, and to forward a comprehensive technical report to a future Committee of the Whole meeting. No written submissions regarding the Applications were received by the Development Planning Department, and no individuals made deputations regarding the Applications at the Public Hearing on March 6, 2018.

**Previous Reports/Authority**

[Item 3, Report 11, Committee of the Whole \(Public Hearing\), March 6, 2018](#)

**Analysis and Options**

**Land Use Policies and Planning Considerations**

The Development Planning Department has reviewed the Development in consideration of the following policies:

***The Development is consistent with the Provincial Policy Statement (“PPS”) 2014***

In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario "shall be consistent" with the Provincial Policy Statement, 2014 ('PPS'). The PPS provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all

Ontarians. Key policy objectives include: building strong, healthy communities; wise use and management of resources; and protecting public health and safety.

The PPS recognizes that local context and character is important. Policies are outcome oriented, and some policies provide flexibility in their implementation provided that Provincial interests are upheld. Vaughan Council's planning decisions are required by the *Planning Act* to be consistent with the PPS. The Development Planning Department has reviewed the Development in consideration of the policies of the PPS and is of the opinion that the Development is consistent with Provincial interests, specifically:

- Section 1.1.1 - promote efficient development and accommodate an appropriate range of residential, employment, institutional, recreation, park and open space uses
- Sections 1.1.3 and 1.1.3.2 - settlement areas being the focus of development based on densities and land uses which efficiently use land, resources and infrastructure, and are transit-supportive
- Section 1.3 - provide for an appropriate mix and range of employment and institutional uses to meet long term needs, and encourage mixed-use development that incorporates compatible employment uses to support liveable and resilient communities
- Section 1.6.6 - accommodate growth that promotes the efficient use of existing municipal sewage and water services
- Section 2.1.1 - natural features and areas shall be protected for the long term
- Section 2.1.2 - the diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved

The Subject Lands are located within a "Settlement Area", as defined by the PPS, that are serviced by existing municipal water and wastewater systems. The Development provides for institutional and open space uses that are compatible with the surrounding Employment Area required by Section 2.2.1.1 b) of OPA #450, the in-effect Official Plan regarding Places of Worship for the Subject Lands. The proposed Place of Worship operates primarily during non-peak times when the surrounding employment land uses are least intensive.

The Subject Lands abut Keele Street, a major arterial road, and are located in proximity to GO Transit and York Regional Transit ('YRT'). The Rutherford GO Station is located within 500 m of the Subject Lands and a bus stop for YRT Bus Route 107 abuts the Subject Lands on Keele Street.

The Subject Lands contain natural features including a significant woodlot and valleyland. The Development ensures the long-term protection of natural features by rezoning portions of the Subject Lands "OS5 Open Space Environmental Protection Zone", as identified in the Recommendations section of this report. Natural heritage features will be conveyed to a public body (Sections 2.1.1 and 2.1.2).



The Development provides a land use within a settlement area that will contribute to accommodating a range of land uses in the area vicinity (Section 1.1.1), efficiently uses existing resources and infrastructure, is transit-supportive (Sections 1.1.3 and 1.6.6) and contributes to liveable and resilient communities (Section 1.3). The Development is consistent with the PPS.

***The Development conforms to the Growth Plan for the Greater Golden Horseshoe, 2017 (“Growth Plan”)***

The Provincial Growth Plan for the Greater Golden Horseshoe (‘Growth Plan’) is intended to guide decisions on a wide range of issues, including economic development, land use planning, urban form, and housing. The Growth Plan provides a framework for managing growth in the Greater Golden Horseshoe, including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. Vaughan Council’s planning decisions are required by the *Planning Act* to conform, or not conflict with, the Growth Plan.

The Development is consistent with the policy framework of the Growth Plan as it optimizes the use of existing land supply and makes efficient use of existing infrastructure, specifically:

- Section 2.2.1 - directing growth to settlement areas with municipal water and wastewater systems, public service facilities, and public transit to support the achievement of complete communities
- Section 2.2.5.1 - making more efficient use of existing employment areas and vacant and underutilized employment lands
- Section 4.2.2 - new development shall demonstrate that there are no negative impacts on key natural heritage features (‘KNHF’), and incorporating KNHF into the design and planning of new development

The Subject Lands are located within a “Settlement Area”, as defined by the Growth Plan, that are serviced by existing municipal water and wastewater systems. The Subject Lands abut Keele Street, a major arterial road, and are located in proximity to YRT and GO Transit.

The Subject Lands are located within an “Employment Area” as identified on Schedule 1 “Urban Structure” of VOP 2010 and contain KNHFs that include a significant woodlot and valleyland. The Development makes more efficient use of an underutilized employment lot while ensuring the long-term protection of KNHFs by rezoning portions of the Subject Lands “OS5 Open Space Environmental Protection Zone” and conveying these lands to a public body, as identified in the Recommendations section of this report.

The Development will contribute to providing a liveable and resilient community within a Settlement Area (Section 2.2.1) and is consistent with the policy framework of the Growth Plan by making more efficient use of an underutilized employment lot (Section

2.2.5.1) and ensuring no negative impacts to KNHFs (Section 4.2.2). The Development conforms to the Growth Plan.

***The Development conforms to the York Region Official Plan 2010 (“YROP”)***

The York Region Official Plan 2010 (the ‘YROP’) guides economic, environmental and community building decisions across York Region. The Subject Lands are designated “Urban Area” on Map 1, “Regional Structure”, with the southwest portion of the Subject Lands designated “Greenlands System” on Map 2 “Regional Greenlands System” of the YROP.

Urban Areas Policies

Section 5.0 of the YROP states that “intensification within the Urban Area will accommodate a significant portion of the planned growth in the Region.” Section 5.2.9 of the YROP encourages institutional structures to be carefully designed in a compact form and be pedestrian-oriented, transit-supportive, and multi-storey where appropriate.

Keele Street is identified as a “Regional Transit Priority Network” on Map 11 “Transit Network” of the YROP. Section 7.2.24 of the YROP directs the construction of high-occupancy vehicle lanes, dedicated transit lanes, with transit signal priority and other transit priority measures within a Regional Transit Priority Network.

The Development includes a two-storey Place of Worship with direct pedestrian access from Keele Street. The Development is transit supportive given the Subject Lands proximity to existing YRT and GO Transit services, and to Keele Street, a Regional Transit Priority Network identified in the YROP. The Development conforms to the Urban Area policies of the YROP.

Regional Greenlands System Policies

Section 2.1.7 of the YROP states that refinements to the boundaries of the Regional Greenlands System may occur through approved planning applications supported by appropriate technical studies (e.g. an environmental impact study), without amendment to the YROP. Further, Section 2.2.3 of the YROP states that key natural heritage features shall be precisely delineated on a site-by-site basis through the approval of *Planning Act* applications supported by appropriate technical studies such as an environmental impact study.

The Owner has submitted an Environmental Impact Study (‘EIS’) and EIS Addendum prepared by WSP, dated May 2016 and November 2018, respectively. The EIS and EIS Addendum appropriately delineate the extent of the KNHF and associated buffers located on the Subject Lands. The portion of the Subject Lands that contain KNHF and associated buffers are proposed to be zoned “OS5 Open Space Environmental Protection Zone”, as shown on Attachment 2, and conveyed to a public body. On this basis, the Development proposes minor refinements to the YROP Greenlands System

in accordance with Sections 2.1.7 and 2.2.3 of the YROP. The Development conforms to the Greenland System policies of the YROP.

***The Development conforms to Vaughan Official Plan 2010 (“VOP 2010”) and OPA #450, the in-effect Official Plan for Places of Worship for the Subject Lands***

The Subject Lands are located within an “Employment Area” and “Natural Areas” by Schedule 1 “Urban Structure” of VOP 2010, and are designated “General Employment”, “Prestige Employment” and “Natural Areas” by Schedule 13 “Land Use” of VOP 2010.

**Proposed Place of Worship**

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 policies for Places of Worship have not been approved. A development application for a Place of Worship in the employment area is assessed against Section 2.2.1 (1b) of OPA #450 (the Employment Area Plan), which permits a use that is not specifically identified in OPA #450 without the requirement of an Official Plan Amendment, subject to satisfying the following criteria:

- a) the use must be functionally compatible with those uses in the same or neighbouring designation
- b) the use must be physically compatible with adjacent uses and the resulting built form and the land use will not conflict with the urban design or streetscape character of the area
- c) the operation of the use must not result in a nuisance or adverse effect on neighbouring uses through the emission of noise, dust, odour or other contaminants

The Subject Lands have frontage on Keele Street and are located in proximity to commercial and retail uses to the north, natural areas to the south, existing residential uses and natural areas on the west side of Keele Street, and employment uses to the east.

The Development is functionally and physically compatible with neighbouring uses given the diverse mix of land uses located in the area vicinity. The Development will not result in adverse effects on neighbouring sites with respect to noise, dust, odour or other contaminants. The proposed Place of Worship will primarily operate during non-peak times (i.e. evenings and weekends) when the employment uses to the east are least intensive. On this basis, the Development conforms to the Official Plan in consideration of the criteria of Section 2.2.1 (1b) of OPA #450.

## Natural Areas and Core Features

The southern portion of the Subject Lands are identified as “Core Features” on Schedule 2 “Natural Heritage Network” of VOP 2010. The EIS and EIS Addendum submitted in support of the Applications identifies a valley feature and naturally occurring woodlot on the southern portion of the Subject Lands that are considered “Core Features” under Section 3.2.3.4 of VOP 2010.

On June 4, 2015, the Toronto and Region Conservation Authority (‘TRCA’) staked the limit of the natural heritage features on the Subject Lands, as shown on Attachment 2. The western portion of the staked area closest to Keele Street is proposed to be developed for parking to serve the Development, as shown on Attachment 2. These lands do not form part of the “Core Features” as identified on Schedule 2 of VOP 2010, but form part of the staked feature limit identified by the TRCA. The Owner is required to provide appropriate monetary compensation to the TRCA as required by the TRCA’s Guideline for Determining Ecosystem Compensation (2018).

Section 3.2.3.11 of VOP 2010 permits minor modifications to the boundaries and alignment of Core Features as part of the development application process, provided that justification in the form of an EIS is submitted that provides appropriate rationale.

The 0.4 ha southeastern portion of the Subject Lands contain vegetation that does not form part of the valley corridor staked by the TRCA and is partially located within the “Core Features” designation. The EIS identifies the vegetation as having limited ecological function, and that removal of the vegetation will not impact the ecological function of the significant woodlot and valley land staked by the TRCA, given that the area is largely disturbed and contains a high proportion of non-native species. The EIS further states that:

“the area has not been identified as a significant habitat for Species at Risk, or globally or provincially rare plants, animals or communities, do not provide linkages to other Core Features, and are not located within the Regional Greenlands System of the YROP, and are not located within 30 m of a wetland, lake, or permanent or intermittent stream. Furthermore, the removal of these areas will not affect the designation of the remaining woodland as Significant under provincial or regional policies, and negative impacts to the function of that woodland are not anticipated.”

On this basis, the minor modification to the “Core Features” designation through removal of the existing vegetation will not impact the ecological function of the valley feature and woodlot staked by the TRCA, and will maintain the intent of the “Core Feature” policies.

The Owner is required to convey the lands proposed to be zoned “OS5 Open Space Environmental Protection Zone”, as shown on Attachment 2, to a public authority in

accordance with Section 3.2.3.10 of VOP 2010. A condition to this effect is included in the Recommendations section of this report.

The Owner is also required to enter into a Tree Protection Agreement with the City in accordance with the City's Tree By-law 052-2018, and upon finalization of the landscape plan, shall quantify the value of tree replacements using the Urban Design Tree Replacement Valuation outlined in the City's Tree Protection Protocol, as further described in the Urban Design section of this Report. The Development conforms to the Official Plan.

***The proposed rezoning and site-specific zoning exceptions identified in Table 1 would permit the Development, which is compatible with existing development in the community***

The Subject Lands are zoned "A Agricultural Zone" and "EM1 Prestige Employment Area Zone" by Zoning By-law 1-88, as shown on Attachment 1. The portion of the Subject Lands that are zoned "A Agricultural Zone" permit a Church (Place of Worship) in Zoning By-law 1-88 as-of-right. The Owner is proposing to rezone the portions of the Subject Lands zoned "EM1 Prestige Employment Area Zone" to "A Agricultural Zone" and "OS5 Open Space Environmental Protection Zone" in the manner shown on Attachment 2, together with the following site-specific zoning exceptions to the "A Agricultural Zone" in order to permit the master planned Place of Worship shown on Attachments 2 and 3:

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> </ul>	<p>Permit a Church (Place of Worship) with the following accessory uses:</p> <ul style="list-style-type: none"> <li>• Eating Establishment (Café) to serve members, guests and employees of the Place of Worship</li> <li>• Retail Store (Bookstore and Library) for the sale of reading and audio/visual material</li> <li>• Multimedia Centre, meaning an area for the production of audio-visual material</li> <li>• Pastor Accommodation Suites, meaning an area for</li> </ul>

	<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>
		<ul style="list-style-type: none"> <li>• Tennis Court</li> <li>• Cottage Industries</li> <li>• Wayside Pit/Quarry</li> </ul>	the full-time accommodation for the pastor and temporary accommodation for guests of the Place of Worship
b.	Minimum South Interior Side Yard Setback to the OS5 Zone	15 m	14 m
c.	Minimum Rear Yard Setback (Jacob Keffer Parkway)	15 m	4 m
d.	Maximum Building Height	11 m	15.2 m
e.	Maximum Lot Coverage	20 %	22.2 %
f.	Minimum Landscape Strip Width Abutting a Street Line (Gantner Gate and Jacob Keffer Parkway)	6 m	2 m
g.	Minimum Landscape Strip Width Abutting Lands Zoned Open Space	2.4 m	1 m

	<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>
h.	Minimum Parking Requirements	6,856 m <sup>2</sup> @ 11 spaces / 100 m <sup>2</sup> = 755 spaces	209 spaces

The Development Planning Department supports the proposed site-specific zoning exceptions for the following reasons:

a) Permitted Uses

The proposed Place of Worship is permitted as-of-right for the portion of the Subject Lands zoned “A Agricultural Zone”. The proposed rezoning of the portion of the Subject Lands that are zoned “EM1 Prestige Employment Area Zone” to permit the Place of Worship is consistent with the criteria established in Section 2.2.1 (1b) of OPA #450. The proposed accessory uses total 400 m<sup>2</sup> of floor area and are ancillary to, and compatible with, the proposed Place of Worship. The proposed Eating Establishment and Retail Store will only operate during services for the Place of Worship.

b) Minimum Building Setbacks

The reductions to the minimum rear and interior side yard setback will have minimal impact on adjacent land uses and will facilitate an attractive public realm along Gantner Gate and Jacob Keffer Parkway. The proposed reduced interior side yard setback of 14 m to lands zoned “OS5 Open Space Environmental Protection Zone” is minor in nature.

c) Maximum Building Height and Lot Coverage

The building elevations shown on Attachments 3 and 6 consist of an atypical roof design that provides building variation and articulation, with portions of the roof exceeding 11 m in height. The increase in maximum building height and lot coverage will have limited visual impact on adjacent properties.

d) Minimum Landscape Strip

The proposed 2 m wide landscape strip proposed for a portion of Gantner Gate and Jacob Keffer Parkway is for the portion of the Development adjacent to the proposed parking area and will consist of a mix of shrubs and deciduous trees. The landscape strip adjacent to the proposed building measures approximately 4.5 m. The proposed landscape strip width of 1 m for lands abutting the proposed “OS5 Open Space

Environmental Protection Zone” is appropriate as the existing woodlot and appropriate buffers have been established by the TRCA and the City.

e) Minimum Parking

A total of 209 parking spaces are proposed, inclusive of seven (7) barrier-free parking spaces. Zoning By-law 1-88 requires a minimum of 755 parking spaces for the Development. Additional reference for minimum required parking is relied on “Review of Parking Standards Contained within the City of Vaughan’s Comprehensive Zoning By-law” prepared by IBI Group in 2010 (‘IBI Study’), which would require 350 spaces. Due to a significant parking reduction in comparison with both Zoning By-law 1-88 and the IBI Study, the Owner has submitted a Parking Study prepared by LMM Engineering dated June 2016 and revised on January 25, 2019. The survey analysis of the Parking Study outlines a minimum requirement of 0.21 spaces per seat (i.e. 209 spaces) for similar sites. The Development Engineering Department finds the parking supply rate of 0.21 spaces per seat (i.e., 209 spaces), adequate to accommodate the proposed Place of Worship.

***The Planning Act permits Vaughan Council to pass a resolution to permit a landowner to apply for a future Minor Variance application(s), if required, within 2 years of a Zoning By-law coming into full force and effect***

Section 29(2) of the *Planning Act* restricts a landowner from applying for a Minor Variance Application to the Committee of Adjustment within two years of the day on which a Zoning By-law comes into effect. The *Planning Act* also permits Council to pass a resolution to allow an applicant to apply for a minor variance(s) within 2 years of the passing of a bylaw.

Should Council approve Zoning By-law Amendment File Z.17.039, the Development Planning Department has included a Recommendation to permit the Owner to apply for a Minor Variance application(s), if required, prior to the two-year moratorium in order to address minor zoning deficiencies that may arise through the finalization and construction of the Development.

***The Development Planning Department has no objection to the approval of the Site Plan for Phase 1 of the Development, subject to the recommendations in this report***

The proposed development shown on Attachments 4 to 6 represent Phase 1 of the Development and consists of a 3,605 m<sup>2</sup> two-storey Place of Worship with 209 parking spaces, inclusive of seven (7) barrier-free parking spaces (“Phase 1 Development”).

Vehicular access is proposed from Gantner Gate and Jacob Keffer Parkway. Pedestrian connections are proposed from Keele Street, Gantner Gate and Jacob Keffer Parkway via concrete walkways, with the proposed connection from Keele Street extending to the main entrance of the building.



The landscape plan (Phase 1) shown on Attachment 5 consists of a mix of deciduous and coniferous trees, shrubs and perennials located around the perimeter of the Subject Lands. Tree, shrub and groundcover plantings are also proposed within the lands zoned “OS5 Open Space Open Space Environmental Protection Zone” to enhance the existing woodland and valley feature. Urban Design Staff recommend incorporating landscape consisting of small ornamental or multi-stemmed trees to enhance the walkway from Keele Street to the main entrance of the building. The areas of the proposed building additions that are subject to future phases of development will be planted with sod. Bicycle racks are proposed in proximity to the western entrance of the building.

Building Elevations for the Phase 1 Development are shown on Attachment 6 and consist of blue spandrel glazing, stone veneer, dark blue Hardieboard and metal cladding. Urban Design Staff recommend the use of Hardieboard and stone veneer in a vertical fashion that is in keeping with the tall windows on the east elevation, given its exposure to Jacob Keffer Parkway.

The final site plan, building elevations, landscape plan and landscape cost estimate for the Phase 1 Development must be approved to the satisfaction of the Development Planning Department. A condition to this effect is included in the Recommendations of this report.

***A Future Site Development Application(s) is required for future phases***

The master site plan and building elevations shown on Attachments 2 and 3 reflect the Development upon full build out and consists of a 6,856 m<sup>2</sup> two-storey Place of Worship. The Owner intends to develop the master site plan in phases, and consists of three building additions shown as “future building phases” on Attachment 4. The Owner is required to submit a future Site Development Application(s) for any future phases of the Development.

***The Owner is required to consolidate and register the Subject Lands as one lot***

The Subject Lands consist of three separate parcels of land described as 9111 Keele Street and Blocks 14 and 15 on Registered Plan 65M-3077. The Owner is required to consolidate and register the Subject Lands as one lot prior to the execution of the Site Plan Agreement in order to comply with Zoning By-law 1-88 and permit the issuance of a Building Permit. A condition to this effect is included in the Recommendation of this report.

***The TRCA has no objection to the Development, subject to Conditions of Approval***

The southern portion of the Subject Lands are located within the TRCA regulatory area and subject to Ontario Regulation 166/06. The TRCA has reviewed the EIS and EIS

Addendum submitted in support of the Applications and has no objection to the proposed staked boundary of the natural feature, as shown on Attachment 2.

The Owner is required to provide appropriate monetary compensation to the TRCA as required by the TRCA's Guideline for Determining Ecosystem Compensation (2018) for the feature removal shown on Attachment 2. The TRCA requests that the lands proposed to be zoned "OS5 Open Space Environmental Protection Zone" be conveyed into public ownership. A condition to this effect is included in the Recommendation of this report.

The Subject Lands are located within the Well Head Protection Area source water protection area ('WHPA-Q'), that requires post to pre-development water balance to be demonstrated for the Development. The Owner has submitted a Water Balance Assessment prepared by Reinders and Reider and dated November 18, 2018. The TRCA has reviewed the Water Balance Assessment and accepts the proposed mitigation strategy, subject to minor refinements. The final Water Balance Assessment shall be approved by the TRCA.

The Owner is required to satisfy all conditions of the TRCA prior to finalizing the Site Plan Agreement and must obtain a TRCA Permit in accordance with Ontario Regulation 166/06. A condition to this effect is included in the Recommendations of this report.

***The Development Planning Department, Urban Design and Cultural Heritage Division has no objection to the approval of the Development, subject to Conditions of Approval***

The Urban Design and Cultural Heritage Division has no objection to the Applications subject to the Owner providing additional landscape to enhance the walkway from Keele Street to the main entrance of the building, and providing Hardieboard and stone veneer siding in a vertical fashion for the east elevation adjacent to Jacob Keffer Parkway.

The Owner has submitted an Arborist Report and Tree Preservation Plan ('Arborist Report') prepared by WSP and dated November 2018. The Arborist Report identifies 124 trees located on the Subject Lands, of which 51 trees are located within the TRCA staked natural feature. Of the remaining 73 trees, 68 trees are proposed for removal to permit the Development, which results in 101 replacement trees through compensation planting on-site and a cash-in-lieu contribution, as required by the City of Vaughan's 'Replacement Tree Requirements'.

The Owner shall enter into a Tree Protection Agreement with the City prior to finalizing the site plan agreement in accordance with the City's Tree By-law 052-2018. Upon finalization of the landscape plan, the Owner shall quantify the value of tree replacements using the Urban Design Tree Replacement Valuation outlined in the City's Tree Protection Protocol. The Owner shall not remove trees without written approval by the City. A condition to this effect is included in the Recommendation of this report.

***The Policy Planning and Environmental Sustainability ('PPES') Department has no objection to the approval of the Development, subject to Conditions of Approval***

The PPES Department has no objections to the Applications and agree with the development limits and buffers to the natural features established by the TRCA. Bird friendly treatments should be incorporated into the design of the building.

The Owner acknowledges that the City has Species at Risk within its jurisdiction which are protected under the *Endangered Species Act* 2007. The Owner is required to comply with Ministry of Natural Resources and Forestry regulations and guidelines to protect these species at risk and their habitat. The Owner acknowledges that, notwithstanding any approvals made or provided by the City in respect to the Plan or the related Site Plan Agreement, the Owner must comply with the provisions of the *Endangered Species Act*. 2007. A condition to this effect is included in the Recommendation of this report.

***The Development Engineering ('DE') Department has no objection to the Development, subject to Conditions of Approval***

The Development Engineering ('DE') Department has reviewed the Applications and provides the following comments:

a) Site Servicing and Stormwater Management

The Owner has submitted a Site Servicing and Stormwater Management Report prepared by Reinders and Rieder Ltd. and dated November 2018 ('Servicing Report'). The Servicing report identifies the following:

i) Water Servicing

An existing water service connection is present for the Development from Jacob Keffer Parkway, complete with an existing valve for the domestic line (50 mm diameter) and a valve in chamber for the fire line (150 mm diameter). The Owner proposes to construct a 100 mm diameter domestic line service and a 200 mm diameter fire service line to the building.

ii) Sanitary Servicing

The Development is proposed to be serviced for sanitary drainage via an existing sanitary manhole located at the end of an existing 200 mm diameter service connection. This is connected to an existing 200 mm

diameter sanitary sewer on Jacob Keffer Parkway. The Owner proposes to construct a 200 mm diameter sanitary sewer with manholes internal to the property to service the Development.

iii) Stormwater Management

The Owner proposes to construct private storm sewers, catchbasins and manholes to drain the Subject Lands to two existing outlets located on Gantner Gate and Jacob Keffer Parkway via on-site grading measures. Underground storage tanks are proposed to meet the stormwater storage quantity and to provide the infiltration requirement for the Subject Lands, in accordance with TRCA regulations.

The final Servicing Report shall include a comprehensive stormwater, sanitary and water network analysis of the Development's systems, and shall demonstrate that adequate stormwater management measures, sanitary discharge and water supply for fire flow demands are available for the Subject Lands.

b) Environmental Engineering

The Owner has submitted a Phase One Environmental Site Assessment ('ESA') prepared by EXP Services Inc. and dated July 26, 2018. The ESA includes some minor soil sampling and chemical analysis of fill piles onsite. The ESA has been reviewed by the DE Department and the findings of the ESA indicate the soil analyzed met applicable Ministry of Environment, Conservation and Parks standards, and no further ESA work was recommended. The DE Department is satisfied with the findings.

c) Transportation Engineering

The DE Department has requested a parking study for the Applications due to a parking reduction of more than 10% from the requirements of Zoning By-law 1-88. The Parking Study reviews the minimum parking requirements in consideration of City standards in comparison with the provided parking. A detailed analysis of the parking requirements for each use has been provided in addition to parking surveys of similar sites. Several updates to the number of seats and floor area uses have been applied through consultation with City staff to meet City requirements. The updated worship area plan contains 1,008 seats and a total of 209 parking spaces inclusive of seven (7) barrier-free parking spaces.

The Parking Study concludes that the Development would generate a peak parking demand of 97 to 110 spaces during normal operations, and 162 to 183 spaces during special events such as Easter and Christmas. The Subject Lands are also located in an industrial area which diminishes the concerns regarding

on-street parking. The available on-street parking is 75 spaces within 230 m walking distance of the Subject Lands.

It is the goal of the City to move towards managing parking in a responsible manner to ensure that an appropriate supply of parking is provided in order to strengthen the efficient use of land, promote sustainable forms of development and encourage alternative forms of transportation. The DE Department finds the parking supply rate of 0.21 spaces per seat (i.e. 209 spaces), suggested as a result of the similar site survey analysis, adequate to accommodate the Development.

The final site servicing and grading plan, erosion and sediment control plan, and servicing and stormwater management report must be approved to the satisfaction of the Development Planning Department. A condition to this effect is included in the Recommendations of this report.

***The Environmental Services Department, Solid Waste Management Division, has no Objection to the Development, subject to Conditions of Approval***

The Development includes two deep collection waste containers ('Moloks') located next to the proposed loading area on the south side of the building. The Environmental Services Department, Solid Waste Management Division has no objections to the proposed Molok system. The Owner must satisfy all requirements of the Environmental Services Department, Solid Waste Management Division. A condition to this effect is included in the Recommendation of this report.

***The Financial Planning and Development Finance Department has no objection to the Development, subject to Conditions of Approval***

The Owner is required to pay to the City applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, Region of York, York Region District School Board and York Catholic District School Board. A condition to this effect is included in the Recommendations of this report.

***Canada Post has no objection to the Development***

Canada Post has no objection to the Development, as provisions are already in place for mail delivery to the Subject Lands.

***Enbridge Gas Distribution Inc. and Alectra Utilities Corporation have no objection to the Development***

Enbridge Gas Inc. and Alectra Utilities Corporation (formerly PowerStream Inc.) have no objections to the Applications.

## **Financial Impact**

Not Applicable.

## **Broader Regional Impacts/Considerations**

The Subject Lands are located adjacent to Keele Street, an arterial road under the jurisdiction of York Region. The Applications were circulated to the York Region Community Planning and Development Services Department for review and comment.

The Owner is required to satisfy the following requirements of York Region: conveying a 15 m by 15 m daylight triangle at the corner of Keele Street and Gantner Gate, as shown on Attachment 4; obtaining an encroachment permit to facilitate unit pavers within the Regional right-of-way (Keele Street) for the pedestrian connection from Keele Street to the proposed building; and, entering into a bi-party site plan agreement with York Region. A condition to this effect is included in the Recommendations of this report.

## **Conclusion**

Zoning By-law Amendment File Z.17.039 and Site Development File DA.16.061 have been reviewed in accordance with the applicable Provincial policies, YROP and VOP 2010 Official Plan policies, the requirements of Zoning By-law 1-88 and comments from City departments and external public agencies. The proposal to develop the Subject Lands with a two-storey Place of Worship is consistent with the PPS, conforms to the Growth Plan, the YROP and VOP 2010, and the proposed rezoning of the Subject Lands will result in a development that is compatible with the surrounding land uses.

Accordingly, the Development Planning Department supports the approval of the Applications, subject to the conditions in the Recommendation section of this report.

**For more information**, please contact: Mark Antoine, Senior Planner, Development Planning Department, Extension 8212.

## **Attachments**

1. Location Map
2. Master Site Plan and Proposed Zoning
3. Building Elevations - Full Build Out
4. Site Plan - Phase 1
5. Landscape Plan - Phase 1
6. Building Elevations - Phase 1

**Prepared by**

Mark Antoine, Senior Planner, ext. 8212

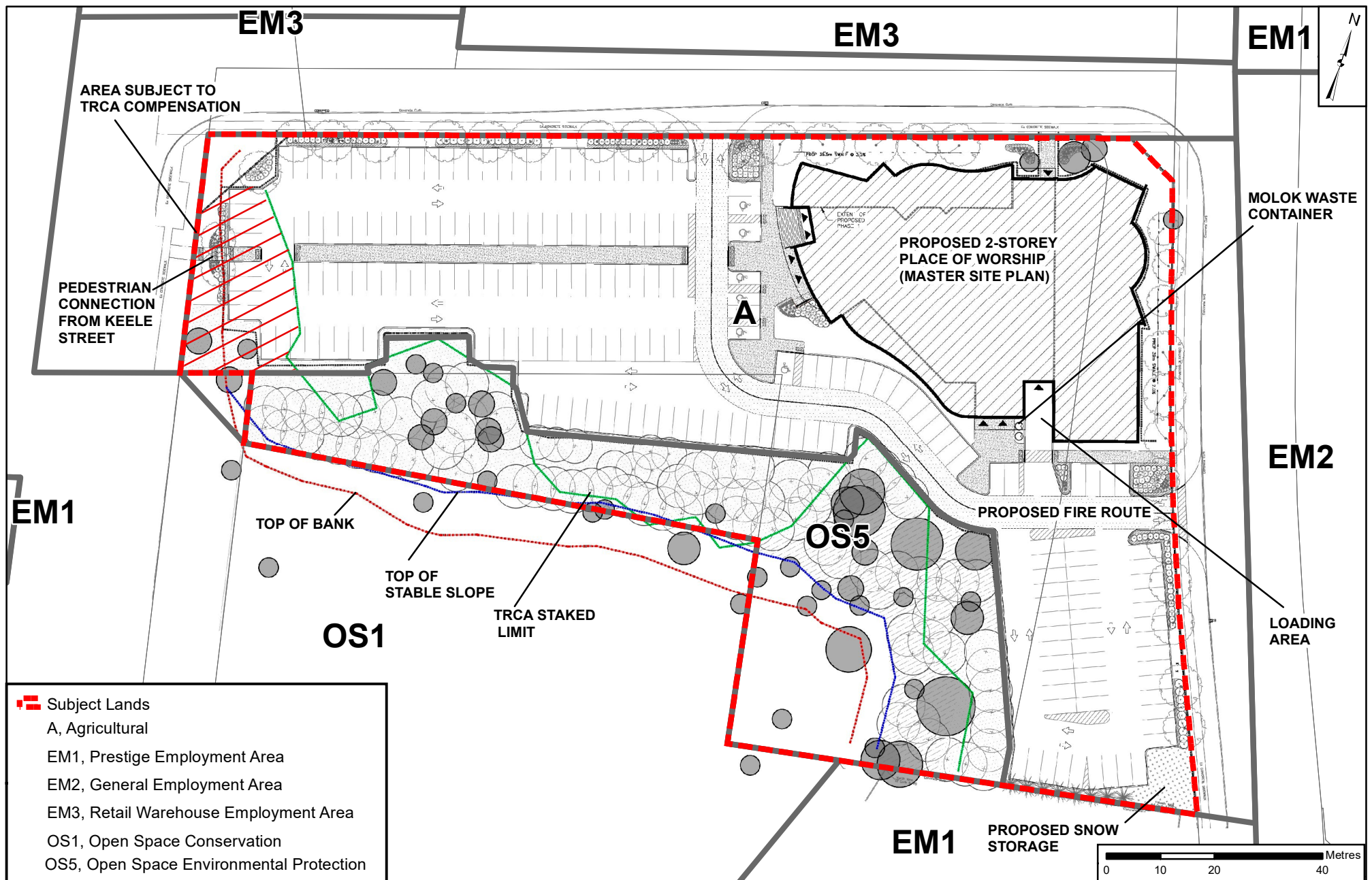
Nancy Tuckett, Senior Manager of Development Planning, ext. 8529

Mauro Peverini, Director of Development Planning, ext. 8407

/LG







# Master Site Plan and Proposed Zoning

**LOCATION:**  
Part Lot 14, Concession 3

**APPLICANT:**  
Rivers of Life Fellowship Association

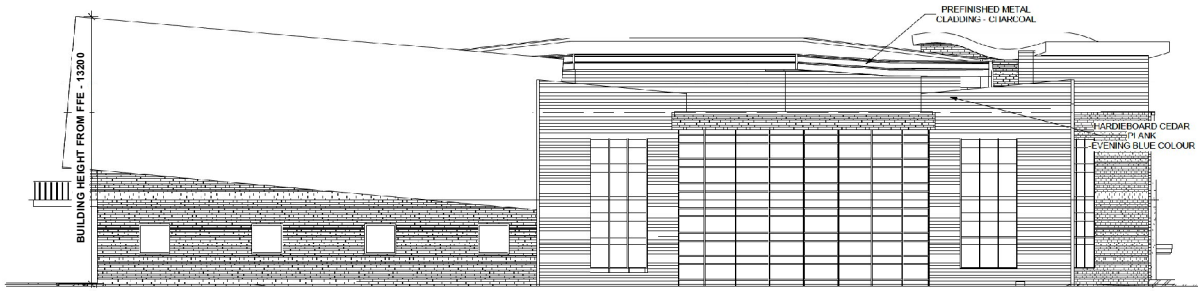


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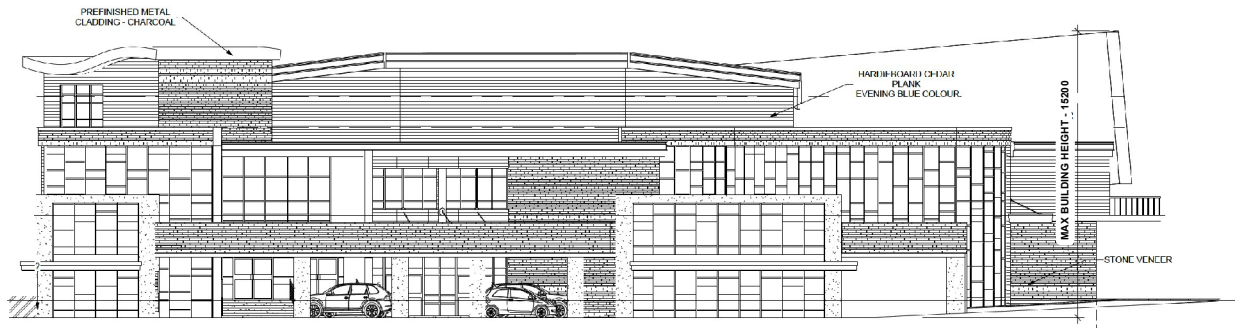
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**DATE:**  
April 2, 2019

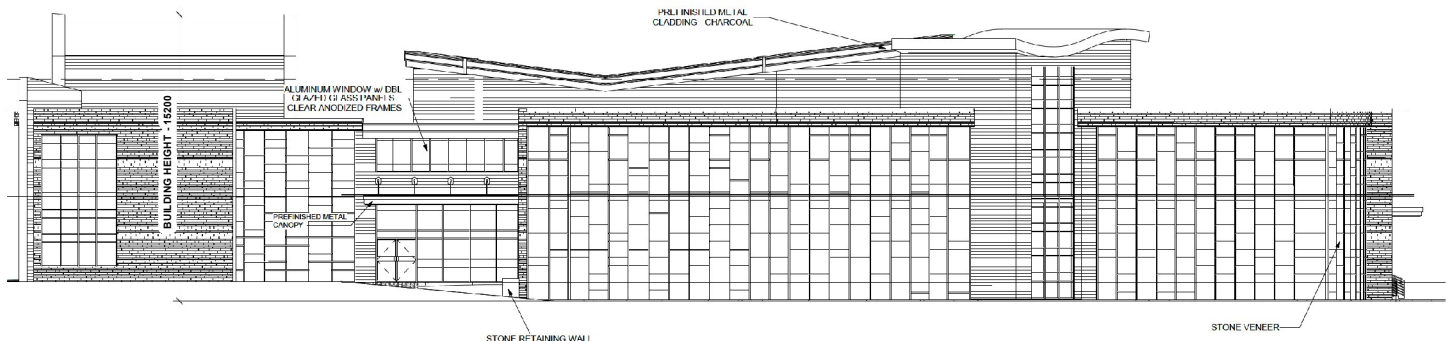
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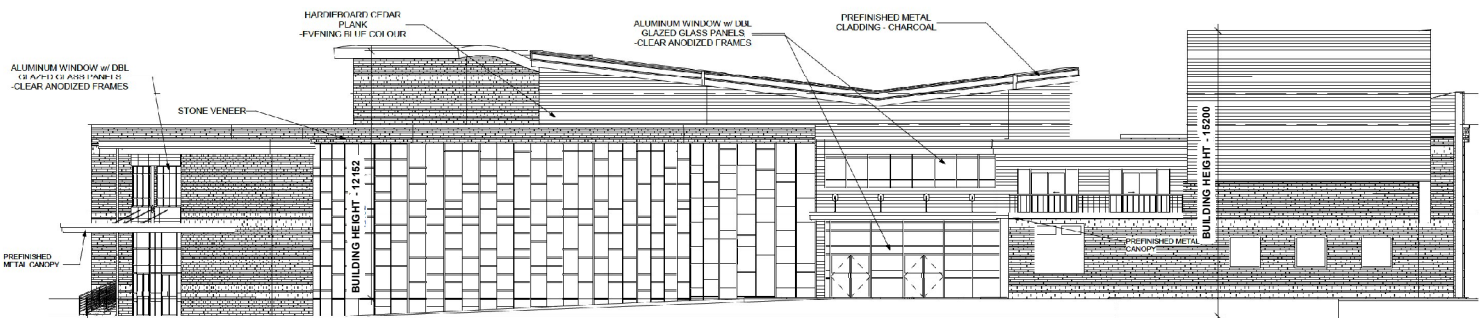
EAST ELEVATION (FACING JACOB KEEFER PARKWAY)



WEST ELEVATION (FACING KEELE STREET)



NORTH ELEVATION (FACING GANTNER GATE)



SOUTH ELEVATION

Not to Scale

# Building Elevations - Full Build Out

**LOCATION:**  
Part Lot 14, Concession 3

**APPLICANT:**  
Rivers of Life Fellowship Association



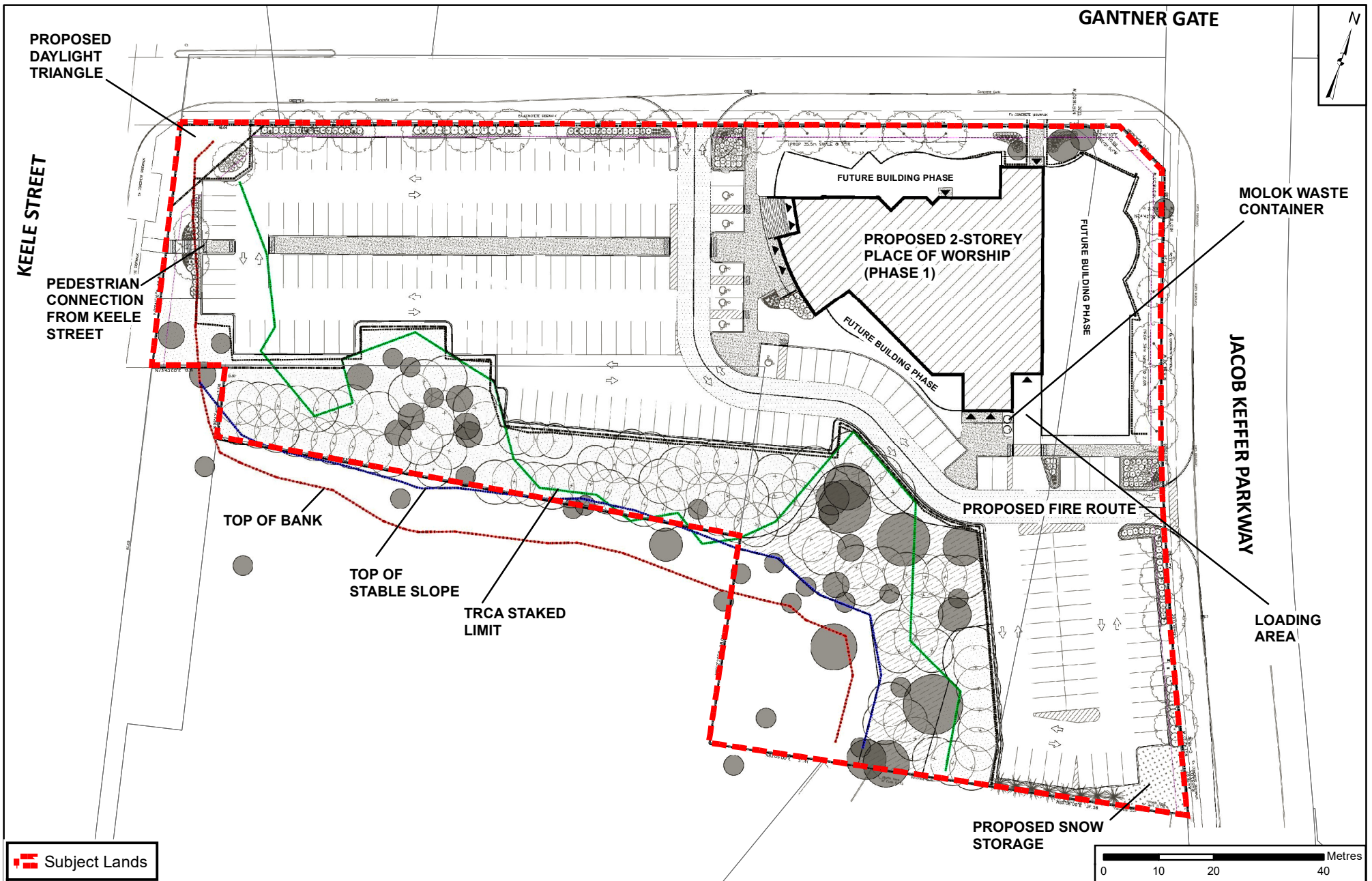
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**FILES:**  
Z.17.039, DA.16.061

**DATE:**  
April 2, 2019

3





## Site Plan - Phase 1

**LOCATION:**  
Part Lot 14, Concession 3

**APPLICANT:**  
Rivers of Life Fellowship Association

Document Path: N:\GIS\_Archive\Attachments\DA\DA.16.061\Z.17.039\_DA.16.061\_CW\_SitePlanPhase1.mxd



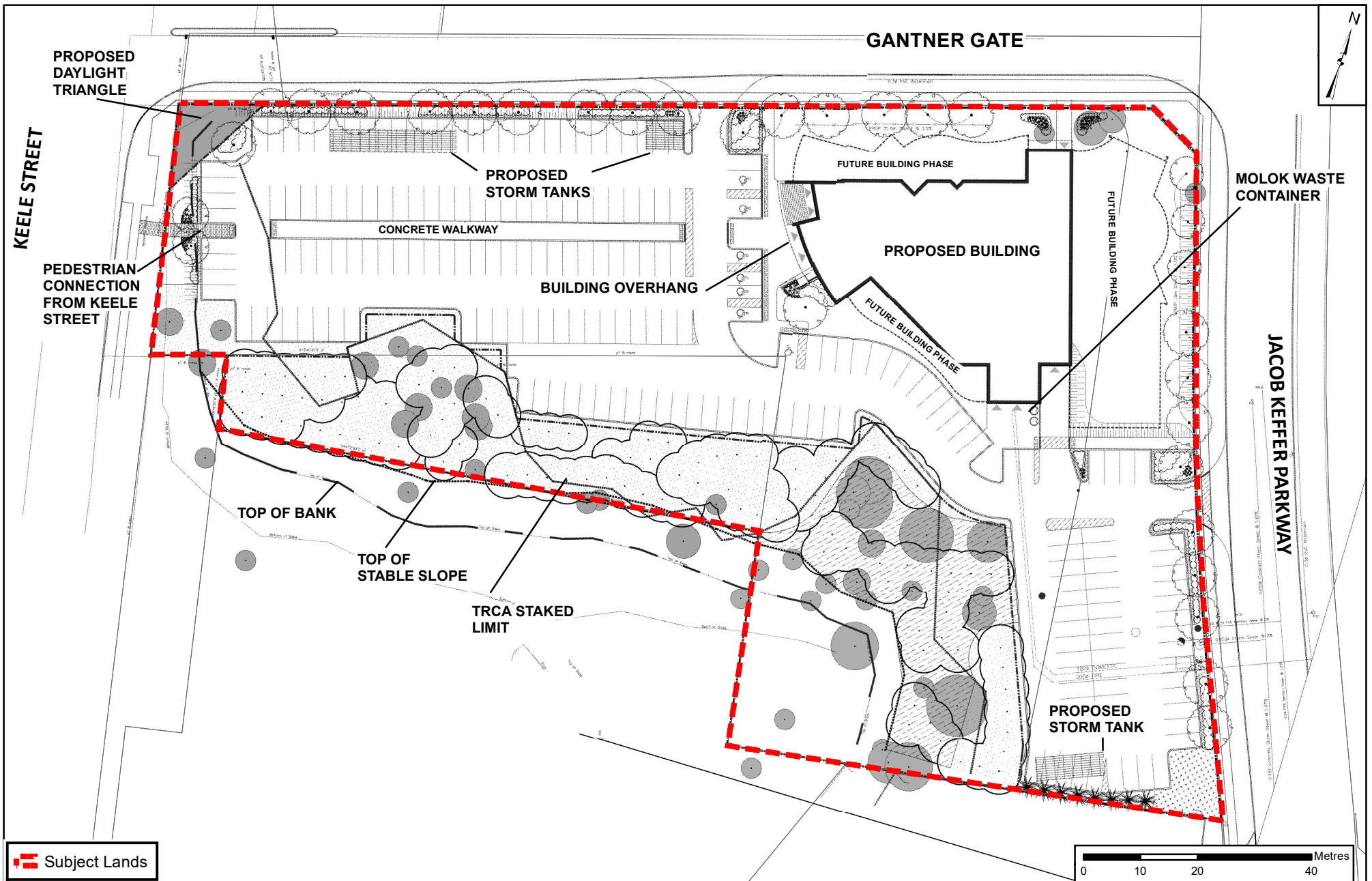
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**DATE:**  
April 2, 2019

Created on: 3/1/2019

**4**



# Landscape Plan - Phase 1

**LOCATION:**  
Part Lot 14, Concession 3

**APPLICANT:**  
Rivers of Life Fellowship Association

Document Path: N:\GIS\_Archive\Attachments\DA\DA.16.061\Z.17.039\_DA.16.061\_CW\_LandscapePlan.mxd



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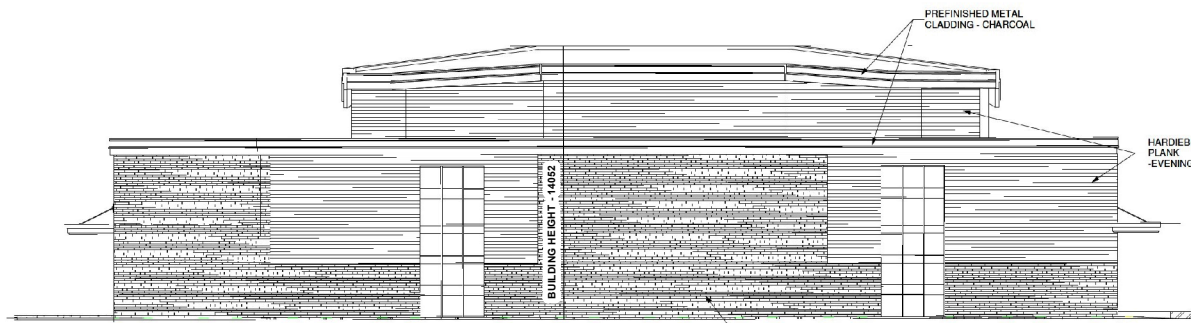
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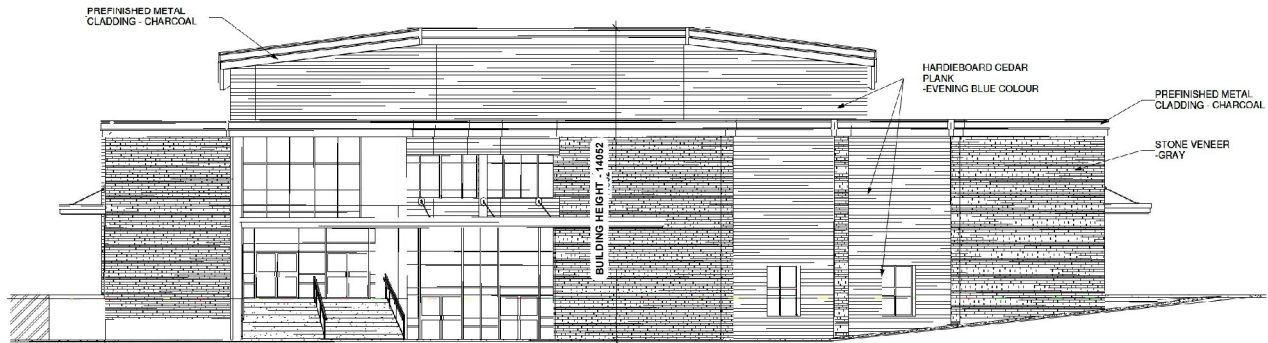
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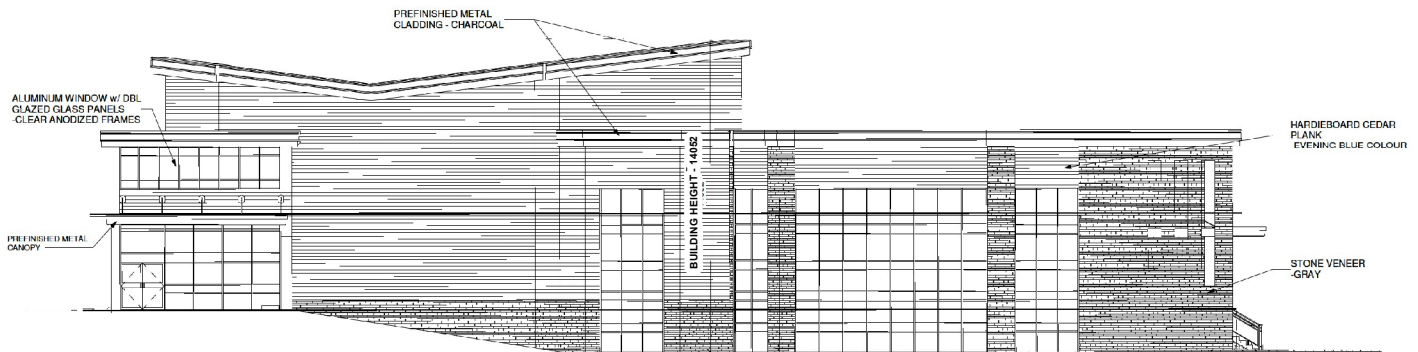




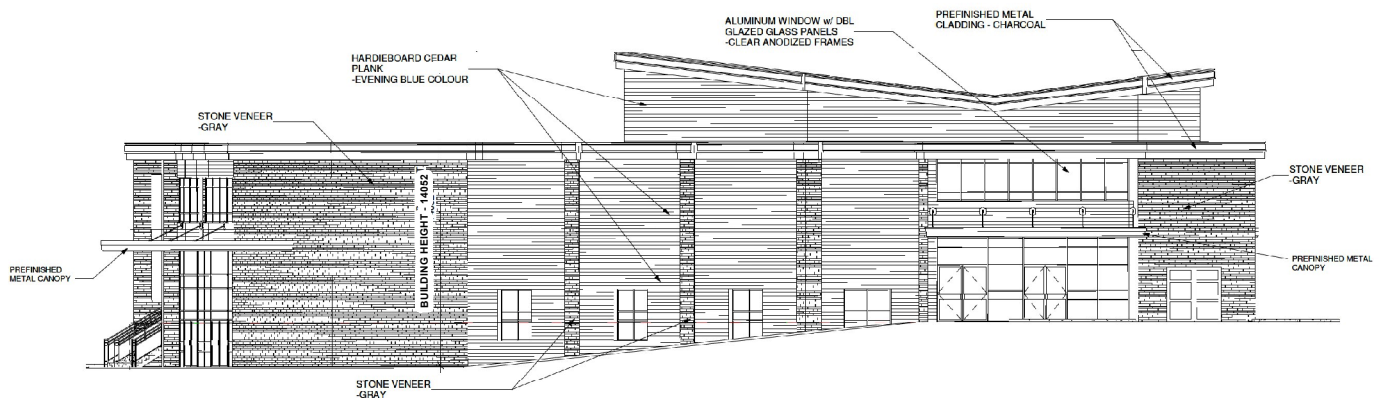
EAST ELEVATION (FACING JACOB KEEFER PARKWAY)



WEST ELEVATION (FACING KEELE STREET)



NORTH ELEVATION (FACING GANTNER GATE)



SOUTH ELEVATION

Not to Scale

## Building Elevations - Phase 1

**LOCATION:**  
Part Lot 14, Concession 3

**APPLICANT:**  
Rivers of Life Fellowship Association



## Attachment

**FILES:**  
Z.17.039, DA.16.061

**DATE:**  
April 2, 2019

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