

THE CORPORATION OF THE CITY OF VAUGHAN

IN THE MATTER OF Section 17(28) of
the Planning Act, RSO 1990, c.P.13

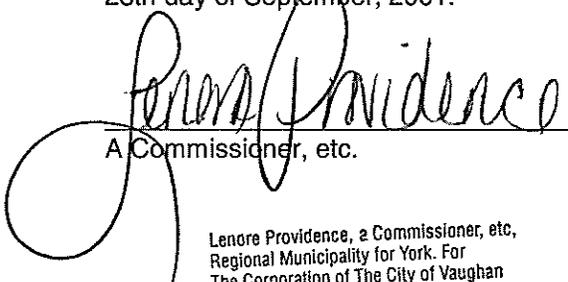
and

IN THE MATTER OF Amendment Number 559
to the Official Plan of the Vaughan Planning Area

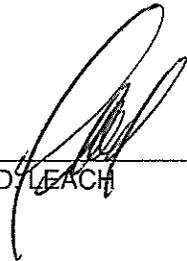
I, **JOHN D. LEACH**, of the Town of Caledon, in the Regional Municipality of Peel, **MAKE OATH AND SAY:**

1. **THAT** I am the City Clerk of the Corporation of the City of Vaughan and as such, have knowledge of the matters hereinafter deposed to.
2. **THAT** Official Plan Amendment Number 559 was adopted by the Council of the Corporation of the City of Vaughan on the 27th day of August, 2001, and written notice was given on the 6th day of September, 2001 in the manner and form and to the persons and public bodies that requested notification of the adoption, pursuant to Subsection 17(23) of the Planning Act, RSO 1990, as amended.
3. **THAT** no notice of appeal setting out an objection to Official Plan Amendment Number 559 was filed with me within twenty (20) days from the date of written notice of the adoption of the amendment.
4. **THAT** Official Plan Amendment Number 559 is deemed to have come into effect on the 27th day of September, 2001, in accordance with Subsection 17(27) of the Planning Act, RSO 1990, as amended.

SWORN BEFORE ME in the City)
of Vaughan, in the Regional)
Municipality of York, this)
28th day of September, 2001.)


A Commissioner, etc.

Lenore Providence, a Commissioner, etc,
Regional Municipality for York. For
The Corporation of The City of Vaughan
Expires February 10, 2004



JOHN D. LEACH

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 375-2001

A By-law to adopt Amendment Number 559 to the Official Plan of the Vaughan Planning Area.

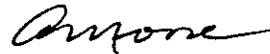
NOW THEREFORE the Council of the Corporation of the City of Vaughan ENACTS AS FOLLOWS:

1. THAT the attached Amendment Number 559 to the Official Plan of the Vaughan Planning Area, consisting of the attached text and Schedule "1" is hereby adopted.
2. AND THAT this By-law shall come into force and take effect the day after the last day for filing a notice of appeal.

READ a FIRST, SECOND and THIRD time and finally passed this 27th day of August, 2001.



L. D. Jackson, Mayor



A. Moore, Deputy City Clerk

**AMENDMENT NUMBER 559
TO THE OFFICIAL PLAN
OF THE VAUGHAN PLANNING AREA**

The following text and Schedule "1" to Amendment Number 559 of the Official Plan of the Vaughan Planning Area constitute Amendment Number 559.

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

I PURPOSE

The purpose of this Official Plan Amendment is to amend Official Plan Amendment Number 600, hereinafter referred to as "OPA 600", to permit a service station and gas bar with drive-through, mechanical car wash, and eating establishment (including convenience and take-out) uses, in the "Local Convenience Commercial" designation, on the subject lands.

II LOCATION

The lands subject to this Amendment, hereinafter referred to as the "subject lands" are shown on Schedule "1" attached hereto as "Area Subject to Amendment No. 559". The subject lands are located on the southeast corner of Rutherford Road and Thornhill Woods Drive, being Block 165 on Draft Approved Plan of Subdivision 19T-89118 and Block 32 on Draft Plan of Subdivision 19T-00V16, and comprising an area of approximately 0.65ha, in part of Lot 15, Concession 2, City of Vaughan.

III BASIS

The decision to amend the Official Plan is based on the following considerations:

1. The subject lands are designated "Medium Density Residential/Commercial" by OPA 600. The subject lands are further defined as "Convenience Commercial" on the Council approved Block 10 Plan of August 1999, and are therefore subject to the "Local Convenience Commercial" policies in OPA 600, which does not permit a service station and gas bar with drive-through, mechanical car wash, and eating establishment uses. An amendment to the Official Plan is required to permit these uses in the "Local Convenience Commercial" designation, on the subject lands.
2. The subject Amendment to permit the additional uses of a service station and gas bar with drive-through, mechanical car wash, and an eating establishment, on the subject lands is considered to be appropriate for the following reasons:
 - a) The "Local Convenience Commercial" designation permits convenience level shopping and personal services such as retail stores, personal service shops, offices and similar uses. In consideration of the planned populations in Planning Block 10 (16,670) and in Planning Block 17 (7,267), and the few existing and planned service station, gas bar with drive-through and car wash sites in the vicinity, there is a need to provide additional sites to serve the community. The addition of these uses, and an eating establishment including take-out and convenience uses, are considered to be appropriate for the site, and compatible with the other uses in the designation and with the surrounding residential community. These uses

are considered to provide a local convenience service to the residents in the immediate area.

The development standards for these uses will be controlled in the Zoning By-law.

- b) Local convenience commercial sites are permitted on arterial and primary streets, and preferred at corner locations. The "Local Convenience Commercial" and "Service Station and Gas Bar" policies require the design, appearance and scale of local convenience commercial and service station as gas bar sites to be in harmony with the character of the surrounding residential uses. The site layout and building design, landscaping, fencing, access and parking will be reviewed through the submission of a site development application. The site plan process will ensure that the development of the site, including any proposal for a service station and gas bar with drive-through, mechanical car wash, and an eating establishment, remains in character with the intent of the local convenience commercial and service station and gas bar policies in the Official Plan.
3. Having received a statutory Public Hearing on February 27, 2001, on April 17, 2001, Council approved Official Plan Amendment Application OP.99.037 (Heatherwood Properties Inc. (East)) to permit a service station and gas bar with drive-through, mechanical car wash, and eating establishment (including convenience and take-out), subject to the "Service Station and Gas Bar" and "Local Convenience Commercial" policies in OPA 600, on the subject lands.

IV DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

Amendment Number 600 to the Official Plan of the Vaughan Planning Area is hereby amended by:

1. Adding the following paragraph to Section 4.2.2.5.1 Exceptions:
 - "(iv) Notwithstanding the policies above, the following shall apply to the lands located on the southeast corner of Rutherford Road and Thornhill Woods Drive, being Block 165 on Draft Approved Plan of Subdivision 19T-89118 and Block 32 on Draft Plan of Subdivision 19T-00V16, and comprising an area of approximately 0.65ha, in part of Lot 15, Concession 2, City of Vaughan:
 - a) service station and gas bar with drive-through, and mechanical car wash, subject to the policies in Section 4.2.2.7; and,
 - b) eating establishments, including take-out and convenience."

V IMPLEMENTATION

It is intended that the policies of the Official Plan of the Vaughan Planning Area pertaining to the subject lands shall be implemented by way of an Amendment to the Zoning By-law and site plan approval, pursuant to the "Planning Act".

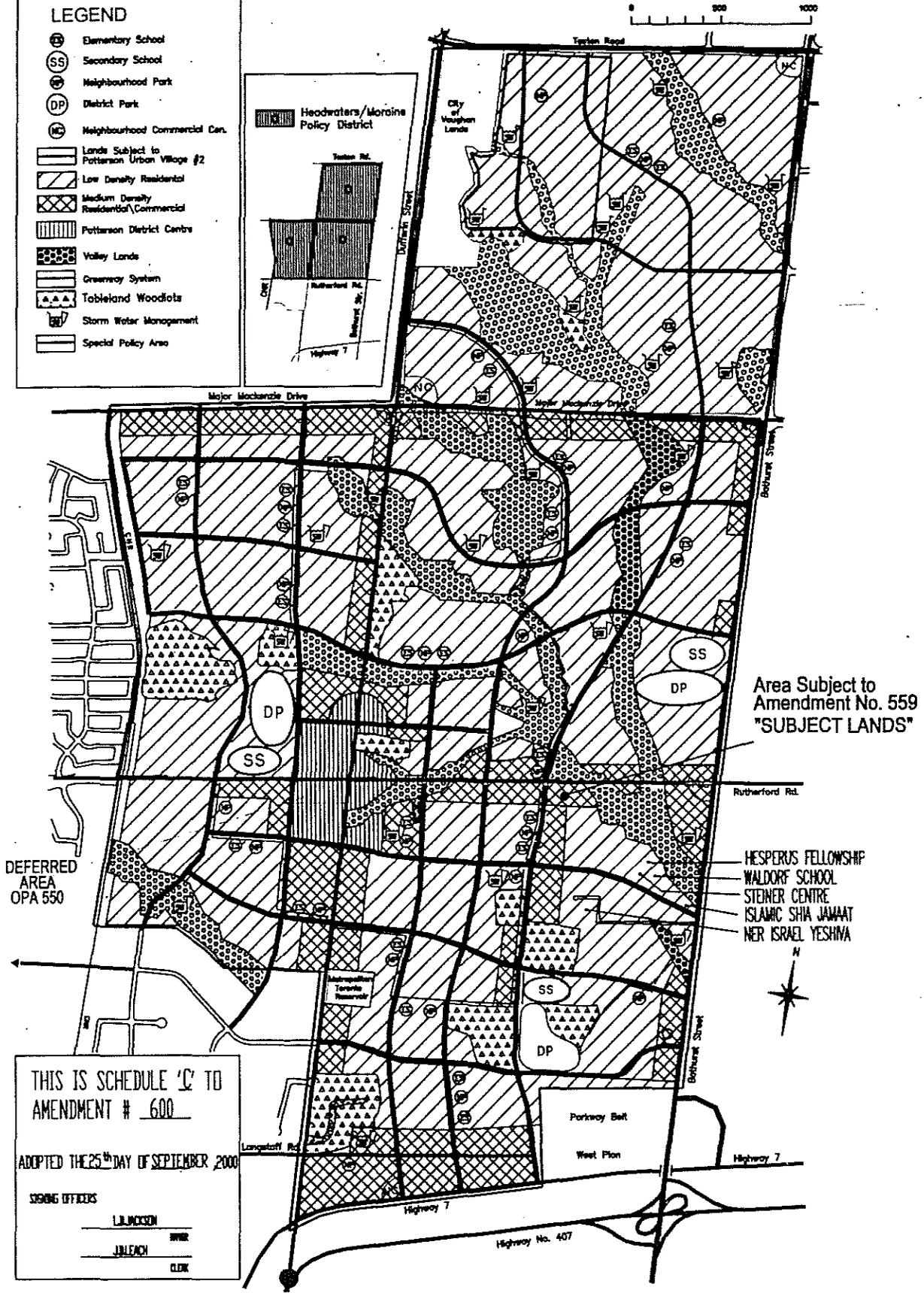
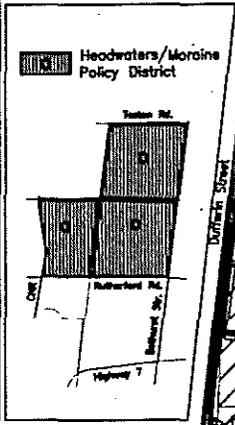
VI INTERPRETATION

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

CARRVILLE - URBAN VILLAGE 2

LEGEND

- Elementary School
- Secondary School
- Neighbourhood Park
- District Park
- Neighbourhood Commercial Cen.
- Lands Subject to Pottery Urban Village #2
- Low Density Residential
- Medium Density Residential/Commercial
- Pottery District Centre
- Valley Lands
- Greenway System
- Tableland Woodlots
- Storm Water Management
- Special Policy Area



DEFERRED AREA OPA 550

Area Subject to Amendment No. 559 "SUBJECT LANDS"

THIS IS SCHEDULE 'C' TO AMENDMENT # 600
 ADOPTED THE 25th DAY OF SEPTEMBER 2000
 SIGNING OFFICERS
 L. JACKSON
 J. LEACH
 CLERK

THIS IS SCHEDULE '1'
 TO OFFICIAL PLAN AMENDMENT No. 559
 ADOPTED THE 27 DAY OF Aug, 2001

SIGNING OFFICERS

L. Jackson

J. Leach

MAYOR

CLERK

FILE No. OPA 559
 LOCATION: Part of Lot 15, Conc. 2
 CITY OF VAUGHAN

NOT TO SCALE

APPENDIX I

On April 17, 2001, Council considered Official Plan Amendment Application OP.99.037 and Zoning By-law Amendment Application Z.99.086 (Heatherwood Properties Inc. (EAST)), and resolved:

"THAT Official Plan Amendment Application OP.99.037 (Heatherwood Properties Inc.) BE APPROVED to permit a service station/gas bar with drive-through, mechanical car wash, and eating establishment uses (including convenience and take-out) subject to the "Service Station and Gas Bar" and "Local Convenience Commercial" policies in OPA #600; and,

THAT Zoning By-law Amendment Application Z.99.086 (Heatherwood Properties Inc.) BE APPROVED, as follows:

- i) to rezone the easterly Block 92 on Draft Plan of Subdivision 19T-00V16 to C3 Local Commercial Zone;
- ii) to permit the following additional uses in the C3 Zone on the subject lands: service station/gas bar with drive-through, mechanical car wash, and eating establishment (including convenience and take-out), to a maximum of 20% of the total gross floor area of the development."