

COPY


THE CORPORATION OF THE TOWN OF VAUGHAN

IN THE MATTER OF Section 34 of
the Planning Act, 1983

I, ROBERT A. PANIZZA, of the Town of Aurora in the Regional
Municipality of York, make oath and say:

1. THAT I am the Town Clerk of The Corporation of the Town of Vaughan and as such have knowledge of the matters hereinafter deposed to.
2. THAT notice of the passing of By-law Number 90-88 by the Council of The Corporation of the Town of Vaughan on the 1st day of February, 1988, was given not later than fifteen days after the by-law was passed in the manner and form and to the persons prescribed in Regulation 404/83 made pursuant to Section 69 of the Planning Act, 1983.
3. THAT notices of appeal setting out objections to By-law Number 90-88 and the reason in support of the said objections were filed with me within (35) thirty-five days from the date of the passing of the by-law.
AND FURTHER that the said by-law and supporting documentation was forwarded to the Ontario Municipal Board April 6th, 1988.
4. THAT the Board's Order (R 880156) made the 21st day of April, 1989 was received by me on the 31st day of May, 1989 ordered the REPEAL of By-law Number 90-88. (see attached)
5. FURTHER for your information the Board's Order (O 880107) did NOT APPROVE of the proposed Amendment No. 249. (see attached)

SWORN BEFORE ME in the Town)
of Vaughan in the Regional)
Municipality of York, this)
5th day of June, 1989.)





Commissioner



RECEIVED
MAY 0 8 1983
PLANS ADMINISTRATION
MINISTRY OF MUNICIPAL AFFAIRS

O 880107
R 880156

Ontario Municipal Board
Commission des affaires municipales de l'Ontario

IN THE MATTER OF Section 17(11) of the
Planning Act, 1983

AND IN THE MATTER OF a referral to this
Board by the Honourable John Eakins,
Minister of Municipal Affairs, on a request
by East Woodbridge Developments Limited and
Arrandene Construction Limited for
consideration of proposed amendment No. 249
to the Official Plan for the Town of
Vaughan
Minister's File No. 19-OP-1500-249
O.M.B. File O 880107

AND IN THE MATTER OF Section 34 of the
Planning Act, 1983

AND IN THE MATTER OF an appeal by East
Woodbridge Developments Limited, and
Arrandene Construction Limited against
Zoning By-law 90-88 of the Corporation of
the Town of Vaughan
O.M.B. File R 880156

B E F O R E :

D. L. SANTO
Member

)
)
)

Friday, the 21st day
of April, 1989

THIS MATTER having come on for hearing;

THE BOARD ORDERS that proposed Amendment No. 249 to the Official Plan for the
Town of Vaughan is hereby not approved;

AND THE BOARD ORDERS that the appeals against By-law 90-88 are allowed and the
said by-law is hereby repealed.

SECRETARY

ENTERED
O.B. No. 088-1
Folio No. 71
MAY 03 1989

SECRETARY, ONT. MUNICIPAL BOARD



THE TOWN OF VAUGHAN BY-LAW

NUMBER 28-88

A By-law to adopt Amendment Number 249 to the Official Plan of the Vaughan Planning Area.


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

1. THAT the attached Amendment Number 249 to the Official Plan of the Vaughan Planning Area, consisting of the attached text, and Schedule "1" is hereby adopted.

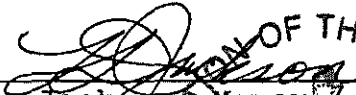


3. AND THAT this By-law shall come into force and take effect on the final day of the passing thereof.

READ a FIRST and SECOND time this 4th day January, 1988.


L.D. Jackson, Mayor


R.A. Panizza, Town Clerk

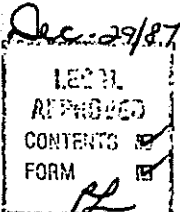
READ a THIRD time and finally passed this 4th day of January, 1988.


L.D. Jackson, Mayor

R.A. Panizza, Town Clerk


**AMENDMENT NUMBER 249
TO THE OFFICIAL PLAN
OF THE VAUGHAN PLANNING AREA**

The following text and Schedule "1" entitled "Schedule '1' to Amendment Number 249 to the Official Plan of the Vaughan Planning Area" constitutes Amendment Number 249.

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



I PURPOSE

The purpose of this Amendment is to amend the permitted uses requirement of Official Plan Amendment #135, being the Pine Valley Business Park Official Plan, as they apply to a 4 hectare parcel of land located at the southwest corner of Weston Road and Highway #7, and apply development policies for the site. The subject lands are currently designated "Service Commercial". The Official Plan Amendment will allow for the development of the subject lands in the following manner:

Supermarket	3,250m ² Gross Floor Area
Restaurant	745m ² Gross Floor Area
Retail Stores	1,400m ² Gross Floor Area
Service Commercial	5,017m ² Gross Floor Area
Office Building (5 storeys)	5,388m ² Gross Floor Area
Total retail/office complex:	15,800m ² Gross Floor Area

II LOCATION

The subject lands are located at the southwest corner of Highway #7 and Weston Road, being Lot 3, Registered Plan 65M-2339. The subject lands have an area of approximately 4 hectares and are known municipally as 154 Wings Road, Town of Vaughan.

III BASIS

The subject lands are presently designated "Service Commercial" by Amendment #135, as amended by Amendment #231 to the Official Plan of the Vaughan Planning Area. The decision to amend the Official Plan to include a supermarket and retail stores as permitted uses on the subject lands subject to specific policies is based on the following considerations:

1. The subject lands are located at a strategic corner which acts as a gateway to the Woodbridge Community. This exposure is desirable for a retail shopping plaza.
2. The subject lands are located on the periphery of the Woodbridge residential community and form part of an industrial business park. As such, the subject proposal will not conflict with the land uses of the residential neighbourhoods.
3. Access to and from the subject lands will be subject to the approval of the Ministry of Transportation and Communications, the Regional Municipality of York and the Town of Vaughan.
4. The subject lands have no major physical constraints restricting development and will develop on full municipal services.
5. In addition to the supermarket retail plaza, a five-storey office building is proposed for the subject lands. This office component will enhance the development of the surrounding industrial lands and will compliment the Highway #7/Weston Road intersection.
6. The policies of this Amendment will require that significant landscaping and berming be provided along the arterial roads, and through the approval of a by-law amendment and site plan will ensure a high quality form of development.

IV DETAILS OF THE ACTUAL AMENDMENT AND POLICIES RELATIVE THERETO

The subject lands shall retain their Service Commercial

designation in accordance with the policies of Official Plan Amendment #135 to the Vaughan Official Plan. OPA #135 is accordingly amended as follows:

1. Adding the following sub-clause after Clause 2.2.2(a) (i):

"(ii)1. Notwithstanding the uses permitted by paragraph (a) hereof, a shopping centre/office complex including the following uses shall be permitted on Lot 3, Plan 65M-2339:

Supermarket	3250m ² GFA
Restaurant	745m ² GFA
Retail Stores	1400m ² GFA
Service Commercial	5017m ² GFA
Office Building (5 storeys)	5388m ² GFA

TOTAL retail/office complex 15,800m²

GROSS FLOOR AREA

2. The following additional development policies shall apply to the lands subject to Clause 2.2.2(a) (ii):

- a) landscaping shall be provided adjacent to abutting streets in a manner which will provide a buffer between on-site development and the street;

- b) the implementing zoning by-law and site development agreement shall provide for development standards which are representative of the

site's exposure to the Provincial Highway and an arterial road. In this regard, the proposed office building shall be oriented towards the intersection and no parking shall be provided between the front building line of the proposed office building and the street line;

- c) underground parking shall be encouraged to maximize open space features. Ground level parking shall be screened and located away from abutting streets wherever possible;
- d) development of the subject lands shall only occur on full municipal services, including municipal water and sanitary sewer facilities."

V IMPLEMENTATION

The policies of this Amendment shall be implemented through an amendment to the Town of Vaughan Restricted Area Zoning By-law and site plan approval, in accordance with the provisions of the Planning Act.

VI INTERPRETATION

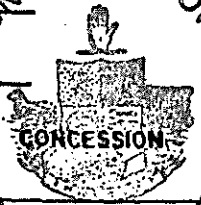
The provisions of the Official Plan of the Vaughan Planning Area as amended from time to time regarding the interpretation of that Plan shall apply with respect to this Amendment.

THIS IS SCHEDULE 1
TO AMENDMENT NO. 240
ADOPTED THE 4th DAY JANUARY, 1988

[Signature]
[Signature]

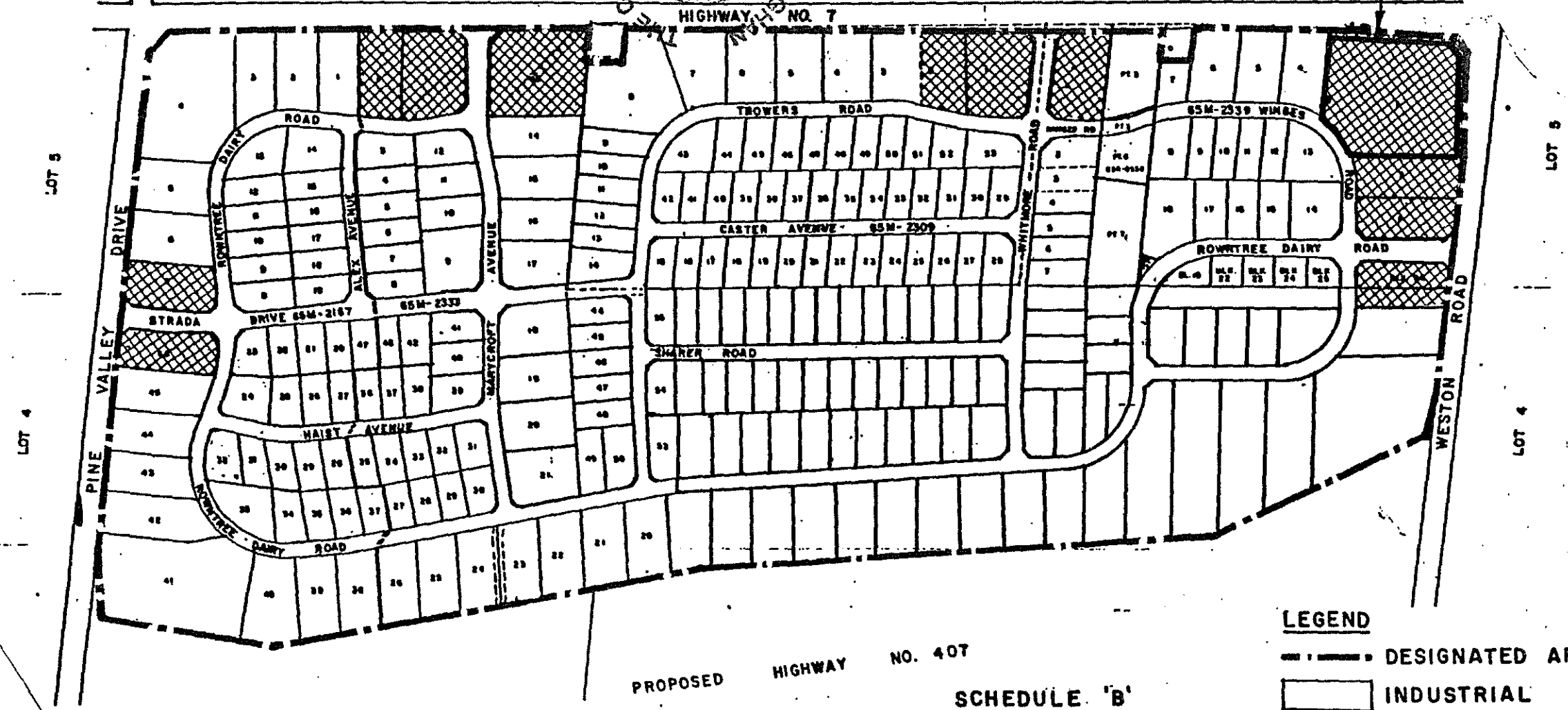
MAYOR

CLERK



LANDS SUBJECT TO
AMENDMENT NO. 249

HIGHWAY NO. 7



PROPOSED HIGHWAY NO. 407

SCHEDULE 'B'
LAND USE

LEGEND

-  DESIGNATED AREA
-  INDUSTRIAL
-  SERVICE COMMERCIAL

APPENDIX I TO OFFICIAL PLAN AMENDMENT #249

This amendment is as a result of an application to amend the Pine Valley Business Park Official Plan and Zoning By-law to permit a supermarket and retail stores on Lot 3 Plan 65M-2339. Vaughan Council considered the matter at a public hearing dated November 17, 1987. The following is an excerpt of the November 17 minutes relating to the Weston Square application:

"ORIGIN

Pursuant to Sections 17 and 34 of the Planning Act, applications have been submitted by the property owner proposing amendments to the Official Plan and Zoning By-law.

LOCATION

Southwest corner of Weston Road and Highway #7, being Lot 3, Plan 65M-2339, being municipally known as 154 Winges Road, in the Town of Vaughan.

PROPOSAL

The applicant has applied for amendments to OPA #135, as amended, and Zoning By-law 306-81, as amended, to allow for the development of a mixed use commercial centre consisting of the following:

PHASE 1

GROSS FLOOR AREA

Supermarket	3250m ²	35,000ft ²
Retail Stores	1394m ²	15,000ft ²
Service Commercial	5017m ²	54,000ft ²
Restaurant	745m ²	8,000ft ²
TOTAL Service Commercial, Retail and Restaurant	10,405m ²	112,000ft ²

PHASE 2

Office Building (5 floors x 1075m² (11,600ft²))

TOTAL Office	5390m ²	58,000ft ²
TOTAL FLOOR AREA	15,800m ²	170,000ft ²

Council will note that the 5-storey office component as originally included in discussions respecting development of the subject lands have been identified as Phase II development.

The site plan application for the subject lands was previously approved by Council on the basis of Service Commercial and Office uses. The site plan agreement is presently being finalized by staff.

Mr. M. H. Chusid, Solicitor, appeared on behalf of Weston Square Limited in support of the Staff Report.

Mr. J. B. Conlin, Solicitor with Gardner, Roberts, appeared on behalf of East Woodbridge Developments to request that the application be refused. Mr. Conlin expressed the opinion there had been no change to the original application which had been previously refused by Council.

Mr. Neil Smythman, Solicitor with Campbell, Godfrey, Lewtas, appeared on behalf of Market Lane in opposition to the application and expressed the opinion that it was identical to the proposal which had been

previously refused by Council on the third of March, 1987.

The Director of Planning stated that the Staff Report intended to include approval for 15,000 square foot retail use as well as the supermarket established at a maximum size of 35,000 square feet.

MOVED by Councillor Chapley
seconded by Councillor Di Biase

That the applications by Weston Square Limited, Files OP.6.86 and Z.14.86, to amend the Official Plan and Zoning By-law to permit a supermarket on Lot 3, Plan 65M-2339, at a maximum size of 35,000 square feet as well as a retail use of 15,000 square feet, BE APPROVED.

CARRIED UPON A RECORDED VOTE

YEAS





Chapley
Di Biase
Di Giovanni
Jackson
Reale"

NAYS

nil

APPENDIX II
EXISTING LAND USE
OFFICIAL PLAN AMENDMENT NO. 249
 TOWN OF VAUGHAN

LEGEND

-  SERVICE COMMERCIAL (UNDER DEVELOPMENT)
-  INDUSTRIAL (UNDER DEVELOPMENT)
-  COMMERCIAL
-  VACANT

DATE: 87/02/26

SCALE: 0  500 FT.

