



PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE

COMMUNICATION C2.

ITEM NO. 2

CW (PM)

October 3, 2023

September 28, 2023

City of Vaughan Council
and Committee of the Whole
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON
L6A 1T1

Via email: oprmanager@vaughan.ca
& clerks@vaughan.ca

**RE: COMMENT LETTER –
VAUGHAN OFFICIAL PLAN REVIEW FILE PL-9550-16: PART A OFFICIAL PLAN
AMENDMENT
&
OFFICIAL PLAN AMENDMENT 101, PTMSAs
UNITED PARCEL SERVICES CANADA LTD.
OUR FILE 23137A**

MacNaughton Hermsen Britton Clarkson Planning Limited (“**MHBC**”) is retained by United Parcel Services Canada Ltd. (“**UPS**”) with respect to its lands located at 2900 Steeles Avenue West in the City of Vaughan (the “**Subject Lands**”). The Subject Lands are a major facility and a national distribution hub for UPS, employing over 2,000 employees.

The Part A Official Plan Amendment was released on September 7, 2023, and on September 12, 2023, City of Vaughan staff sought approval of OPA 101 to delineate the Primary Major Transit Station Areas in accordance with York Region’s Official Plan. This letter is further to the letter from Miller Thomson LLP to Mr. Filipetto, Project Manager, Forward Vaughan, sent on behalf of UPS and dated June 16, 2023, a copy of which is attached as Schedule “A”. The purpose of this letter is to provide further comments regarding the City of Vaughan Part A Official Plan Amendment and the regionally delineated Major Transit Station Areas, particularly PTMSA 64 – Pioneer Village Subway Station.

Background

UPS’s facilities on the Subject Lands are recognized in the current City of Vaughan Official Plan and Steeles West Secondary Plan through past amendments to expressly recognize and protect the existing and future planned operations. The current policies of the City’s Official Plan specifically address land use compatibility and require applications for more sensitive land uses in the vicinity of the UPS facility to address compatibility and ensure necessary mitigation measures are provided at the expense of the applicant for the more sensitive land use.

Site-Specific Policy 11.3.18.1 of the Steeles Avenue West Secondary Plan identifies that the Subject lands are expected to exist beyond the timeframe of the Official Plan and shall be permitted to continue to operate and develop. Policy 11.3.18.1d) denotes that "*Policy 5.2.1.2 of Volume 1 of this Plan shall apply to applications for more sensitive land uses proposing to locate in proximity to the existing employment use on the subject lands and such applicants will be required to provide landscaping, buffering or screening devices, and any other necessary mitigation measures to ensure land use compatibility with the employment use prior to development, at the expense of the application for the more sensitive land use*".

Part A Policies

It is MHBC's understanding that Site-Specific Policy 11.3.18.1 of the Steeles Avenue West Secondary Plan will remain, which incorporates, by reference, policy 5.2.1.2. In this regard, we have reviewed Part A and are pleased to see UPS operations remain protected through the retention of policy 5.2.1.2 as follows:

To protect Vaughan's manufacturing, industrial and warehousing sectors from potential impacts, any development or redevelopment of lands for more sensitive land uses located within 500 metres of an Employment Area, will be required to undertake appropriate environmental studies (e.g., noise, dust, vibration, etc.), to be identified on a case by case basis, in order to ensure land use compatibility with the surrounding Employment Area lands. As a result of the studies, on-site or off-site mitigation measures may be required prior to development at the expense of the applicant for the more sensitive land use.

PMTSA Policies

In reviewing the MTSA policies, we acknowledge that the Subject Lands are located within 'PMTSA 64 – Pioneer Village Subway Station', which has a minimum density target of 200 persons and jobs per hectare and a minimum FSI of 1.1 for developments within the PMTSA.

Policy 2.2.5.22 provides the following:

Where a PMTSA overlaps with an existing or planned Intensification Area, Secondary Plan Area, Area Specific Policy, or Site-Specific Policy that defines minimum density targets; the higher of the minimum density target between the PMTSA and the Intensification Area, Secondary Plan Area, Area Specific Policy, or Site-Specific Policy applies.

Based on the current Site-Specific Policy 11.3.18.1 of the Steeles Avenue West Secondary Plan and the Prestige Employment zone, as set out in Zoning By-law 001-2021, a further amendment to Policy 2.2.5.22 should be provided, as follows, to protect the existing and planned expansion of the Subject Lands:

Where a PMTSA overlaps with an existing or planned Intensification Area, Secondary Plan Area, Area Specific Policy, or Site-Specific Policy that defines minimum density targets; the higher of the minimum density target between the PMTSA and the Intensification Area, Secondary Plan Area, Area Specific Policy, or Site-Specific Policy applies.

Notwithstanding the minimum density and/or height requirements of the MTSA, permitted industrial facility expansions at 2900 Steeles Avenue West shall continue to be permitted in accordance with Site-Specific Policy 11.3.18.1 of the Steeles Avenue West Secondary Plan and the Prestige Employment zone as set out in Zoning By-law 001-2021.

It is critically important that further revised wording be provided to reflect the existing and planned operations of UPS, otherwise the Subject Lands will require an amendment to the MTSA policies with regard to minimum densities and/or height to expand the existing facilities which would not be permitted under the MTSA.

We appreciate the opportunity to provide comments to the City and trust that our recommended revised wording is implemented. We will continue to monitor the OPA and MTSA Study processes, including the 2023 Vaughan Transportation Plan, and may provide further comments. We request that MBHC is added to the City's notification list with respect any meetings, reports or Committee of Council action with respect to the Part A Official Plan Amendment or OPA 101.

If there is anything further you may require in relation to this letter, please do not hesitate to contact us.

Yours truly,

MHBC

A handwritten signature in black ink, appearing to read 'Dana Anderson', written in a cursive style.

Dana Anderson, MA, FCIP, RPP
Partner

*Cc: United Parcel Services Canada Ltd.
Miller Thomson LLP*



MILLER THOMSON
AVOCATS | LAWYERS

MILLER THOMSON LLP
SCOTIA PLAZA
40 KING STREET WEST, SUITE 5800
P.O. BOX 1011
TORONTO, ON M5H 3S1
CANADA

T 416.595.8500
F 416.595.8695

MILLERTHOMSON.COM

June 16, 2023

Delivered Via Email
(oprmanager@vaughan.ca)

Fausto Filippetto
Project Manager
Vaughan City Hall,
2141 Major Mackenzie Drive
Vaughan, ON, L6A 1T1

Tara L. Piurko
Direct Line: 416.595.2647
Direct Fax: 416.595.8695
tpiurko@millერთhompson.com

File: 0232132.0002

Dear Mr. Filippetto:

Re: Forward Vaughan – Official Plan Update
Preliminary Comments from United Parcel Services Canada Ltd. (“UPS”)
2900 Steeles Avenue West

We are counsel for UPS, registered owner of the lands municipally known as 2900 Steeles Avenue West in the City of Vaughan (“UPS Lands”) on which it operates the Canadian hub of its global parcel distribution operations. The UPS Lands are located within the northwest quadrant of Jane Street and Steeles Avenue West.

On behalf of UPS, MacNaughton Hermsen Britton Clarkson (“MHBC”) and Miller Thomson LLP have been monitoring the City’s Official Plan review process and have now had an opportunity to review the material released to date, such as, but not limited to the Policy Directions Report, released February 2023.

While a draft of the updated Official Plan policies and maps has not yet been released for stakeholder feedback, given that the City remains in its review process, UPS wanted to provide preliminary comments for the City’s consideration prior to finalizing the policies and maps to be released for public review and comment.

Background

At the outset, we note that UPS supports the City’s endeavors to update its Official Plan policies in keeping with the City’s growth. We also want to highlight that the existing policies applicable to the UPS Lands must be brought forward in the updated Official Plan. As the City is likely aware, UPS has always taken and continues to actively take steps to preserve and maintain its existing permissions and to protect the continued long-term operation and on-site expansion of the UPS facility on the UPS Lands, being a major facility, a key service, and an important place of employment in the City.

UPS is a long-standing employer in the City of Vaughan and an integral industrial service operator for the City and the Country. UPS’s distribution services are an essential service and the UPS Lands are the location of its Canadian distribution hub, being a strategic

location that links not only the City's but southern Ontario's supply chain with the rest of Canada and the world.

UPS Site-Specific Policy

Volume 1 of the current Official Plan contains policies under section 5.2.1, namely policy 5.2.1.2, that speak to the compatibility of new land uses in relation to existing employment uses and the need for appropriate studies and measures to be taken to protect the employment sector. This policy is incorporated by reference in Volume 2 of the current Official Plan, namely the Steeles West Secondary Plan, under section 11.3.18 which contains site-specific policies that apply to the UPS Lands under policy 11.3.18.1. The UPS site-specific policy contemplates the continued use and potential expansion of its permitted use of the UPS Lands. We trust that the updated Official Plan will bring forward the existing UPS site-specific policies found in existing policy 11.3.18.1.

Protected Major Transit Station Area #64 (Pioneer Village)

We have reviewed the recently released mapping for the draft official plan amendment related to Protected Major Transit Station Areas ("PMTSA") in the City. The UPS Lands are found within the Pioneer Village PMTSA (#64). While a more thorough examination of the proposed policies is underway, on a preliminary basis, we submit that consideration of the long-term continued operation of the UPS facility, as currently built out, as well as the permitted expansion should be a key consideration in the development of the planning policies related to PMTSA #64.

UPS submits that ongoing recognition of the current site-specific policy in effect on the UPS Lands in no way detracts from the ability of the City to introduce transit-supportive densities and uses in the Pioneer Village PMTSA area, provided that the appropriate studies are conducted and appropriate mitigation measures implemented so as not to create adverse interference with the existing UPS operation and the zoned rights for expansion on the operation on the UPS Lands.

2023 Vaughan Transportation Plan

We understand that the 2023 Vaughan Transportation Plan will be used to inform the City's transportation policies of the updated Official Plan. UPS has concerns with the proposed document with respect to the new roads proposed on the UPS Lands. The Network Map identifies a number of new roads bisecting the UPS Lands in a north-south and east-west direction. In this regard, the City is, or should be, aware that the UPS operation on the UPS Lands will be in existence well beyond the lifetime of the current planning exercise, and likely well beyond many future Official Plan updates. The proposed new roads will not become a reality in our lifetimes.

Given the continued long-term use of the UPS Lands by UPS for the Canadian hub of its global parcel distribution operations, and the expansion rights under the in-force zoning, the road pattern identified in the 2023 Vaughan Transportation Plan should be removed from the Network Map. The proposed roads across the UPS Lands should not, and frankly cannot, be considered for any development of the lands in the vicinity in the near or long term given the ongoing use and expansion allowances in place on the UPS Lands.



Summary Comments

UPS is a major employer within the City that will be in operation on the UPS Lands long into the foreseeable future. UPS does not have any plans to relocate and a Phase 3 expansion is already approved from a zoning perspective. The existing site-specific policies applicable to the UPS Lands in the Steeles West Secondary Plan must be brought forward to protect UPS's continued operation on the UPS Lands, as well as its expansion.

We respectfully submit these initial comments as we continue to review and monitor the Official Plan review and update process. Should additional areas of concern be identified, these will be communicated to the City at the earliest possible time.

Further to the above, we also hereby request that UPS, through its counsel:

- be provided a copy of the updated Official Plan policies, in advance of the Official Plan Sub-Committee or Council meeting at which it may be tabled;
- be notified of all future meetings respecting the updated Official Plan, the PMTSA official plan amendment, and the 2023 Vaughan Transportation Plan; and
- be included in all public communications on the updated Official Plan, the PMTSA official plan amendment, and the 2023 Vaughan Transportation Plan.

We thank you for your consideration. Should you have any questions or require information further to this submission, please do not hesitate to contact the undersigned, or in her absence, Dana Anderson at danderson@mhbcpplan.com or 905-639-8686 ext. 226.

Yours truly,

MILLER THOMSON LLP

Per:

Tara L. Piurko
Partner
TLP/

c. UPS
Dana Anderson, MHBC

