

Committee of the Whole (1) Report

DATE: Tuesday, March 31, 2026

WARD: 1

TITLE: STELLEX GP INC.

**TEMPORARY USE ZONING BY-LAW AMENDMENT Z.25.007
10481 HIGHWAY 50
VICINITY OF HIGHWAY 50 AND NASHVILLE ROAD**

FROM:

Vince Musacchio, Deputy City Manager, Planning and Infrastructure Development

ACTION: DECISION

Purpose

To seek approval of 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 Temporary Use Zoning By-law Amendment Application is required to permit the existing uses on the subject lands on a temporary basis.
- The Development and Parks Planning Department supports the proposal subject to conditions as outlined in this report.

Recommendations

1. That Temporary Use Zoning By-law Amendment File Z.25.007 (Stellex GP Inc.) be approved, to amend Zoning By-law 1-88, to rezone the Subject Lands shown on Attachment 1, from “FD Future Development Zone,” to “FD Future Development Zone” in the manner shown on Attachment 1, together with the site-specific zoning exceptions identified in Table 1 Attachment 4 of this report.

2. That Temporary Use Zoning By-law Amendment File Z.25.007 (Stellex GP Inc.) be approved, to amend Zoning By-law 001-2021, to rezone the Subject Lands shown on Attachment 1, from “FD Future Development Zone,” to “FD Future Development Zone” in the manner shown on Attachment 1, together with the site-specific zoning exceptions identified in Table 1 Attachment 5 of this report.

Background

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

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 for a temporary period of three years.

The Owner has submitted a Zoning By-law Amendment (the Application) for the Subject Lands 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 (the Proposal), as shown on Attachments 2 and 3.

A Site Development Application has been submitted.

Related Site Development Application DA.25.004, has been submitted to facilitate the temporary use. In accordance with Bill 109, the approval of Site Development Applications has been delegated to the Deputy City Manager, Planning and Infrastructure Development.

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

- May 9, 2025 (Circulated 150 metres from Subject Lands as shown on Attachment 1)
- Notice Sign was installed along the Highway 50 frontage of the Subject Lands
- Date of Public Meeting: June 4, 2025, date ratified by Council June 24, 2025
- Date of Committee of the Whole Courtesy Notice sent to those requested to be notified: March 17, 2026

Public Comments were received.

The following is a summary of the comments provided and received to date. The comments are organized by theme as follows:

Traffic and Road Safety Concerns

- the uses will increase traffic congestion in the area and will impact vehicle and pedestrian safety

Environmental Impacts

- the uses will cause negative environmental impacts to the lands and surrounding environmental features

Road Impacts

- the uses will result in damage to the local infrastructure due to the heavy use of trucks on the nearby arterial roads

Setting Precedent for Illegal Uses

- permitting the uses would encourage further illegal uses to operate prior to seeking formal approvals

These comments are addressed throughout this report.

Previous Reports/Authority

Previous reports related to the application can be found at the following links:

Stellex GP Inc., Committee of the Whole (Public Meeting) Report

[June 4, 2025, Committee of the Whole Public Meeting \(Item 7, Report 24\)](#)

Analysis and Options

The proposal is consistent with the Provincial Planning Statement 2024 and meets the general intent of VOP 2010.

Planning Act, R.S.O. 1990

The Planning Act is provincial legislation that sets out the ground rules for land use planning in Ontario. It describes how land uses may be controlled, and who may control them. Section 39(1) of the Planning Act allows Council to pass a by-law authorizing “the temporary use of land, buildings or structures for any purpose set out therein that is otherwise prohibited (bold emphasis added) by the City’s Zoning By-law”.

The proposed temporary use of Outside Storage is prohibited by the City of Vaughan Zoning By-law 001-2021. Section 39(2) of the Planning Act further requires a Temporary Use by-law to “define the area to which it applies and specify the period of time for

which the authorization shall be in effect, which shall not exceed three years from the day of the passing of the by-law”.

Under the Planning Act, municipalities are required to make local planning decisions; prepare planning documents, such as an official plan and zoning by-laws; and ensure planning decisions and planning documents are consistent with the Provincial Policy Statement and conform or do not conflict with provincial plans.

Provincial Planning Statement, 2024

The Provincial Planning Statement 2024 is a policy statement issued pursuant to Section 3 of the *Planning Act* and came into effect on Oct. 20, 2024. All decisions made on or after Oct. 20, 2024, in respect of the exercise of any authority that affects a planning matter shall be consistent with this policy statement. The Provincial Planning Statement 2024 provides direction on matters of Provincial interest related to land use planning and development province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians. Staff are satisfied that the proposal is consistent with the Provincial Planning Statement 2024.

York Region Official Plan 2022

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 Statute 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*) 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 York Region Official Plan 2022 identifies the Subject Lands within the “Urban Area” on Map 1 – Regional Structure. The Subject Lands are designated “Employment Area” on Map 1A – Land Use Designations.

The recently adopted Vaughan Official Plan 2025 is not the in-force policy for the Subject Lands.

The Vaughan Official Plan 2025, which represents the City’s new policy direction, was adopted by the City on Oct. 28, 2025, as the new official plan for the City. The Vaughan Official Plan 2025 is subject to approval by the Minister of Municipal Affairs and Housing and is not in force. The application was deemed complete prior to the approval of the Vaughan Official Plan 2025. As such, the VOP 2010, in addition to certain York Region

Official Plan 2022 policies deemed to be the City's official plan policies, are the in-force policies against which conformity of the applications is/are reviewed and assessed.

Vaughan Official Plan 2010 (VOP 2010)

VOP 2010 sets out the municipality's general planning goals and policies that guide future land use. The Subject Lands are identified in VOP 2010 as follows:

- "Employment Areas" and "Natural Areas and Countryside" on Schedule 1 – "Urban Structure" of VOP 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:

- a. It is consistent with the general intent of this Plan;
- b. It is compatible with adjacent land-uses;
- c. It is temporary in nature and can be easily terminated when the temporary zoning by-law expires;
- d. Sufficient servicing and transportation capacity exists for the temporary use; and
- e. Maintains the long-term viability of the lands for the uses permitted in this Plan.

The Proposal shown on Attachments 2 and 3 for the proposed temporary use is consistent with the general intent of the City's Official Plan as it is located within an employment area. The proposed location of the temporary use application will respect the limits of the environmental features within the Natural Heritage Network. It is adjacent to other employment uses and outside storage uses and is thereby compatible with adjacent land-uses. The proposal is temporary in nature and can be easily terminated when the Temporary Use By-law expires through the removal of the trailers and intermodal containers. The Proposal does not require additional servicing and transportation capacity to operate, and the long-term viability of the lands for employment uses as permitted in VOP 2010 is maintained. On this basis, the Proposal is consistent with the policies of VOP 2010.

Council enacted Zoning By-law 001-2021 on Oct. 20, 2021, as the new Vaughan Comprehensive Zoning By-law

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.

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.

Zoning By-law 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.

Minor modifications may be made to the zoning exceptions identified in Table 1 (Attachment 4) and Table 2 (Attachment 5) prior to the enactment of the implementing Zoning By-laws, as required, should the Application be approved.

The Development and Parks Planning Department can support the proposed zoning exceptions identified in Table 1 and Table 2 on the basis that the proposed site-specific zoning standards identified in Table 1 and Table 2 would facilitate a use that is consistent with the policies of the Provincial Planning Statement 2024 and conforms to the temporary use policies of VOP 2010. Additionally, the proposed zoning exceptions are required to serve the proposed Temporary Use on the Subject Lands which if approved, will only serve for up to a maximum of three years.

Should the Owner wish to continue the proposed use beyond the three-year period, a new application subject to a new review would be required. An approval of the proposal on the Subject Lands would be limited to this Application only and would not influence the review of any future application on this or any other property. Each application would be reviewed on its own merits regardless of what has occurred on other properties.

The Development and Parks Planning Department supports the proposal.

The Development and Parks Planning Department recommends approval of the proposal as shown on Attachments 2 to 3.

Site Design

The proposal shown on Attachments 2 to 3 includes a total of 278 truck parking spaces, six vehicle parking spaces, an existing 2-storey building used as an office and garage, and an area for the storage of shipping containers. The proposal will utilize the existing access point into the site from Highway 50. The existing 5-metre high and 54 metre wide berm and proposed landscaping along the Highway 50 frontage will provide screening for the proposal. The landscaping strip is approximately 15.5 metres at the south property line and expands in width throughout the rest of Highway 50 frontage. No building or construction is required as part of this proposal.

Traffic

The existing traffic counts and operations generated by the proposal were taken in at each the AM and PM peak hour as identified in the Traffic Brief, dated March 20, 2024, as prepared by R.J. Burnside & Associates Limited. All movement through the site entrance intersection and access driveway, serving the Intermodal Facility, are operating with excess capacity. All existing queues are contained within their respective storage lengths and distances.

The submitted Traffic Brief was reviewed by City of Vaughan Transportation Engineering Staff who have no objection to the approval of the Application. No negative impact on the condition of existing road network is anticipated as a result of the proposal.

Financial Impact

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

Operational Impact

The Policy Planning and Special Programs Department supports the proposal.

The Policy Planning and Special Programs Department has advised that the entirety of the Natural Heritage System and associated Vegetation Protection Zones- VPZ within the Subject Lands, including the West Robinson Tributary A - Reach 1, must be protected, and requires the Owner to address any outstanding comments and conditions through the ongoing Site Development Application to support a complete approval of the proposal. The Policy Planning and Special Programs Department has no objection to approval of the Temporary Use Zoning By-law Amendment Application.

The Development Engineering Department supports the proposal.

The Development Engineering Department has provided the following comments.

Water Servicing

Municipal water servicing is currently not available within the limits of the Subject Lands. As identified in the topographic survey prepared by KRCMAR, dated January 2022, a private water well exists on-site. The landowner has indicated that the existing building is serviced by this well. As part of the temporary-use application, no connection to municipal water infrastructure is proposed, and the existing private well will remain in use.

Sanitary Servicing

There are no municipal sanitary sewers available within the limits of the Subject Lands. The landowner has advised that the existing building is serviced by a private septic tank, which is maintained through regular pumping. As part of the temporary-use application, municipal sanitary servicing is not proposed, and the existing septic system will remain in use.

Storm Servicing

The Subject Lands have three distinct stormwater outlets. Runoff from the western portion of the site is conveyed westward to the existing Highway 50 ditch. This ditch ultimately drains eastward through the property located immediately south of the Subject Lands. Runoff from the central portion flows overland to the south onto the adjacent property. Runoff from the eastern portion is directed eastward, eventually discharging to the adjacent drainage feature identified as West Robinson Tributary A. The proposed drainage areas, flow patterns, and outlet locations remain consistent with existing conditions. However, the runoff coefficients for Catchments 201, 202, and 203 have been revised to reflect the altered surface condition of the gravel parking lot. The applicant is advised to ensure that all runoff is properly managed and contained within the property limits to avoid off-site impacts.

Lot Grading

Grading, erosion, and sediment control design drawings have been submitted for the Subject Lands, illustrating all required infrastructure and grading elements necessary to service the site. Erosion and sediment control measures currently installed on-site include temporary filter sock perimeter controls and check dams.

Development Engineering requires the Owner to address any outstanding comments and conditions through the ongoing Site Development Application to support a complete approval of the proposed lot grading and servicing strategy. Development Engineering has no objection to approval of the Temporary Use Zoning By-law Amendment Application.

Other external agencies and various utilities have no objection to the Development.

Alectra Utilities, Bell Canada, Rogers Communications Canada Inc., Canada Post, and Enbridge Gas Inc., have no objection to the proposal.

Broader Regional Impacts/Considerations

The Application has been circulated to York Region for the purpose of receiving comments on matters of Regional interest i.e. roads and servicing infrastructure. York Region has no objection to their approval.

Region of Peel

The Region of Peel has no objection to the approval of the Temporary Use Zoning By-law Amendment Application. No concerns were raised regarding a negative impact on the condition of Highway 50 caused by the movement of trucks generated by the site. The Region of Peel requires the Owner to address additional comments and conditions through the ongoing Site Development Application.

The Toronto and Region Conservation Authority (TRCA)

The TRCA has identified that portions of the subject lands are regulated by TRCA due to a Regional Storm flood plain and meander belt hazard associated with tributaries of the Humber River at the western and central portions of the site, and a valley corridor at

the eastern portion of the property. The proposal is subject to a permit pursuant to Conservation Authorities Act – Section 28.

The applicant established limits for the meander belt and regional flood plain hazards and associated setbacks. The proposal includes minor encroachment in the existing (pre unauthorized) regional flood plain to create regular limits, and an infiltration trench is proposed partially within the 10-metre buffer. A 10-metre buffer to the realigned regional flood plain identified by SCS Consulting Group Ltd. will be maintained. TRCA staff reviewed the limits of development and proposed works and are satisfied. It is the understanding of TRCA that the central stream corridor will be realigned as part of the Block 66 West review and future site-specific applications. The TRCA has no objection to approval of the Temporary Use Zoning By-law Amendment Application.

Ministry of Transportation

The Ministry of Transportation has no objection to approval of the Temporary Use Zoning By-law Amendment Application for up to three years. At that time, the Ministry's support would be reconfirmed or revoked. Through the Site Development Application, the Ministry will require a letter from the Owner confirming that no permanent structures or infrastructure will be built within the Highway 413 Focused Analysis Area. Additionally, the Ministry may require access to the property to conduct fieldwork associated with the Highway 413 project and all development must be setback a minimum of 14 meters from the Focused Analysis Area limits.

Conclusion

The Development and Parks Planning Department is satisfied the Application is consistent with the Provincial Planning Statement 2024, meets the general intent of VOP 2010, and is appropriate for the development of the Subject Lands. The proposal is considered appropriate and compatible with existing and planned surrounding land uses. Accordingly, the Development and Parks Planning Department can recommend approval of the Applications, subject to the recommendations in this report.

For more information, please contact Joshua Cipolletta, Planner, at extension 8112.

Attachments

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

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