

C16.
Communication
CW(PM) – January 21, 2025
Item No. 2

From: Clerks@vaughan.ca
To: [Assunta Ferrante](mailto:Assunta.Ferrante)
Subject: FW: [External] Illegal Truck Yard
Date: Monday, January 20, 2025 8:27:08 AM

-----Original Message-----

From: MARTA MULHERN [REDACTED]
Sent: Sunday, January 19, 2025 6:29 PM
To: Clerks@vaughan.ca; mayor@vaughan.ca; Marilyn Iafrate <Marilyn.Iafrate@vaughan.ca>; Kaveen Fernando <Kaveen.Fernando@vaughan.ca>
Subject: [External] Illegal Truck Yard

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Dear City of Vaughan Council,

I am writing to express my opposition to the temporary zoning application for 7300 Major Mackenzie Drive West (Z.24.034), item 4.2 on the January 21, 2025 agenda of the Committee of the Whole (Public Meeting).

This property is currently operating illegally, with no temporary zoning or approved site plan in place. It's important to start with the history on this property to put things into context regarding their complete disrespect for this community, the law & the City of Vaughan.

- First Notice to Comply for having outside storage on Agricultural land received in Aug 2009 (over 15 years ago)
- The land owners took the City of Vaughan to the OMB, but withdrew their application prior to the Feb 2015 hearing date
- City of Vaughan eventually took this property to court & they finally pled guilty in Oct 2019 and paid a minimal fine of \$3,000
- Only then did the owners submit a temporary zoning by-law application – which was approved in Jun 2021
- A site plan application was made (DA.20.034), but never approved & so this property continued to operate illegally even while temporary zoning was in place
- Temporary zoning expired in Jun 2024 & a Notice of Contravention to cease & desist was issued in Oct 2024
- The current temporary zoning by-law application was submitted in Oct 2024, which is currently under review

This property has operated illegally for over 15 years & only paid a minimal fine of \$3,000. And now, even though a Notice of Contravention was received to cease & desist, they continue to operate illegally. These owners have completely disrespected the law, the community and the City of Vaughan and should not be rewarded with temporary zoning. They need to bring the property into full compliance with the agricultural zoning that they disrespected for more than a decade & only then should a zoning application be considered.

Additionally, these owners also own another property that has been used as an illegal truck yard – namely, 6990 Nashville Road. Currently, it appears they have removed the trucks & trailers from this property – but given their past disrespect for the law, it's likely they will move them back into that property and be happily operating illegally as soon as temporary zoning is granted on this property at 7300 Major Mackenzie. The owners should be required to also take any other properties they own & bring them back to proper zoning compliance before temporary zoning on

this property is granted.

Should the City of Vaughan grant this additional temporary zoning, there must be a requirement to have an approved site plan in place (DA.20.034) within a certain time of temporary zoning being granted. City of Vaughan should not be allowing an owner to operate a business on a property that doesn't have an approved site plan in place (as was done with the previous temporary zoning that expired in Jun 2024). Once the site plan is approved, the shed on the property should be demolished immediately as this is where a truck maintenance facility is being operated (which is not allowed under any of the zoning, either current or temporary).

Regarding the current condition of the property:

- A truck maintenance facility is operating in the shed that exists on this property & should be shut down immediately – this is not allowed within the current zoning, the past expired temporary zoning, or this new temporary zoning.

- A Phase One Environmental Site Assessment (ESA) was required for the previous temporary zoning (which expired in Jun 2024) and found 9 areas of potential contamination & recommended that a Phase 2 ESA be done. Additionally, TRCA indicated (in comments from their review in Mar 2019 for the Pre-Application Consultation meeting) this property falls within a Significant Groundwater Recharge Area.

- o The City of Vaughan should be requesting that a Phase Two ESA be done (as recommended),

- o Or, at minimum, an update to the Phase One ESA is required to ensure that the areas of contamination have been properly resolved and no new areas of contamination have been identified

- o This must be done before new temporary zoning is granted.

- Hazardous materials were found to be stored on this property (bulk antifreeze & de-icing manufacturing, gasoline, leaking oil tanks, improperly stored batteries, etc) – they need to be removed immediately.

Considering this property has been operated illegally for more than a decade – City of Vaughan must keep a close eye on the damage the owners are doing to this property and the environment. This should be done prior to granting any temporary zoning, and prior to site plan approval, and should be done afterwards as well.

In the review comments from City of Vaughan and neighbouring regions, it seems that any sort of examination of traffic in & out of this property will not be looked at. As many of you are aware, the intersection of Major Mackenzie and Highway 50 is a very dangerous & congested intersection. It would be prudent for the City or the Region to review the in & out traffic generated by the driveway for this property. I would suggest that there should be only a right-in & right-out access point for this property (and a no left turn sign to enter and exit the property) - as anyone trying to make a left into or out of this property would significantly disrupt traffic and add to the chaos and danger of this intersection.

When reviewing the previous temporary zoning application documents (for Z.19.021) there was a communication on file from a resident in opposition to this property, received in Jun 2021. Below is a quote of a portion of her email, as it is still very relevant today:

‘Support for Temporary By-Law Absolves Land Owners of Operating Illegally and sets a precedent for other landowners in this area. What will stop them from doing whatever they wish on prime agricultural land and then seeking to be brought into compliance via a temporary by-law?’

It is very sad to see that nothing has changed since 2021 – the last time this property was asking for a temporary zoning to be brought into compliance. This property still continues to operate illegally today – and yet, they are seeking temporary zoning again. If City of Vaughan approves this – you will continue to encourage illegal land use, as you are showing property owners that they can do whatever they want with their properties & then ask to be zoned into compliance in the future, after operating illegally for decades.

We expect and demand that landowners and the City of Vaughan to do better than this. Landowners that operate

businesses on their lands illegally must be punished and must be required to take their lands back to the original zoning condition and only then should re-zoning applications be considered. Otherwise, Vaughan will be encouraging illegal land use, as they continue to zone into compliance. This is not acceptable & City of Vaughan needs to do better for your community & neighbouring communities.

Sincerely,
Marta MULHERN
Sent from my iPhone