

**From:** IRENE FORD

**Sent:** Friday, March 4, 2022 3:08 PM

**To:** Regional Clerk <[ClerkGeneralLine@york.ca](mailto:ClerkGeneralLine@york.ca)>

**Cc:** Emmerson, Wayne <[Wayne.Emmerson@york.ca](mailto:Wayne.Emmerson@york.ca)>; Deputy Mayor Jack Heath Markham <[jheath@markham.ca](mailto:jheath@markham.ca)>; Frank Scarpitti <[mayorscarpitti@markham.ca](mailto:mayorscarpitti@markham.ca)>; Don Hamilton <[dhamilton@markham.ca](mailto:dhamilton@markham.ca)>; Maurizio Bevilacqua <[Maurizio.bevilacqua@vaughan.ca](mailto:Maurizio.bevilacqua@vaughan.ca)>; Linda Jackson <[linda.jackson@vaughan.ca](mailto:linda.jackson@vaughan.ca)>; Mario Ferri <[mario.ferri@vaughan.ca](mailto:mario.ferri@vaughan.ca)>; Gino Rosati <[gino.rosati@vaughan.ca](mailto:gino.rosati@vaughan.ca)>; Margaret Quirk <[mquirk@georgina.ca](mailto:mquirk@georgina.ca)>; Tom Mrakas <[tmrakas@aurora.ca](mailto:tmrakas@aurora.ca)>; John Taylor <[jtaylor@newmarket.ca](mailto:jtaylor@newmarket.ca)>; Virginia Hackson <[vhackson@eastgwillimbury.ca](mailto:vhackson@eastgwillimbury.ca)>; Rob Grossi <[rgrossi@georgina.ca](mailto:rgrossi@georgina.ca)>; Tom Vegh <[tvegh@newmarket.ca](mailto:tvegh@newmarket.ca)>; Carmine Perrelli <[carmine.perrelli@richmondhill.ca](mailto:carmine.perrelli@richmondhill.ca)>; Joe DiPaola <[joe.dipaola@richmondhill.ca](mailto:joe.dipaola@richmondhill.ca)>; David West <[david.west@richmondhill.ca](mailto:david.west@richmondhill.ca)>; Mayor-Town of Whitchurch-Stouffville <[mayor@townofws.ca](mailto:mayor@townofws.ca)>; Jim Jones <[jjones@markham.ca](mailto:jjones@markham.ca)>; Joe Li <[joeli@markham.ca](mailto:joeli@markham.ca)>; Steve Pellegrini <[spellegrini@king.ca](mailto:spellegrini@king.ca)>; Marilyn Iafrate <[marilyn.iafrate@vaughan.ca](mailto:marilyn.iafrate@vaughan.ca)>; Sandra Yeung Racco <[sandra.racco@vaughan.ca](mailto:sandra.racco@vaughan.ca)>; Alan Shefman <[alan.shefman@vaughan.ca](mailto:alan.shefman@vaughan.ca)>; Tony Carella <[tony.carella@vaughan.ca](mailto:tony.carella@vaughan.ca)>; Rosanna Defrancesca <[rosanna.defrancesca@vaughan.ca](mailto:rosanna.defrancesca@vaughan.ca)>

**Subject:** Deputation - March 3, 22

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Hello,

Please find attached written version of my deputation given yesterday. Please add it to the Council agenda for the public record, if possible.

It has been corrected to acknowledge that the motions endorsed last October were revised by York Region Council. The end result was the draft Official Plan increased 14,900 persons above what the Region was required to accept. Not 60,000 as would have been the case if the motions were endorsed as initially presented September, 2021. I did not mention this yesterday but it occurs to me now that this also resulted in an increase of 1,400 jobs.

I apologize for any confusion I may have caused Council members. However, with all due respect, the fact that I am confused is really more of a testament to how confusing and rushed this entire process has been. Regardless of the actual population increase my concerns expressed are valid and legitimate. Council members who voted in support of the motions are committing the Region and a future Council to unnecessary risk in East Gwillimbury and Whitchurch-Stouffville, financially and legally. There are many unknowns and servicing constraints. It is premature to include these lands when future MCR's would allow a future Council to make this decision in a manner that is more informed and responsible.

The Mayor Of King may have meant well by relocating the small amount of population to King but I hope that it does not lead or open any doors that will result in population increases that trigger additional servicing solutions above and beyond what is currently underway in the ongoing EA. As has been repeatedly asked for by a local Nobleton landowner. Who has donating to local communities then shortly thereafter has MZO endorsed by the local Councils followed by provincial approval.

It remains unclear to me when Council actually endorsed the employment land needs. The report brought forward last Fall assumed employment lands were the same and appeared scoped to residential land needs. It does not appear that any staff assumptions have changed with regard to employment land needs since before the pandemic. As we all know our world has changed greatly. How this affects future land use remains to be seen.

As always thank you for your time and listening. While none of you asked questions or made remarks I do hope you will take make concerns seriously as the ongoing MCR process continues.

Please feel free to reach out to me should you wish to discuss.

Thank you,  
Irene

March 4, 2022

York Region Chair and Regional Council Members  
**Re: Transportation Master Plan & Development Charges By-Law**

**I am asking Council to NOT support the draft Transportation Master Plan<sup>1</sup> or Draft Development Charges By-Law<sup>2</sup> because they are fundamentally flawed and destined to fail.**

They are based on forecasted lands needs that were never supported by staff. In fact, Council was strongly warned about the risks of supporting four motions last September that were deferred, revised<sup>3</sup> and endorsed in October at Regional Special Council meetings. Chair Emmerson did not allow staff to bring a staff report forward on the impacts of the 4 motions so instead the impacts and risks were written in a memo from multiple York Region Commissioners. I only found this memo under communications on the October agenda last week. It is a compelling read and I hope that all Council members have taken the time to read this memo<sup>4</sup>.

Staff warned that the 4 motions<sup>5</sup> put the Region at greater financial risk because if the growth is not realized you will not be able to service the existing \$2B debt already carried for growth that is yet to be realized from the existing Official Plan. There are significant risks and unknowns associated with infrastructure both water/wastewater and transportation that may be triggered by the urban expansion. Some growth is dependent upon provincial approvals; approvals that are beyond the Region's control as Council knows all too well and still awaits approval six years later for the UYSS. Staff warned that Council decisions put the Region at potential legal risk because once the land comes into the urban boundary there is an expectation and potential legal

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<sup>1</sup> York Region Committee of the Whole Mar 3, 2022 Refer to Agenda Item: E.2.1

1. [2022\\_Transportation\\_Master\\_Plan\\_-\\_Draft.pdf](#)

2. [Att 1 - 2022\\_Transportation\\_Master\\_Plan\\_-\\_Draft\\_-\\_ES\\_and\\_Plan.pdf](#)

3. [Att 2 - 2022\\_Transportation\\_Master\\_Plan\\_-\\_Draft\\_-\\_Cycling\\_Network\\_Map.pdf](#)

4. [Att 3 - 2022\\_Transportation\\_Master\\_Plan\\_-\\_Draft\\_-\\_Trail\\_Network\\_Map.pdf](#)

5. [Att 4 - 2022\\_Transportation\\_Master\\_Plan\\_-\\_Draft\\_-\\_Rapid\\_Transit\\_Map.pdf](#)

6. [Att 5 - 2022\\_Transportation\\_Master\\_Plan\\_-\\_Draft\\_-\\_Road\\_Network\\_Map.pdf](#)

<sup>2</sup> York Region Committee of the Whole Mar 3, 2022. Refer to Agenda Item: I.2.1

1. [Draft\\_2022\\_Development\\_Charges\\_Bylaw\\_and\\_Background\\_Study.pdf](#)

2. [Att 1 - Draft\\_2022\\_Development\\_Charges\\_Bylaw\\_and\\_Background\\_Study\\_Attachment\\_1.pdf](#)

<sup>3</sup> Edited from my deputation given on March 3, 2022.

<sup>4</sup> York Region Special Council Meeting, Oct 21, 21. Refer to Agenda Item E.1 Memo from Commissioners of Corporate Services, Environmental Services, Finance and Regional Treasurer & Transportation Services & the Chief Planner

1. [Planning\\_for\\_Growth\\_to\\_2051\\_Consideration\\_of\\_Motions.pdf](#)

2. [Att 1 - Planning\\_for\\_Growth\\_to\\_2051\\_Consideration\\_of\\_Motions.pdf](#)

3. [Att 2 - Planning\\_for\\_Growth\\_to\\_2051\\_Consideration\\_of\\_Motions.pdf](#)

4. [Att 3 - Planning\\_for\\_Growth\\_to\\_2051\\_Consideration\\_of\\_Motions.pdf](#)

5. [Att 4 - Planning\\_for\\_Growth\\_to\\_2051\\_Consideration\\_of\\_Motions.pdf](#)

<sup>5</sup> York Region Special Council Meeting Minutes Oct 21, 21. Agenda Items H1-H4

H1 [Township of King - Growth to 2051](#)

H2 [Future Land Needs for Town of Whitchurch-Stouffville](#)

H3 [Fully Include Town of East Gwillimbury Whitebelt Lands in the 2051 Timeframe](#)

H4 [Include Lands West of the Little Rouge as Residential](#)

argument that the land must be serviced. Nonetheless, land has been included that staff does not anticipate can be serviced within the 2051 planning cycle. The addition of these lands with the motions as written reduced the intensification rate in the existing built-up area to 48% below the provincial requirement of 50%. Council proceeded to revise and endorse the four motions. As a result, in order to make the decisions and direction of this Council work and remain compliant with the requirements of the province staff added approximately 14,900 people<sup>6</sup> to the forecasted population growth above and beyond what the Region was required to accommodate. This additional growth appears to have all been accommodated in East Gwillimbury whose projected population increases by 14,800 more people than what staff recommended in the September, 2021 staff reports. These are lands that do not have a servicing solution for approved growth let alone new growth. Staff advised there will be future MCR opportunities for which the changes in the motions could be considered to re-calibrate Regional Plans so they are more reasonably in line with actual growth and development charges collections.

**Why is this term of Council committing a future Council to unnecessary risk especially when the warning from staff is crystal clear?** The majority of Council members have served more than one term, some multiple terms, so you can't say that you do not understand the risks of exposing the Region to increased debt that can't be serviced because the growth is not realized and the development fees are not collected<sup>7</sup>. I fail to see how the endorsed draft Official Plan is in the public interest and therefore all master plans that are guided by this document. **Above and beyond saving farmland or acting on Climate Change it contains risks that are unacceptable for a government to knowingly endorse both fiscally and legally. Where is the due diligence, at what point are these Council decisions considered willful negligence?**<sup>8</sup> **It is Council's direction and decisions, not staff, that is the problem; this is what is breaking the planning process in Ontario.**

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<sup>6</sup> The Staff Memo (see 4 above) stated a population increase of up to 60,000 people. The motions were revised during the October 21, 2021 Regional Special Council meeting. The population growth endorsed in the draft Official Plan on November 11, 2021 went from 2,020,000 to 2,034,900 a difference of 14,900 all assumed by East Gwillimbury.

<sup>7</sup> Toronto Star. York Region Putting Development Money Ahead of Good Planning, Critics Say. July 6, 2012. [https://www.thestar.com/news/gta/2012/07/06/york\\_region\\_putting\\_development\\_money\\_ahead\\_of\\_good\\_planning\\_critics\\_say.html?rf&fbclid=IwAR3zgKT81N971\\_6Rs1tJrCK0eUH1EHRLw1qigoVmf6MPyFOPShEieKkIDQo](https://www.thestar.com/news/gta/2012/07/06/york_region_putting_development_money_ahead_of_good_planning_critics_say.html?rf&fbclid=IwAR3zgKT81N971_6Rs1tJrCK0eUH1EHRLw1qigoVmf6MPyFOPShEieKkIDQo)

<sup>8</sup> Recorded Vote 60% Intensification on October 21, 2021: <https://yorkpublishing.escrimemeetings.com/Meeting.aspx?Id=f643d823-720a-41d6-a4bf-a957fa7aa724&Agenda=PostMinutes&lang=English>

**Moved by** Mayor Taylor

**Seconded by** Regional Councillor Heath

That Council amend Clause 1 to reflect a 60% intensification scenario.

A recorded vote was as follows:

**For:** Chan, Hamilton, Heath, Quirk, Taylor (5)

**Against:** Bevilacqua, DiPaola, Emmerson, Ferri, Grossi, Hackson, Jackson, Jones, Li, Lovatt, Mrakas, Pellegrini, Perrelli, Rosati, Scarpitti, Vegh (16)

**Defeated**

Council members who supported these motions supported BILD. I would like to remind Council BILD is not a partner they are a lobbyist group that represents the wills and wants of private businesses, landowners. Their interests are and will never be aligned with Regional Government who represent the collective public interest across nine municipalities. Sadly, all that is happening in this term of council is a pooling of money and deference to the will of lower tier councils. **What purpose does regional governance serve if the collective interests across the regional are not represented and upheld by Council members?** When you sit at the Region you vote in the interests of the Region and when you sit at the local council you vote in the interests of the local municipality<sup>9</sup>. Vaughan regional council members demonstrated that lower tier Council decisions do not have to be upheld or defended at the Region when they maintained support for Highway 413<sup>10</sup>.

The Auditor General's Land Use Report revealed that York Region staff have spent millions as a result of changes announced by the province during the MCR process<sup>11</sup>. Previously, I did not support asking Council to open the forecasted land needs or endorsed Draft Official Plan<sup>12</sup>, which would require more time and resources from staff. Whom I am sure are exhausted from the ping-pong ball of direction they've been receiving. However, after I read the memo **I strongly and firmly believe that Mayor Taylor's motion seeking 60% intensification must be supported. I also firmly believe that the large amount of employment lands forecasted requires more scrutiny.**

Employment lands brought into the urban boundary surrounding King Vaughan Rd were done so on the justification that they were needed to secure future employment lands surrounding Highway 400, where the proposed Highway 413 will dead-end. In 2020 as part of the MCR process, against the recommendations of lower and upper tier staff Regional Council endorsed employment conversion requests to residential on some of this land.

In the very same area, I want to ensure that Council is aware that King Vaughan Rd from Weston Rd to Jane St, where the 400-overpass bridge was just rebuilt due to highway widening, has been scheduled for road work. Myself and other local residents have been actively involved and

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<sup>9</sup> This is made clear by both the lower tier and upper tier Codes of Conduct. The Regional Municipality of York Region. Code of Conduct see Section B.1: <https://www.york.ca/wps/wcm/connect/yorkpublic/70c4d0c7-0196-4e6e-9819-2fc97319f327/Code+of+Conduct+Council+Members.pdf?MOD=AJPERES&CVID=mLVV0xf>

<sup>10</sup> <https://www.thestar.com/local-vaughan/news/2021/03/19/despite-vaughan-s-official-opposition-york-region-council-continues-support-of-hwy-413.html>

<sup>11</sup> Auditor General. Value for Money Audit: Land Use Planning in the Greater Golden Horseshoe. Pg. 3. *"...the Ministry amended the Growth Plan again in 2019 and 2020. This forced many municipalities to redo studies and planning work that they had completed. One municipality (Regional Municipality of York) had to redo the technical work that cost "several millions."* Refer to:

[https://www.auditor.on.ca/en/content/annualreports/arreports/en21/AR\\_LandUse\\_en21.pdf](https://www.auditor.on.ca/en/content/annualreports/arreports/en21/AR_LandUse_en21.pdf)

<sup>12</sup>

[https://www.york.ca/wps/portal/yorkhome/yorkregion/yr/municipalcomprehensivereview/!ut/p/z1/jZBPS8QwEMU\\_i4cet5mNu9vgLVS0f1wqiFhzkbSkaaBNSppt0E9vWL0I2nVuM\\_zemzeDGKoR03xRkjtINB9C\\_8oObzm9z7OshKLakRQoVLTACQFSJujiDMAfRQGx-hXALZuX1xaEC7A9pgeJWITd\\_1G6c6gejxp1aqJD60ZJyt6oWe1CCsWJXzIxM6uGO8O2TaFArKKQH6XPO5vSbaFdH8BKPE3sB5cDqb5-jHVzTUJCa3oQggbn2wY985N800EEJvY2mMHETc8gh-U\\_Rmdqj-AaJpfK4\\_HrgnfMOad0-vPgGpT69N/dz/d5/L2dBISEvZ0FBIS9nQSEh/#.YiJnYOjMJD8](https://www.york.ca/wps/portal/yorkhome/yorkregion/yr/municipalcomprehensivereview/!ut/p/z1/jZBPS8QwEMU_i4cet5mNu9vgLVS0f1wqiFhzkbSkaaBNSppt0E9vWL0I2nVuM_zemzeDGKoR03xRkjtINB9C_8oObzm9z7OshKLakRQoVLTACQFSJujiDMAfRQGx-hXALZuX1xaEC7A9pgeJWITd_1G6c6gejxp1aqJD60ZJyt6oWe1CCsWJXzIxM6uGO8O2TaFArKKQH6XPO5vSbaFdH8BKPE3sB5cDqb5-jHVzTUJCa3oQggbn2wY985N800EEJvY2mMHETc8gh-U_Rmdqj-AaJpfK4_HrgnfMOad0-vPgGpT69N/dz/d5/L2dBISEvZ0FBIS9nQSEh/#.YiJnYOjMJD8)

engaged with staff, by-law, local Council raising awareness and seeking accountability for questionably compliant land use and blatant illegal land use<sup>13</sup> (refer to Appendix 1). I am told that road work is part of the Region's Asset Management Plan. I am highly skeptical how this piece of road came to be scheduled in 2022. I am appalled that a dime of the Region's money, my tax dollars, will go into road work when the city, Region, YRP nor the province appear to be able to do anything to change the operations, the volume of traffic or reduce the negative impacts on the surrounding community. The MTO, the Region nor Vaughan are being transparent about the extent of the basket weave being contemplated here nor the widening of local and/or regional roads that will be required at interchanges. I have to say it does not look good that any road work is scheduled on King Vaughan Road so close to where the proposed Highway 413 ends.

Regards,

Irene Ford  
Vaughan, York Region Resident, Voter and Taxpayer

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<sup>13</sup> Public Meeting for 3230 King Vaughan Road. Jun 1, 2021. Communication from Irene Ford:  
<https://pub-vaughan.escribemeetings.com/filestream.ashx?DocumentId=71958>

## **Appendix 1: Comments Submitted to MECP Regarding ERO Posting #019-4463**

Nov 26, 2021

Environmental Permissions Branch  
RE: Concerns regarding 019-4463

To Whom it May Concern:

These comments are with regard to the ready-mix concrete facility located at 3501 King Vaughan Rd that has been operating 'temporarily' for 15 years and the current air ECA permit request ERO# 019-4463. I strongly object to this applicant continuing to operate they have shown complete and utter disrespect for the local community, City of Vaughan by-law and Ontario environmental and planning legislative regime. There is no transparency as to the extent of operations, what is actual approved, what materials are entering and existing the site. It is completely unclear if the operator has been compliant or non-compliant with the conditions of the ECA or what is actually being proposed to be approved; are they adding a second plant, is there second plant or was their initially two plants approved. I appreciate that it is a complex process but the information between documents and applications is inconsistent, it is either poorly done or intentionally misleading.

I recognize that some of the below issues are not within the authority or jurisdiction of the Ministry of Environment Conservation and Parks (MECP). However, they are relevant because the approval will only serve to amply and compound the existing problems with non-compliance issues at this site, the surrounding area and further contribute to the erosion of the natural heritage system in this area that is under extreme and relentless development pressure. Approval of activities cannot be considered in isolation at this point due to the extent of illegal land use in the area that has resulted in even more heavy traffic and in my humble opinion is becoming a matter of public safety.

At this point the community has no confidence that the City of Vaughan, York Region or the MECP even knows what being in compliance means for this site because at no time have, they been able to communicate it to the public in a manner they would understand. Local MOE officers have been unwilling or unable to address non-compliance or nuisance impacts attributed to this operator and failed to inform residents that there is an existing air ECA that sets out a complaint's procedure and requirements for the operator to have Best Management Practices in place to mitigate impacts upon nearby residents (if they have it has not been understood by the local community, Vaughan staff or councillors). Local residents are pushed between various levels of government/ jurisdictions seeking accountability, transparency yet nothing changes or improves and they feel abandoned. York Region and York Region Police have been unable to obtain compliance with the weight restrictions and/or the approved York Region Traffic Permit that requires heavy vehicles to use Jane Street when entering and existing the operator's site (Truck traffic is significant from this and other local operators with an average of 800 vehicles passing through the intersection of King Vaughan Rd and Weston Rd daily). Residents complained repeatedly when a portable crusher was in use at the site which resulted in excessive



off-site noise and dust impacts, this activity is noncompliant with Vaughan's approved temporary zoning by-law but appears to have been approved by the MECP starting February, 2018. It is unclear if the public was consulted or required to be consulted due to these changes in operations. A sign was posted that was all.

There is nothing temporary about this site it appears to have slowly and deliberately increased operating capacity and operations without seeking approval or clarification of what activities they are or are not allowed to complete. This is only compounded by illegal sites operating in the area<sup>14</sup>. I am not confident in the MECP's District Office's ability to enforce anything in the City of Vaughan at this point in time nor City of Vaughan by-law. It remains unclear to me if they just do not have the resources and tools or if it is willful blindness.

Many of these sites fall within [GTA West FAA](#) and can only be approved for temporary zoning uses. In October, 2020<sup>15</sup> the public meeting for the development application to extend the temporary zoning by law came before Council. In May of 2021 I asked for an update on the development application after several follow up emails and an extensive email cc'd to multiple individual and media on October 26, 2020, I received a response November 15, 2020 informing me the application is in process and was offered a phone call from the local district officer. The current temporary use by-law expired May, 2021 (if Council has approved this by some means I have not been able to locate anything to document this decision). At times it seem everyone chooses to ignore this site and the impact because they anticipate it will be an interchange and basketweave of Highway 413 one day. Regardless people live there now and they are people trampled upon.

## **Comments Specific to the Application**

### **Initial Approval & OMB 2012 Decision**

- It is clear the site pre-dates the 2012 OMB decision and there appears to be no record of how this site was initially approved to operate. It appears due to the lack of information quite likely that the operator could have established operations illegally and there has never been any consequence for this from the City of Vaughan, York Region or various provincial ministries.

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<sup>14</sup> 3230 King Vaughan Rd, is blatantly illegal, has trucks running seven days a week and it is completely unclear if the material entering and existing this site would be considered designated waste under O. Reg. 347 or exempt. It's abundantly evident that chunks of asphalt are going somewhere between these three sites but I cannot get a clear answer from the district office if the sites meet the conditions for waste asphalt be considered an exempt? This site also has a waste system certificate issued that is non-compliant with local municipal zoning. Crushing also occurs at one or both sites. It is unclear if the cumulative impacts on the local community have or were ever a consideration. Some go west along King Vaughan Rd to another illegal site that is storing 'material' outside on prime farmland. I was approached by another resident recently about illegal activity impacting their right to the enjoyment of their property<sup>14</sup>. The City of Vaughan says that they are taking illegal operators to court, that the cases are delayed due to Covid. The local district office say they have no role because the materials being managed are not 'designated'.

<sup>15</sup> See Item 3: <https://pub-vaughan.escrimemeetings.com/Meeting.aspx?Id=a03ad411-dec8-4687-a34d-c1fa175c6d34&Agenda=Agenda&lang=English>

- Setting up illegally in Vaughan is a long-standing problem and ‘bringing them into compliance’ and giving approvals after the fact, after operations have started only rewards bad behavior and compounds the excessive amount of unregulated land use, truck traffic and movement of material in the northern part of Vaughan and other areas.
- In the initial OMB decision<sup>16</sup> water is described as part of the process. To my knowledge there is no servicing on the site.

### **Phase 1 and Phase 2 ESA and Employment Land Conversion Requests**

- The letter in the City of Vaughan’s PlanIt website dated July, 2020 from the Municipal Infrastructure Group states that: Phase 1 and Phase 2 ESA, Functional Servicing Report and Geotechnical / Soil Studies are not required because the site is not permanent nor is the land use changing. Given that the site has been operating for over ten years that there is a significant truck traffic entering the site and material being managed at the site is this a valid rationale?
- There is nothing temporary about this site other than the ad-hoc approval process applied.
- The crushing equipment, washing basins and concrete mixing operations all require water. What is the source of water? How much water is being used? Does the site have or need a permit to take water?

### **Crushing Permit**

- The initial OMB approval very clearly states *“open storage of sand, gravel and equipment and machinery accessory to the Mixing Plant use in the areas shown....only. The open storage of all other materials in not permitted.”* Does the MECP have the authority to allow the crushing activity on the site if it was never contemplated in the initial OMB decision<sup>17</sup>?
- It is unclear if cumulative affects from both operations noise, dust, air pollution, truck traffic have been considered?
- The crushing permit is not consistent with the temporary zoning approved by the City of Vaughan in 2018<sup>18</sup>. Did the operator have approval to extend the storage area from the City of Vaughan or the MECP? If not will there be any consequence?
- Did the MECP check with the City of Vaughan that crushing was an approved activity prior to approval and issuances of the crushing permit?
- What happens to the crushed concrete? Is it removed from the site or a feed product that is part of the ready-mix concrete operations?
- Did the 2018 or any other submitted annual reports identify the crushing operations were occurring and that the storage for the concrete expanded the operating envelope approved

<sup>16</sup> <https://www.omb.gov.on.ca/e-decisions/pl120406-Oct-24-2012.pdf>

<sup>17</sup> See pg. 5, 6 of pdf:

[https://www.vaughan.ca/services/business/zoning\\_by\\_law\\_and\\_opas/188/Approved%20Zoning%20By-laws/2013/By-law%20031-2013.pdf](https://www.vaughan.ca/services/business/zoning_by_law_and_opas/188/Approved%20Zoning%20By-laws/2013/By-law%20031-2013.pdf)

<sup>18</sup> [https://www.vaughan.ca/council/minutes\\_agendas/AgendaItems/CW0404\\_17\\_2.pdf](https://www.vaughan.ca/council/minutes_agendas/AgendaItems/CW0404_17_2.pdf)



in the 2011 Air ECA?

## Impact on Surrounding Residents

- As documented in Vaughan's October 2020<sup>19</sup> staff report the impacts on surrounding residents are significant. The addition of the crushing operations has compounded these impacts. While the operator contends these noises where due to the ongoing construction of highway 400 it is unclear if the operator or MTO investigated to verify the source and origin of the noise. The ECA has a condition for complaints but local residents have never been told that it exists.
- Truck traffic enters and leaves the site beyond the specified hours of operation creating noise, dust, traffic and changing gears/braking noises. They ignore weight limit signs that are posted and there is no enforcement by any level of government.
- York Region approved a site traffic permit that to my understanding requires trucks to enter and exit from the west using Jane St. The applicant states that is unsafe to make right hand turns at this intersection and advocates to enter and exit the site also from the east. Regardless the roads in their current conditions are inadequate to handle the volume of traffic and it is becoming a matter of public safety.
- The local MOE District office says they can not do anything about the truck traffic because it is not within their jurisdiction. Local residents are told that site hours of operations cannot be enforced because it is not within the approved by-law. Yet while preparing this letter today I found it clearly stated in a 2017 staff report.
- Residents have complained for years and there has been no consequence they are at the mercy of the plant operator.
- Pg. 3 of this staff reports documents that truck traffic can start as early as 4:30am, more commonly from 6:00am to 9:00pm and occasionally to 1am. Should the MOE approve this ECA please ensure the approved hours of operation are documented and include enforcement provisions and consequences for operating outside of those hours<sup>20</sup>.

## Compliance with Existing Air ECA & Discrepancies in Postings

- Has the site expanded and been modified without permission/approval of MECP and/or the City of Vaughan?
  - ERO #019-1019<sup>21</sup> posted Dec, 2019 then withdrawn November, 2021 sought to amend the Air ECA and specifically stated it included an *additional* ready-mix concrete bathing plant. Shortly after I inquired why two permits were posted for the same site this application was withdrawn.
  - ERO #019-4463<sup>22</sup> posted November, 2021 seeks to remove the limited operational flexibility and reflect current operations at the site and *states two ready-mix concrete plants and a 3<sup>rd</sup> party portable crushing plant.*

<sup>19</sup> <https://pub-vaughan.escrimemeetings.com/filestream.ashx?DocumentId=80608>

<sup>20</sup> [https://www.vaughan.ca/council/minutes\\_agendas/AgendaItems/CW0404\\_17\\_2.pdf](https://www.vaughan.ca/council/minutes_agendas/AgendaItems/CW0404_17_2.pdf)

<sup>21</sup> <https://ero.ontario.ca/index.php/notice/019-1019>

<sup>22</sup> <https://ero.ontario.ca/index.php/notice/019-4463>

- Why did the applicant submit different applications at different times and how did these applications differ?
- As indicated above crushing activities have clearly commenced without updates to the Air ECA and assuming they started in 2018 this was long after five-year expiry identified under condition 2.8 of the existing air ECA.
- How many silos what size and capacity were they initially approved in the 2011 application? My understanding is that the 2011 application consisted of 2 silos. When was the third silo added and did this increase capacity at the site? The most recent planning justification report identifies 3 silos (2 within the enclosed structure and 1 not enclosed located outside)<sup>23</sup>.
- In 2017 a Vaughan staff report documents a crane operating which is not a permitted use. This ceased at that time.
- Has MECP completed any audits to verify if the operator was compliant with the requirements of the existing air ECA; specifically, the production limit of 100,000 tonnes of ready-mix concrete annually and how was this documented since there is no scale at the site? Did the operator notify the MOE of any complaints w/in 2 days as required in Section 9? Have 'written summaries' been submitted annually as required in Section 5.1? Have any facility modification occurred after the expiry of Condition 2.1 or new inputs that require detailed and documented reports updating air modelling?
- If the MECP chooses to approve the permit, will it clearly document: annual tonnage, types of materials permitted on site to be managed, activities permitted, a complaints procedure, set limits on the amount of daily truck traffic in and out of the site, hours of operation?
- Given the history of this site how will the MECP ensure compliance and communicate compliance with assurance to the local community going forward?
- What assurances and monitoring will local residents be provided about air quality and well water contamination that could, or possibly already is, adversely impacting local residents?
- How will the MECP/City of Vaughan verify the initial record of site condition to the existing conditions? Site contamination especially since Vaughan Council and York Region Council appear to have endorsed rezoning a portion of the site from prestige employment to residential<sup>24</sup> (Given what the City of Vaughan has learned from [5550 Langstaff Road](#) it would be negligent to ignore this as a distinct and real possibility).

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<sup>23</sup> Refer to the Planning Justification submitted to the City of Vaughan, May 2021.

<sup>24</sup> See Map 1A.