

AMENDMENT NO. 153

TO THE OFFICIAL PLAN

FOR THE VAUGHAN PLANNING AREA

19-0P-15-153

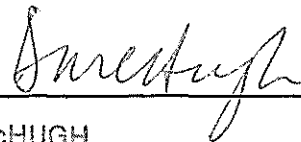
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Amendment No. 153
to the
Official Plan for the
Vaughan Planning Area

This Amendment to the Official Plan for the Vaughan Planning Area, which has been adopted by the Council of the Corporation of the Town of Vaughan, is hereby approved in accordance with section 17 of the Planning Act as Amendment No. 153 to the Official Plan for the Vaughan Planning Area.


Date

Oct. 27/82



D. P. McHUGH
Director
Plans Administration Branch
Central and Southwest
Ministry of Municipal Affairs and Housing

I, ROBERT A. PANIZZA, Deputy Town Clerk of The Corporation of the Town of Vaughan in the Regional Municipality of York, do hereby certify that attached is a duplicate original copy of By-law Number 244-82, passed by the Council of the Town of Vaughan on the 22nd day of September, 1982.



R.A. Panizza
Deputy Town Clerk
Town of Vaughan

DATED at the Town of Vaughan
this 1st day of October, 1982.

THE CORPORATION OF THE TOWN OF VAUGHAN


BY-LAW NUMBER 244-82

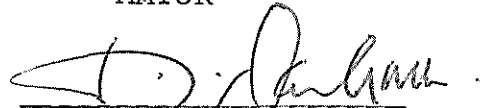
A By-law to adopt Amendment Number 153 to the Official Plan of the Vaughan Planning Area.

NOW THEREFORE the Council of The Corporation of the Town of Vaughan ENACTS AS FOLLOWS:

1. THAT the attached Amendment Number 153 to the Official Plan of the Vaughan Planning Area, consisting of the attached explanatory text is hereby adopted.
2. AND THAT this By-law shall come into force and take effect on the day of the final passing hereof.


READ a FIRST and SECOND time this ^{22nd}~~20th~~ day of September, 1982.


ACTING
MAYOR


DEPUTY TOWN CLERK

READ a THIRD time and finally passed, this ^{22nd} 20th day of September, 1982.


ACTING
MAYOR


DEPUTY TOWN CLERK

AMENDMENT NUMBER 153
TO THE
OFFICIAL PLAN OF THE VAUGHAN PLANNING AREA

The following text constitutes Amendment Number 153 to
the Official Plan of the Vaughan Planning Area.

Also attached hereto but not constituting part of this
Amendment is Appendix 1.

A. PURPOSE

The purpose of this Amendment is to amend Section 2.2.3.5, Paragraph (b) of Official Plan Amendment Number 70 (Thornhill/Vaughan Community Plan) to provide a clarification of the intent of the policies set down in that Section, insofar as they regard alternate land uses on designated service station sites.

B. LOCATION

The Amendment will deal specifically with Service Station sites as designated on Schedule "A" to Official Plan Amendment Number 70. Service Station sites are designated throughout the Official Plan Amendment Number 70 area which recognize sites existing at the time of the adoption of the Amendment as well as designating three new sites.

C. BACKGROUND

As presently constituted, Section 2.2.3.5, Paragraph (b) of Amendment Number 70 is so worded as to provide an element of uncertainty in its interpretation. The paragraph in question is set out below.

Section 2.2.3.5 (b)

Three new service stations have been designated outside of the Neighbourhood Commercial Centres. In addition, service stations may also be located in conjunction with the Neighbourhood Commercial Centres. Where a service station is not provided on those designated locations, the immediately adjoining land use will apply without amendment to this Plan.

The difficulty in interpretation arises in establishing which service station sites are subject to the provision which allows said sites to be developed on the basis of the adjoining land use designation, when a service station is not provided. The wording may be interpreted to mean either that this provision only applies to the three new service station sites which have been designated outside of the Neighbourhood Commercial Centres, or that it applies to all those designated locations indicated on Schedule "A".

This Amendment will provide a clarification of the intent of the Plan insofar as Section 2.2.3.5, Paragraph (b) is concerned and prevent any future difficulties which might be encountered in interpreting this paragraph.

D. BASIS

The intent of Section 2.2.3.5, Paragraph (b) of Amendment Number 70 to the Town of Vaughan Official Plan was to provide that all Service Station sites designated on Schedule "A" to the Plan could be developed on the basis of the adjoining land use designation when a service station was not provided or maintained. The basis for this provision was that it would provide the owners of the designated sites with a degree of flexibility in the uses permitted, thus avoiding an Official Plan Amendment. The decision to restrict the alternate uses to those provided for by the neighbouring land use designations of the Official Plan was to maintain the character of the area and prevent any undue disruptions.

It was considered that the existing Service Station sites in Thornhill would be subject to land use change, for two reasons. Firstly, many of the existing stations were developed when Vaughan was a rural municipality. At that time, land values were relatively low and a service station

could be justified in an economic sense. The Thornhill/Vaughan Area is now developing into an urban area of some intensity and it is possible that pressure would be exerted to convert the sites into uses more appropriate to the current economic structure. Secondly, as marketing strategies in the oil industry change, there may be less of a demand for service station sites as stations concentrate increasingly in Neighbourhood Commercial Centres, and less viable ones are phased out.

E. DETAILS OF THE ACTUAL AMENDMENT AND POLICIES RELATED
THERE TO

1. Amendment Number 70 to the Town of Vaughan Official plan is hereby amended by deleting the last sentence of 2.2.3.5, Paragraph (b) and substituting therefor the following sentence:

"Notwithstanding the provisions of Section 2.2.3.5
(a) any service station site designated on
Schedule "A" may be developed in accordance with
the land use designation of the immediately
adjoining land without amendment to the Plan."

F. IMPLEMENTATION

The implementation of this Amendment shall be through the provisions of Section 2.6 "Implementation" of Amendment Number 70 to the Town of Vaughan Official Plan.

G. INTERPRETATION

Policies governing the interpretation of this Amendment are contained in Section 2.8 "Interpretation" of Amendment Number 70 to the Town of Vaughan Official Plan.

APPENDIX I

The Amendment is to clarify Section 2.2.3.5 (b) of Official Plan Amendment Number 70 (Thornhill/Vaughan Plan), as it relates to the uses permitted on Service Station sites designated on Schedule "A" to the Amendment. The paragraph in question was so worded as to cause an element of uncertainty as to which sites would be subject to a provision contained in that paragraph, which would allow the sites to be developed on the basis of the immediately adjoining land use designation, if no station was provided on the site. As originally constituted the paragraph might have been interpreted to mean that this provision applied only to new service station sites designated outside of the Neighbourhood Commercial Centres. This Amendment to Section 2.2.3.5 (b) will confirm that this provision applies to all service station sites designated in Schedule "A" to OPA 70.

On August 17th, 1982, Planning Committee held a Public Hearing to consider the proposed Amendment. Owners of the Service Station designated on Schedule "A" to Amendment 70 were notified and, in addition, a notice of hearing was published in the Thornhill Liberal and Woodbridge Vaughan News on August 4th, 1982.

At the Public Hearing no one spoke in favour or in opposition to the Amendment. At this meeting Planning Committee deferred the issue, subject to an overall review of Amendment Number 70.

At the Vaughan Council Meeting of September 7th, 1982 the following motion was moved and carried by Council.

THAT Council authorize Staff to prepare an amendment to the Official Plan (OPA #70, Thornhill/Vaughan Community Plan) to amend Section 2.2.3.5, Paragraph (b), to establish that all service station sites as designated on Schedule "A" to Amendment #70 are subject to the policies set out in the Paragraph in question.