



Working Copy For
Canvassing Purposes Only

THE CITY OF VAUGHAN BY-LAW

BY-LAW NUMBER 269-91

A By-law to adopt Amendment Number 377 to the Official Plan of the Vaughan Planning Area.

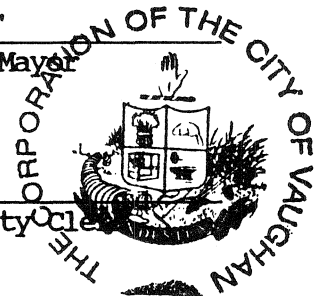
NOW THEREFORE the Council of The Corporation of the City of Vaughan ENACTS AS FOLLOWS:

1. THAT the attached Amendment Number 377 to the Official Plan of the Vaughan Planning Area, consisting of the attached text, is hereby adopted.
2. AND THAT the City Clerk is hereby authorized and directed to make application to the Ministry of Municipal Affairs for approval of the aforementioned Amendment Number 377 to the Official Plan of the Vaughan Planning Area.
3. AND THAT this By-law shall come into force and take effect on the day of the final passing thereof.

READ a FIRST, SECOND and THIRD time and finally passed this 11th day of September 1991.

"L.D. Jackson"
L. D. Jackson, Mayor

"J.D. Leach"
J. D. Leach, City Clerk



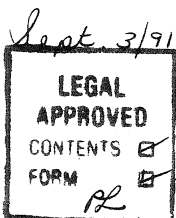
NOT APPROVED BY OMB ORDER # 0269 - FEB 5/98
FILE # 0930028 / CASE # PL920019

(SEE SPA 477)

**AMENDMENT NUMBER 377
TO THE OFFICIAL PLAN OF THE
VAUGHAN PLANNING AREA**

The following text constitutes Amendment Number 377 to the Official Plan of the Vaughan Planning Area.

Also attached hereto but not constituting part of the Amendment are Appendices I and II.



PART A

BACKGROUND

I PURPOSE

The purpose of this Amendment is twofold. Firstly, it will amend Amendment No. 274 to the Official Plan of the Vaughan Planning Area by permitting a temporary concrete batching plant on the subject lands, in addition to the existing truck transport terminal. Secondly, the Amendment will establish policies to provide for the development of the batching plant.

II LOCATION

The lands subject to the amendment, hereinafter referred to as the "Subject Lands", are located on the east side of Highway No. 50 and the Albion-Vaughan Road, being part of Lot 29, Concession 11, in the City of Vaughan. Bordered on the east by Cold Creek Road, the Subject Lands are approximately 365 metres (1200 feet) south of Kirby Road and have approximate frontages of 251 metres (825 feet) and 243 metres (800 feet) on Highway No. 50/Albion-Vaughan Road and Cold Creek Road, respectively.

III BASIS

The decision to amend the Official Plan to add a concrete batching plant, on a temporary basis, as a permitted use is based on the following adopted by Vaughan Council on July 2, 1991:

That Official Plan and Zoning By-law Amendment Applications OP.45.90 and Z.85.90 (Muscollo Transport Limited), BE APPROVED for a temporary period of three (3) years with the appropriate staff conditions required by site plan agreements.

IV DETAILS OF THE ACTUAL AMENDMENT AND POLICIES RELATIVE
THERE TO

Amendment No. 274 to the Official Plan of the Vaughan Planning Area, is hereby amended by:

1. (a) Adding the following to the end of Paragraph 1(a)(i):

"A concrete batching plant shall also be permitted, along with the storage of materials necessary for the operation of the plant."

- (b) Deleting subparagraph 2(b) (i) and substituting therefor the following:

"(i) restricting the use of the lands subject to this Amendment to a truck transport facility and concrete batching plant. The maximum site capacity shall be limited to a maximum of 100 trucks, together with ancillary uses including necessary offices, truck repair and maintenance facilities, fuel pumping and employee parking. The implementing by-law shall permit the concrete batching plant use for a period of up to three (3) years from the date of enactment of the by-law pursuant to Section 38 of the Planning Act."

- (c) Inserting the following into the first line of subparagraph 2(b) (ii) after the word "facility".

","concrete batching plant"

- (d) Inserting the following into the first paragraph of 2(c) after the word "truck" in the second line:

"and aggregate material"

- (e) Inserting the following into the second paragraph of 2(c) after the word "truck" in the first line:

"or aggregate materials"

(f) Adding the following as paragraph 2 (j)(v):

"2(j)(v) The Ministry of Environment shall have issued all permits required for the operation of the concrete batching plant."

PART C

IMPLEMENTATION

The policies of this Amendment shall be implemented through an amendment to the Zoning By-law permitting the concrete batching plant use for a maximum period of three years pursuant to Sections 34 and 38 of the Planning Act and through the execution of a Site Plan Agreement pursuant to Section 40 of the Planning Act.

PART D

INTERPRETATION

The provisions of the Official Plan of the Vaughan Planning Area, as amended from time to time regarding the interpretation of this Plan shall apply with respect to this Amendment.

Summary of Council Action

This amendment arises from an application to amend the Official Plan in order to permit a portable concrete batching plant on the subject lands on a temporary basis. The applicant (Musciullo Transport Limited) currently operates a truck transport terminal on the subject lands which is permitted by Official Plan Amendment #274.

In August 1990, the concrete plant was constructed on the subject lands and was operating in contravention of the Official Plan, the zoning by-law and site plan agreement.

On September 11, 1990 Council passed the following motion with respect to the matter:

"That all legal steps available to cease the illegal uses on the Musciullo Lands were undertaken."

The operation of the concrete batching plant ceased in November 1990.

On April 2, 1991 Council considered Official Plan and Zoning By-law amendment applications OP.49.90 and Z.85.90 (Musciullo Transport Limited). Council resolved the following:

"THAT Official Plan and Zoning By-law Amendment Applications OP.45.90 and Z.85.90 (Musciullo Transport Limited), BE DEFERRED to the Council Public Hearing Meeting of July 2, 1991."

The concrete batching plant was dismantled prior to the July 2, 1991 Public Hearing.

At the July 2, 1991 Council Public Hearing, Council resolved the following:



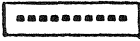
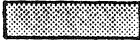

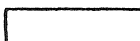
"THAT Official Plan and Zoning By-law Amendment Applications OP.45.90 and Z.85.90 (Musciullo Transport Limited), BE APPROVED for a temporary period of three (3) years with the appropriate staff conditions required by site plan agreements."

EXISTING LAND USE

OFFICIAL PLAN AMENDMENT NO. 377

CITY OF VAUGHAN

LOCATION : PART OF LOTS 29 AND 30, CONCESSION II

LEGEND		
		INDUSTRIAL
		OWNERS LANDS
		SUBJECT LANDS
		RESIDENTIAL
		COMMERCIAL
		RURAL

DATE: 91/08/19

SCALE: 0  500 ft.

