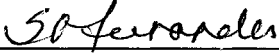


I, SYBIL FERNANDES, Deputy City Clerk of the Corporation of the City of Vaughan, in the Regional Municipality of York, do hereby certify that attached is a true copy of Amendment Number 680 to the Official Plan of the Vaughan Planning Area, which was approved by the Ontario Municipal Board, as per Order #2129, dated July 27, 2006.

  
\_\_\_\_\_  
SYBIL FERNANDES  
Deputy City Clerk  
City of Vaughan

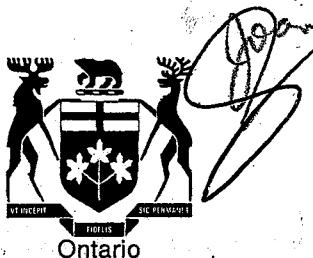
DATED at the City of Vaughan  
this 5th day of February, 2008.

ISSUE DATE:

July 27, 2006

DECISION/ORDER NO:

2129



Ontario

Ontario Municipal Board

Commission des affaires municipales de l'Ontario

RECEIVED

JUL 28 2006

CITY OF VAUGHAN  
CLERKS DEPARTMENT

Steeles Memorial Chapel has appealed to the Ontario Municipal Board under subsection 53(14) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, from the City of Vaughan failure to make a decision on an application by Steeles Memorial Chapel numbered B048/05 for consent to convey part of the lands composed of Part Lot 26, Concession 1 Lot 19, Regional Plan No. 1607 in the City of Vaughan  
OMB File No. C060010

Steeles Memorial Chapel has appealed to the Ontario Municipal Board under subsection 53(14) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, from the City of Vaughan failure to make a decision on an application by Steeles Memorial Chapel numbered B049/05 for consent to convey part of the lands composed of Part Lot 26, Concession 1 Lot 19, Regional Plan No. 1607 in the City of Vaughan  
OMB File No. C060011

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OMB File No. C060012

Steeles Memorial Chapel has appealed to the Ontario Municipal Board under subsection 53(14) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, from the City of Vaughan failure to make a decision on an application by Steeles Memorial Chapel numbered B051/05 for consent to convey part of the lands composed of Part Lot 26, Concession 1 Lot 19, Regional Plan No. 1607 in the City of Vaughan  
OMB File No. C060013

Steeles Memorial Chapel 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 land north of Steeles Ave at the east side of Sylvester Court and Royal Palm Drive from General Commercial to Low Density Residential to permit four residential lots  
Approval Authority File No. OP.05.016  
OMB File No. O050206 and O060041 (OPA 680)

Steeles Memorial Chapel 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 of the City of Vaughan to rezone lands respecting 350 Steeles Avenue West from C1 to R4 to permit the development of four residential lots  
OMB File Nos. Z050200 & Z060005

Steeles Memorial Chapel has referred to the Ontario Municipal Board under subsection 41(12) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, determination and settlement of details

of a site plan for lands composed of of Part Lot 26, Concession 1 Lot 19, Regional Plan No. 1607, in the City of Vaughan  
OMB File No. M060005

Steeles Memorial Chapel has appealed to the Ontario Municipal Board under subsection 69(3) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, to protest against the levying of the fees in relation to Official Plan and Zoning By-law amendment applications pertaining to lands municipally known as 350 Steeles Avenue West in the City of Vaughan  
OMB File No. M050076

**APPEARANCES:**

**Parties**

**Counsel**

Steeles Memorial Chapel

M. Flowers

City of Vaughan

N. Salerno

Thicket Builders Inc.

B. A. Horosko

**MEMORANDUM OF ORAL DECISION DELIVERED BY J. FLINT AND D. BARBIR ON JUNE 8, 2006 AND ORDER OF THE BOARD**

The matters before the Board are applications by Steeles Memorial Chapel (the Applicants) to amend the City of Vaughan Official Plan (OPA # 210 – Thornhill Community Plan) and Zoning By-law (1-88) to redesignate and rezone the rear portion of its property from “General Commercial” to “Low Density Residential” and C1 Restricted Commercial Zone to R4 Residential Zone. The property is 180 metres deep and backs onto Royal Palm Drive, a local road that runs parallel to and one block north of Steeles Avenue. The proposed redesignation and rezoning would facilitate the Applicant’s applications before the Board for provisional consent to convey four residential lots each having a depth of 33.50 metres and frontages of between 10.28 metres and 11.52 metres on the south side of Royal Palm Drive. The retained portion of the property would continue to be used by the existing funeral home that is accessed exclusively from Steeles Avenue West.

The Applicant also referred to the Board the determination and settlement of the details of a site plan for the subject property; and appealed the levying of the fees in relation to the Official Plan and Zoning By-law amendment applications.

The appeals were consolidated into a single hearing.

The 1,428.44-square metre subject property is located at 350 Steeles Avenue West in the area east of Bathurst Street and west of Yonge Street. The surrounding land uses are:

- To the north – Royal Palm Drive; residential (R3 Residential Zone),
- To the south – Steeles Avenue West; residential (City of Toronto),
- To the west – commercial (C1 Restricted Commercial Zone),
- To the east – residential on Sylvester Court (R4 Residential Zone), and commercial on Steeles Avenue West (C1 Commercial Zone).

At the commencement of the hearing, the Board was informed by the parties that they had reached a settlement. The Minutes of Settlement, filed as Exhibit 2, are hereby attached as Attachment 1.

The Applicant's counsel, Mr. Flowers, explained the nature of the application and the conditions of settlement. Ms N. Salerno, counsel for the City of Vaughan, agreed with his presentation of the facts of the matter. Mr. J. De Ruyter, planner for the Applicant, provided planning evidence in support of the settlement, and Ms L. Janotta, planner for the City, supported the Applicant's planner's evidence. Mr. R. McInnes, a local resident whose property backs onto the subject property, testified in support of the settlement.

Mr. De Ruyter's planning evidence included the following:

1. A parking study has determined that the retained lot meets the By-law parking requirements and the requirements of the current operation of the funeral home.
2. Discussions between the City, the Applicant and the neighbours resulted in a revised site design for the four proposed lots and design changes to the proposed dwellings. Since the single detached dwellings are exempt from the site plan control, changes have been incorporated into a draft By-law Amendment. The parties have also agreed on five conditions of consent.
3. The proposal is consistent with the Provincial Policy Statement, conforms to the applicable Official Plans and is consistent with the

type of intensification envisioned by the City for this area.

4. The proposal has regard for the section 51(24) of the *Planning Act*, and represents good planning.

Ms Janotta, planner for the City, concurred with all aspects of Mr. De Ruyter's evidence and of the conditions of settlement.

Mr. McInnes stated that the revised proposal addresses the issues raised by the residents, and is a great example of how differences can be worked out to the satisfaction of all parties. He told the Board that his next-door neighbour, Ms M. Fraizinger, asked him to represent her at the hearing in support of the settlement.

Based on the uncontradicted and unchallenged evidence and opinion of Mr. De Ruyter, supported in all respects by the City planner, the Board finds that the application conforms to the Provincial Policy Statement and the Regional and local Official Plans and represents appropriate intensification and good planning. Accordingly, the Board allows the 2005 appeal by Steeles Memorial Chapel. The Official Plan of the Vaughan Planning Area is hereby amended in accordance with Exhibit 9 hereby attached as Attachment 2.

Similarly, based on the uncontradicted and unchallenged evidence and opinion of Mr. De Ruyter, supported in all respects by the City planner, the Board finds that the zoning by-law as proposed in Exhibit 10 implements the Official Plan as amended. Accordingly, the Board allows the 2005 appeal by Steeles Memorial Chapel and amends By-law 1-88 of the City of Vaughan in accordance with the draft by-law submitted as Exhibit 10 and attached hereto as Attachment 3.

The Board accepts the unchallenged evidence and expert opinion of the planners that the application for severances meets all relevant criteria of section 51(24) of the *Planning Act*. The Board therefore allows the appeal of Steeles Memorial Chapel of consent applications B048/05, B049/05, B050/05 and B051/05. Provisional consent is to be given to convey parts 2, 3, 4 and 5 as identified in the survey submitted as Exhibit 5 and hereby attached as Attachment 4, subject to the five Conditions of Consent entered as Exhibit 11 and attached hereto as Attachment 5.

The Board hereby accepts the withdrawal by Steeles Memorial Chapel of its appeal of the levy fee, OMB File No. M050076.

The Board notes that the City has confirmed that the conveyed parcels are not subject to Site Plan Control and that the subject property is not governed by Site Plan Control.

The Board also notes that Steeles Memorial Chapel has withdrawn its 2006 appeal of the Official Plan of the City of Vaughan, OMB File No. O060041 and its 2006 appeal of Zoning By-law 1-88 of the City of Vaughan, OMB File No. Z060005.

The Board so Orders.

"J. Flint"

J. FLINT  
MEMBER

"D. Barbir"

D. BARBIR  
MEMBER

**AMENDMENT NUMBER 680**  
**TO THE OFFICIAL PLAN**  
**OF THE VAUGHAN PLANNING AREA**

The following text and Schedule "1" to Amendment Number 680 to the Official Plan of the Vaughan Planning Area constitutes Amendment Number 680.

Also attached hereto but not constituting part of the Amendment are Appendices 1 and 2.

## PURPOSE

The purpose of the Amendment is to redesignate certain lands shown on Schedule "1" from General Commercial to Low Density Residential in order to permit the development of four single detached dwellings in conjunction with lands similarly designated and developed to the east and north.

## LOCATION

The subject property is located on the north side of Steeles Avenue West, west of Sylvester Court, and immediately south of Royal Palm Drive. The subject property has a long, rectangular shape with a width of 42.65 metres, depth of approx. 182.5 metres and lot area of approx. 7,785 square metres. The subject property extends from Steeles Avenue West to the south to Royal Palm Drive to the north. A one-storey building is located on the southerly portion of the property operated as a funeral home, while the northern portion is used for ancillary parking, car stacking and landscaped space. The lands intended for residential development front on the south side of Royal Palm Drive and have a depth of 33.5 metres.

## BASIS

The lands that are the subject of the Official Plan Amendment application are intended to be developed with 4 single detached dwellings and are located on the south side of Royal Palm Drive and having a depth of 33.5 metres and a combined area of 1,278.8 square metres. The proposed four lots will have a lot frontage ranging from 10.28 metres to 11.52 metres, lot depth of 33.5 m and lot areas ranging between 344 to 385 m<sup>2</sup>.

The whole of the property is designated General Commercial in the Official Plan. On May 10, 2005 an application to amend the Official Plan of the City of Vaughan was filed to redesignate the northerly portion of the subject property from General Commercial to Low Density Residential to permit the development of the 4 single detached dwellings.

Also on May 10, 2005 a Rezoning application was filed to rezone the subject property from C1 (Restricted Commercial Zone), which permits a



broad range of commercial uses, to R4 (Residential Zone) which is the same zoning as the abutting lands to the immediate east of the subject property.

On September 19, 2005 a Public Meeting was held at the City of Vaughan to consider the Official Plan amendment and Rezoning applications. On November 22, 2005 the local councillor held a Community Meeting to further consider the applications.

On September 30, 2005 consent applications were filed with the Committee of Adjustment of the City of Vaughan to create the 4 proposed single detached lots. These applications were assigned file numbers B048/05 to B051/05.

The Amendment to redesignate the lands to Low Density Residential is appropriate for the following reasons:

- a) the proposed single detached dwellings are compatible with surrounding land uses including the single detached dwellings on the immediate east side of the subject property fronting onto Sylvester Court, and the single detached dwellings across the street on the north side of Royal Palm Drive;
- b) the subject lands form the north limit of the funeral home parking lot which is the furthest away from the funeral home building. These parking spaces are seldom used. A parking study was prepared by TGD Engineering confirming that the reduction of parking to accommodate the 4 proposed lots will not negatively affect the funeral home operation and, in any case, the remaining parking supply satisfies the parking requirement under the Zoning By-law;
- c) the four lots form a better land use buffer to the existing dwellings located to the east on Sylvester Court and to the north on the north side of Royal Palm Drive than the existing commercial parking lot;
- d) appropriate screen fencing and planting is proposed on the site plan to address the transition between the proposed 4 lots and the funeral home parking lot;
- e) the proposed redesignation represent sgood planning.

On April 5, 1988 the Council of the Town of Vaughan passed By-law Number 160-88 to adopt Amendment Number 264 to the Official Plan which had redesignated the subject lands, from Low Density Residential to General Commercial, together with other land to the west, based on applications filed by the owners of these properties. Prior to OPA 264, the Official Plan contemplated the extension of Royal Palm Drive to the west with residential lotting on both sides. At that time Royal Palm Drive was not built abutting the subject property.

Steeles Memorial Chapel no longer requires the land on the south side of Royal Palm Drive for a depth of 33.5 metres to accommodate parking and automobile stacking for it's business and now wishes to have these lands redesignated back to Low Density Residential. The purpose of this Amendment is to now reinstate the Low Density Residential designation.

## DETAILS OF THE AMENDMENT

1. The Official Plan of the Vaughan Planning Area is hereby amended by:
  - a) redesignating the lands shown on Schedule "A" attached hereto from "General Commercial" to "Low Density Residential".

## IMPLEMENTATION

The policies of this Amendment shall be implemented through amendments to the Zoning By-law pursuant to the Planning Act.

## INTERPRETATION






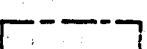
The provisions of the Official Plan of the Vaughan Planning Area, as amended from time to time, regarding the interpretation of this plan shall apply with respect to this Amendment.

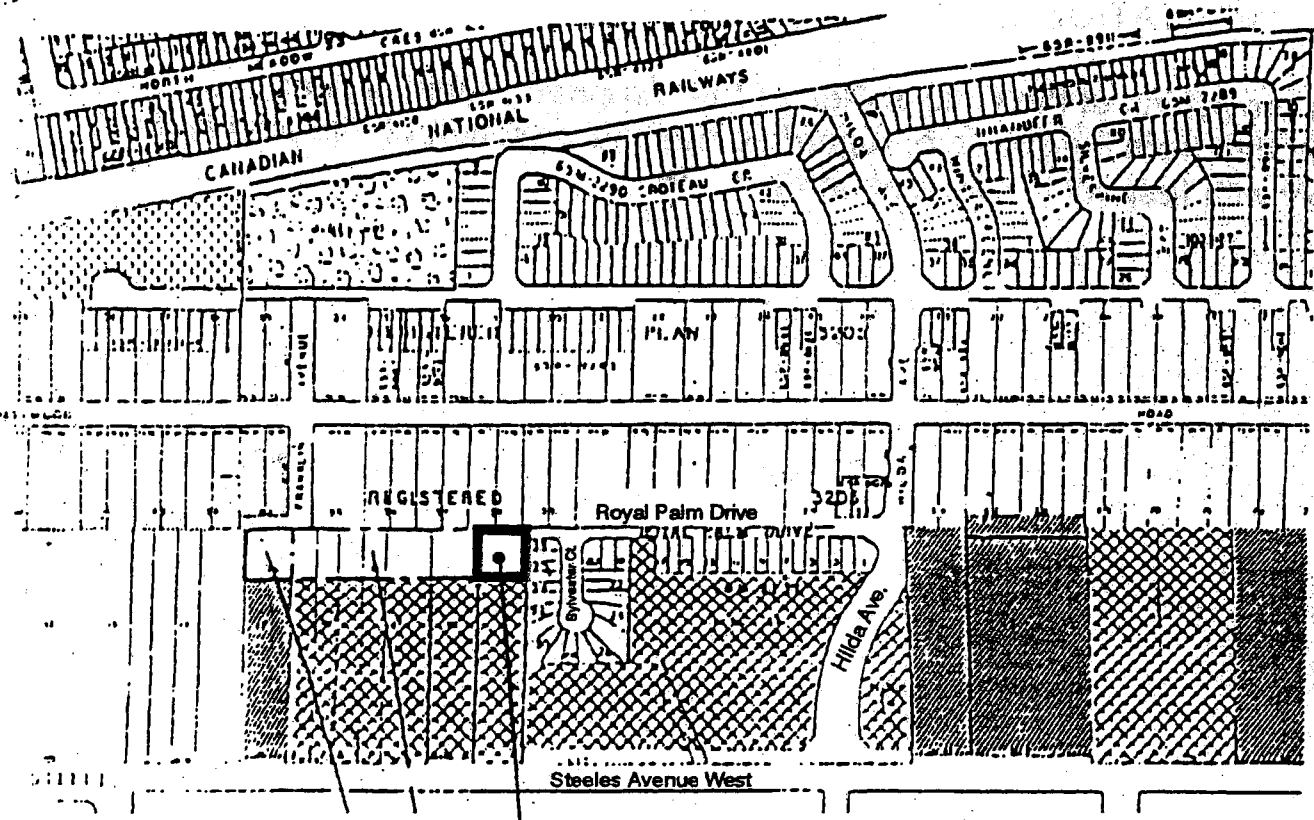
**EXISTING LAND USE**  
**OFFICIAL PLAN AMENDMENT 680**  
CITY OF VAUGHAN

DATE: June, 2006

SCALE: 0  600 FT.

LEGEND

-  RESIDENTIAL
-  COMMERCIAL
-  OPEN SPACE
-  INDUSTRIAL
-  AGRICULTURAL
-  AREA SUBJECT TO AMENDMENT No. 264



From General Commercial  
to  
Low Density Residential