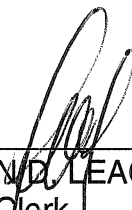


I, JOHN D. LEACH, City Clerk of the Corporation of the City of Vaughan, in the Regional Municipality of York, do hereby certify that attached is a true copy of Amendment Number 539 to the Official Plan of the Vaughan Planning Area, which was approved by the Ontario Municipal Board, as per Order #1326, dated September 14, 2000.



JOHN D. LEACH
City Clerk
City of Vaughan

DATED at the City of Vaughan
this 26th day of March, 2002.



Ontario

JH

Ontario Municipal Board

Commission des affaires municipales de l'Ontario

ISSUE DATE :

Sept. 14, 2000

DECISION/ORDER NO.

1326

PL991020

Memorial Gardens (Ontario) Limited has appealed to the Ontario Municipal Board under subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, from Council's refusal or neglect to enact a proposed amendment to Zoning By-law 1-88, as amended, of the City of Vaughan to rezone lands respecting Part of Lot 4, Concession 8, from "A" Agriculture to "OS2" Open Space Park Zone with permitted uses on the subject land to include cemetery and related uses including Administrative Office, Chapel, Columbarium, Crematorium, Mausoleum, Reception Centre and Service Building

City's File No. Z.97.067

OMB File No. Z990150

Memorial Gardens (Ontario) Limited has appealed to the Ontario Municipal Board under subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, from Council's refusal or neglect to enact a proposed amendment to the Official Plan for the City of Vaughan to redesignate lands respecting Part of Lot 4, Concession 8, from "Industrial Prestige Area" and "Industrial Employment Area General" to "Industrial Prestige Area and Industrial Employment Area General with Exception to permit cemetery and related uses including Administrative Office, Chapel, Columbarium, Crematorium, Mausoleum, Reception Centre and Service Building

City's File No. OP.97.014

OMB File No. O990173

OPA 539

APPEARANCES :

Parties

Counsel

Memorial Gardens (Ontario) Limited

Thomas Barlow

City of Vaughan

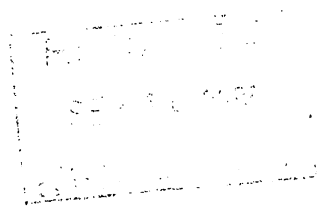
Olivio Fatigati

Glen-50 Developments Limited

Mark Noskiewicz

Huntington Business Park Group
(See Attachment 1 for List)

John Alati



MEMORANDUM OF ORAL DECISION DELIVERED BY P.L. WYGER AND D.J. CULHAM ON SEPTEMBER 6, 2000 AND PARTIAL ORDER OF THE BOARD

Memorial Gardens (Ontario) Limited wants to develop a cemetery, with related uses on a 32.7 hectare vacant parcel of land located south of Highway No. 7, north of the Ontario Hydro Corridor, east of Highway No. 50 (Peel Regional Road No. 24) and west of Highway 427, in the City of Vaughan.

At the commencement of these proceedings the Board was advised that the parties had reached a settlement. A copy of the minutes of settlement was filed with the Board as Exhibit No. 3. The Region of York sent correspondence to the Board confirming that it considered the applications to be matters of local significance and indicating that it would not be participating at this hearing.

The subject lands are designated Industrial Prestige Area and Industrial Employment Area General in the City's Official Plan. They are zoned "A" Agriculture. The proposal before the Board is to retain the designation of Industrial Prestige Area and Industrial Employment Area General and to add an exception which would permit cemetery and related uses including an administrative office, chapel, columbarium, crematorium, mausoleum, reception centre and service building. The lands are to be zoned to "OS2" Open Space Park Zone with permitted uses on the lands to include cemetery and related uses including those previously noted.

The settlement provides that only the west portion of the parcel, composed of approximately 28 hectares will be developed as a cemetery. Accordingly, the redesignation and the change to the zoning will not apply to the five hectare parcel of lands located along the frontage of Highway 427. That parcel will remain for employment uses. The primary access, and the processional access to the cemetery will be from Highway No. 50. A north-south connector road will be developed along the east boundary of the cemetery lands. The lands lying east of the connecting road and west of Highway No. 427 will be developed as a prestige industrial area.

The Board heard evidence in support of the proposal from Mr. Larkin, a qualified land use planner. No one appeared in opposition to the settlement proposal.

Based on the evidence of Mr. Larkin, the Board is satisfied that the settlement proposal conforms to the Regional Official Plan and that it represents good planning.

→ The Board orders that Amendment No. 539 of the Official Plan Of the Vaughan Planning Area is approved, as set out in Attachment 2.

The Board allows the appeal of the zoning by-law in part. The Board will amend By-law 1-88 to permit cemetery and related uses on part of the subject lands. As requested by the City, and on the consent of all of the parties, the Board will withhold its order regarding the zoning by-law pending receipt of a by-law that reflects the settlement proposal as presented to the Board in these proceedings and pending receipt of written confirmation from the City:

- 1) that the lands for the north-south connector road has been secured to the satisfaction of the City; and
- 2) that a site plan agreement between the applicant and the City has been executed.

This panel will remain seized until those matters have been completed and may be spoken to if any difficulties arise in completing the outstanding matters.

"P.L. Wyger"

P.L. WYGER
MEMBER

A handwritten signature in cursive script that reads "David J. Culham".

D.J. CULHAM
MEMBER

ATTACHMENT 2

O.M.B. Version - Sept. 6, 2000

AMENDMENT NUMBER 539
TO THE OFFICIAL PLAN
OF THE VAUGHAN PLANNING AREA

PART 1: THE PREAMBLE (does not constitute part of this Amendment)

PART 2: THE AMENDMENT

The following text and Schedules "1", "2", "3" and "4" constitute Amendment Number 539 to the Official Plan of the City of Vaughan Planning Area.

PART 1: THE PREAMBLE

I BACKGROUND

The lands subject to this Official Plan Amendment are located on the east side of Highway No. 50 (Peel Regional Road No. 24) and directly north of the Ontario Hydro Corridor. The subject lands have an area of approximately 28.3 hectares, and are composed of the westerly portion of Lot 4, Concession 9 in the City of Vaughan.

The purpose of this amendment is to provide for an exception to permit a cemetery with the following accessory uses: Administrative Offices, Chapels, Columbariums, Crematoriums, Mausoleums, Reception Centres and Service Buildings in an "Employment Area General" and "Prestige Area" (fronting on Highway No. 50) designation of OPA No. 450 for the westerly 28.3 hectares of 7541 Highway No. 50 (Peel Regional Road No. 24).

The amendment also identifies the conceptual location of a north south connector road which will form the easterly boundary of the cemetery.

The Cemetery lands shall be developed through site plan approval, which shall provide that the principal access to the cemetery for visitors and processional uses shall be from Highway No. 50 (Peel Regional Road No. 24).

This amendment maintains the "Prestige Area" employment area designation on the lands to the east of the cemetery lands, fronting Highway No. 427, and provides for the employment lands to be developed in accordance with the provisions of OPA 450, including the implementation of a north-south connector road to serve the surrounding employment area.

PART 2: THE AMENDMENT

I PURPOSE

The purpose of this amendment is to amend Amendment No. 450 to the Official Plan of the City of Vaughan Planning Area to provide for an exception to the "Employment Area General" and "Prestige Area" policies to permit a Cemetery with the following accessory uses: Administrative Offices, Chapels, Columbariums, Crematoriums, Mausoleums, Reception Centres and Service Buildings. All other Industrial uses defined in Official Plan Amendment No. 450 are also permitted. In addition, the amendment also identifies the conceptual location of a north-south connector road which will form the easterly boundary of the cemetery.

II LOCATION

The lands subject to OPA No. 539 are shown as "Subject Lands" on Schedule "2" hereto and are hereinafter referred to as the "Subject Lands". The subject lands are located on the east side of Highway No. 50 (Peel Regional Road No. 24), and directly abutting the Ontario Hydro Corridor. The subject lands have an area of approximately 28.3 hectares and comprising the westerly portion of Lot 4, Concession 9, in the City of Vaughan.

III DETAILS OF THE ACTUAL AMENDMENT AND POLICIES RELATIVE THERETO

1. Amendment No. 450 to the Official Plan of the City of Vaughan Planning Area is hereby amended by:
 - a) Deleting Schedules "1", "2" and "2A" of Amendment No. 450 and substituting therefore the Schedules "1", "2" and "2A", attached hereto as Schedules "2", "3", and "4" respectively, thereby indicating that the lands shown as "Subject to Paragraph 9.7 of Schedule "9" to OPA No. 450 on Schedules "2", "3", and "4" designated "Employment Area General" and "Prestige Area" are subject to an exception to permit a Cemetery with the following accessory uses: Administrative Offices, Chapels, Columbariums, Crematoriums, Mausoleums, Reception Centres and Service Buildings in accordance with Paragraph 9.7.
 - b) Adding to Schedule "9", in accordance with Part C, Section 3.3, "Site Specific Policies", the following Paragraph 9.7 which forms Schedule "1".

IV IMPLEMENTATION

It is intended that the policies of the Official Plan of the City of Vaughan Planning Area pertaining to the subject lands shall be implemented by way of an amendment to the Vaughan Zoning By-law and site plan approval, pursuant to the Planning Act. Phasing of Development shall be permitted.

V INTERPRETATION

The provisions of the Official Plan of the City of Vaughan Planning Area as amended from time to time regarding the interpretation of the plan apply with respect to this amendment. The boundaries of the subject lands are approximate. Minor adjustments will not require a revision to this Amendment, provided the policies are maintained.

SCHEDULE "1"

Paragraph 9.7

Location: Part of Lot 4, Concession 9, City of Vaughan

Date of Approval: Amendment No. 539 to the Official Plan of the City of Vaughan Planning Area, which adds Paragraph 9.7 to Schedule "9" of OPA No. 450 was approved by the Ontario Municipal Board on the 14th day of September, 2000.

Nature of Exception: The purpose of this exception is:

- a) To permit a cemetery with the following accessory uses: Administrative Offices, Chapels, Columbariums, Crematoriums, Mausoleums, Reception Centres and Service Buildings in the "Employment Area General" and "Prestige Area" designations on the lands shown as Part A on Schedule 9.7(A) attached hereto.
- b) To identify the conceptual location of the north-south maximum 26m wide connector road shown as Part B on Schedule 9.7(A), which will form the easterly boundary of the cemetery.
- c) In accordance with OPA 450, the Owner shall take part in the Block Plan process, including the Cemetery lands. Such participation shall be to the extent necessary to incorporate a cemetery into the employment area. The Cemetery plan shall provide for the integration with and the buffering of adjacent uses. Such plan shall be designed in a manner that it will be an integral component of the future Master Landscape/Urban Design Plan for the Block Plan area. Nothing in this exception may be interpreted to prevent the consideration and execution of an implementing site plan agreement for the cemetery in advance of the approval of the Block Plan for this area.

THIS IS SCHEDULE "9.7.(A)" PARAGRAPH 9.7.(A)

LEGEND

SIGNING OFFICERS

BOARD ORDER #1326
SEPT. 14, 2000

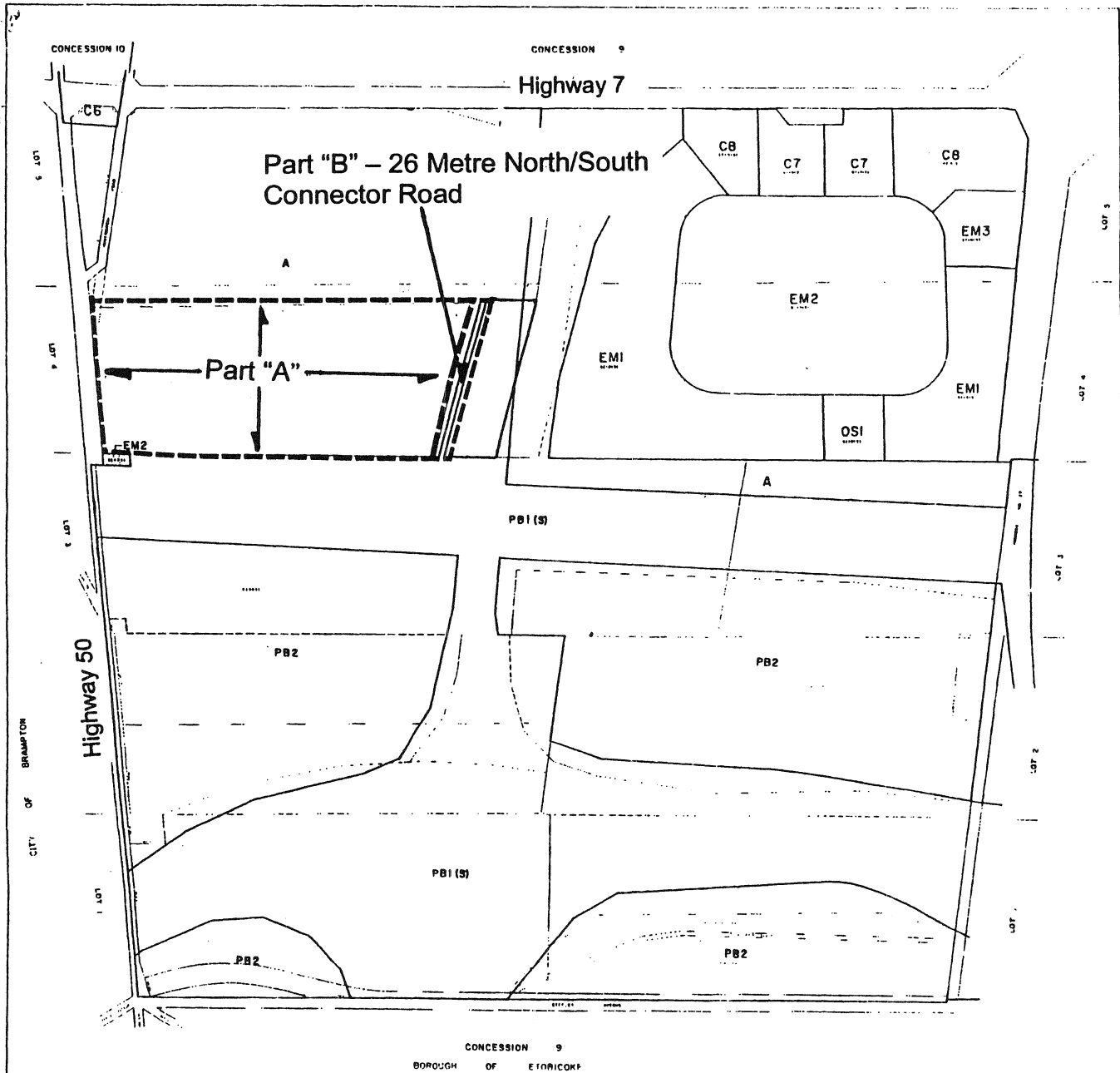
MAYOR

CLERK

----- LANDS SUBJECT TO EXCEPTION

NOTE: See Section 9.7 in respect
to Policies to these lands

LOCATION: Part of Lot 4, Concession 9

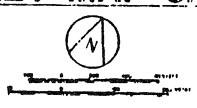


BY-LAW NO. 1-88

KEY MAP 9A

CITY OF VAUGHAN

TEXT AMENDMENTS			
NO.	DATE	DESCRIPTION	BY



BASIC MAP REVISIONS			
NO.	DATE	DESCRIPTION	BY

THIS IS SCHEDULE '2' TO OFFICIAL PLAN AMENDMENT NO.539

ADOPTED THE ___ DAY OF ____, 2000

SIGNING OFFICERS

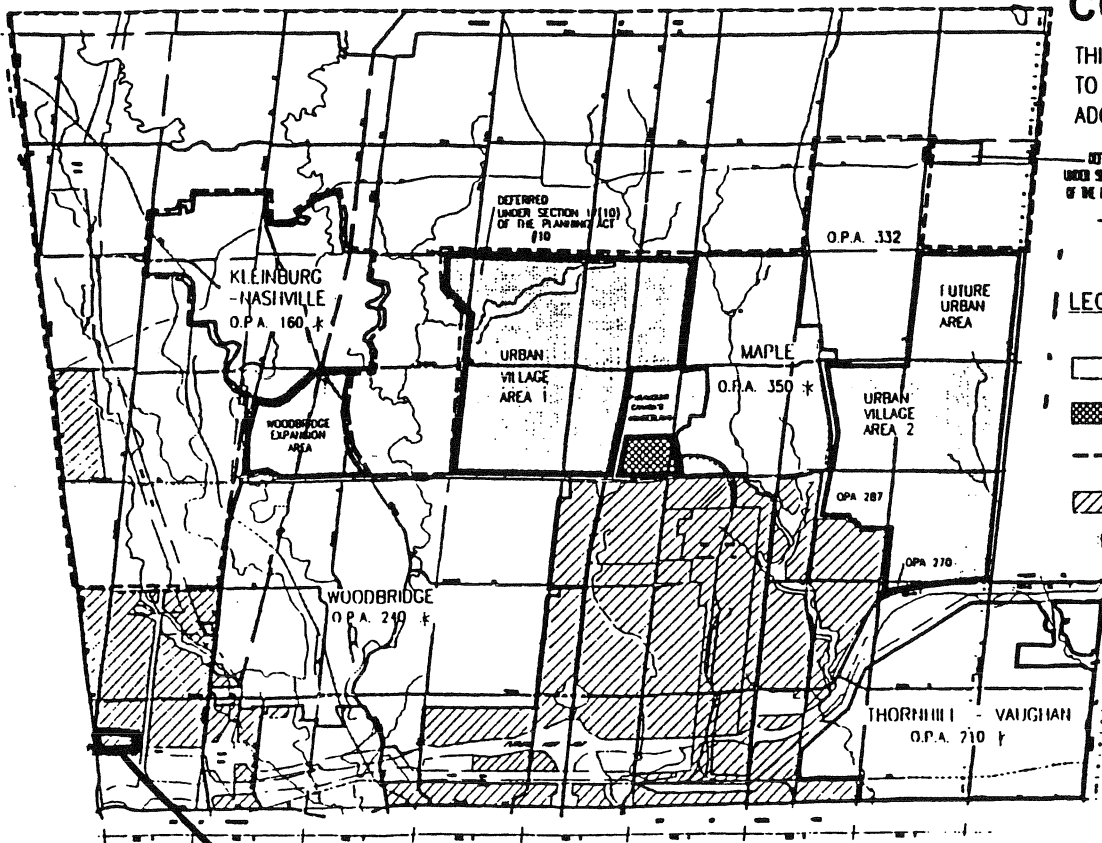
BOARD ORDER # 1326
SEPT-14, 2000

MAYOR

CLERK

EMPLOYMENT AREA CONTEXT PLAN

THIS IS SCHEDULE '1'
TO AMENDMENT NO. 450
ADOPTED THE ___ DAY OF ____, 1994



DEFERRED
UNDER SECTION 17(10)
OF THE PLANNING ACT

LEGEND

- SUBJECT LANDS
- RURAL AREA
- URBAN VILLAGE AREAS AND WOODBRIDGE EXPANSION AREA
- VAUGHAN CENTRE SECONDARY PLAN AREA
- EMPLOYMENT AREA AS AMENDED

LEGEND

- SUBJECT LANDS
- LOCATION: Part of Lot 4 Concession 9
- NOT TO SCALE

MODIFICATION
No. 37
UNDER SECTION 17(10) OF
THE PLANNING ACT

0 7000

REVISED FEBRUARY 28, 1998

Veridian

Area Subject to Paragraph 9.7 of Section '9' to OPA 450

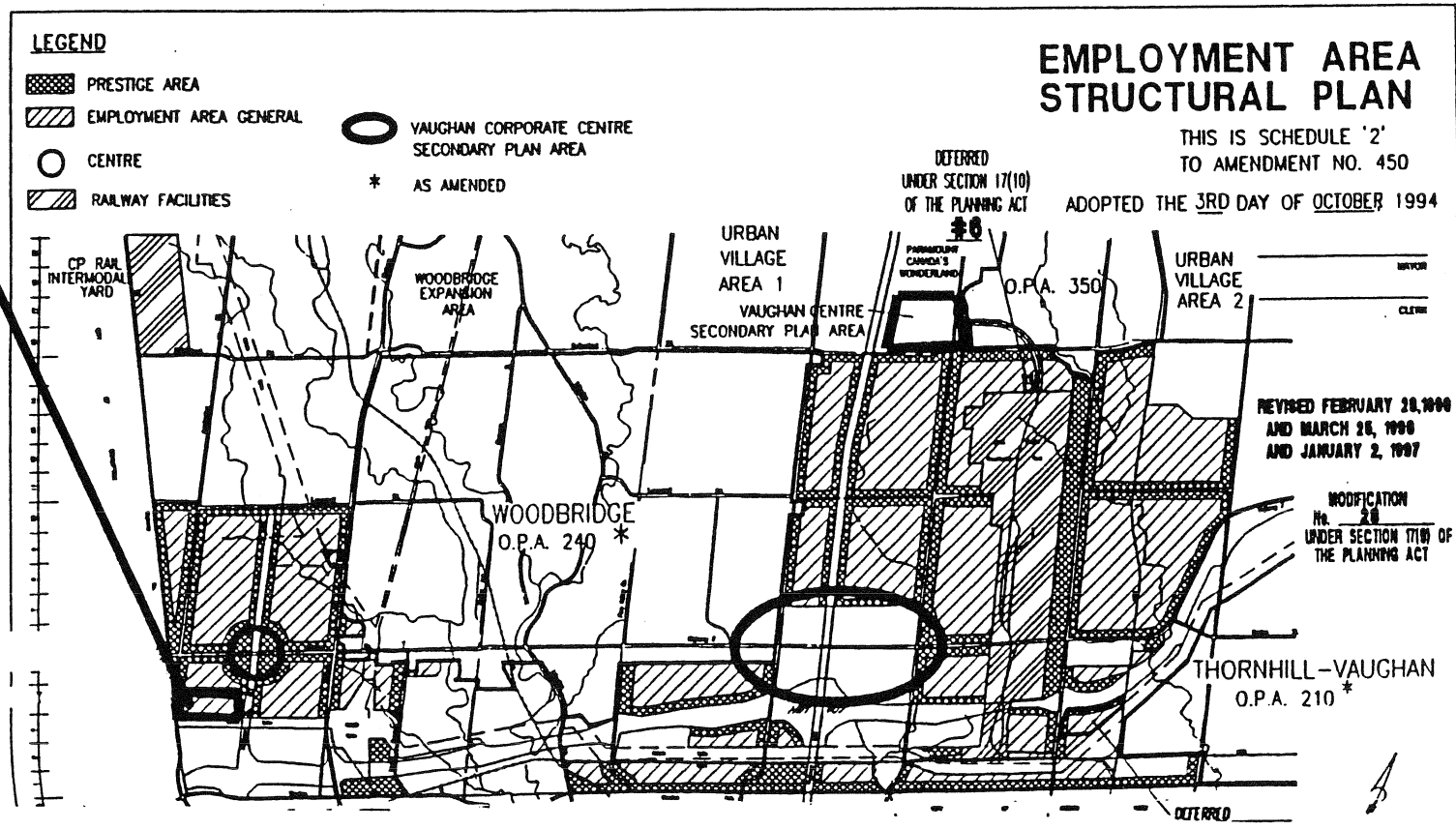
THIS IS SCHEDULE '3' TO OFFICIAL PLAN AMENDMENT NO.539

ADOPTED THE ___ DAY OF ___, 2000

SIGNING OFFICERS

BOARD ORDER # 1326
SEPT. 14, 2000 MAYOR
CLERK

Area Subject to Paragraph 9.7 of Section '9' to OPA 450.



LEGEND

— SUBJECT LANDS
LOCATION: Part of Lot 4 Concession 9
NOT TO SCALE

THIS IS SCHEDULE '4' TO OFFICIAL PLAN AMENDMENT NO. 539

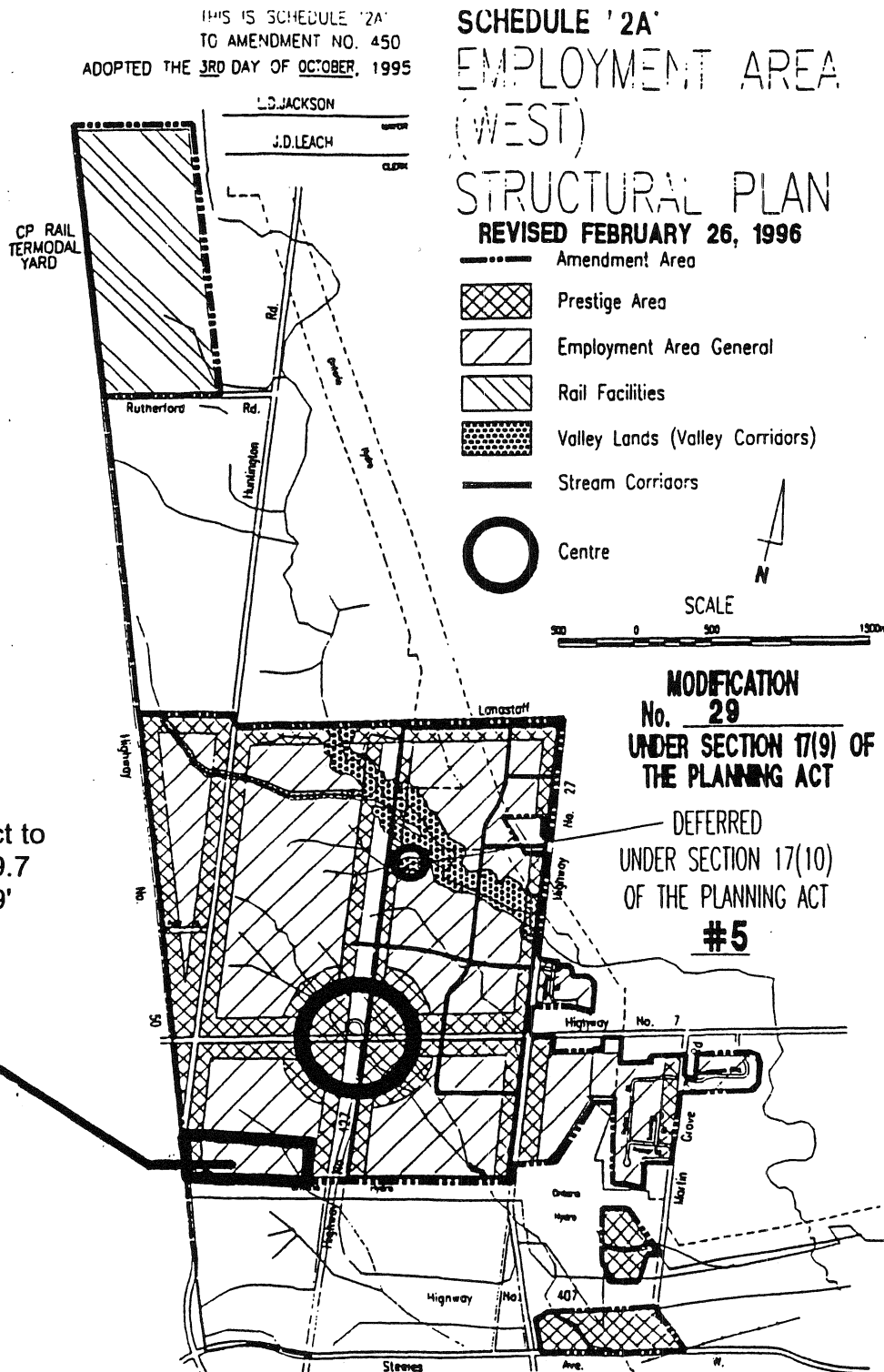
ADOPTED THE ___ DAY OF ___, 2000

SIGNING OFFICERS

LEGEND

BOARD ORDER # 1326
SEPT-14, 2000
MAYOR
CLERK

LOCATION: Part of Lot 4, Concession 9



Area Subject to
Paragraph 9.7
of Section '9'
to OPA 450