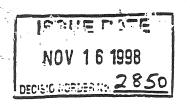
I, JOHN D. LEACH, City Clerk of the Corporation of the City of Vaughan, in the Regional Municipality of York, do hereby certify that attached is a true copy of Amendment Number 483 to the Official Plan of the Vaughan Planning Area, which was approved by the Ontario Municipal Board, as per Order #2850, on the 16th day of November, 1998.

JOHN D. LEACH City Clerk

City of Vaughan

DATED at the City of Vaughan this 30th day of November, 1998.





Ontario Municipal Board Commission des affaires municipales de l'Ontario

Paramount Canada's Wonderland has appealed, under subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, Council's refusal or neglect to enact a proposed amendment to the Official Plan for the City of Vaughan to redesignate lands comprising Lots 16 and 17 and Lots 18-21, Concession 5.

Region File No. 19-OP-1500-A58

O.M.B. File No. 0970070

Paramount Canada's Wonderland 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 Part of Lots 16 to 21, Concession 5, in the City of Vaughan to Service Commercial Uses (specific).

O.M.B. File No. Z970067

Northwest Jane Rutherford Realty Limited has requested referral under subsection 22(1) of the *Planning Act*, R.S.O. 1990, c. P.13, Council's refusal or neglect to enact a proposed amendment to the Official Plan for the City of Vaughan to redesignate lands comprising Part of Lots 16 and 17, Concession 5, designated as Parts 1, 2, 3 & 4, on Reference Plan 65R-15127, to incorporate specific policies in the City of Vaughan Official Plan to permit residential uses in addition to a number of mixed uses including retail, light industrial, recreation entertainment, office, institutional, hotel, school and park sites and valley lands. Region File No. OP.95.013

O.M.B. File No. 0970197

At the request of Northwest Jane Rutherford Realty Limited, the City of Vaughan has referred to the Ontario Municipal Board under subsection 51(15) of the *Planning Act*, R.S.O. 1990, c. P.13, a proposed plan of subdivision on lands composed of Part of Lots 16 and 17, Concession 5, designated as Parts 1, 2, 3 & 4, on Reference Plan 65R-15127, in the City of Vaughan, Regional Municipality of York.

Region File No. 19T 95079 O.M.B. File No. S970057

Northwest Jane Rutherford Realty Limited, has appealed to the Ontario Municipal Board under subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, 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 comprising Part of Lots 16 and 17, Concession 5, designated as Parts 1, 2, 3 & 4, on Reference Plan 65R-15127, in the City of Vaughan, for a number of mixed uses, including residential, hotel, office, institutional, parkland and valley lands. O.M.B. File No. Z970078

RECEIVED

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CITY OF MAGGHAN

OFFICE PERSONNENT

COUNSEL:

R. J. Swayze City of Vaughan for P. Ginou Paramount Canada's Wonderland for L. Longo and P. Foran for Northwest Jane Rutherford Realty Limited B. Horosko for Ramsay Developments Ltd., Fiston Holdings Limited, Sylwol Developments Limited, and West Maple Creek Lands Limited

FINAL DECISION DELIVERED BY SUSAN FISH AND ORDER OF THE BOARD

On March 20, 1998, the Board issued an Interim Decision¹ on these matters. In its decision, the Board directed the parties to do certain things, afforded an opportunity for the parties to do certain other things, and set down time limits by which all of these things should occur. The parties subsequently appeared before the Board seeking clarification, direction, and the possible adjustment of certain deadlines, to which the Board agreed.²

Noise from Kingswood Music Theatre, and the compatibility of Kingswood with residential development proposed by Northwest Jane Rutherford Realty Limited, was an issue of some prominence in the hearing on the merits. The parties have now signed Minutes of Settlement which, among other things, will secure on-site noise mitigation at Kingswood Music Theatre. The Minutes of Settlement are attached as Schedule A to this Decision.

Decision/Order #0697.

Decision/Order #1569

Brian Howe, John Coulter and Dalila Giusti are all professional engineers who were qualified to give the Board expert opinion evidence on noise mitigation at the hearing on the merits. All three have reviewed the noise mitigation measures contemplated by the Minutes of Settlement. The Board is satisfied, on the consistent professional opinion of all three, that the noise mitigation measures meet the requirements set out in the Board's decision on the merits. The professional opinions of Mssrs. Howe and Coulter, and Ms Giusti, are attached as Schedule B and Schedule C to this Decision.

The on-site noise mitigation measures at Kingswood Music Theatre, as set out in Schedule A, are to be completed not later than 18 months from the date of this Decision, and the Board so Orders.

The Official Plan Amendment for Paramount Canada's Wonderland, found in Schedule D of the Minutes of Settlement (attached as Schedule A to this Decision), is hereby approved, and the Board so Orders.

The associated site specific zoning by-law amendment for Paramount Canada's Wonderland, found in Schedule E of the Minutes of Settlement (attached as Schedule A to this Decision) is also approved. The Board's Order respecting the zoning by-law amendment, however, is withheld until the Board is advised by the City of Vaughan that a revised site plan, reflecting current development and future plans, has been filed with and approved by the City.

The Official Plan Amendment for Northwest Jane Rutherford Realty Limited, filed as Exhibit 114 in the hearing on the merits and attached as Schedule D to this Decision, is hereby approved, and the Board so Orders.

The associated site specific zoning by-law amendment for Northwest Jane Rutherford Realty Limited, filed as Exhibit 115 in the hearing on the merits and attached as Schedule E to this Decision, is hereby approved, and the Board so Orders.

The revised draft plan of subdivision for Northwest Jane Rutherford Realty Limited, filed as Exhibit 116 in the hearing on the merits and attached as Schedule F to this Decision, is hereby approved subject to the conditions set out in Schedule G to this Decision. The Board's Order in this regard is withheld until the Board is advised that all conditions set out in Schedule G have been cleared.

SUSAN FISH EXECUTIVE VICE-CHAIR

AMENDMENT NUMBER 483 TO THE OFFICIAL PLAN OF THE CITY OF VAUGHAN PLANNING AREA

The following text and Schedules "1" and "2" to Amendment Number 483, being an Amendment to Amendment Number 400 to the Official Plan of the Vaughan Planning Area, constitute Amendment Number 483.

PURPOSE

The purpose of this Amendment is to insert into the Official Plan the Secondary Plan for Vaughan Centre, as required by Amendment No. 400 to the Official Plan for the Vaughan Planning Area. The Secondary Plan implements the general policy direction of Amendment No. 400 which provides that an "urban centre" be developed at this location. The secondary plan contains policies and designations which would permit a range of civic, recreational, commercial, employment and residential land uses, as well as social and cultural facilities.

II LOCATION

The lands subject to this Amendment are shown on Schedule "2" attached hereto as "Area Subject to Amendment No. 483". They are bounded by Canada's Wonderland to the north, Jane Street to the east, Rutherford Road to the south, and Highway #400 and a service road to the west. The site has an area of approximately 74.34 hectares (183.7 acres).

The remaining lands in the Vaughan Centre Secondary Plan Area are located to the east of Jane Street, and are approximately 15 hectares (37 acres) in area and are not subject to this amendment.

III BASIS

Amendment No. 400 to the Official Plan for the Vaughan Planning Area provides general direction with respect to the form and structure of the "urban centre" to be developed in the Vaughan Centre area. The preparation of a Secondary Plan for Vaughan Centre is required by the policies of the amendment "to more specifically define the range and densities of the permitted uses and establish transportation, environmental servicing and land use policies".

As a basis for the preparation of the Secondary Plan, a conceptual Master Plan, which details the vision for the lands, was prepared. This conceptual plan is based on a series of supporting studies, including:

- a. <u>Vaughan Centre, Land Uses and Densities Report,</u> Macaulay Shiomi Howson Ltd., May, 1996.
- b. <u>Transportation Impact Study for Vaughan Centre Mixed-Use Plan</u>, BA Group, May, 1996.
- c. <u>Noise Impact Feasibility Study</u>, J.E.Coulter Associates Limited, Revised February, 1997.
- d. <u>Vaughan Centre Urban Design Guidelines</u>, Page & Steele Architects Planners, May, 1996.
- e. <u>Vaughan Centre Surface Water Plan</u>, Fred Schaeffer & Associates Ltd., May, 1996.
- f. <u>Environmental Servicing Plan Vaughan Centre</u>, Fred Schaeffer & Associates Ltd. and M.M.Dillon Limited, October, 1995 and Addendum, February, 1996.
- g. <u>A Review of Proposed Retail Commercial Land Uses Rutherford Road and Jane Street,</u> Stamm Economic Research, May, 1996.

The Secondary Plan which has been developed reflects the results of these background reports and agency input. It provides for a range of land uses in accordance with the policies of Amendment No. 400, which will allow Vaughan Centre to serve as a focal point for the City. As such, it envisions a residential community which will provide a mix of housing types, a school, civic uses, shopping areas, recreational facilities, employment opportunities and abundant open space areas.

The intent of the plan is to integrate the various uses in a manner which creates an attractive and liveable community, which will function as an urban centre for the City of Vaughan.

Specifically, the Plan provides for the following uses as identified in Appendix "A":

1.0 Components of the Vaughan Centre Community

1.1 Residential Community

The Vaughan Centre Secondary Plan will be a distinctive urban centre which will develop a character and sense of community by integrating both residential and commercial uses. The Secondary Plan for Vaughan provides for a total of approximately 1,000 residential units and an approximate population of 3,000 persons.

The residential mix will provide for a broad range of housing types suitable for different age levels, tenure, lifestyles and family structures. The housing mix will include high, medium and low density uses.

The mixed use residential and retail uses along the Rutherford Road frontage will provide development forms and streetscapes that enhance the quality of the visual environment and livability of the community. The mix of commercial and mid-rise residential units will be oriented to the pedestrian, and will maximize the opportunity for the area to provide a healthy mix of uses to meet both community need and market demand.

The medium density residential and low density residential areas are located internal to the centre along with supporting uses, including parks, schools, and open space uses.

1.2 Mixed Use and Commercial Development

Mixed use development is proposed in a number of locations within the Vaughan Centre. This type of development is proposed in order to maximize the opportunity for a healthy mix of uses which reflect both community need and market demand.

Lands along Rutherford Road are designated "High Density Residential/Commercial" and permit a range of uses, including residential, civic, major office, institutional and entertainment, as well as a "District Commercial Centre". The "District Commercial Centre" designated lands along Rutherford Road shall provide a focal point for the residential community and offer a range of goods and services appropriate to the size and character of its trade area.

Lands along the north boundary of the Vaughan Centre area (i.e adjacent to Canada's Wonderland) are designated "General Commercial - Special Policy" to provide for a wide range of non-residential uses which complement Canada's Wonderland, including commercial uses, hotel, convention centres, places of entertainment, employment uses, institutional uses and recreational uses (such as a sports complex).

Lands located at the northwest corner of Jane Street and Rutherford Road are designated "High Density Residential/Commercial Area - Special Policy" to provide a unique and strategic location for a potential major office, "civic" or other prestigious type of land use within the ultimate development of the Vaughan Centre. The type and extent of "civic" type land uses are to be further established.

1.3 Open Space System and Related Public Uses

Vaughan Centre includes a comprehensive open space system in which the natural features in the area, which are focussed on a 10.4 hectare valley land area, are complemented by parks and stormwater facilities. The open space system is linked to other elements of the public realm, e.g. footpaths connected to street sidewalks, to allow for a community-wide trail/walkway system. The parkland system is composed to the neighbourhood parks and the school, with its related playfields. Stormwater management facilities are integrated into the open space system.

1.4 Primary Roads

The Primary Road Network includes two components: a north-south primary road connecting at Rutherford Road to be aligned with the Future Edgeley Boulevard located south of Rutherford Road, and an east-west primary road connecting at Jane Street to Springside Road and a Highway #400 overpass which connects this block to the westerly part of Urban Village 1.

IV DETAILS OF THE ACTUAL AMENDMENT AND POLICIES RELATIVE THERETO

- 1. Amendment No. 400 to the Official Plan of the City of Vaughan Planning Area is hereby amended by:
 - a) Amendment Schedule "B" Urban Village 1 attached hereto as Schedule "1", by:
 - i) redesignating that portion of the Vaughan Centre Secondary Plan Area shown as "Area Subject to Amendment No. 483" from Vaughan Centre Secondary Plan Area" to "Vaughan Centre Secondary Plan";
 - ii) adding the words "See Schedule 'B1" in relation to the lands which are identified on the Schedule as "Area Subject to Amendment No. 483", in the manner shown on Schedule "1" attached hereto;
 - b) Adding the Schedule "B1", which is attached hereto as Schedule "2".
- 2. The Official Plan of Amendment No. 400 to the Official Plan of the City of Vaughan Planning Area is hereby amended as follows:
 - a) Section 3.4, "Secondary Plans and Block Plans" is amended by the addition of the following sentence at the end of the first paragraph:

"Schedule 'B1' shows the secondary plan applicable to Vaughan Centre."

b) Subsection 4.1.1(iii) is amended by deleting the first sentence in its entirety and replacing it with the following:

"The portion of the lands located within the area designated as Vaughan Centre Secondary Plan defined on Schedule "B1" shall be subject to the land use designations shown on the said Schedule "B1" and the policies of this Plan. The remaining lands located within the area designated Vaughan Centre Secondary Plan Area and the lands located within the area designated Vaughan Corporate Centre Secondary Plan Area shall remain subject to the current underlying Official Plan designations and policies pending the completion and approval of a secondary plan(s)."

- c) Subsection 4.1.1(iv) is amended by:
 - i) adding the words "as shown on Schedule 'B1" at the end of the first sentence; and,
 - ii) deleting the second sentence in its entirety and replacing it with the following:

"The Vaughan Centre Secondary Plan shall be developed in accordance with the policies of the Official Plan, generally, and the designations on Schedule "B1". The policies of this Plan for each of the designations on Schedule "B1" shall apply to the lands in the Vaughan Centre Secondary Plan. Designation of the lands on the east side of Jane Street, and the remaining property west of Jane Street, within the Vaughan Centre Secondary Plan Area shall be subject to the preparation of an amendment to this Plan which shall be prepared in accordance with the policies in this Plan pertaining to the Vaughan Centre Secondary Plan Area."

d) Section 4.2.2.2 is amended by adding a new subsection (viii) as follows:

"The Vaughan Centre shall be developed in accordance with the following urban design objectives:

- * To create a distinctive, high quality urban centre as a part of Vaughan's future development
- * To develop the Centre's own identifiable character and sense of community by taking advantage of the mix of the available land uses, densities and open space park system and the design opportunities inherent in the site's location and setting
- * To encourage distinctive development forms and streetscapes in order to maximize the quality of the visual environment and livability
- * To encourage commercial development by creating a pedestrian focused and inviting urban edge to the Centre along Rutherford Road
- * To create an open space system which fosters active and passive uses that can be enjoyed as the Centre matures
- * To develop a quality residential environment and to facilitate transit, bicycle and pedestrian modes of transportation; and
- * To develop a compact and cohesive plan which promotes energy efficient forms of development;
- e) Subsection 4.2.1.1(ii) is amended by adding to the second sentence the phrase "and plans of subdivision in Vaughan Centre Secondary Plan" between the phrases "Block Plans" and "prepared in conformity with";

- f) Subsection 4.2.1.1(iii) is amended by adding to the second sentence the phrase "and the Vaughan Centre Secondary Plan" between the phrases "Block Plan area" and "the average density";
- g) Section 4.2.1.3(vi) is amended by adding the following paragraph:

"Notwithstanding the above, within Medium Density Residential-Commercial Areas in the Vaughan Centre Secondary Plan the minimum average density taken across all the Medium Density Residential-Commercial areas shall not be less than 25 to 30 units per hectare."

- h) Subsection 4.2.1.4(i) is amended by adding at the end of the first sentence the phrase "and the Vaughan Centre Secondary Plan";
- i) Section 4.2.1.4(ii) is amended by adding the following words:

"Notwithstanding the above, apartment buildings to a maximum of eight storeys in height are permitted within the Vaughan Centre Secondary Plan."

j) Section 4.2.1.4(iii) is amended by adding the following paragraph:

"Notwithstanding the above, within High Density Residential-Commercial Areas within the Vaughan Centre Secondary Plan, the permitted density shall be no more than 120 units per hectare. The average density taken across all high density areas within the Vaughan Centre Secondary Plan shall not be less than 100 units per hectare."

- k) Adding the following paragraph (viii) to Section 4.2.1.4:
 - "viii) Lands located within the Vaughan Centre Secondary Plan at the northwest corner of Jane Street and Rutherford Road are designated "High Density Residential/Commercial Area Special Policy". Within this area, the following will apply:
 - the site shall be developed with a prestigious "landmark" development
 - the urban design objectives of Section 4.2.2.2(viii) shall be maintained
 - the site may incorporate a prestigious civic use. The City shall evaluate its need for the site within a timeframe established in the implementing subdivision agreement."
- I) Adding the following paragraph "ix" to Section 4.2.2.2:
 - "(ix) It is recognized that the Vaughan Centre Secondary Plan Area is located in proximity to the Kingswood Music Theatre, which is an outdoor amphitheatre which is one of the attractions offered by the theme park known as Paramount Canada's Wonderland. Proponents of development in the Vaughan Centre Secondary Plan Area shall be responsible for attenuating noise from Kingswood to a level satisfactory to the City. Attenuation measures shall be provided at the residential receptors in a development plan satisfactory to the City. Measures subject to consideration may include

but not be limited to location and orientation of residential development and building design. Appropriate warning clauses shall be provided as required. Where attenuation at the receptor is inadequate to achieve an acceptable noise level, the developer shall assume its share of the cost of at source (i.e Kingswood) noise attenuation measures."

- m) Subsection 4.2.2.3(I) is amended by adding the words "and in Vaughan Centre Secondary Plan as identified on Schedule B1", between the phrases "Schedules B and C", and "and may be developed";
- n) Section 4.2.2.6 is amended by adding a new subsection (iv) as follows:
 - "(iv) In addition to the uses permitted in Section 4.2.2.6(i), uses permitted in the "General Commercial-Special Policy" designation on Schedule "B1" may include offices, convention centres, hotels, institutional uses, places of entertainment, tourism oriented uses, recreation uses, including sports facilities. The subject lands may be placed in a Holding Zone until Council has approved the comprehensive design scheme referred to in 4.2.2.6(ii) above."
- o) Subsection 4.2.2.7(vi) is amended by adding a new sentence after the first sentence as follows:

"Within the Vaughan Centre Secondary Plan, one (1) automobile gas bar or service station use is permitted either in the High Density Residential/Commercial District Commercial designation or in the General Commercial-Special Policy designation adjacent to Jane Street only. Such use shall be subject to the compatibility policies of OPA No. 400 and shall be integrated with surrounding development."

p) Subsection 4.2.4.1(iv) is amended by adding the following new sentences at the end of the section as follows:

"A general Greenway System is also established in the Vaughan Centre Secondary Plan on Schedule "B1". Prior to final approval of the implementing draft plan of subdivision, the exact location and width of this system shall be established and reflected in the final plan."

- q) Subsection 4.2.4.2(i) is amended by:
 - adding to the first sentence the phrase "and B1" between the phrases "and
 D" and "based on previous"; and
 - ii) adding to the second sentence the phrase "and the Vaughan Centre Secondary Plan" between the phrases "Block Plan" and "and plan of subdivision";
- r) Subsection 5.0, "Environmental Policies Introduction" is amended by adding a new sentence at the end of the section as follows:

"In addition, the Vaughan Centre Secondary Plan, including the designations on Schedule "B1" was prepared in accordance and conforms generally with the policies in this section."

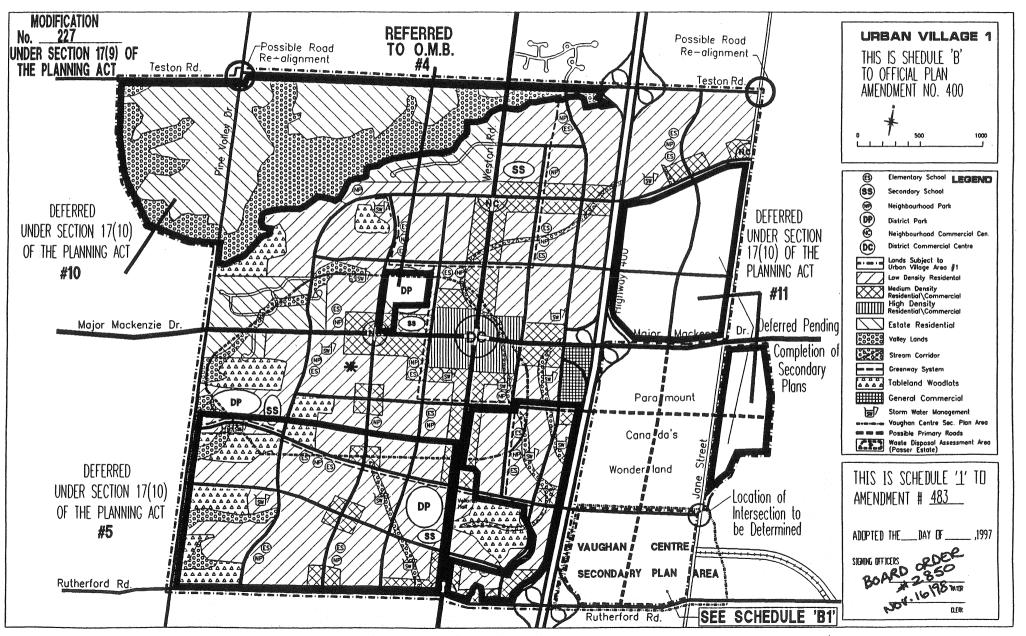
- s) Subsection 5.9.1.1 is amended by adding the phrase "and B1" to the second sentence of the first paragraph between the phrases "and D" and "predominantly include";
- t) Subsection 5.9.1.3 is amended by adding the phrase "and B1" between the phrases "and D" and "except where";
- u) Subsection 5.9.1.4 is amended by adding the phrase "and B1" between the phrase "and D" and "which are";
- v) Subsections 5.11.1.1 and 5.11.1.2 are amended by adding the phrase "and B1" after the phrase "and D" in the first sentence of both subsections;
- w) Subsection 5.11.1.4 is amended by deleting the phrase "Vaughan Centre Study Area" and replacing it with the phrase "Vaughan Centre Secondary Plan Area";
- x) Section 8.0, Transportation Policies, is amended by:
 - i) deleting the phrase "Vaughan Centres Study Areas" in the first sentence and replacing it with the phrase "Vaughan Corporate Centre Secondary Plan Area";
 - ii) adding the phrase "the Vaughan Centre Secondary Plan" to the first sentence between the phrases "Urban Village #2" and "and the Woodbridge"; and
 - iii) deleting the phrase "Vaughan Centre Secondary Plan Area and" in the second sentence:
- y) Subsection 10.2(i) is amended by adding the phrase "with the exception of the lands in Vaughan Centre which shall be subject to the policies and designations of the Vaughan Centre Secondary Plan," between the phrases "by this Plan" and "all lands".

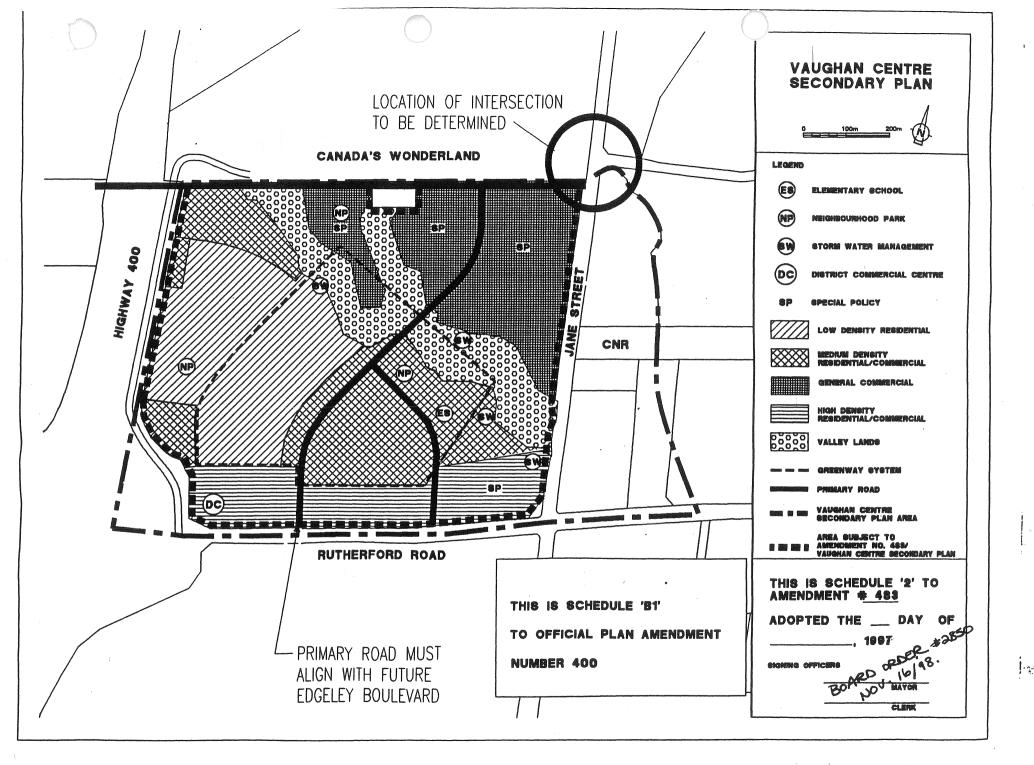
V <u>IMPLEMENTATION</u>

The policies of this Amendment shall be subject to the implementation policies as set out in Section 10.0 of Amendment No. 400.

VI <u>INTERPRETATION</u>

The provisions of the Amendment No. 400 to the Official Plan of the Planning Area, as amended from time to time regarding the interpretation of that Amendment, shall apply with respect to this amendment.





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