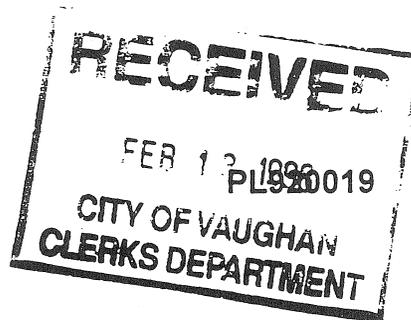
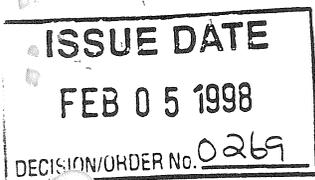


I, JOHN D. LEACH, City Clerk of the Corporation of the City of Vaughan, in the Regional Municipality of York, do hereby certify that attached is a true copy of Amendment Number 477 to the Official Plan of the Vaughan Planning Area, which was approved by the Ontario Municipal Board, with modifications, on the 5th day of February, 1998.



JOHN D. LEACH
City Clerk
City of Vaughan

DATED at the City of Vaughan
this 17th day of February, 1998.



Ontario Municipal Board
Commission des affaires municipales de l'Ontario

F.M. Tenaglia and the Corporation of the Town of Caledon have appealed to the Ontario Municipal Board under subsection 34(19) of the *Planning Act*, R.S.O. 1990, c. P.13 against Zoning By-law 3-92 of the City of Vaughan
O.M.B. File No. **R 920175**

F.M. Tenaglia has appealed to the Ontario Municipal Board under subsection 34(19) of the *Planning Act* R.S.O. 1990, c. P.13 against Zoning By-law 56-93 of the City of Vaughan
O.M.B. File No. **R 930134**

At the request of F.M. Tenaglia, the Corporation of the Town of Caledon and the Regional Municipality of Peel, the Honourable Minister of Municipal Affairs has referred to the Ontario Municipal Board under subsection 17(11) of the *Planning Act*, R.S.O. 1990, c. P.13 proposed Amendment No. 377 to the Official Plan for the City of Vaughan
Ministry's File No. 19-OP-1500-377
O.M.B. File No. **O 930028**

At the request of F.M. Tenaglia and the Corporation of the City of Vaughan, the Honourable Minister of Municipal Affairs has referred to the Ontario Municipal Board under subsection 17(11) of the *Planning Act*, R.S.O. 1990, c. P.13 proposed Amendment No. 417 to the Official Plan for the City of Vaughan
Ministry's File No. 19-OP-1500-417
O.M.B. File No. **O 940113**

Dario Muscillo 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 the lands comprising Lot 29, Concession 11 from "RR Rural Residential Zone" and "A Agricultural Zone" to "M2 General Industrial Zone" to permit a truck transport/trailer storage facility
O.M.B. File No. **Z 940167**

Muscillo Transport 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 the lands comprising Lots 29 and 30, Concession 11 from "A Agricultural Zone" and "A Agricultural Zone subject to Section 9, Exception 803" to "M2 General Industrial Zone" and "C6 Highway Commercial Zone" to permit a truck transport/trailer facility and storage

area, ancillary office and public service uses and a range of highway commercial and other commercial uses

O.M.B. File No. **Z 940168**

Dario Muscillo has requested the Honourable Minister of Municipal Affairs to refer to the Ontario Municipal Board 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 land located on the east Side of Highway 50 and Albion-Vaughan Road, from "Rural Area" to "Industrial Area" to permit a truck transport/trailer storage area

Ministry File No. 19-OP-1500-A54

O.M.B. File No. **O950054**

BEFORE :

M .A. Rosenberg
Member

) Friday, the 29th day of
)
) September, 1995

THESE MATTERS having come on for public hearing this day and after the hearing;

THE BOARD having withheld its order until the resolution of three matters which the City of Vaughan advises have been addressed, and the Board having acknowledged the consent of the Town of Caledon by way of their lack of response to the Board's correspondence as set out in Schedule A attached hereto, and by way of the Town's involvement in an executed agreement dated July 8, 1996;

THE BOARD ORDERS that Amendment No. 377 (O.M.B. File No. O930028) to the Official Plan of the City of Vaughan is not approved.

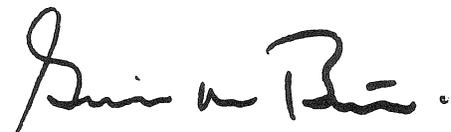
AND THE BOARD ORDERS that the appeal against By-law 3-92 (O.M.B. File No. R920175) is hereby allowed and the said by-law is hereby repealed.

→ AND THE BOARD FURTHER ORDERS that Amendment No. 417 (O.M.B. File No. O940113) to the Official Plan is modified as set out in Amendment No. 477, attached hereto as Schedule B and forming part of this order and as modified is hereby approved.

AND THE BOARD FURTHER ORDERS that the appeal against By-law 56-93 (O.M.B. File No. R930134) is hereby allowed in part as set out in Schedule C attached hereto and forming part of this order.

AND THE BOARD FURTHER ORDERS that the appeals for an order amending Zoning By-law No. 1-88 are allowed (O.M.B. File Nos. Z940167 and Z940168) and Zoning By-law 1-88 is hereby amended as set out in Schedule C attached hereto and forming part of this order.

→ AND THE BOARD FURTHER ORDERS that the proposed amendment (O.M.B. File No. O950054) to the Official Plan is allowed in part and the Official Plan is hereby amended as set out in Amendment No. 477, attached hereto as Schedule B and forming part of this order and as modified is hereby approved.


ACTING SECRETARY

Schedule B to the order of the Ontario Municipal Board
issued on the 5th day of February, 1998

**AMENDMENT NUMBER 477
TO THE VAUGHAN PLANNING AREA**

The following text and Schedules "1" and "2" to Amendment No. 477 of the Official Plan of the Vaughan Planning Area constitute Amendment No. 477.

Also attached hereto, but not constituting part of the Amendment is Appendix "1".

I. PURPOSE

The purpose of this amendment is to amend the provisions of OPA No. 274 and OPA No. 400, as they relate to the subject lands, in order to allow for the expansion of an existing transport truck facility. The amendment will specify the areas of expansion, uses permitted and specific criteria for development.

This amendment will serve to consolidate the freestanding amendments on the subject lands into one comprehensive document.

II. LOCATION

The lands subject to this amendment are shown on the attached Schedule "1" as the lands "Subject to Amendment No. 477". The lands abut Highway #50/Albion-Vaughan Road and Cold Creek Road and are approximately 200 m south of Kirby Road, in Part of Lots 29 and 30, Concession 11, City of Vaughan.

The site has a total area of approximately 16.10 ha (39.78 acres), this includes 0.4 ha of land which represents the existing Albion-Vaughan Road right-of-way. The total area of the Owners land holdings is 19.27 ha. Approximately, 3.21 ha of the total holdings abut the subject lands to the north and west. This parcel remains designated "Rural Area" and does not form part of the amendment area.

III. BASIS

A portion of the subject lands are currently developed with a transport truck facility with ancillary uses related to the main trucking operation. These uses are permitted under the current "Rural Area" designation by a site specific official plan amendment (OPA No. 274). The applicant has applied to expand the range of uses and to allow for development of adjacent parcels of land.

It is recognized that given the existing operation and its location, limited expansion of the facility may be appropriate, subject to certain site development criteria. The subject lands have been divided into a number of different parcels, each with its own specific uses and site

development criteria. The basis for the approval of development on each parcel is included below (refer to Schedule "2" to Amendment No. 477 for specific parcel locations):

Parcel A and B

Parcels A and B are proposed to be developed for highway commercial uses. On May 23, 1995, Vaughan Council approved an application to allow for an exception to the "Rural Area" policies of the official plan to allow for the development of a highway commercial node on the subject lands. Council recommended approval, subject to the following conditions being included in the official plan.

- "i) site plan approval prior to the enactment of an implementing zoning by-law;
- ii) development of the site in a manner consistent in scale and massing with the rural area and rural highway commercial uses."

Parcel C

Parcel C is located to the north and east of the existing transport facility. This parcel was previously approved by Vaughan Council for the additional storage and parking of transport trucks and trailers under Official Plan Amendment No. 417.

It was recommended by Council that this area remain subject to the previous approval for truck parking and storage. This will ensure that more intense development is located further away from the existing residential uses located north of the subject lands. It is also intended that this block would contain a landscaped buffer consisting of a berm and planting.

Parcel D and E

Parcel D contains the existing transport truck facility and ancillary uses. Parcel E, located to the south of the main facility is currently vacant. The owner has applied to expand the range of uses permitted on Parcel D and to allow for the expansion of the transport truck facility onto Parcel E.

Vaughan Council had no objection to this proposal given the surrounding land uses and the landscape buffer treatments proposed for these areas. To the south of the site is a

commercial development, to the west is Highway #50 and Albion-Vaughan Road, to the east is Cold Creek Road and agricultural uses. With the imposition of certain site plan controls and landscape buffer zones, the impacts of the expanded range of uses and development area should be mitigated.

On October 10, 1995 the Ontario Municipal Board (OMB) issued an order allowing the appeals of the applicant to permit a site specific official plan amendment for the subject lands allowing for the development of the subject lands as noted above. The Ontario Municipal Board also allowed the appeal of the applicant with respect to the implementing zoning by-law.

In its order, the OMB allowed the appeals, subject to the submission of a noise study, a traffic study and a site servicing study. The applicant has submitted the required studies which were reviewed by the relevant City Department and external agencies. The results of the studies are as follows:

Noise

The applicant's consultant submitted an updated noise study which evaluated the impact of relocating the previously approved berming as provided for in OPA No. 274. It was concluded that the movement of the berms from the perimeter of Block D to the perimeter of Block E and C, will not result in an appreciable increase in noise from the subject lands. It is also recommended that, prior to the approval of site development applications, the applicant shall provide updated noise studies, if required, to insure that the abatement measures on site are satisfactory to support any increase in the proposed level of development.

Traffic

A traffic study was submitted to the Vaughan Engineering Department and to the Ministry of Transportation Ontario. The Engineering Department has reviewed the report and stated that the information provided is sufficient. It is recommended that prior to the approval of any new access location, a site development application must be submitted for review and approval. The Engineering Department notes that, given the existing access points onto Albion-Vaughan Road, the proposed access onto Cold Creek Road is not required at this

time.

The Ministry of Transportation has reviewed and approved the traffic study, with a condition that no direct access from Parcel E to Highway No. 50 be permitted.

Site Servicing

The subject lands are currently serviced by private septic and Region of Peel Municipal Water water systems. In order to support any level of development it is required that approval be obtained from the relevant approval agencies. The applicant has submitted a servicing study which anticipates the availability of service connections to the Town of Caledon. These connections would permit the subject lands to develop in accordance with the approved official plan amendment and the implementing zoning by-law.

However, in order to properly assess the ability of the site to achieve it's development potential the Official Plan Amendment will contain a clause requiring the approval from the relevant servicing authorities prior to any site development. The York Region Environmental Services Department have reviewed the on-site servicing system and have concluded that it is adequate for the current level of development.

This amendment will serve to consolidate the freestanding amendments on the subject lands into one comprehensive document.

IV. DETAILS OF THE ACTUAL AMENDMENT AND POLICIES RELATIVE THERETO

A. Official Plan Amendment #400 is hereby amended by :

1. Deleting Schedule A and substituting Schedule A attached hereto as Schedule 1, which identifies the lands subject to OPA #477.
2. Deleting Section 6.0 Rural Area - General Policies subsection iii) and replacing it with the following Section 6.0 Rural Area - General Policies subsection iii):

"iii) The policies of this plan shall apply to the lands shown as Rural Area-General on Schedule F, except as provided for herein. Where the policies of the

following site specific Official Plan Amendments are in conflict with the policies of this Plan, the policies of the site specific Official Plan Amendments shall prevail:

OPA No.s: 56, 84, 87, 88, 99, 139, 157, 180, 193, 196, 213, 227, 228, 262, 271, 282, 304, 334, 326, 352 and 477.

The location of each site specific amendment is shown on Schedule "F".

3. Official Plan Amendment No. 400 is hereby amended by deleting "Schedule F: Valley and Stream Corridors, and Rural Area General" and replacing it with the attached "Schedule F: Valley and Stream Corridors, and Rural Area General" which identifies the subject land as "Site Specific Policies of the Applicable Official Plan Amendment".

- B. Official Plan Amendment No. 274 is deleted and replaced with OPA #477:

1. The lands shown as "Area Subject to Amendment No.477" on Schedule "1" hereto and more particularly described as "Development Area" on Schedule "2", shall be subject to the following policies:

- (a) (i) In addition to the uses permitted under the "Rural Area" policies, the central parcel of land (Parcel D), to the east of the proposed Albion-Vaughan Road realignment, may be used for a truck transport facility (truck trailers, tip trailers and gravel trucks) and the uses normally incidental to the main trucking use such as offices, employee parking, truck repair and maintenance facilities, and fuel pumping shall be permitted. A public truck maintenance garage, public truck body shop, public truck fuel sales, truck sales, limited retail (accessory to a main permitted use) and offices (accessory to a main permitted use) may also be permitted.
- (ii) For the purposes of this Amendment, a truck transport facility shall be defined in the implementing zoning by-law as a building or place where trucks or transports are stored, parked and maintained or from which trucks or transports are dispatched for hire as common carriers.

- (b) Parcel A and B, located on the west side of the re-aligned Albion-Vaughan Road, may be used for an automobile service station, car wash, car rental agency accessory to a main use, restaurant, hotel, motel, tourist information centre accessory to a main use and limited retail uses accessory to a main use.

The use of Parcels A and B for a car wash, a restaurant, a hotel or a motel shall only be permitted if municipal water and sanitary sewer services are available to the site.

- (c) Parcel C, located north of the existing facility and abutting Cold Creek Road, shall only be used for the parking and storage of transport trucks (accessory to the main use permitted on Blocks D and E).

- d) The southern parcel of land, Parcel E, may be used for public truck maintenance garage, public truck body shop, public truck fuel sales, truck sales, storage and limited retail and offices accessory to the main permitted uses, in addition, to those uses permitted on the central parcel, east of the proposed Albion-Vaughan realignment.

2. The subject lands shall be developed in accordance with the following policies:

- (a) The lands subject to this amendment may be serviced by a private well and a private waste disposal system subject to the approval of the Ministry of the Environment and the York Region Environmental Services Division. Prior to the approval of any site development applications for the subject lands or any part thereof the Owner shall prepare and have approved a servicing study which demonstrates the ability of the on-site servicing system to support any increase in the intensity of development. If required, additional development may not occur until such time as full municipal services are available. A site servicing study for Parcels A and B shall be required prior to site plan approval for those parcels.
- (b) The implementing zoning by-law shall establish the following restrictive provisions:

- i) restricting the use of Parcel A and B on the land, to the west of the proposed Albion-Vaughan Road realignment, to an automobile gas bar, automobile service station, car wash, car rental agency accessory to a main use, restaurant, hotel, motel, tourist information centre accessory to a main use, and limited retail use accessory to the main use.
- ii) restricting the use of the northern parcel (Parcel C) to truck parking and storage.
- iii) restricting the use of Parcel D to this amendment to a truck truck transport facility, (truck trailers, tip trailers and gravel trucks) and the uses normally incidental to the main trucking use such as offices, employee parking, truck repair and maintenance facilities, and fuel pumping shall be permitted. A public truck maintenance garage, public truck body shop, public truck fuel sales, truck sales shall also be permitted. Limited retail offices and storage accessory to foregoing uses may also be permitted.
- iv) restricting the use of the southern parcel (Parcel E) for public truck maintenance garage, public truck body shop, public truck fuel sales, truck sales, storage and limited retail and offices accessory to the main permitted uses, in addition, to those uses permitted on the central parcel, west of the proposed Albion-Vaughan Road realignment.
- v) the truck transport facility and ancillary uses shall only be permitted provided that the required berming and landscaping on the subject lands is in place.
- c) i) The perimeter of the portion of the subject lands, comprising Parcels C, D and E, shall be bermed and landscaped so as to ensure that the truck storage on site shall be screened. In addition, the design of any buildings on Parcel D or E shall ensure that there will be no negative visual impact on the adjacent uses.

No truck parking or storage shall be permitted until such berming and landscaping is in place to the satisfaction of the City.

ii) At the time of site development for Parcel A and B, the Owner shall submit a full landscape plan which will determine, among other things normally required as part of the site development process, the extent of landscaping required including the width of landscape strips which may be above the minimum by-law requirements.

d) i) Access to the subject lands shall only be permitted via the re-aligned Albion-Vaughan Road subject to the approval of the appropriate road authorities, which may include the City of Vaughan, Regional Municipality of York and the Regional Municipality of Peel.

The dedication of a one-foot reserve along the entire Cold Creek Road frontage and along the Albion-Vaughan Road frontage save and except for the required driveway locations shall be required. No direct truck access shall be permitted to Cold Creek Road or to Highway No.50. Any passenger access to Cold Creek Road shall only be permitted subject to the approval of the City of Vaughan.

ii) A study is underway to establish the ultimate road design of the Albion-Vaughan Road. Upon the determination of the preferred alignment, the Owner shall dedicate the road allowance and any road widening to the appropriate authority free of all cost and encumbrance. Building permits for a permanent building or structure on the lands will not be issued until the alignment is established.

iii) In consultation with the Regional Municipalities of York and Peel, the Town of Caledon and the Ministry of Transportation Ontario, the City of Vaughan shall ensure that all issues concerning road improvement and driveway access have been resolved and the matters dealt with through the implementing zoning-by-law, the site development agreement or other means as may be appropriate.

- iv) Notwithstanding the planned road allowance standards of the Albion-Vaughan Road, the required right-of-way shall be established upon the preferred road alignment for the Albion-Vaughan Road.

- e) In reviewing site development applications, the City of Vaughan shall ensure that matters such as landscaping and screening, lighting, noise, dust and other site development matters are addressed to ensure nearby residential uses will not be detrimentally impacted. In order to establish necessary noise attenuation measures, a noise study may be required prior to the approval of a site development application.

- f) Prior to the execution of site development agreements:
 - i) The Owner may be required to submit traffic studies, approved by the appropriate road authorities, to determine the level of development and the location and configuration of access points;

 - ii) The Owner may be required to submit and have approved additional servicing studies to determine the level of development which can be supported by the current on-site servicing facilities. Any development on the subject lands shall require the approval of the Region of York Health Protection Division. If it is determined that the current servicing facilities can not support any additional development then subsequent development proposals shall not be approved until such time as full municipal services are available.

V. IMPLEMENTATION

The policies of this Amendment shall be implemented through an Amendment to the Zoning By-law and the execution of a Site Development Agreement pursuant to Section 40 of the Planning Act.

VI. 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.

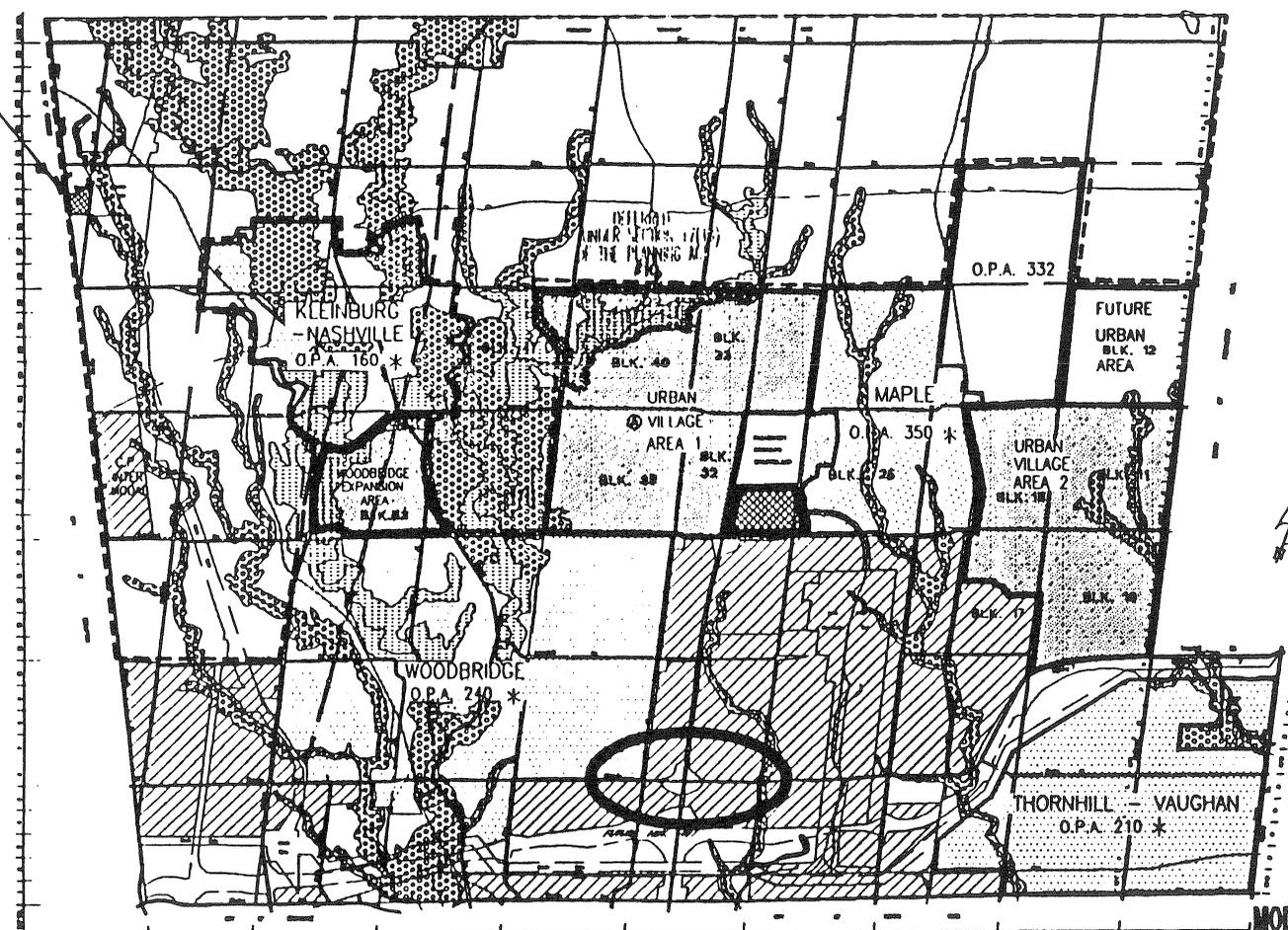
THIS IS SCHEDULE '1'
 TO AMENDMENT NO. 477
 ADOPTED THE _____, 1997.

BOARD ORDER #0269
 February 5, 1998
 0940113 and 0950054

 MAYOR

 CLERK

AREA SUBJECT TO AMENDMENT NO. 477



THIS IS SCHEDULE 'A'
 TO AMENDMENT NO. 400
 ADOPTED THE 31 DAY OF AUGUST, 1994

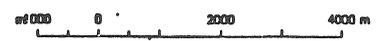
 L. D. JACKSON
 MAYOR

 J.D. LEACH
 CLERK

AREAS SUBJECT TO OPA 400

LEGEND

- AREAS REDESIGNATED BY OPA 400:
- URBAN VILLAGE AREAS AND WOODBRIDGE EXPANSION AREA
 - VAUGHAN CENTRE SECONDARY PLAN AREA
 - VAUGHAN CORPORATE CENTRE SECONDARY PLAN AREA
 - RURAL AREA - GENERAL
 - MAJOR OPEN SPACE & VALLEY LANDS
 - WASTE DISPOSAL ASSESSMENT AREA
- EXISTING COMMUNITY / INDUSTRIAL AREAS (NOT SUBJECT TO OPA 400)
- INDUSTRIAL AREAS
 - COMMUNITY AREAS *AS AMENDED



MODIFICATION
 No. 226
 UNDER SECTION 17(9) OF
 THE PLANNING ACT

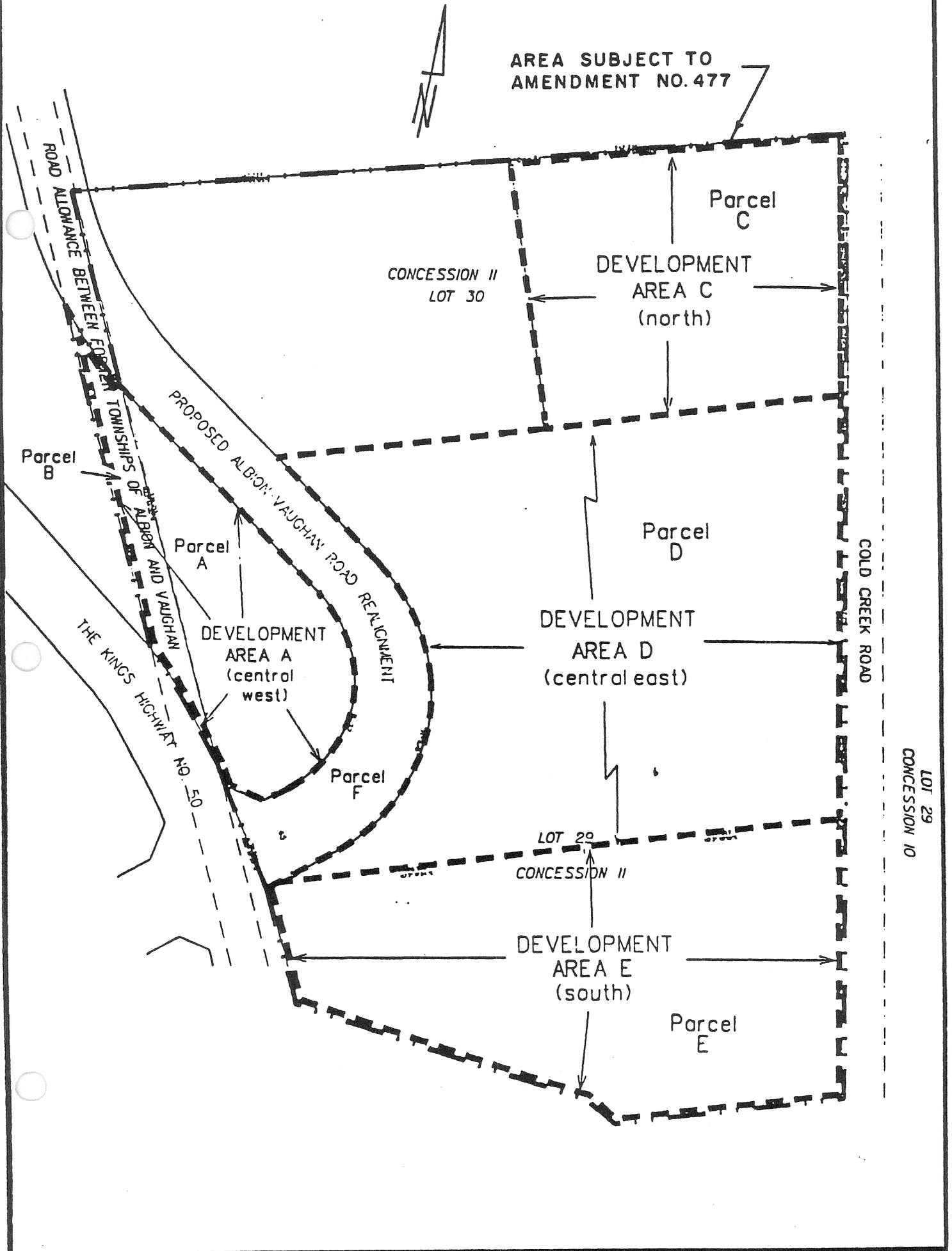


THIS IS SCHEDULE '2'
TO AMENDMENT NO. 477
ADOPTED THE _____ OF _____, 1997.

BOARD ORDER #0269
February 5, 1998
09401134 and 0950054
MAYOR
CLERK

LOCATION: PART OF LOTS 29 AND 30, CONCESSION II

NOT TO SCALE



AREA SUBJECT TO AMENDMENT NO. 477

THIS IS SCHEDULE '3'
TO AMENDMENT NO. 477
ADOPTED THE DAY OF , 1997.

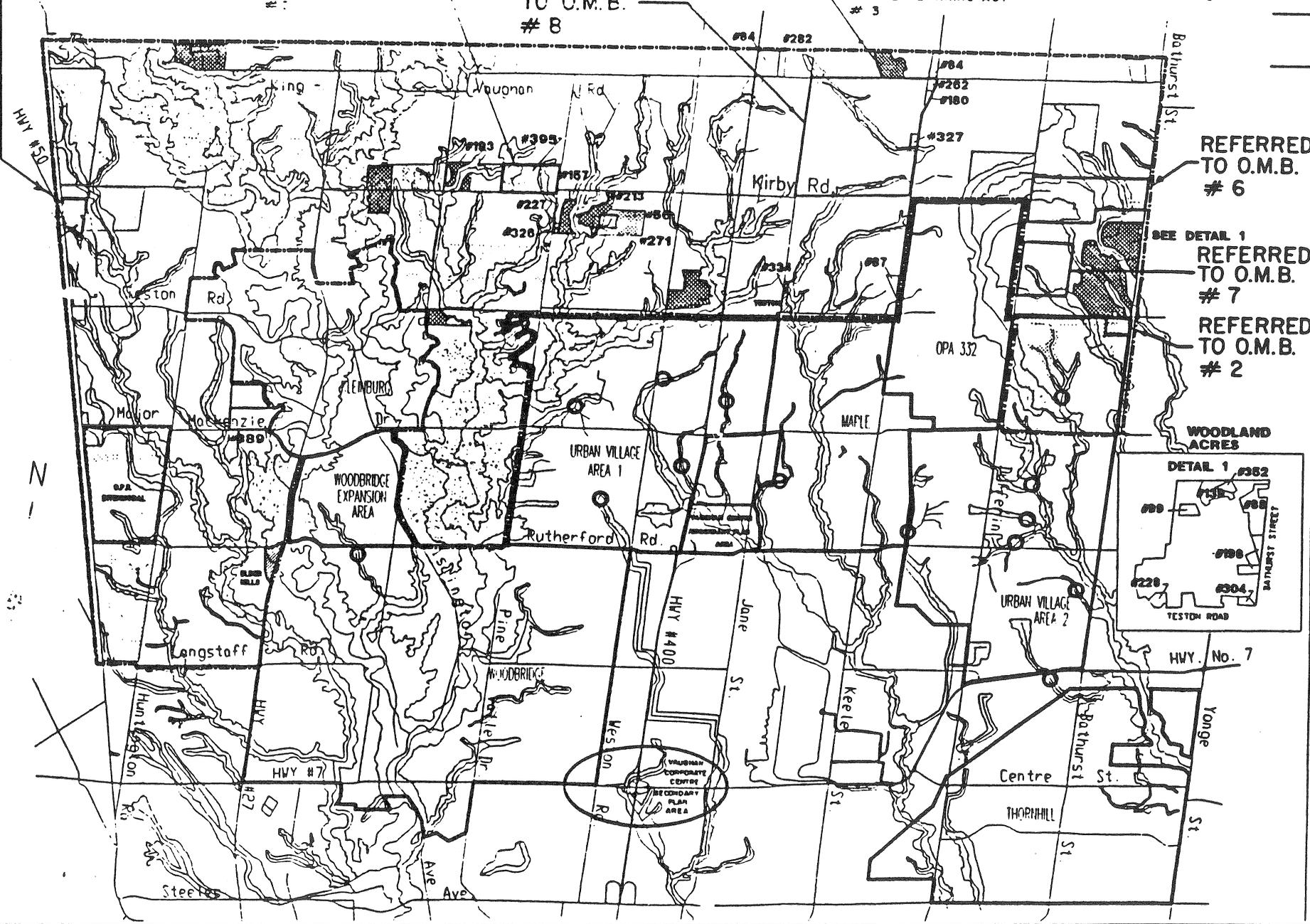
DEFERRED
UNDER SECTION 17(11C)
OF THE PLANNING ACT
1

REFERRED
TO O.M.B.
8

DEFERRED
UNDER SECTION 17(10)
OF THE PLANNING ACT
3

MODIFICATION
No 230
UNDER SECTION 17(19) OF
THE PLANNING ACT

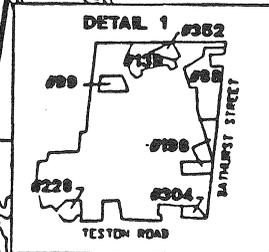
BOARD ORDER #0269
FEBRUARY 5, 1998
0940113 and 0950054 YOR
CLERK



REFERRED
TO O.M.B.
6

SEE DETAIL 1
REFERRED
TO O.M.B.
7

REFERRED
TO O.M.B.
2

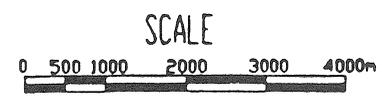


RURAL AREA GENERAL
THIS IS SCHEDULE 'E' TO
AMENDMENT # 400

ADOPTED THE 31 DAY OF AUGUST, 1994

SIGNING OFFICERS
L.D JACKSON MAYOR
J.D LEACH CLERK

- LEGEND
- LANDS SUBJECT TO RURAL AREA - GENERAL
 - RURAL RESIDENTIAL
 - AGRICULTURE AREA
 - VALLEY & STREAM CORRIDOR
 - RURAL USE AREA
 - HAMLET
 - SITE SPECIFIC POLICIES OF APPLICABLE OFFICIAL PLAN AMENDMENT
 - 125 HA DRAINAGE LIMIT



APPENDIX I

BOARD ORDER # 0269
February 5, 1998
0940113 and
0950054

EXISTING LAND USE

OFFICIAL PLAN AMENDMENT NO. 477

CITY OF VAUGHAN

LOCATION: PART OF LOTS 29 AND 30, CONCESSION II

LEGEND

-  AGRICULTURAL
-  RESIDENTIAL
-  COMMERCIAL
-  OPEN SPACE

DATE: 97/01/17

NOT TO SCALE

