

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 108-2023

A By-law to designate by Number an amendment to amend City of Vaughan By-law 1-88, as effected by the Ontario Land Tribunal.

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

1. THAT the Amendment to City of Vaughan By-law 1-88, as effected by the Ontario Land Tribunal Order Issue, dated 24 day of May, 2023 (OLT Case No. OLT-22-004564), attached hereto as Attachment 1 is hereby designated as By-law Number 108-2023.

Enacted by City of Vaughan Council this 20th day of June, 2023.

Steven Del Duca, Mayor

Todd Coles, City Clerk

Ontario Land Tribunal
Tribunal ontarien de l'aménagement
du territoire



ISSUE DATE: May 24, 2023

CASE NO(S).:

OLT-22-004564

PROCEEDING COMMENCED UNDER section 34(11) of the *Planning Act, R.S.O. 1990, c. P. 13, as amended.*

Applicant/Appellant: 2109179 Ontario Inc.
Subject: Application to amend the Zoning By-law – Refusal of application
Description: To permit the continued use of an existing portable dry batch concrete production plant and to add an additional second outdoor portable concrete production plant.
Reference Number: Z.20.018
Property Address: 3501 King Vaughan Road
Municipality/UT: Vaughan/York
OLT Case No: OLT-22-004564
OLT Lead Case No: OLT-22-004564
OLT Case Name: 2109179 Ontario Inc. v. Vaughan (City)

Heard: May 9, 2023 by Video Hearing

APPEARANCES:

Parties

Counsel

2109179 Ontario Inc.

Robert Miller
Grace O'Brien

City of Vaughan

Marc Kemerer
Zaynab Al-Waadh

**MEMORANDUM OF ORAL DECISION DELIVERED BY T.F. NG ON MAY 9, 2023
AND ORDER OF THE TRIBUNAL**

[Link to Final Order](#)

INTRODUCTION

[1] This is an appeal by 2109179 Ontario Inc. (the “Applicant/Appellant”) against the City of Vaughan (the “City”) regarding the Council’s refusal of a Zoning by-law Amendment (the “ZBA”) application to Zoning By-law No. 1-88 (the “ZBL 1-88”) to permit the continued use of an existing portable dry batch concrete production plant and to add an additional second outdoor portable concrete production plant on property known as 3501 King-Vaughan Road (the “subject property/subject site/site”).

[2] The Appellant and the City have settled the matter through a Settlement (the “Settlement Proposal/settlement”). Following the Settlement Proposal, a Zoning By-law Amendment (the “draft ZBA”) that, in principle, implements the settlement, was presented to the Tribunal.

[3] Rosemarie Humphries, the Appellant’s planner testified in support of the settlement. The Tribunal qualified her to provide opinion evidence in land use planning matters. The Settlement Hearing Materials bundle was marked as Exhibit 2.

[4] The Tribunal, having considered the uncontested testimony of Ms. Humphries and having reviewed her affidavit and documents filed, allows the appeal in part for the reasons set out below.

PLANNING EVIDENCE

[5] Ms. Humphries described the application process and took the Tribunal through the relevant policy framework including: s. 2 of the *Planning Act*, the Provincial Policy

Statement 2020 (the “PPS”); the Green Belt Plan 2017 (the “GBP”); the Growth Plan for the Greater Golden Horseshoe 2020 (the “Growth Plan”); the Region of York Official Plan 2010 (the “ROP”); and the City Official Plan 2010 (the “OP”). She opined that the proposal and draft ZBA represent good land use planning.

SITE CONTEXT

[6] The subject site is located on the eastern portion of the west half of Lot 34, Concession 5, adjacent to Highway 400. It has an overall area of 17.9 hectares (“ha”), of which 9.16 ha is the developable portion, with 415 metres (“m”) frontage on Highway 400, and an irregular depth of 390 to 477.5 m.

[7] The subject property has access to King Vaughan Road by a 7.5-m-wide permanent easement in the nature of a right-of-way over Part 2, Plan 65R-21103, as described in Instrument Numbers 1435408 and R751344.

[8] The subject site is surrounded by rural residential, agricultural and open space land uses, and various contractors’ yards.

[9] **North** of the site – the Woodbridge Stone Slingers operation is located on the opposite side of King Vaughan Road. The former Beamish Construction facility (now Con-Strada Aggregates) is northeast of the site, and also on the opposite side of King Vaughan Road.

[10] **East** of the site – Highway 400, including highway-access “On-Route” (King City), which is opposite the site.

[11] **South** of the site – land used for agricultural purposes with an associated residential dwelling.

[12] **West** of the site – open space and agricultural lands.

[13] An additional component to the Site Context is the ongoing GTA West Corridor Study. The subject site abuts Highway 400 and is located within the Highway 413 Corridor Study Area, within the Focused Analysis Area (“FAA”). The FAA is a zone that surrounds the preferred Highway 413 route and defines which properties continue to be within an area of interest as the study progresses. As the site is within this preferred route area, it will be directly impacted by the construction of Highway 413.

[14] During the public and planning process leading up to the approval of the City Official Plan Amendment (OPA 637), the GTA West Corridor Study process was underway and it was recognized that it would be several years before the final outcome of the study would be determined, including the preferred route and associated land requirements. OPA 637 was subject to appeals that were ultimately settled. As a result of the settlement, policy 2.3.3.1(d)(i)(a) was included in OPA 637. This policy does not permit permanent development within the study area until the Ministry of Transportation (“MTO”) environmental assessment process has determined that the lands proposed for development are no longer required for the future GTA West Corridor. However, policy 2.3.3.1 (a)(v) of OPA 637 does permit the approval of temporary land uses on lands within the study area to allow such lands to be used in an economic manner while the study is underway, so long as the temporary use would not undermine the potential for future planned employment uses or the GTA West Corridor project.

Background to the Appeal

[15] Ms. Humphries explained that the first applications were submitted to the City for a Temporary Use Zoning By-law (“TUZBL”) and a site development agreement in January 2010 and September 2011, respectively. These applications sought permission to operate a dry batch concrete production plant. While City staff recommended approval of the applications, Council failed to make a decision within the time prescribed

by the *Planning Act*. As a result, the Owner appealed the applications to the Ontario Municipal Board (“OMB”). The Board allowed the appeal and directed the City to amend Zoning By-law 1-88 to permit a temporary portable dry batch concrete production plant on the site. The City enacted By-law 031-2013 to implement the Board’s approval. By-law 031-2013 expired on April 23, 2016.

[16] A subsequent application was submitted to extend the temporary use provisions identified in By-law 031-2013 for an additional 3-year period. On May 23, 2018, Council approved the extension of the TUZBL as By-law 082-2018, indicating that it was consistent with the previous TUZBL, being By-law 031-2013 as approved.

[17] In advance of the expiration of By-law 082-2018, an application was submitted to extend the temporary use provisions for an additional 3-year period for the main concrete production plant, an auxiliary outdoor concrete production plant, and to add the portable concrete crushing/recycling plant as an accessory use along with related site plan approval application DA.20.029. A public hearing was held on October 6, 2020. By-law 082-2018 expired on May 23, 2021.

[18] After a full review, Staff, through its Staff Report of May 10, 2022, to the Committee of the Whole (“COW”), supported the Application to permit only the existing main portable dry batch concrete production plant with a maximum production capacity of 100,000 cubic metres (“m³”) per year and the processing of recycled concrete use, as approved by the Ministry of Environment, Conservation and Parks (“MECP”), for a period of one year, until May 23, 2023.

[19] The COW deferred the Application. Staff made a revised report, however, on June 28, 2022, City Council refused the application, resulting in the appeal.

[20] The MTO agreed, due to the uncertainty regarding when the GTA West Corridor Study would be complete, that it would support the proposed temporary use for an

indeterminate time, with a maximum of three years and a minimum duration as set out by the “Trigger” below. Pursuant to the proposed trigger, the proposed temporary uses permitted would be terminated on the earlier of:

- Three years from the date this by-law comes into full force and effect;
- The date upon which a Block Plan for the lands subject to this by-law is approved by the City; or
- The date which is three months from the date that written Notice is given by the MTO to the City and the Owner, by registered mail, that the lands are required for the construction of the GTA West Project, which Notice may not be given prior to February 15, 2024 (collectively, the “Trigger”).

[21] On September 20, 2022, the MECP issued the Applicant an Environmental Compliance Approval (“ECA”), which replaced the original ECA dated August 17, 2011.

[22] As a result of the settlement, the Parties jointly request the Tribunal to allow the appeal, and approve the TUZBL in principle, a draft of which is contained in Exhibit “K” in Exhibit 2. The Parties request that the Tribunal withhold its final Order until a final form TUZBL is submitted, which will occur on or before May 19, 2023. The purpose of this request is to permit the Parties additional time to review the final version with their respective consultant teams.

THE APPLICATION

[23] The Application proposes to extend the temporary site-specific use provisions to continue recognizing the use of the primary portable dry batch concrete production plant (“Plant 1”), the auxiliary portable dry batch concrete production plant (“Plant 2”), accessory operations (truck repair and office) and outside storage areas. The

Application also proposes the use of an additional third-party portable crushing operation located in the southwest corner of the Site in accordance with the site plan application DA.20.029 filed with the Application and not appealed to the Tribunal.

[24] The portable dry batch concrete production plants are operated by Maple Ready Mix & Aggregates and include the storage of cementitious material and the mixing of concrete to be delivered to clients at various sites in the GTA. The operation performs ready mix concrete batching as well as the receiving, storage and handling of raw materials such as sand, aggregate and cementitious materials used for concrete batching.

[25] A “mixing plant” is a building or structure or part of a building or structure where only concrete is mixed or batched, weighed, and measured for mixing off-site. The previous by-law, By-law 082-2018 permitted accessory uses to the mixing plant in certain areas, including truck repair; office use; and sand, gravel, equipment, and machinery open storage. The draft TUZBL proposes the same accessory uses in addition to the portable crushing plant and associated open storage of left-over concrete for the purposes of processing recycled concrete. Concrete production or batching plants are an integral part of the construction industry and the GTA economy in general. Batching plants are geographically located in a manner so that they can best serve delivery areas based on travel time/distance.

[26] The plant currently employs approximately 20 individuals during off-season (winter) and 45 individuals during peak season (summer).

[27] Jersey barriers were installed on the driveway at the entrance access in May 2022 to prevent left turn movements by trucks from the site onto King Vaughan Road and right turn movements by trucks from King Vaughan Road into the site and to further ensure that proper haul routes are taken.

[28] Plant 2 was the original approved batching plant and was replaced by Plant 1, a newer enclosed facility. Plant 2 remained on the Site in its original location as depicted through aerial photographs contained in Exhibit "M" in Exhibit 2 and was previously identified as a storage silo until the present application. Plant 2 is intended to act as a system back-up in the event of a problem or system breakdown of the primary plant. The two plants do not operate simultaneously, and the operation of Plant 2 does not result in additional production capacity or output.

[29] The proposed concrete recycling use comprises one portable jaw crusher for crushing concrete. Unused concrete produced at the batching plant that is left over from jobs is returned to the site and stockpiled. The stockpiled concrete is recycled on the site by a third-party operator. The recycling activities take place once per year for a period of 30 to 60 days depending on how much material has been accumulated. The third-party operator operates under its own ECA.

[30] No aggregates are sold from the subject site. Maple Ready Mix & Aggregates sells aggregates to consumers; however, this is facilitated directly from their Ramara quarry. Aggregate deliveries are made from the Ramara property, directly to the delivery location, and not through the subject site.

[31] The subject property is not serviced by municipal infrastructure. Sanitary servicing is through a private septic system. Water servicing is through a private domestic well. The subject site drains in multiple directions through meadows and grassed areas allowing for infiltration and erosion and sediment control prior to discharge to an existing offshoot tributary of the Humber River Watershed.

[32] The settlement authorizes mainly the granting of the following amendments to the City's ZBL:

- a. The operation of Plant 2 is restricted to the months of April through October inclusive and only to those times when the main concrete batching plant is not operating.
- b. The total combined annual production cap of Plants 1 and 2 shall not exceed 100,000 m³.
- c. The inbound and outbound truck movements will be limited as follows:
 - i. Subject to 1. Below, all outbound trucks shall only exit the property between the hours of 6 am and 7 pm (Monday – Friday) and 6 am to 12 pm (Saturday).
 1. After-hour pours are permitted no more than an aggregate of eight times every four months, for a maximum of twenty-four (24) times in a year to be calculated from the date the by-law comes into force, provided that the Owner provides the City with written notice a minimum of five (5) hours in advance of the after-hour pour occurring if possible. If this is not possible, the Owner agrees to provide the City with written notice, including by way of e-mail, immediately as soon as it is aware that the after-hour pour must occur. The notice shall include information about the work being performed and an estimation as to when it is anticipated to end. In these circumstances, outbound trucks may exit the property after 7 pm. No inbound trucks carrying raw material shall travel onto the subject lands after 7 pm. Subject to ii. below, only trucks returning from the outbound trip shall enter the site after 7 pm. No other inbound trucks will enter the subject lands after 7 pm.
 - ii. Inbound trucks carrying raw material shall only enter the property between the hours of 7 am to 7 pm (Monday – Friday) 7 am to 12 pm (Saturday). Inbound concrete trucks / cement mixers shall be permitted to return to the property after 7 pm only to be emptied of surplus concrete, parked and cleaned, if necessary.
 - iii. There shall be no inbound or outbound truck traffic to the property on Sundays.
- d. The TUZBL shall have a duration which is the lesser of:

- i. three (3) years from the date the TUZBL comes into effect;
 - ii. the date which is three (3) months from the date that written Notice is given by the Ministry of Transportation to the City of Vaughan and the Owner, by registered mail, that the lands are required for the construction of the Highway 413 Project, which Notice may not be given prior to February 15, 2024; or
 - iii. the date upon which a Block Plan for the Block including the Site is approved by the City.
- e. Keep the area adjacent to the southern property line of the subject lands free and clear from all storage material and to maintain the required 10m buffer from the existing dripline;
 - f. Maintain the jersey barriers installed to prevent inbound right turn/ outbound left turn movements by trucks from King Vaughan Road onto the Site and from the Site onto King Vaughan Road;

ANALYSIS/FINDINGS

[33] The Tribunal agrees with Ms. Humphries that the proposal has regard for the matters of provincial interest set out in s. 2 of the *Planning Act*. The Tribunal finds that the settlement proposal and draft ZBA have regard in particular to s. 2(a) regarding the protection of ecological systems, including natural areas, features and functions; 2(h) the orderly development of safe and healthy communities; 2(k) the adequate provision of employment opportunities; and 2(p) the appropriate location of growth and development.

PROVINCIAL POLICY STATEMENT, 2020

[34] The Tribunal finds that the settlement is consistent with the PPS. The settlement results in a use of the subject site that promotes efficient land use which sustains the financial well-being of the province and the municipality by accommodating an appropriate market-based range and mix of employment use to meet long term needs (PPS s. 1.1.1a) and b)).

[35] Planning authorities are to promote economic development by providing for an appropriate mix and range of development, including maintaining suitable sites for employment uses, taking into account the needs of existing and future businesses (PPS s. 1.3.1.a) and b)).

[36] The Tribunal finds that this proposal appropriately utilizes the subject site's private servicing infrastructure. The Applicant has carried out the required studies for the proposal and the Planning Justification Report as well as a Traffic Impact Assessment, which demonstrate that the temporary use can operate without causing environmental or public health or safety concerns, while maintaining a liveable, healthy, and safe community (PPS s. 1.1.1 c). The Region, the City, the MECP, the MTO and relevant agencies support the settlement or have no objections.

[37] Ms. Humphries stated that the subject site is located in an *Employment Area* and is adjacent to a *Major Goods Movement Facilities and Corridor*, as defined by the PPS. The settlement provides for an appropriate mix and range of employment uses to meet long-term needs in or adjacent to these designated areas. The proposed temporary use provides opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and takes into account the needs of existing and future businesses. In addition, the proposed temporary use provides a necessary resource and service which is critical to the Province and City's growth needs.

[38] The Tribunal agrees with Ms. Humphries that the temporary nature of the settlement protects and preserves the subject site for future employment uses. The subject property abuts Highway 400 and is located within the Highway 413 Corridor Study Area and will be directly impacted by the preferred route of the Highway 413. As the Highway 413 project is in the Preliminary Design stage, the MTO confirmed that the use can operate in accordance with the Trigger.

[39] The Tribunal finds that the settlement proposal is consistent with the PPS policy that speaks to promotion of long term economic prosperity which should be supported by optimizing the long term availability and use of land, resources, infrastructure and public service facilities (PPS s. 1.7.1 c)). The TUZBL facilitates the utilization of the subject site for a temporary concrete production plant while preserving the availability of the use of the subject site for future employment uses. The Tribunal finds that the proposal to permit the temporary use of the subject property as a dry batch concrete production plant is consistent with the PPS.

THE GBP 2017

[40] Ms. Humphries stated the site has an overall land area of 17.9 ha. The developable portion of the site is 9.16 ha, of which the proposed temporary uses encompass 3.65 ha. The balance of the subject site (8.74 ha), located within the “Greenbelt Natural Heritage System” within the Protected Countryside of the Greenbelt, is not developable. As such, the proposed extension of the existing temporary use does not impact the protection of ecological systems or natural heritage features/functions on the site. RiverStone Environmental Solutions Inc. prepared a Greenbelt Conformity Statement on March 15, 2016, and a Scoped EIS Greenbelt Conformity Statement in 2020 (the “Conformity Statement”). The Conformity Statement concluded that no negative impacts to Key Natural Heritage Features (“KNHF”) or Key Hydrological Features (“KHF”) had occurred or would occur on the site. The material storage area does not expand into any KNHFs or KHFs in the Greenbelt and is beyond the required 30 m Vegetation Protection Zone buffer around these features.

[41] In her opinion, the settlement, which proposes no changes to what exists on the portion of the site located within the Greenbelt, conforms with the GBP. The Tribunal finds that the settlement conforms to the GBP.

THE GROWTH PLAN

[42] In Ms. Humphries' opinion the settlement conforms with the Growth Plan. The Growth Plan provides policies and direction for growth and development in a way that supports economic prosperity, protects the environment and helps communities achieve a high quality of life. In particular, policy 2.2.5 promotes the protection and development of employment areas. Consistent with the PPS, the site is designated as an Employment Area and is adjacent to a Major Goods Movement Corridor, pursuant to the Growth Plan. This designation of the site, the proposed temporary use and the Trigger all promote economic development, a range of employment uses and protect employment uses in proximity to major goods movement facilities.

[43] Section 3.2 of the Growth Plan contains policies for infrastructure to support growth whereas s. 3.2.3 contains policies relating to moving goods. The site abuts Highway 400 and is located within the Highway 413 Corridor Study Area, almost entirely within the FAA. The site will be directly impacted by the preferred route of the Highway 413 highway and transitway.

[44] The Trigger ensures that the Highway 413 project will remain the first priority use of the subject site, once the site is required for same. In the meantime, the subject site will be used temporarily and is appropriately located to facilitate the batching and supply of concrete from the site to other locations under construction in the GTA.

[45] The settlement contemplates that the temporary use will exist until the expiry of the proposed TUZBL, either by the expiry of the three-year duration or the exercise of the Trigger, and this prioritizes the Highway 413 project. However, the portable plant use on the site also adheres to this policy, as it is an important employment use and should be protected and preserved as such until the Highway 413 project is prioritized. As such, in Ms. Humphries' opinion, the settlement conforms with these policies.

[46] The Tribunal finds that s. 2.2.5.1a) of the Growth Plan promotes economic development by making more efficient use of existing employment areas and vacant and underutilized employment lands and increasing employment densities. The settlement is an efficient use of the subject site for employment, pending the GTA West study. The settlement also preserves and prioritizes the province's and municipality's objective to coordinate, optimize and ensure the long term viability of major goods movement facilities and corridors (Growth Plan s. 3.2.4.2a)). The Tribunal finds that the settlement conforms to the Growth Plan.

THE ROP

[47] Ms. Humphries opined that the settlement conforms to the ROP.

[48] Map 1, Regional Structure, of the ROP designates the developable portion of the site as "Urban Area" and the non-developable portion of the site as "Greenbelt Area". Maps 11 and 12 demonstrate the Transit and the Street Network. Copies of these Maps with the Site overlayed are contained in as Exhibit "Q" in Exhibit 2. The "Urban Area" designation permits a range of residential, commercial, institutional, industrial, and employment uses. The ROP also encourages maintaining the economic viability of employment lands, which are contingent upon its long-term protection, effective planning and design, and a shift toward increasingly sustainable and innovative industrial processes.

[49] Ms. Humphries explained that s. 3.3.8 designates the site as a Regionally Significant Employment Area. The existing use of the site as a portable plant is already an employment use. As such, the continuation of this use conforms with this policy.

[50] Section 4.3 includes policies relating to planning for employment lands. The site is located in an identified Employment Area and provides for an appropriate mix and range of employment uses to meet the Region's long-term needs. The temporary use

also provides opportunities for diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and considers the needs of existing and future businesses. The TUZBL would not remove the lands from the regional employment land base.

[51] The site's operation, as permitted by the previous TUZBL, currently employs approximately 20 individuals during off-season (winter) and 45 individuals during the peak season (summer). The proposed TUZBL would not impact the provision of employment forecasts in the long-term nor does it propose to remove the site from the employment land base. The existing supply of employment lands will be maintained for future employment uses.

[52] Section 7.2 of the ROP contains the policies regarding Moving People and Goods and policies 7.2.69 to 7.2.85 regarding Goods Movement. Since the site is in proximity to a Major Goods Movement facility, being Highway 400, some of these policies are applicable to the settlement.

[53] Ms. Humphries stressed that the settlement promotes goods movement and the interconnected network of said movement is crucial for the proposed use, as it requires proximity to highway infrastructure. The temporary use is an employment use which utilizes and is dependent on that highway infrastructure.

[54] The proposed use will cease upon the expiry or exercise of the Trigger and will not prohibit the achievement of the construction of Highway 413. As such, the proposed use will continue to support and utilize an interconnected and efficient system for good movement and conforms with these policies.

[55] The Tribunal finds that the objective in s. 7 of the ROP is to promote a network of goods movement that supports economic vitality and minimizes conflict with

sensitive land uses, in particular s. 7.2.76 which encourages employment uses and activities that require heavy truck traffic to locate in areas near and adjacent to Provincial highway interchanges. Section 7.2.77a) is a policy to support the completion of the 400-series highway network, including the GTA West Corridor. This plant is located near Highway 400 and in the GTA West corridor. The settlement facilitates the truck traffic movement onto the highway infrastructure and the TUZBL will expire when the GTA West Corridor and the Highway 413 require the subject site cessation of the temporary use. The Tribunal finds that the settlement conforms to the ROP.

THE OP

[56] Ms. Humphries opined that the settlement conforms with the OP.

[57] She stated that the developable portion of the site (9.16 ha) is designated as “Employment” by Schedule 1, Urban Structure of the OP and “Prestige Area – Office/Business Campus”, “GTA West Corridor Protection Area” and as within the “Interchange Study Area” on Schedule “I” within OP Volume 2, Policy 11.4 – Highway 400 North Employment Lands Secondary Plan. The proposed temporary use encompasses 3.65 ha of the total developable area.

[58] The applicable policies include Volume 1: S. 10.1.1, 10.1.2.4 and 10.1.2.20; and Volume 2, S. 11.4: S. 2.2.3.1 and 2.3.3.1.

[59] Section 10.1.1 of the OP contains provisions regarding detailed planning, indicating that, upon the adoption of Secondary Plans, a Block Plan will be required.

[60] The site will be subject to a future Block Plan process which will establish a framework for appropriate development in the Secondary Plan area including, the vision and character for an area with land uses, urban design, street and block pattern, adequate municipal servicing and infrastructure, and to determine the appropriate mix,

location, and intensity of certain uses. The Block Plan process has not yet been initiated and will not proceed until such time as the GTA West Corridor Study has been completed. In addition, in accordance with the proposed Trigger, at the time the Block Plan is complete, the TUZBL will expire.

[61] The Tribunal agrees with Ms. Humphries that the TUZBL conforms with this policy, as its temporary nature provides the Province the ability to complete the GTA West Corridor Study and the landowners to initiate a Block Plan to determine the specific area policies and future use of the site, which cannot occur until the final route for the GTA West Corridor is determined, while allowing the current use to continue in a manner that will not impact such future use.

[62] The Tribunal finds that s. 10.1.2.4 in Volume 1 is relevant as it provides that Zoning By-laws may allow the temporary use of land, buildings, or structures, provided the temporary use meets certain conditions. Volume 2, s. 11.4, 2.3.3.1 contains the same conditions in relation to lands designated as “Prestige Areas – Office/Business Campus”, such as the subject site.

Consistency with the general intent of this Plan

[63] The first condition is whether the temporary use proposed by the settlement is consistent with the general intent of the OP.

[64] The Tribunal finds that the settlement is consistent with the general intent of the OP as the Plan allows for temporary uses. The application does not seek permanent land use permissions for a concrete batching facility but a renewal of the proposed temporary uses for an additional period, recognizing that the permanent uses permitted by the current land use designations cannot currently be realized.

[65] The site is located in the “GTA West Corridor Protection Area” and is within the “Interchange Study Area”. The site cannot be redeveloped for permanent uses under the OP until the GTA West Corridor is finalized. The site is also subject to a subsequent Block Plan process which has not yet been initiated due to the uncertainty of the Highway 413 project.

[66] The proposed temporary use is consistent with the intent of Volume 2, s. 11.4, 2.2.3.1, on the specific purpose of the ‘Prestige Area’. The proposal continues the temporary permissions for an employment use while protecting the adjacent Natural System in the Greenbelt area and does not impede the achievement of the planned function of the area as a Prestige Employment area.

Compatibility with adjacent land-uses

[67] The Tribunal finds that the proposed temporary use is compatible with adjacent land uses including the Highway 400 corridor to the west, rural/agricultural uses to the north and south, other existing employment uses to the north and east, and natural heritage systems/features to the east, north, and south. The closest rural uses containing a residential dwelling are approximately 300 m away, to the southwest, and 800 m away at the northeast corner of Weston Road and King Vaughan Road.

[68] There are no negative impacts to KNHFs and KHF’s which will occur on the site. Toronto Region Conservation Authority staff have also indicated that they are satisfied with the proposed temporary uses and expanded material storage area.

[69] The MECP issued the ECA, which confirms that the proposed use appropriately addresses concerns regarding emission and discharges from a noise and air quality perspective. Further, the Region had no objection to the Application, subject to a number of conditions and the City has agreed that the settlement is appropriate.

Temporary in nature and can be easily terminated when the temporary zoning by-law expires

[70] The Tribunal finds that the proposed use will be terminated when the TUZBL expires. The application does not propose any new buildings or structures or significant grading of the site.

Sufficient servicing and transportation capacity exists for the temporary use

[71] The servicing and transportation capacity are sufficient for the existing and additional concrete crushing and processing use on the site.

Maintains the long-term viability of the lands for the uses permitted in this Plan.

[72] The proposed use, being temporary in nature, will maintain the long-term viability of the site for its ultimate employment use as permitted and contemplated in the OP and future secondary plans/block plans.

[73] The site is subject to site plan control. In compliance with s. 10.1.2.20, a Site Development Application (DA.20.029) was submitted to implement the temporary use but the application was refused. It was not appealed. A site plan application, including an updated site plan will be submitted shortly after the Tribunal's Decision is issued.

[74] The Tribunal finds that the settlement conforms to the OP.

ZONING

[75] ZBL 1-88 zones the site "A- Agricultural". The proposed temporary use is not permitted within the Agricultural Zone. A zoning by-law amendment is required to permit the continuation of the existing temporary use. The site was previously granted

temporary use zoning by-laws on two separate occasions. Ms. Humphries opined that the TUZBL proposed through the settlement is appropriate for the continued use of the site, its existing operation, and the portable crushing plant. The City's new Comprehensive Zoning By-law 001-2021 ("CZBL") as amended is in effect and applicable to the site. The Application is covered by the transition provisions of the new CZBL and therefore the TUZBL can be approved as an amendment to ZBL 1-88.

[76] The City had raised concerns regarding transportation and traffic issues with respect to the Application, including increases in truck traffic, site circulation and sight lines. Discussions between the respective traffic consultants and the Responding Transportation Memo have addressed all of these concerns, which facilitated the achievement of the settlement.

[77] Ms. Humphries stated that the Application, as proposed, has regard to s. 2 of the *Planning Act*, is consistent with the PPS and conforms with the GBP, the Growth Plan, the ROP, and the OP. She opined that the Application represents good planning, is in the public interest and is appropriate for approval.

CONCLUSION

[78] The Tribunal finds that the proposal on the subject site does not have any negative impact on the surrounding area and the natural environment. The proposed temporary use is a continued existing temporary use that relies on a private septic system and private well.

[79] The Tribunal agrees with Ms. Humphries and finds that the dry batch concrete production plant facilitates and continues employment of up to 45 people, which is an employment use that clearly serves the construction industry, particularly in the construction of houses. Allowing this temporary use on the subject property is compliant with the policy objective of the OP to permit temporary use of land that meets the

criteria, *inter alia*, of an employment use that is compatible with the existing adjacent land uses in the area and maintains the long term viability of the land for uses permitted under the OP.

[80] The proposal and the TUZBL is an appropriate economic use of the subject property pending completion of the GTA West Corridor and the Highway 413 Corridor study in the FAA. As the use is temporary in nature and subject to triggering events to determine the temporary use, the public interest in protecting the subject site for the future Highway 413 is not prejudiced.

[81] The parties have outlined the application in a concept site plan as revised through settlement discussions (see Exhibit L in Exhibit 2). The Tribunal is satisfied that the settlement proposal represents good planning and that the proposed draft ZBA has regard for the matters of provincial interest set out in s. 2 of the *Planning Act*; is consistent with the PPS; conforms to the policies of the GBP, the Growth Plan and the OP.

[82] Pursuant to s. 34(26)(b) of the *Planning Act*, the Tribunal may, on an appeal, under s. 34(11), amend the by-law in such manner as the Tribunal may determine. The draft ZBA consented to by the parties will be attached to this Decision.

[83] The Tribunal gave an oral decision allowing the appeal in part and withholding issuance of the final order subject to the final form of the draft ZBA being received by May 19, 2023. The Final Form of the ZBA was provided and the final order shall issue.

ORDER

[84] **The Tribunal Orders** that the appeal is allowed in part and the Zoning By-law No. 1- 88 is hereby amended in the manner set out in Attachment 1 to this Order. The Tribunal authorizes the municipal clerk to assign a number to the By-law for record keeping purposes.

“T.F. Ng”

T.F. NG
MEMBER

Ontario Land Tribunal

Website: www.olt.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

The Conservation Review Board, the Environmental Review Tribunal, the Local Planning Appeal Tribunal and the Mining and Lands Tribunal are amalgamated and continued as the Ontario Land Tribunal (“Tribunal”). Any reference to the preceding tribunals or the former Ontario Municipal Board is deemed to be a reference to the Tribunal.

Attachment 1

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER XXX-2023

A By-law to designate by Number an amendment to amend City of Vaughan By-law 1-88, as effected by the Ontario Land Tribunal.

That Council of The Corporation of the City of Vaughan **ENACTS AS FOLLOWS:**

- 1. THAT the Amendment to City of Vaughan By-law 1-88, as effected by the Ontario Land Tribunal Order Issue, dated XX day of XXXX, 2023 (OLT Case No. OLT-22-004564), attached hereto as Exhibit "XX" is hereby designated as By-law Number XXXX-2023.

Enacted by City of Vaughan Council this XX day of XXXX, 2023.

Hon. Steven Del Duca, Mayor

Todd Coles, City Clerk

Authorized by Item No. ____ of Report No. ____ of the Committee _____ Adopted by Vaughan City Council on _____

XXX

THE CITY OF VAUGHAN BY-LAW

BY-LAW NUMBER XXX-2023

A By-law to amend City of Vaughan By-law 1-88.

WHEREAS the matters herein set out are in conformity with the Official Plan of the Vaughan Planning Area, which is approved and in force at this time;

AND WHEREAS there has been no amendment to the Vaughan Official Plan adopted by Council but not approved at this time, with which the matters herein set out are not in conformity;

AND WHEREAS the owner of the Subject Lands consents to the conditions imposed by this amendment to By-law 1-88 herein;

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

1. That City of Vaughan By-law Number 1-88, as amended, be and it is hereby further amended by:

- a) Adding the following Paragraph to Section 9.0 "EXCEPTIONS":

"(*) Notwithstanding the provisions of:

- a) Subsection 2.0 respecting Definitions;
- b) Subsection 3.24 respecting "Prohibiting Uses", Subsection 8.2 respecting Permitted Uses in the A Agriculture Zone and Schedule "A" respecting building height;
- c) Subsection 3.8, subparagraph k) respecting driveway surfaces;
- d) Subsection 3.8 respecting minimum Parking Required;
- e) Schedule "A" respecting setbacks to southern property line;

The following provisions shall apply to the lands identified as "Subject Lands" on Schedule "E- ":

- ai) For the purposes of this temporary use by-law, the following definitions shall apply:
 - i. OFFICE USE – means the accessory use of the buildings identified in Schedule "E- " which shall only be used for administration purposes related to the Portable Mixing Plants and Portable Crushing Plant;

- ii. PORTABLE MIXING PLANTS – means a building(s), or structure(s), or part of a building(s) or structure(s) where only concrete is mixed or batched, weighed, and measured for mixing off-site, only within Plants 1 and 2, as identified on Schedule “E- “.
 - iii. PORTABLE CRUSHING PLANT – means any mobile equipment used for the crushing or screening of leftover concrete originally produced by the operation of Plants 1 and 2 that is crushed and removed from the site, accessory to the main use.
 - iv. TRUCK REPAIR – means the building identified on Schedule “E- “ to be used for the maintenance and repair of vehicles associated with the operation of the Portable Mixing Plants.
- bi) A maximum of two portable mixing plants (Plant 1 and Plant 2), with a maximum of three silos, two silos for the Plant 1 and one silo for Plant 2, as identified on Schedule “E-“ are permitted. The operation of Plant 2 is restricted to the months of April through October inclusive and only to those times when the main mixing plant is not operating; Plant 2 only functions as a system back-up in the event of a problem or system breakdown of the primary plant; The two plants shall not operate simultaneously, and the operation of Plant 2 does not result in additional production capacity or output;
- bii) The maximum height of Plant 1 shall be 26.3 m;
- biii) The maximum height of Plant 2 shall be 14 m;
- biv) The maximum hopper height for Plant 1 shall be 5.5 m;
- bv) The maximum hopper height for Plant 2 shall be 5 m;
- bvi) The total combined annual production cap of Plant 1 and Plant 2 shall not exceed 100,000 m³;
- bvii) Subject to i. below, all outbound trucks shall only exit the property between the hours of 6 am and 7 pm (Monday – Friday) and 6 am to 12 pm (Saturday).
- i. After-hour pours are permitted no more than an

aggregate of eight times every four months, for a maximum of twenty-four (24) times in a year to be calculated from the date the by-law comes into force, provided that the Owner provides the City with written notice a minimum of five (5) hours in advance of the after-hour pour occurring, if possible. If this is not possible, the Owner agrees to provide the City with written notice, by e-mail to bylaw.licensing@vaughan.ca, immediately as soon as it is aware that the after-hour pour must occur. The notice shall include information about the work being performed and an estimation as to when it is anticipated to end. In these circumstances, outbound trucks may exit the property after 7 pm. No inbound trucks carrying raw material shall travel onto the subject lands after 7 pm. Subject to ii. below, only trucks returning from the outbound trip shall enter the site after 7 pm. No other inbound trucks will enter the subject lands after 7 pm.

- ii. Inbound trucks carrying raw material shall only enter the property between the hours of 7 am to 7 pm (Monday – Friday) and 7 am to 12 pm (Saturday). Inbound concrete trucks / cement mixers shall be permitted to return to the property after 7 pm only to be emptied of surplus concrete, parked and cleaned, if necessary.
- iii. There shall be no inbound or outbound truck traffic to or from the property on Sundays.

bviii) Only the following accessory uses shall be permitted:

- i. Outdoor storage and stockpiling of unused concrete produced by either Plants 1 or 2 on the Subject Lands that is left over from off-site jobs and returned to the Subject Lands and stockpiled, which shall not exceed a height of 10.66 m for material stockpile and 9 m for concrete stockpile area, respectively, in the area

- identified on Schedule "E- ";
- ii. A portable crushing plant limited for use to once a year for a maximum of 60 consecutive days per year;
 - iii. Truck repair located in the existing building labelled "Vehicle Maintenance/Repair Building" as identified on Schedule "E- " having a maximum gross floor area of 465 m² and a maximum building height of 6.1 m;
 - iv. Two office uses located in the existing buildings identified as "Plant Office Trailer" and "Office Trailer" as identified on Schedule "E- " each having a maximum gross floor area of 60 m² and a maximum building height of 2.7 m;
 - v. The open storage of sand, gravel, left-over concrete for the purposes of processing recycled concrete, and equipment and machinery, accessory to the Mixing Plant use in the areas identified on Schedule "E- ". The open storage of all other materials is not permitted;
 - vi. The Mixing Plants and all permitted accessory uses, as prescribed by this section, shall only be permitted in the area identified as "Proposed Temporary Area of Use" as identified on Schedule "E- ". The balance of the Subject Lands shall only be used for uses permitted in the A Agriculture Zone;
- bix) No aggregates shall be sold from the Subject Lands;
 - ci) The Owner is to maintain the jersey barriers installed to prevent inbound right turn/outbound left turn movements by trucks from King-Vaughan Road into the Subject Land and from the Subject Lands onto King-Vaughan Road;
 - cii) A driveway and parking area may be constructed of gravel, save and except for the portion of the driveway extending a minimum of 30 m from the property line abutting King-Vaughan Road which must be paved with hot-mix asphalt or concrete;
 - dj) A minimum of 27 parking spaces shall be provided for the

proposed Mixing Plants and accessory uses identified on Schedule "E- ";

ei) No building, structure or storage of materials shall be permitted within 10 m of the dripline identified on Schedule "E- ";

b) Adding Schedule "E- " attached hereto as Schedule "1".

c) Deleting Key Map 5G and substituting therefor the Key Map 5G attached hereto as Schedule "2".

d) That this Temporary Use Zoning By-law shall be in effect for the duration which is the shorter of the following:

i. a maximum temporary period of three (3) years only from the date of enactment of the Temporary Use Zoning By-law XXX-2023 comes into effect; or;

ii. the date which is three (3) months from the date that written Notice is given by the Ministry of Transportation to the City of Vaughan and the Owner, by registered mail, that the lands are required for the construction of the Highway 413 Project, which Notice may not be given prior to February 15, 2024; or;

iii. the date upon which a Block Plan for the Block including the Subject Lands is approved by Vaughan Council, whichever occurs first.

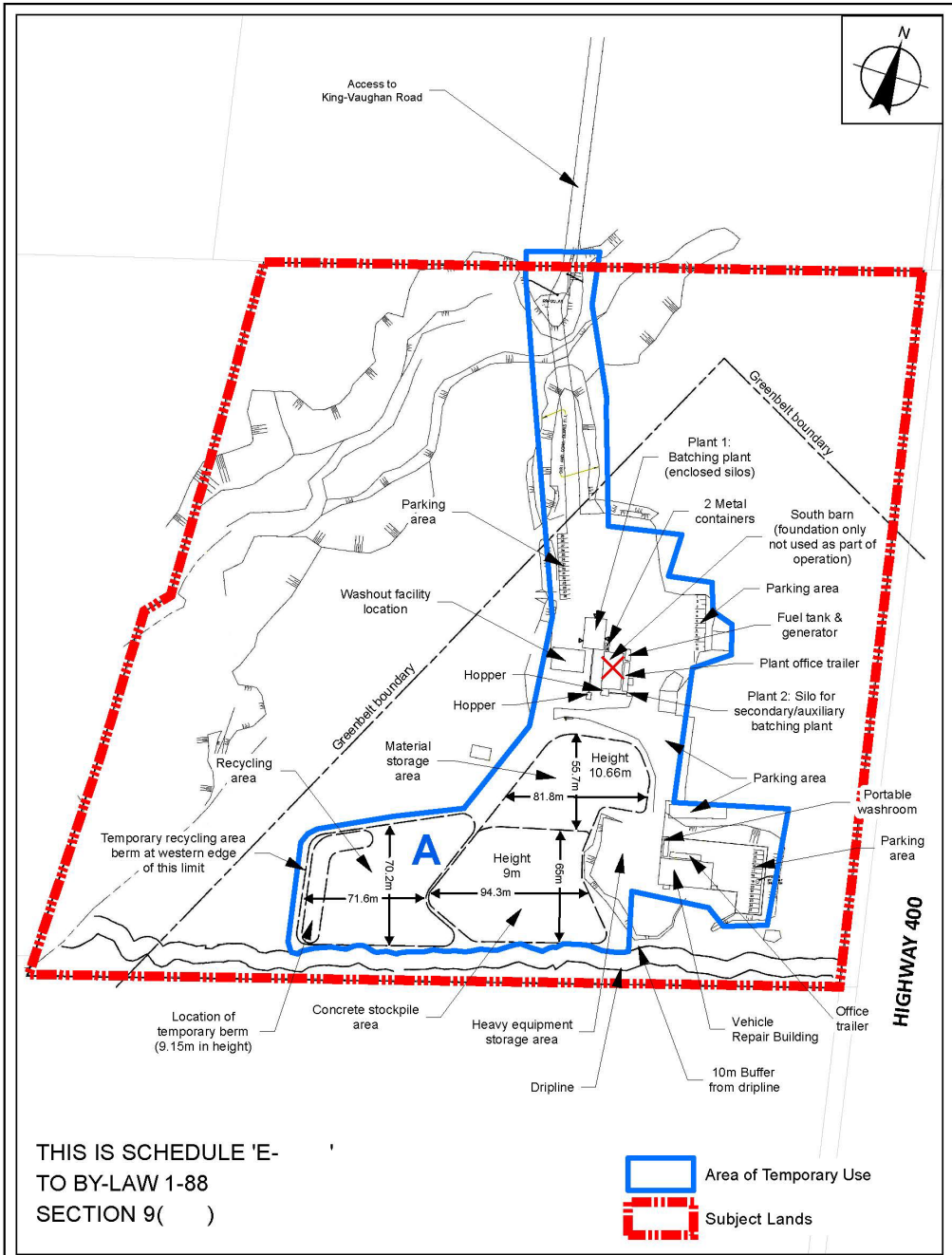
2. Schedules "1" and "2" shall be and hereby form part of this By-law.

Enacted by City of Vaughan Council this XXth day of XXXX, 2023.

Steven Del Duca, Mayor

Todd Coles, City Clerk

Authorized by Item No. ____ of Report No. ____
of the Committee _____
Adopted by Vaughan City Council on _____



THIS IS SCHEDULE 'E'-
 TO BY-LAW 1-88
 SECTION 9()

THIS IS SCHEDULE '1'
 TO BY-LAW _____ - 2023
 PASSED THE _____ DAY OF _____, 2023

FILE: Z.20.018
 RELATED FILE: DA.20.029
 LOCATION: Part of Lot 34, Concession 5
 3501 King-Vaughan Road
 APPLICANT: 2109179 Ontario Inc.
 CITY OF VAUGHAN

SIGNING OFFICERS

 MAYOR

 CLERK



KEY MAP 5G
 BY-LAW 1-88

THIS IS SCHEDULE '2'
 TO BY-LAW _____ - 2023
 PASSED THE _____ DAY OF _____, 2023

FILE: Z.20.018
 RELATED FILE: DA.20.029
 LOCATION: Part of Lot 34, Concession 5
 3501 King-Vaughan Road
 APPLICANT: 21 09179 Ontario Inc.
 CITY OF VAUGHAN

SIGNING OFFICERS

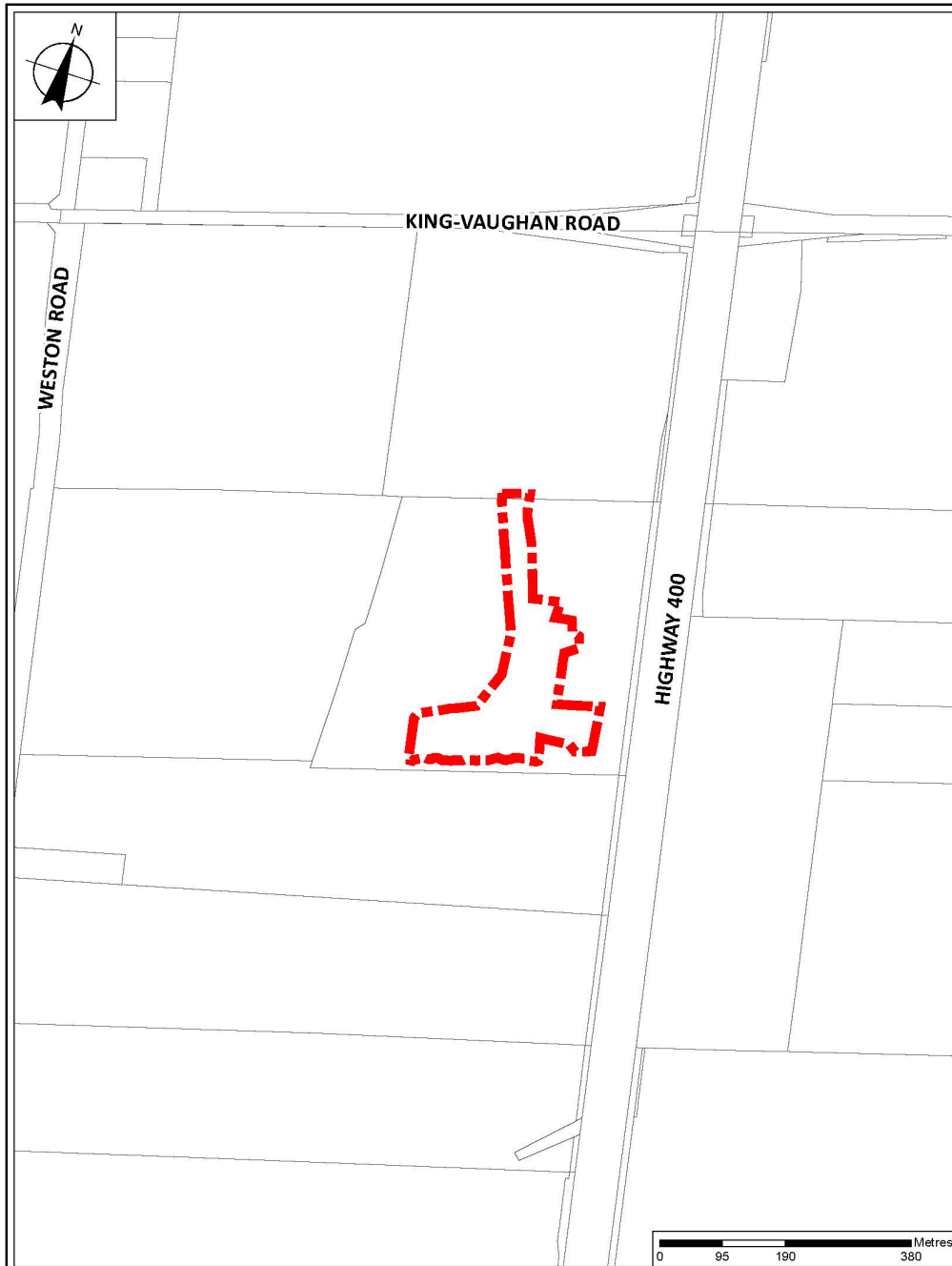
_____ MAYOR

_____ CLERK

SUMMARY TO BY-LAW XXX-2023

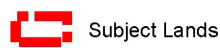
The lands subject to this By-law are located on the south side of King-Vaughan Road and west of Highway 400, municipally known as 3501 King-Vaughan Road, Part of Lot 34, Concession 5, City of Vaughan.

The purpose of this by-law is to permit the continued use of an existing portable dry batch concrete production plant, an auxiliary back-up concrete production plant, and an accessory portable concrete crushing plant as temporary uses on a portion of the subject lands identified as "Proposed Temporary Area of Use" for the lesser of: a 3-year period from the date of enactment of this By-law; 3 months from the date that written Notice is given by the Ministry of Transportation that the subject lands are required for the construction of the Highway 413 Project, which Notice may not be given prior to February 15, 2024; or, the date upon which a Block Plan applicable to the subject lands is approved by the City of Vaughan.



LOCATION MAP
TO BY-LAW _____ - 2023

FILE: Z.20.018
RELATED FILE: DA.20.029
LOCATION: Part of Lot 34, Concession 5
3501 King-Vaughan Road
APPLICANT: 2109179 Ontario Inc.
CITY OF VAUGHAN



THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 108-2023

A By-law to amend City of Vaughan By-law 1-88.

WHEREAS the matters herein set out are in conformity with the Official Plan of the Vaughan Planning Area, which is approved and in force at this time;

AND WHEREAS there has been no amendment to the Vaughan Official Plan adopted by Council but not approved at this time, with which the matters herein set out are not in conformity;

AND WHEREAS the owner of the Subject Lands consents to the conditions imposed by this amendment to By-law 1-88 herein;

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

1. That City of Vaughan By-law Number 1-88, as amended, be and it is hereby further amended by:

a) Adding the following Paragraph to Section 9.0 "EXCEPTIONS":

"(1569) Notwithstanding the provisions of:

- a) Subsection 2.0 respecting Definitions;
- b) Subsection 3.24 respecting "Prohibiting Uses", Subsection 8.2 respecting Permitted Uses in the A Agriculture Zone and Schedule "A" respecting building height;
- c) Subsection 3.8, subparagraph k) respecting driveway surfaces;
- d) Subsection 3.8 respecting minimum Parking Required;
- e) Schedule "A" respecting setbacks to southern property line;

The following provisions shall apply to the lands identified as "Subject Lands" on Schedule "E-1701":

- ai) For the purposes of this temporary use by-law, the following definitions shall apply:

- i. OFFICE USE – means the accessory use of the buildings identified in Schedule “E-1701” which shall only be used for administration purposes related to the Portable Mixing Plants and Portable Crushing Plant;
 - ii. PORTABLE MIXING PLANTS – means a building(s), or structure(s), or part of a building(s) or structure(s) where only concrete is mixed or batched, weighed, and measured for mixing off-site, only within Plants 1 and 2, as identified on Schedule “E-1701”.
 - iii. PORTABLE CRUSHING PLANT – means any mobile equipment used for the crushing or screening of leftover concrete originally produced by the operation of Plants 1 and 2 that is crushed and removed from the site, accessory to the main use.
 - iv. TRUCK REPAIR – means the building identified on Schedule “E-1701” to be used for the maintenance and repair of vehicles associated with the operation of the Portable Mixing Plants.
- bi) A maximum of two portable mixing plants (Plant 1 and Plant 2), with a maximum of three silos, two silos for the Plant 1 and one silo for Plant 2, as identified on Schedule “E-1701” are permitted. The operation of Plant 2 is restricted to the months of April through October inclusive and only to those times when the main mixing plant is not operating; Plant 2 only functions as a system back-up in the event of a problem or system breakdown of the primary plant. The two plants shall not operate simultaneously, and the operation of Plant 2 does not result in additional production capacity or output;
- bii) The maximum height of Plant 1 shall be 26.3 m;
- biii) The maximum height of Plant 2 shall be 14 m;
- biv) The maximum hopper height for Plant 1 shall be 5.5 m;

- bv) The maximum hopper height for Plant 2 shall be 5 m;
- bvi) The total combined annual production cap of Plant 1 and Plant 2 shall not exceed 100,000 m³;
- bvii) Subject to i. below, all outbound trucks shall only exit the property between the hours of 6 am and 7 pm (Monday – Friday) and 6 am to 12 pm (Saturday).
 - i. After-hour pours are permitted no more than an aggregate of eight times every four months, for a maximum of twenty-four (24) times in a year to be calculated from the date the by-law comes into force, provided that the Owner provides the City with written notice a minimum of five (5) hours in advance of the after-hour pour occurring, if possible. If this is not possible, the Owner agrees to provide the City with written notice, by e-mail to bylaw.licensing@vaughan.ca, immediately as soon as it is aware that the after-hour pour must occur. The notice shall include information about the work being performed and an estimation as to when it is anticipated to end. In these circumstances, outbound trucks may exit the property after 7 pm. No inbound trucks carrying raw material shall travel onto the subject lands after 7 pm. Subject to ii. below, only trucks returning from the outbound trip shall enter the site after 7 pm. No other inbound trucks will enter the subject lands after 7 pm.
 - ii. Inbound trucks carrying raw material shall only enter the property between the hours of 7 am to 7 pm (Monday – Friday) and 7 am to 12 pm (Saturday). Inbound concrete trucks / cement mixers shall be permitted to return to the property after 7 pm only to be

emptied of surplus concrete, parked and cleaned, if necessary.

iii. There shall be no inbound or outbound truck traffic to or from the property on Sundays.

bviii) Only the following accessory uses shall be permitted:

i. Outdoor storage and stockpiling of unused concrete produced by either Plants 1 or 2 on the Subject Lands that is left over from off-site jobs and returned to the Subject Lands and stockpiled, which shall not exceed a height of 10.66 m for material stockpile and 9 m for concrete stockpile area, respectively, in the area identified on Schedule "E-1701";

ii. A portable crushing plant limited for use to once a year for a maximum of 60 consecutive days per year;

iii. Truck repair located in the existing building labelled "Vehicle Maintenance/Repair Building" as identified on Schedule "E-1701" having a maximum gross floor area of 465 m² and a maximum building height of 6.1 m;

iv. Two office uses located in the existing buildings identified as "Plant Office Trailer" and "Office Trailer" as identified on Schedule "E-1701" each having a maximum gross floor area of 60 m² and a maximum building height of 2.7 m;

v. The open storage of sand, gravel, left-over concrete for the purposes of processing recycled concrete, and equipment and machinery, accessory to the Mixing Plant use in the areas identified on Schedule "E-1701". The open storage of all other materials is not permitted;

vi. The Mixing Plants and all permitted accessory uses, as prescribed by this section, shall only be permitted in the area identified as "Proposed Temporary Area of Use"

as identified on Schedule "E-1701". The balance of the Subject Lands shall only be used for uses permitted in the A Agriculture Zone;

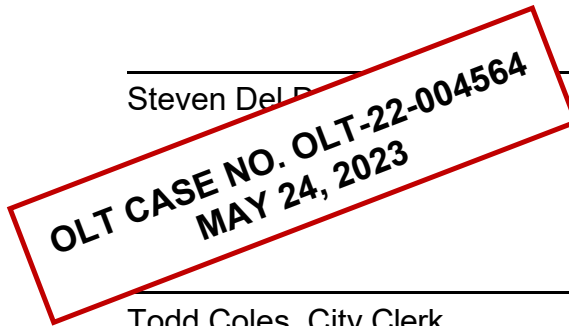
- bix) No aggregates shall be sold from the Subject Lands;
 - ci) The Owner is to maintain the jersey barriers installed to prevent inbound right turn/outbound left turn movements by trucks from King-Vaughan Road into the Subject Land and from the Subject Lands onto King-Vaughan Road;
 - cii) A driveway and parking area may be constructed of gravel, save and except for the portion of the driveway extending a minimum of 30 m from the property line abutting King-Vaughan Road which must be paved with hot-mix asphalt or concrete;
 - di) A minimum of 27 parking spaces shall be provided for the proposed Mixing Plants and accessory uses identified on Schedule "E-1701",
 - ei) No building, structure or storage of materials shall be permitted within 10 m of the dripline identified on Schedule "E-1701 ";
- b) Adding Schedule "E-1701" attached hereto as Schedule "1".
 - c) Deleting Key Map 5G and substituting therefor the Key Map 5G attached hereto as Schedule "2".
 - d) That this Temporary Use Zoning By-law shall be in effect for the duration which is the shorter of the following:
 - i. a maximum temporary period of three (3) years only from the date of enactment of the Temporary Use Zoning By-law 108-2023 comes into effect; or;
 - ii. the date which is three (3) months from the date that written Notice is given by the Ministry of Transportation to the City of Vaughan and the Owner, by registered mail, that the lands are required for the construction of the Highway 413 Project, which Notice may not be given prior to February 15, 2024; or;

iii. the date upon which a Block Plan for the Block including the Subject Lands is approved by Vaughan Council, whichever occurs first.

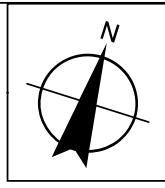
2. Schedules “1” and “2” shall be and hereby form part of this By-law.

Enacted by City of Vaughan Council this 20th day of June, 2023.

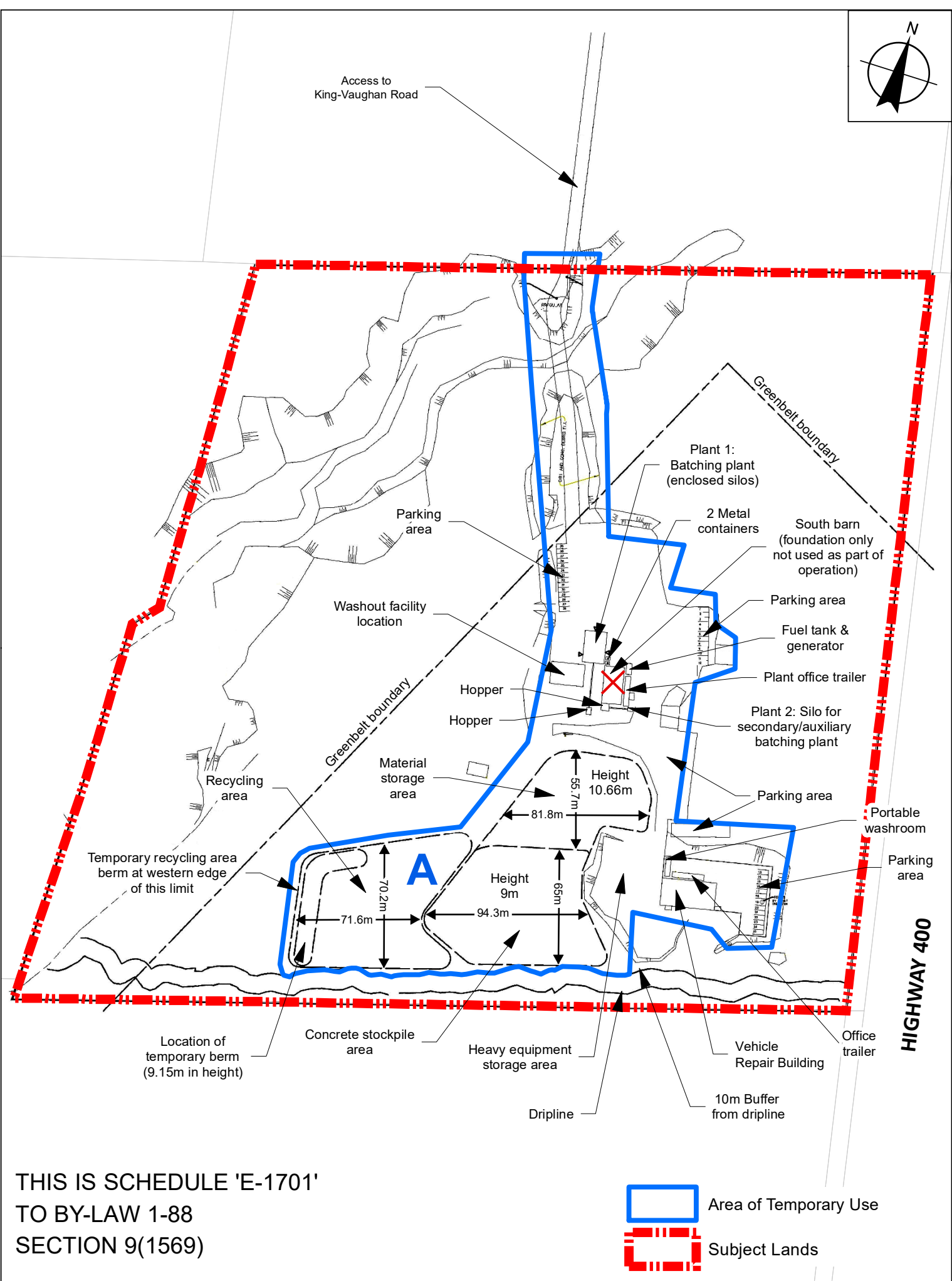
Steven Del P.





Todd Coles, City Clerk



Access to King-Vaughan Road



THIS IS SCHEDULE 'E-1701'
 TO BY-LAW 1-88
 SECTION 9(1569)

 Area of Temporary Use
 Subject Lands

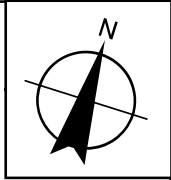
**THIS IS SCHEDULE '1'
 TO BY-LAW 108-2023
 PASSED THE 20TH DAY OF JUNE, 2023**

FILE: Z.20.018
RELATED FILE: DA.20.029
LOCATION: Part of Lot 34, Concession 5
 3501 King-Vaughan Road
APPLICANT: 2109179 Ontario Inc.
CITY OF VAUGHAN

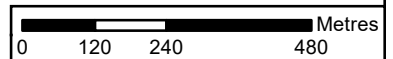
SIGNING OFFICERS

**OLT CASE NO. OLT-22-004564
 MAY 24, 2023**

CLERK



KEY MAP 5G
BY-LAW 1-88



THIS IS SCHEDULE '2'
TO BY-LAW 108-2023
PASSED THE 20TH DAY OF JUNE, 2023

FILE: Z.20.018
RELATED FILE: DA.20.029
LOCATION: Part of Lot 34, Concession 5
3501 King-Vaughan Road
APPLICANT: 2109179 Ontario Inc.
CITY OF VAUGHAN

SIGNING OFFICERS

MAYOR

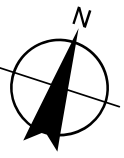
CLERK

OLT CASE NO. OLT-22-004564
MAY 24, 2023

SUMMARY TO BY-LAW 108-2023

The lands subject to this By-law are located on the south side of King-Vaughan Road and west of Highway 400, municipally known as 3501 King-Vaughan Road, Part of Lot 34, Concession 5, City of Vaughan.

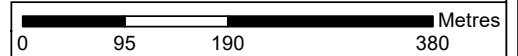
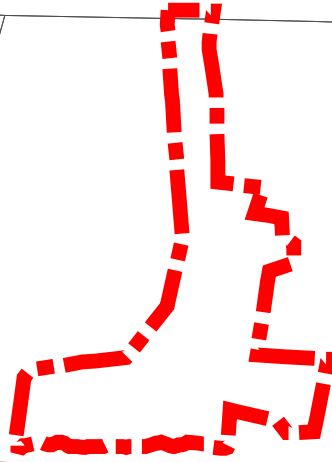
The purpose of this by-law is to permit the continued use of an existing portable dry batch concrete production plant, an auxiliary back-up concrete production plant, and an accessory portable concrete crushing plant as temporary uses on a portion of the subject lands identified as "Proposed Temporary Area of Use" for the lesser of: a 3-year period from the date of enactment of this By-law; 3 months from the date that written Notice is given by the Ministry of Transportation that the subject lands are required for the construction of the Highway 413 Project, which Notice may not be given prior to February 15, 2024; or, the date upon which a Block Plan applicable to the subject lands is approved by the City of Vaughan.



KING-VAUGHAN ROAD

WESTON ROAD

HIGHWAY 400



LOCATION MAP TO BY-LAW 108-2023

FILE: Z.20.018

RELATED FILE: DA.20.029

LOCATION: Part of Lot 34, Concession 5

3501 King-Vaughan Road

APPLICANT: 2109179 Ontario Inc.

CITY OF VAUGHAN



Subject Lands