

I, VICTORIA LESKIE, Deputy City Clerk of The Corporation of the City of Vaughan in the Regional Municipality of York, do hereby certify that the attached is a true copy of Amendment Number 239 to the Official Plan of the Vaughan Planning Area which was approved by the Ministry of Municipal Affairs, with modifications, on the 29th day of September, 1987. The attached text incorporates said modifications which are typed in script.



V. Leskie
Deputy City Clerk
City of Vaughan

DATED at the City of Vaughan
this 4th day of November, 1994.

THE CORPORATION OF THE TOWN OF VAUGHAN

BY-LAW NUMBER 413-86

A By-law to adopt Amendment Number 239 to the Official Plan of the Vaughan Planning Area.

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

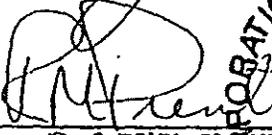
1. THAT the attached Amendment Number 239 to the Official Plan of the Vaughan Planning Area, consisting of the attached text, is hereby adopted.
2. AND THAT the Town Clerk is hereby authorized and directed to make application to the Ministry of Municipal Affairs for approval of the aforementioned Amendment Number 239 to the Official Plan of the Vaughan Planning Area.
3. AND THAT this By-law shall come into force and take effect on the day of the final passing thereof.

READ a FIRST and SECOND time this 20th day of October, 1986.


MAYOR

DEP. TOWN CLERK

READ a THIRD time and finally passed, this 20th day of October, 1986.


MAYOR

DEP. TOWN CLERK

THE CORPORATION OF THE TOWN OF VAUGHAN

AMENDMENT NUMBER 239
TO THE OFFICIAL PLAN
OF THE VAUGHAN PLANNING AREA

The following text constitutes Amendment Number 239 to the Official Plan of the Vaughan Planning Area.

Also attached hereto but not constituting part of the Amendment are Appendices "I" and "II".



I PURPOSE

The purpose of this Amendment to the Official Plan of the Vaughan Planning Area is to amend Official Plan Amendment Number 4, as amended, by including in the text of Official Plan Amendment Number 4, "Industrial Area" designation policies respecting the location, size and uses permitted in a "Service Commercial Area" and to establish Service Commercial Uses in Industrial Areas.

II LOCATION

The lands subject to the Service Commercial policy provisions contained in this amendment include those lands designated "Industrial Area" under Official Plan Amendment No. 4, as amended, as shown on Schedule "A" attached hereto.

III BASIS

Official Plan Amendment Number 4, as amended, within Industrial designations permits minor commercial uses which primarily serve the industrial use and which do not detract from sound industrial development. Within the Town of Vaughan, there has been increasing demand for commercial uses within industrial areas, particularly in those areas with high exposure to major arterial roads. Considering the changing demands in certain sectors of the industrial community, i.e. the move to smaller multi-unit industrial buildings, as well as changing methods of marketing products (i.e. retail warehousing), the current Official Plan Amendment policies and by-law provisions are no longer adequate to assist the Town in guiding development within the existing areas to ensure quality industrial development. Many of the tenants which locate in the multi-unit industrial buildings are of a commercial nature as opposed to industrial, and could not be classified as minor commercial uses serving the industrial area as defined in Official Plan Amendment Number 4.

There are many problems associated with the newly developing areas, particularly along Steeles Avenue and Highway #7, which are subject to provisions of Official Plan Amendment Number 4 and By-laws 2523 and 2961. As these areas have high exposure, many of tenants which locate there are of a commercial nature. This situation arises in part from the wording of the zoning by-laws which provide opportunity for accessory retail sales and accessory commercial users.

Other concerns relating to the impact of retailing in industrial areas include:

- excessive traffic generated by retail uses, which can interfere with industrial operations,
- lower parking standards are required for industrial buildings, and as building nears full occupancy with commercial uses, there may be insufficient parking available to meet the requirements for the remaining uses,
- the increase of commercial uses in industrial areas may jeopardize the viability of commercial uses in designated commercial areas,
- lower industrial land costs attract commercial uses, which might result in a loss of high quality industrial development, as well as those which require exposure to major arterials,
- site design incompatible with surrounding industrial use.

It is recognized that certain uses should be provided which serve the industrial businesses and the "convenience" need of the employees, and that some key locations may serve a broader commercial function for certain types of retail use. In order to reflect this intent in the Official Plan, this Amendment will provide criteria for the evaluation of any proposed service commercial use in an Industrial Area. The intent is that each application be evaluated on the basis of policies contained herein and be implemented by a site specific by-law amendment which conforms to these criteria. In this way, the maximum scrutiny can be given to each proposal while not necessarily requiring an amendment to the Official Plan.

IV DETAILS OF THE ACTUAL AMENDMENT AND POLICIES RELATIVE THERETO

The Official Plan of the Vaughan Planning Area is hereby amended by adding the following paragraphs to paragraph (b) of Section 5(2) of Official Plan Amendment Number 4 as policies respecting the location, size and permitted uses of "Service Commercial Uses" within the area designated "Industrial Area" under Amendment Number 4 to the Official Plan *more specifically shown on Schedule "A" attached hereto.*

Service Commercial Uses

Service commercial uses shall include free standing office development, together with other uses, such as: hotels, motor hotels and motels, automobile service stations and car washes, restaurants, private clubs, banks, offices, personal service shops and studios, specialty trades, convenience retail stores, retail warehouse centres for home improvement, appliance and related products and parks and open space. The implementing by-law shall limit such uses to a size and scale to serve the needs of the businesses and employees of the adjacent industrial areas.

The above uses are subject to the following policies:

- i) They shall only be permitted by site specific amendments to the Zoning By-law;
- ii) The implementing Zoning By-law shall establish limits with respect to the total floor space of the development together with any of the individual elements thereof;
- iii) The area devoted to Service Commercial uses shall not exceed 1.2 hectares in size provided that Service Commercial nodes to be developed with predominantly office components may be permitted on a larger scale at locations which are readily accessible to an arterial road or Provincial highway. *Notwithstanding the provisions of this paragraph, part of Block 1 on Registered Plan M-2085, more particularly described as Parts 1 and 2 on Reference Plan 65R-7032 may be used for service commercial uses, and in addition, a retail pharmaceutical store.*
- iv) All Service Commercial developments shall be located at specific nodes at the intersections of major arterial and collector roads and shall be peripheral to the industrial area. Service Commercial uses shall not be permitted in the form of linear or strip development along such roads;
- v) Service Commercial development shall be undertaken on a comprehensive basis and shall provide an overall design to achieve proper access, internal traffic circulation, adequate parking, substantial landscape areas and appropriate urban design characteristics of the built form. In areas of fragmented land ownership, it shall be a policy of the Town to require the assembly of adjoining properties in order to achieve a comprehensive development;
- vi) Notwithstanding the provisions of (iii) above, major retail warehousing of home improvement, appliance and related products may be permitted at intersections of two major arterial roads;
- vii) Prior to the approval of a zoning amendment to permit Service Commercial developments, the Town shall be provided with a Traffic Study which will identify the traffic generated, the impact on the existing roads network and additional transportation improvements that may be required to accommodate such developments;
- viii) Sufficient off-street parking and loading areas shall be provided and designed to minimize the danger to pedestrian and vehicular traffic;

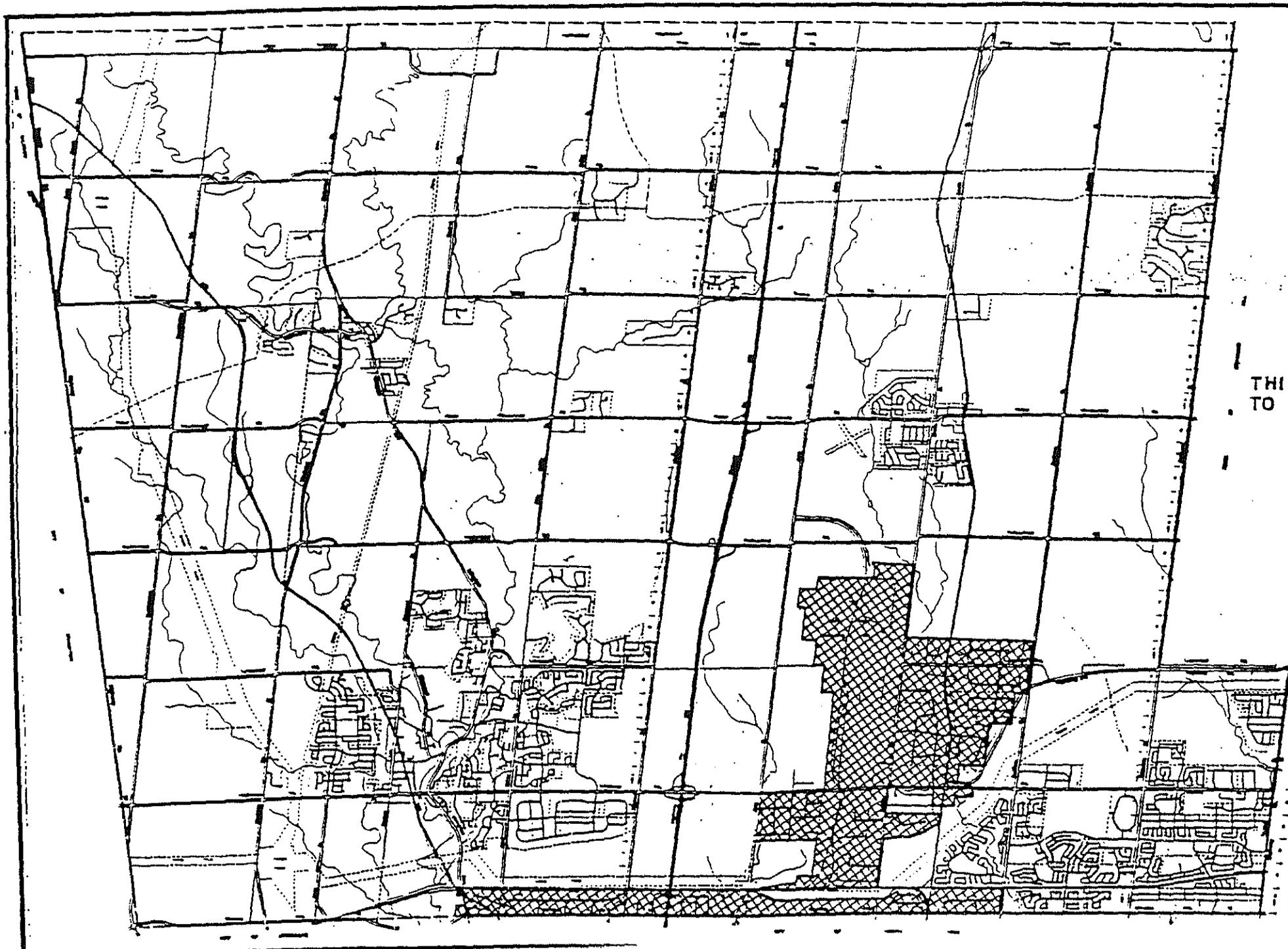
- ix) Outside storage shall not be permitted in Service Commercial areas;
- x) Service Commercial developments shall be dependent upon the availability and demand for regional and municipal services and transportation requirements.

V IMPLEMENTATION

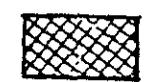
It is intended that this policy be implemented through the appropriate Town of Vaughan Zoning By-law on the basis of site specific amendments and site plan control, all pursuant to the Planning Act, 1983.

VI INTERPRETATION

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



THIS IS SCHEDULE "A"
TO AMENDMENT NO. 239



AREA SUBJECT TO
OFFICIAL PLAN
AMENDMENT NO. 239

APPENDIX "I"

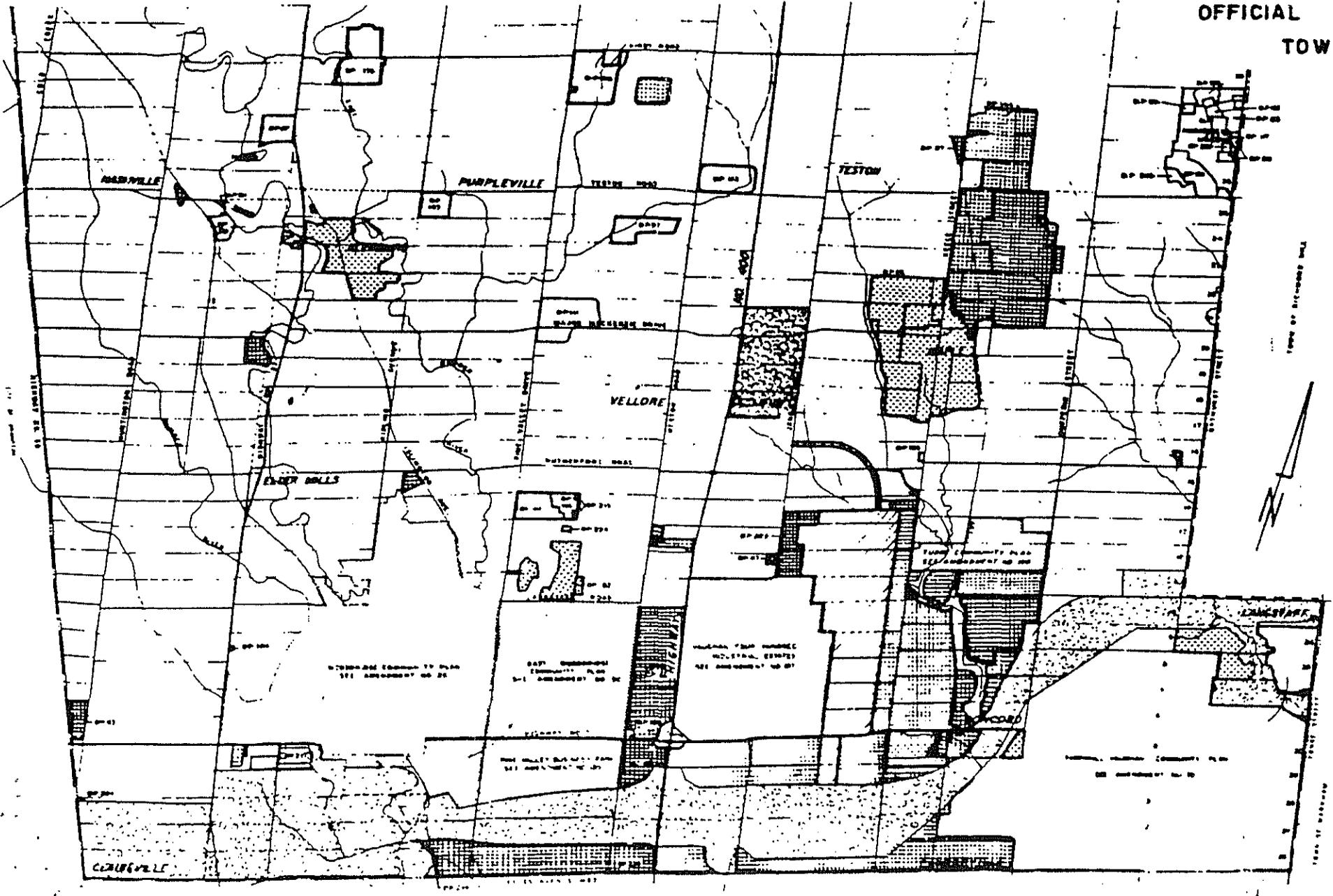
The subject lands were most recently considered by Vaughan Council at a Public Hearing held on May 21, 1986, under Files OP.39.84 and Z.119.84 (Supplement to Policy Respecting Commercial Development in Industrial Areas). These applications were also considered at a previous Council Public Hearing which was held on November 29, 1984, which was received to allow input from various concerned parties.

Council, on May 21, 1986, approved the report entitled "Supplement to Policy Respecting Commercial Development in Industrial Areas" dated May 21, 1986, and that this report represents the basis for subsequent Official Plan and Zoning By-law Amendment, subject to the following:

1. Amendment to OPA #4, by providing for Service Commercial uses as a Secondary Use in Industrial Areas, by site specific amendments to the zoning by-law(s).
2. Amendment to By-laws 2523 and 2961, by establishing a Service Commercial Zone, to include such uses as banks, financial establishments, restaurants, hotels, motels, convention centres, service stations, personal service shops, health clubs, business and professional offices, and other related uses.
3. Amendment to By-laws 2523 and 2961, by restricting commercial uses accessory to an industrial use permitted in an Industrial Zone on the same lot, providing that such accessory retail sales shall not exceed 20% of the total gross ground floor area devoted to the industrial use, and that such accessory retail sales be separated therefrom by walks or solid partitions.
4. That definitions for "accessory retail", "accessory use", "industrial" and "warehouse" be incorporated into the appropriate "Definitions" section of By-laws 2523 and 2961.
5. That the parking provisions as set out in this report be implemented in the amending by-law.
6. That the appropriate amendments to the Sign By-law be made in order to better control the type, size and location or placement of signs.
7. That the By-law Enforcement Section be requested to review commercial uses in industrial areas, in light of the proposed policy.

8. That staff undertake a review of the zoning provisions and development objectives for the area between Keele Street and Jane Street, immediately north of Steeles Avenue.

APPENDIX II
EXISTING LAND USE
 OFFICIAL PLAN AMENDMENT NO. 239
 TOWN OF VAUGHAN



LEGEND

-  BOUNDARY OF PLANNING AREA
-  RESIDENTIAL AREA
-  INDUSTRIAL AREA
-  RURAL AREA
-  TRANSPORTATION AREA
-  THEME PARK AREA
-  PARKWAY BELT WEST PLAN

