

OB#	95	FOLIO#	228
ORDER ISSUE DATE			
FEB 15 1993			
OB#	1993-1	FOLIO#	359



Ontario

M880117
O890001
Z880229

Ontario Municipal Board
Commission des affaires municipales de l'Ontario

IN THE MATTER OF Section 40(12) of
the Planning Act, 1983

AND IN THE MATTER OF an appeal by
Texaco Canada Inc. to determine and
settle the terms and conditions in a
site plan agreement for the
development of lands being composed
of Part of Lot 16, Block 9, Plan 138
(and 170) in the Town of Orangeville.
O.M.B. File No. M880117

IN THE MATTER OF Section 22(1) of the
Planning Act, 1983

AND IN THE MATTER OF a referral to
this Board by the Honourable Minister
of Municipal Affairs, on a request by
Texaco Canada Inc. for consideration
of a proposed amendment to the
Official Plan for the Town of
Orangeville to permit the development
of a self serve gas bar, a mini
foodmart and a car wash on the land
comprising Block No. 9, Lot No. 16,
Plan 138 (#170) municipally known as
268 Broadway Avenue and designated as
"Neighbourhood Commercial" in the
Official Plan for the Town of
Orangeville.
Minister's File No. 22-OP-3592-A01
O.M.B. File No. O890001

IN THE MATTER OF Section 34(11) of
the Planning Act, 1983

AND IN THE MATTER OF an appeal to
this Board by Texaco Canada Inc. for
an order amending Zoning By-law 60-77
of the Town of Orangeville to rezone
the lands comprising Block No. 9, Lot
No. 16, Plan 138 (#170), municipally
known as 268 Broadway Avenue, from
General Commercial C1 to General
Commercial C1-Special to permit the
development of a self-serve gas bar,
a mini foodmart and a car wash.
O.M.B. File No. Z880229

DECISION & ORDER OF THE BOARD delivered by S.R. Cole and M.E.
Johnson

Based upon a negotiated site plan presented to it, the Board delivered an Interim Decision on these matters as follows:

- (a) The Board approves the Official Plan Amendment in the terms proposed by the applicant as referred to the Board by the Minister of Municipal Affairs.
- (b) The Board allows the appeal with respect to the proposed, revised amendment to By-law 60-77, the wording of which will reflect the details of the revised site plan (Exhibit 53).
- (c) The Board approves the revised site plan as reflected in Exhibit 53 subject to being provided with final details of the plan and the provisions of the development agreement.

The Board withheld its final decision and order until implementing measures were taken by both parties to reflect their negotiations and the Board's Interim Decision.

THE BOARD ORDERS that the proposed amendment to the Official Plan is approved as set out in Appendix "A" attached to and forming part of this order;

AND THE BOARD ORDERS that the appeal is allowed and Zoning by-law 60-77 is amended as set out in Appendix "B" attached to and forming part of this order. The Municipality is authorized to assign a by-law or other number to this document for record keeping purposes;

AND THE BOARD FURTHER ORDERS that the site plan and agreement shall be as in the revised site plan, as set out in Appendix "C" attached to and forming part of this order.

DATED AT TORONTO this 15th day of February, 1993.



S.R. COLE

MEMBER



M.E. JOHNSON

VICE-CHAIR



M880117
O890001
Z880229

Ontario Municipal Board
Commission des affaires municipales de l'Ontario

Appendix "A"

THE AMENDMENT

The Official Plan for the Town of Orangeville is hereby amended as follows:

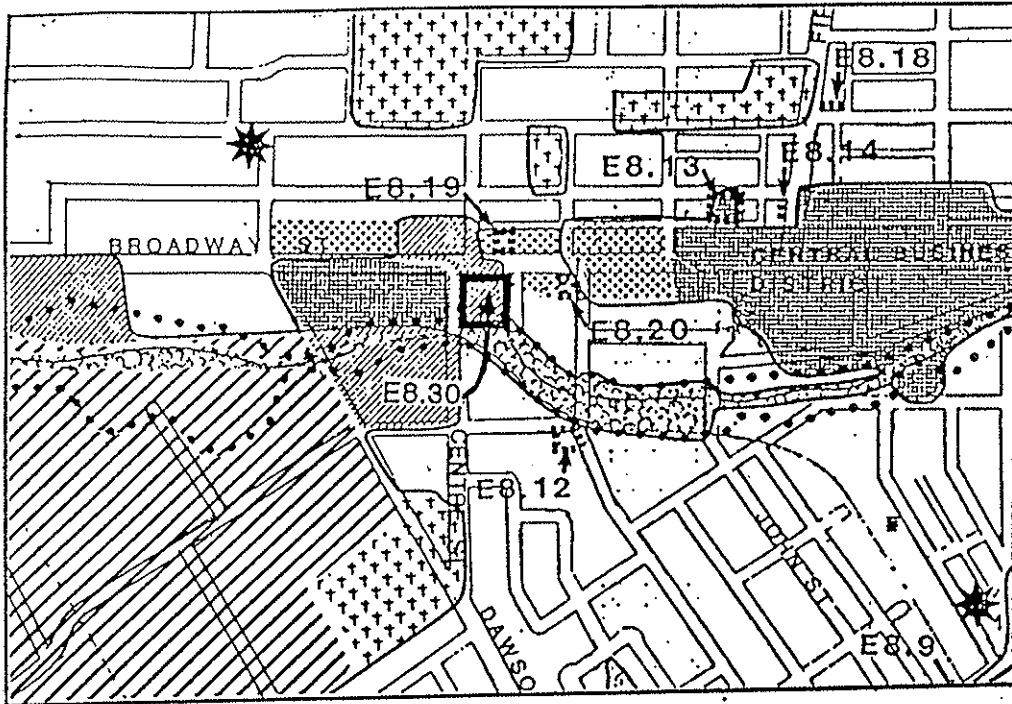
- 1) Section E8 "Policies for Specific Areas" is amended as follows:

"E8.

Notwithstanding the "Neighbourhood Commercial" designation, a gas bar, mini food mart and car wash shall also be permitted on the property located at 268 Broadway Street, at the southeast corner of Broadway and Centre Streets."

- 2) Schedule "A" - Land Use Plan - is amended as shown on Schedule "A" to this Amendment, attached.

SCHEDULE 'A' TO OFFICIAL PLAN AMENDMENT NO. 36

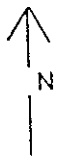


SCHEDULE 'A'

THE OFFICIAL PLAN FOR
THE TOWN OF ORANGEVILLE
LAND USE PLAN



Area of Amendment to which Special Policy E8.30 is to Apply.



SCALE 1:10 000

INDEX	
	Residential
	General Commercial
	Neighbourhood Commercial
	Restricted Commercial Residential
	Highway Commercial
	Convenience Commercial
	Industrial
	Open Space Recreation
	Open Space Conservation
	Institutional
	Contingency Secondary School Site
	Policies for Specific Areas Refer to Section E8 of the Official Plan
	Approximate Extent of Mill Creek Floodline (See Policy E5.4.4)