

Committee of the Whole (Public Meeting) Report

DATE: Wednesday, June 4, 2025

WARD(S): 1

TITLE: STELLEX GP INC.

ZONING BY-LAW AMENDMENT FILE Z.25.007

10481 HWY 50

VICINITY OF HIGHWAY 50 AND NASHVILLE ROAD

FROM:

Vince Musacchio, Interim Deputy City Manager, Planning, Growth Management and Housing Delivery

ACTION: FOR INFORMATION

Purpose

To receive comments from the public and the Committee of the Whole on an application to amend the zoning by-law for the subject lands shown on Attachment 1, to permit the temporary use of the existing intermodal facility which provides for the outside storage of trucks, trailers and intermodal containers, for a period of three years as shown on Attachments 2 and 3.

Report Highlights

- The Owner proposes to permit the continued storage of trucks, trailers and intermodal containers associated with an existing intermodal facility on the subject lands, for a period of three years
- A Zoning By-law Amendment Application is required to permit the existing uses on the subject lands on a temporary basis.
- This report identifies preliminary issues to be considered in a technical report to be prepared by the Development and Parks Planning Department at a future Committee of the Whole meeting.

Recommendations

1. THAT the Public Meeting report for Zoning By-law Amendment File Z.25.007 (Stellex GP Inc.) BE RECEIVED, and that any issues identified be addressed by the Development and Parks Planning Department in a comprehensive report to the Committee of the Whole.

Background

Location: 10481 Hwy 50 (the Subject Lands). The Subject Lands and the surrounding land uses are shown on Attachment 1.

Date of Pre-Application Consultation Meeting: Sept. 13, 2023

Notices were issued to the former owner by By-law Enforcement for the Subject Lands.

On Dec. 16, 2022, the City of Vaughan By-law and Compliance, Licensing and Permit Services Department issued a Notice to Stellex Properties Inc., the former owner of the Subject Lands, for violations of the City of Vaughan Zoning By-law 1-88 to cease the use of the land for the outside storage of shipping-containers, trucking and trailer parking.

Notices were issued to the current owner by By-law Enforcement for the Subject Lands.

On May 17, 2023, the City of Vaughan By-law and Compliance, Licensing and Permit Services Department issued a Zoning Notice of Contravention to Stellex GP Inc. (the Owner) of the Subject Lands for violations of the City of Vaughan Zoning By-law 001-2021 to cease and desist the use of outside storage of shipping containers, trailers, trucks, intermodal chassis, forklifts, construction equipment, and mobile office trailers.

On Nov. 13, 2023, the City of Vaughan By-law and Compliance, Licensing and Permit Services Department issued a Notice of Contravention to the Owner of the Subject Lands, for violations under By-law 189-96 regarding site alteration involving the removal, placing and dumping of fill without having obtained a permit. The charges are currently before the courts.

A Zoning By-law Amendment Application has been submitted to permit the existing uses on a temporary basis.

The Owner has submitted an application to amend both Zoning By-laws 001-2021 and 1-88 (the Application) to permit the continued storage of trucks, trailers and intermodal containers on the Subject lands, as shown on Attachments 1 to 3, as follows:

1. Zoning By-law Amendment File Z.25.007 to permit site-specific exceptions to the FD Future Development Zone in Zoning By-law 001-2021 for the Subject Lands to permit the proposal for a temporary period of three years, in the manner shown on Attachment 2, together with the site-specific zoning exceptions identified in Attachment 4.
2. Zoning By-law Amendment File Z.25.007 to permit site-specific exceptions to the A Agricultural Zone in Zoning By-law 1-88 for the Subject Lands to permit the proposal for a temporary period of three years, in the manner shown on Attachment 2, together with the site-specific zoning exceptions identified in Attachment 5.

Public Notice was provided in accordance with the Planning Act and Council's Notification Protocol.

- a) Date the Notice of Public Meeting was circulated: May 9, 2025

The Notice of Public Meeting was also posted on the City's website at www.vaughan.ca and a Notice Sign was installed along Highway 50 in accordance with the City's Notice Signs Procedures and Protocols.

- b) Circulation Area: To all property owners within 150 metres of the Subject Lands and to the Kleinburg and Area Ratepayers' Association and to anyone on file with the Office of the City Clerk having requested notice.
- c) No comments have been received by the Development and Parks Planning Department as of May 20, 2025.

Any written comments received will be forwarded to the Office of the City Clerk to be distributed to the Committee of the Whole as a Communication and be reviewed and addressed by the Development and Parks Planning Department in a future technical report to the Committee of the Whole.

Previous Reports/Authority

Not applicable.

Analysis and Options

Vaughan Official Plan 2010 permits temporary uses.

Official Plan Designation:

- "Employment Areas" and "Natural Areas and Countryside" on Schedule 1 – Urban Structure of Vaughan Official Plan 2010
- "Natural Area", "General Employment" and "Prestige Employment" within the GTA West Corridor Protection Area overlay on Schedule 3 – Land Use of Vaughan Official Plan 2010, Volume 2, Section 11.9 – West Vaughan Employment Area Secondary Plan
- Policy 10.1.2.4 of Vaughan Official Plan 2010 permits Zoning By-laws to allow for the temporary use of land, buildings or structures provided the temporary use meets the following five conditions:
 - It is consistent with the general intent of this Plan;
 - It is compatible with adjacent land-uses;
 - It is temporary in nature and can be easily terminated when the temporary zoning by-law expires;
 - Sufficient servicing and transportation capacity exists for the temporary use; and
 - Maintains the long-term viability of the lands for the uses permitted in this Plan.
- The Application will be reviewed in consideration of the Temporary Use policies of Vaughan Official Plan 2010.

Council enacted Zoning By-law 001-2021 on October 20, 2021, as the new Vaughan Comprehensive Zoning By-law, which the Owner has appealed.

Applications to amend both Zoning By-law 1-88 and Zoning By-law 001-2021 are required because Zoning By-law 001-2021 is not in force for the Subject Lands due to it being under appeal.

Amendments to Zoning By-law 001-2021 are required to permit the existing uses on the Subject Lands.

Zoning 001-2021:

- FD Future Development Zone, EP Environmental Protection Zone, and A Agriculture Zone in Zoning By-law 001-2021
- The FD Future Development Zone only permits uses that are legally existing uses as of the effective date of Zoning By-law 001-2021. This does not permit the proposed intermodal facility and outside storage. Therefore, an amendment to By-law 001-2021 is required.
- The Owner proposes site-specific exceptions as identified in Table 1 in Attachment 4 to permit the temporary use as shown on Attachment 2.

Amendments to Zoning By-law 1-88 are required to permit the existing uses on the Subject Lands.

Zoning 1-88:

- A Agricultural Zone and OS1 Open Space Conservation Zone in Zoning By-law 1-88
- The A Agricultural Zone does not permit the proposed intermodal facility and outside storage. Therefore, an amendment to By-law 1-88 is required.
- The Owner proposes site-specific exceptions as identified in Table 2 in Attachment 5 to permit the temporary use as shown on Attachment 2.

Additional zoning exceptions may be identified through the detailed review of the Application and will be considered in a technical report to a future Committee of the Whole meeting.

Following a preliminary review of the Application, the Development and Parks Planning Department has identified the following matters to be reviewed in greater detail:

	MATTERS TO BE REVIEWED	COMMENT(S)
a.	Conformity and Consistency with Provincial Policies and City Official Plan Policies	<ul style="list-style-type: none">▪ The Application will be reviewed for consistency with the Provincial Planning Statement, 2024 and conformity to the policies of Vaughan Official Plan 2010, Volume 1 and Volume 2, Section 11.9 – West Vaughan Employment Area Secondary Plan, and any other deemed City official plan policies.

	MATTERS TO BE REVIEWED	COMMENT(S)
b.	Appropriateness of Amendments to Zoning By-laws	<ul style="list-style-type: none"> ▪ The appropriateness of the proposed uses and site-specific exceptions will be reviewed in consideration of the existing and planned surrounding land uses, location of outside storage, and appropriate screening/ landscaping provided on the Subject Lands. ▪ The appropriateness of the proposed uses will be reviewed in consideration of the Temporary Use By-law policies of Section 10.1.2.4 of Vaughan Official Plan 2010. ▪ Section 10.1.2.4 of Vaughan Official Plan 2010, enables the City to enact Temporary Use By-laws for the temporary use of land, buildings or structures provided that the temporary use meets the above-noted conditions.
c.	Studies and Reports	<ul style="list-style-type: none"> ▪ The Owner submitted studies and reports in support of the Applications available on the city's website at https://maps.v Vaughan.ca/planit/ (PLANit Viewer) and must be approved to the satisfaction of the City or respective approval authority. Additional studies and/or reports may be required as part of the application review process.
d.	Public Agency/Municipal Review	<ul style="list-style-type: none"> ▪ The Application has been circulated to the Toronto and Region Conservation Authority, Peel Region, and external public agencies and utilities. ▪ Portions of the Subject Lands are located within the Toronto and Region Conservation Authority's Regulated Area due to a Regional Storm flood plain and meander belt hazard associated with tributaries of the Humber River. As such, a permit from the Toronto and Region Conservation Authority would be required for any development or site alteration within the Toronto and Region Conservation Authority's Regulated Area.
e.	City's Tree Protection Protocol	<ul style="list-style-type: none"> ▪ There are 24 trees on and within six metres of the developable area of the Subject Lands, none of which are required to be removed to accommodate the proposed land uses. ▪ The Development will be reviewed in accordance with the City's Tree Protection Protocol, for the protection and the replacement of any tree(s) should they be damaged during construction, if the Application is approved.

	MATTERS TO BE REVIEWED	COMMENT(S)
f.	Traffic Impacts, Road Widening and Access	<ul style="list-style-type: none"> ▪ The Transportation Impact Study will be reviewed in accordance with the City's Transportation Impact Study Guidelines to the satisfaction of the Development Engineering Department. ▪ The proposed traffic generated by the proposal will be reviewed in consideration of existing traffic conditions along Highway 50 and Major Mackenzie Drive. ▪ Matters including the driveway entrance, vehicular and truck parking, truck manoeuvring, and Transportation Demand Management requirements are required to be reviewed to the satisfaction of the Development Engineering Department. ▪ The Subject Lands are located on Highway 50, a regional arterial road with a planned right-of-way width of up to 45 metres or 50.5 metres within 245 metres of an intersection, under the jurisdiction of York Region and Peel Region. ▪ York Region and Peel Region will identify any required land conveyances
g.	Related Site Development Application	<ul style="list-style-type: none"> ▪ The Owner has submitted related Site Development File DA.25.004 to be reviewed with the Application in a future technical report.
h.	The Application has been Deemed Incomplete	<ul style="list-style-type: none"> ▪ The Owner is required to submit the following materials for the Application to be deemed complete: <ul style="list-style-type: none"> ○ Site Servicing and Grading Plan ○ Erosion and Sediment Control Plan ○ Functional Servicing Brief

Financial Impact

There are no financial requirements for new funding associated with this report.

Operational Impact

Development and Parks Planning staff have circulated the Application to internal City Departments and external agencies for review.

Broader Regional Impacts/Considerations

York Region Council adopted the York Region Official Plan, 2022 in June 2022. York Region Official Plan, 2022 was approved, as modified, by the Minister of Municipal Affairs and Housing in November 2022, bringing it into full force and effect. Bill 150 (*Planning Statue Law Amendment Act, 2023*) and Bill 162 (*Get It Done Act, 2024*) later rescinded some of those modifications.

On June 6, 2024, Bill 185 (*Cutting Red Tape to Build More Homes Act, 2024*) (Bill 185) received Royal Assent which includes amendments to the *Planning Act*. In accordance with the amendments to the *Planning Act* implemented through Bill 185, York Region became a Region without planning responsibilities effective July 1, 2024.

Pursuant to subsection 70.13(2) of the *Planning Act*, York Region Official Plan, 2022 is deemed to constitute an official plan of the City in respect of any area in the City to which it applies and will remain in effect until the City revokes or amends it.

The Application is being circulated to York Region for the purpose of receiving comments on matters of Regional interest i.e., roads and servicing infrastructure. Further comments will be discussed in the future comprehensive report.

Conclusion

The preliminary issues identified in this report and any other issues identified through the processing of the Application will be considered in the technical review of the Application. Comments from the public and Vaughan Council expressed at the Public Meeting or in writing will be addressed in a comprehensive report to a future Committee of the Whole meeting.

For more information, please contact Johsua Cipolletta, Planner, Development and Parks Planning Department, ext. 8112.

Attachments

1. Context and Location Map
2. Site Plan and Proposed Zoning
3. Landscape Plan
4. Proposed Exceptions to Zoning By-law 001-2021
5. Proposed Exceptions to Zoning By-law 1-88

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