



May 26, 2025

City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON
L6A 1T1

C123.

Communication

CW(PM) – June 4, 2025

Item No. 10

Via email: oprmanager@vaughan.ca

**RE: COMMENT LETTER
DRAFT VAUGHAN OFFICIAL PLAN, MAY 2025
UNITED PARCEL SERVICES CANADA LTD.
OUR FILE 23137B**

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.

Background

The original workplan for updating the Vaughan Official Plan (“VOP”), consisted of a two-part process (Part A and Part B), that were to inform the ultimate Official Plan Amendment (“OPA”) and updates to the VOP. The Part A OPA was deemed the “conformity amendment”, intended to meet all of the requirements for Provincial and Regional conformity, whereas the Part B OPA was scoped to include all the desired updates beyond the policies required for conformity. MHBC and Miller Thomson LLP have previously submitted comment letters, appended, on behalf of United Parcel Service Canada pertaining to the Part A Draft OPA on June 16, 2023, and September 28, 2023.

The project workplan for the Draft OPA was then revised to consolidate the ongoing Part A and Part B work into a single draft OPA, which was released on June 18, 2024 (“Draft OPA, 2024”). MHBC and Miller Thomson LLP also submitted comment letters, appended, on behalf of UPS pertaining to the Draft OPA, 2024 on July 29, 2024. On January 14, 2025, the City of Vaughan released a new Draft VOP, 2025 that was presented to the Committee of the Whole on January 22, 2025. MHBC and Miller Thomson LLP also submitted comment letters, appended, on behalf of UPS pertaining to the Draft OPA, 2025 on February 11, 2025.

On May 12, 2025, the City of Vaughan released a new Draft VOP, that will be presented at a Public Meeting on June 4, 2025. The following letter consists of our comments on the May 2025 Draft VOP, which we trust the City will address in the next iteration of the VOP.

Compatibility

The UPS Facility on the Subject Lands is 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) of the Secondary Plan 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.

Policy 5.2.1.2, as referenced in 11.3.18.1d) of the current Official Plan states the following:

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 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.

In the Draft VOP, 2025, Policy 3.1.1.12 will replace 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 where **Sensitive Land Uses** are proposed to be located or are located within 1000 metres of an **Employment Area**, the applicant shall be required to undertake a Land Use Compatibility Study and/or the appropriate studies (e.g., noise, dust, vibration, air quality, etc.), to be identified on a case by case basis, to ensure land use compatibility with the surrounding **Employment Area** lands. As a result of the studies, on-site and/or off-site mitigation measures may be required prior to **Development** at the expense of the applicant for the more **Sensitive Land Use**.*

While we are supportive of the modifications to Policy 5.2.1.2 as set out in Policy 3.1.1.12 of the Draft VOP, 2025, we are seeking confirmation that the new land use compatibility policies applicable to Employment Areas will be applicable to the employment use on the Subject Lands, which is the intent of Policy 11.3.18.1d) of the Steeles Avenue West Secondary Plan. We ask that the City confirm in writing that the site-specific policy in the

Secondary Plan will require an applicant proposing to develop or redevelop lands with sensitive land uses, to undertake a land use compatibility study and/or appropriate studies to ensure land use compatibility with the UPS major facility, and that on-site and off-site mitigation measures will continue to be required (where applicable) at the expense of the applicant for the more sensitive land use.

The site-specific Secondary Plan policy will need to be updated to reflect the change in numbering, as it currently references Policy 5.2.1.2 of the current Official Plan and will need to be changed to reference Policy 3.1.1.12 of the Draft VOP, 2025 once it is passed.

Protected Major Transit Station Areas

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 gross minimum FSI of 1.1 for developments within the PMTSA.

Policy 2.4.6.5. of the Draft VOP, 2025 states the following:

That on lands where a Protected Major Transit Station Area overlaps with an existing or planned Strategic Growth Area, Secondary Plan Area, or Area-Specific policy that defines minimum density targets, the higher of the gross minimum density target applies.

As the minimum density target of the Steeles West Secondary Plan is less than that of PMTSA 64, development will be subject to the minimum density target of PMTSA 64. The UPS facility, as a major employment hub providing over 2,000 jobs, will contribute significantly to meeting the employment component of PMTSA 64's density requirement. However, the facility will not contribute toward meeting the minimum target for people (in relation to units and population) of PMTSA 64. Therefore, we request that the Draft VOP 2025 be revised to explicitly recognize the current and planned operations of the UPS Facility, ensuring that any expansions to the existing facility that do not meet the minimum density target for PMTSA 64 will not require an Official Plan Amendment. As previously commented on in the Part A Draft OPA (September 28, 2023 letter), the Draft OPA, 2024 (July 29, 2024 letter), and the Draft VOP from January 2025 (February 11, 2025 letter), we continue to recommend that the City add the bolded text below to Policy 2.4.6.5, or in another appropriate section of the VOP, to be consistent with the Site-Specific Policy 11.3.18.1 of the Steeles Avenue West Secondary Plan and the existing zoning.

Notwithstanding the minimum density and/or height requirements of PMTSA 64, 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.

New policies for PMTSAs have been added to the Draft VOP, 2025 that provide more detailed direction for development in PMTSAs including, the permitted uses, the maximum and minimum densities, the built form objectives, and the provision of parkland. Policy 2.4.6.8. of the Draft VOP 2025 states the following:

That the minimum required and maximum heights that are permitted with respect to buildings and/or structures within a Protected Major Transit Station Area are identified, where applicable, within the policies, designations and schedules of this Plan.

We recommend that the City further amend Policy 2.4.6.8. to protect the existing and planned expansion of the Subject Lands with the bolded text below:

That notwithstanding the minimum required heights within PMTSA 64, the 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.

As stated in Policy 2.4.2.4 of the Provincial Policy Statement (PPS) shown below, the Minister has the authority to approve a density target lower than that set out in Policy 2.4.2.2. In the case of PMTSA 64, the applicable density target is 200 residents and jobs combined per hectare. A reduced target may be approved if the target cannot be achieved due to significant development constraints on portions of the PMTSA lands, or if the built form supports only a limited number of residents and jobs but a major trip generator will sustain high ridership at the station or stop.

For any particular major transit station area, planning authorities may request the Minister to approve an official plan or official plan amendment with a target that is lower than the applicable target established in policy 2.4.2.2, where it has been demonstrated that this target cannot be achieved because:

- a) development is prohibited by provincial policy or severely restricted on a significant portion of the lands within the delineated area; or*
- b) there are a limited number of residents and jobs associated with the built form, but a major trip generator or feeder service will sustain high ridership at the station or stop.*

The above noted policy exemption proposed for the UPS Facility conforms to Policy 2.4.2.4 of the PPS as it recognizes that a portion of the PMTSA is occupied by the UPS facility which, will restrict the ability for the lands to meet the minimum population density target of PMTSA 64.

Conclusion

The Draft VOP 2025 consistently emphasizes the importance of preserving Employment Areas for industrial, manufacturing, and warehousing uses that support the City's economy. As per the Steeles West Secondary Plan, the UPS Facility is subject to the "Employment Area General" and "Prestige Area" designations, intended to protect the facility and recognize its contributions to the economic prosperity of the City of Vaughan since the first phase of the UPS Facility opened in 1988. Strategically located at the junction of Highways 400 and 407, the facility plays a critical role in meeting the logistical needs of multiple municipalities, including Toronto, Vaughan, Markham, and Brampton. The Draft VOP 2025 should be revised to reinforce the protection of the UPS Facility, as a critical employment-generating industry that is essential in supporting current and future demands of the logistics and warehousing sectors. It is particularly important to have this policy in place now

given that the Draft VOP, 2025 will be passed by the Minister of Municipal Affairs and Housing under Section 17 of the *Planning Act* and cannot be appealed.

We appreciate the opportunity to provide comments to the City and trust that our recommended revised wording is implemented. We kindly request that we be kept apprised of any further updates to the Draft Official Plan.

If you have any questions, do not hesitate to contact our office.

Sincerely,

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 Service Canada LTD., Miller Thomson LLP.

Appendix A: Comment Letter, February 11, 2025



February 11, 2025

City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON
L6A 1T1

Via email: oprmanager@vaughan.ca

**RE: COMMENT LETTER
DRAFT VAUGHAN OFFICIAL PLAN, 2025
UNITED PARCEL SERVICES CANADA LTD.
OUR FILE 23137B**

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.

Background

The original workplan for updating the Vaughan Official Plan ("VOP"), consisted of a two-part process (Part A and Part B), that were to inform the ultimate Official Plan Amendment ("OPA") and updates to the VOP. The Part A OPA was deemed the "conformity amendment", intended to meet all of the requirements for Provincial and Regional conformity, whereas the Part B OPA was scoped to include all the desired updates beyond the policies required for conformity. MHBC and Miller Thomson LLP have previously submitted comment letters, appended, on behalf of United Parcel Service Canada pertaining to the Part A Draft OPA on June 16, 2023, and September 28, 2023.

The project workplan for the Draft OPA was then revised to consolidate the ongoing Part A and Part B work into a single draft OPA, which was released on June 18, 2024 ("Draft OPA, 2024"). MHBC and Miller Thomson LLP also submitted comment letters, appended, on behalf of UPS pertaining to the Draft OPA, 2024 on July 29, 2024.

On January 14, 2025, the City of Vaughan released a new Draft VOP, 2025 ("Draft VOP, 2025"), that was presented to the Committee of the Whole on January 22, 2025. It is our understanding that due to recent provincial policy and legislative changes, the VOP 2025 will be passed under Section 17 of the *Planning Act* as

a new Official Plan, rather than as an update to the current VOP 2010 through an OPA under Section 26 of the *Planning Act*, as previously planned.

Compatibility

The UPS Facility on the Subject Lands is 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) of the Secondary Plan 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.

Policy 5.2.1.2, as referenced in 11.3.18.1d) of the current Official Plan states the following:

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~~ 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.

In the Draft VOP, 2025, Policy 3.4.3.2 will replace 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 where Sensitive Land Uses are proposed to be located or are located within 1000 metres of an Employment Area, the applicant** will be required to undertake a **Land Use Compatibility Study and/or the appropriate studies** (e.g., noise, dust, vibration, air quality, 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 **and/or** off-site mitigation measures may be required prior to Development at the expense of the applicant for the more sensitive land use.*

While we are supportive of the modifications to Policy 5.2.1.2 as set out in Policy 3.4.3.2 of the Draft VOP, 2025, we are seeking confirmation that the new land use compatibility policies applicable to Employment Areas

will be applicable to the employment use on the Subject Lands, which is the intent of Policy 11.3.18.1d) of the Steeles Avenue West Secondary Plan. We ask that the City confirm in writing that the site-specific policy in the Secondary Plan will require an applicant proposing to develop or redevelop lands with sensitive land uses to undertake a land use compatibility study and/or appropriate studies to ensure land use compatibility with the UPS major facility, and that on-site and off-site mitigation measures will continue to be required (where applicable) at the expense of the applicant for the more sensitive land use.

The site-specific Secondary Plan policy will need to be updated to reflect the change in numbering, as it currently references policy 5.2.1.2 of the current Official Plan, and will need to be changed to reference 3.4.3.2 of the Draft VOP, 2025 once it is passed.

Protected Major Transit Station Areas

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 gross minimum FSI of 1.1 for developments within the PMTSA.

Policy 2.2.2.9 of the Draft VOP, 2025 states the following:

That on lands where a Protected Major Transit Station Area overlaps with an existing or planned Strategic Growth Area, Secondary Plan Area, or Area-Specific policy that defines minimum density targets, the higher of the gross minimum density target applies.

As previously commented on in the Part A Draft OPA (September 28, 2023 letter) and the Draft OPA, 2024 (July 29, 2024 letter), we continue to recommend that the City add the bolded text below to Policy 2.2.2.9, or in another appropriate section of the VOP, to be consistent with the Site-Specific Policy 11.3.18.1 of the Steeles Avenue West Secondary Plan and the existing zoning.

Notwithstanding the minimum density and/or height requirements of the PMTSA, 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.

New policies for PMTSA have been added to the Draft VOP, 2025 that provide more detailed direction for development in PMTSA including, the permitted uses, the maximum and minimum densities, the built form objectives, and the provision of parkland. Policy 2.2.2.12 of the Draft VOP 2025 states the following:

That the minimum required and maximum heights that are permitted with respect to buildings and/or structures within a Protected Major Transit Station Area are identified, where applicable, within the policies, designations and schedules of this Plan.

We recommend that the City further amend Policy 2.2.2.12 to protect the existing and planned expansion of the Subject Lands with the bolded text below:

That notwithstanding the minimum required heights within the PMTSA, the 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 PMTSA policies with regard to minimum densities and/or height to expand the existing facilities which would not be permitted under the PMTSA. It is also important to have this policy in place now given that the Draft VOP, 2025 will be passed by the Minister of Municipal Affairs and Housing under Section 17 of the *Planning Act* and cannot be appealed.

We appreciate the opportunity to provide comments to the City and trust that our recommended revised wording is implemented. We kindly request that we be kept apprised of any further updates to the Draft Official Plan.

If you have any questions, do not hesitate to contact our office.

Sincerely,

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 Service Canada LTD., Miller Thomson LLP.

Appendix B: Comment Letter, July 29th, 2024



July 29, 2024

Fausto Filipetto, RPP, MCIP
Project Manager
Official Plan Review
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON
L6A 1T1

Via email: oprmanager@vaughan.ca

Dear Mr. Filipetto:

**RE: COMMENT LETTER
DRAFT #1 OF THE COMPREHENSIVE OFFICIAL PLAN
UNITED PARCEL SERVICES CANADA LTD.
OUR FILE 23137B**

MacNaughton Hermsen Britton Clarkson Planning Limited ("MHBC") is retained by United Parcel Service Canada Ltd. ("UPS"), the registered owner of the 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 2,300 employees.

Background

MHBC and Miller Thomson LLP previously submitted comment letters, appended hereto, on behalf of United Parcel Service Canada, on June 16, 2023, and September 28, 2023, pertaining to the past Draft Official Plan (Part A) process. We understand the Official Plan Review project workplan has now been revised to consolidate the work on Part A (conformity amendment) with the Part B work into a single process and a single draft OPA, which was released on June 18, 2024.

Compatibility

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"*.

Policy 5.2.1.2 has been slightly modified and renumbered in the draft Official Plan:

Policy 5.2.1.2 of the current Official Plan: *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~~ 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.*

Policy 3.4.3.2 of the Draft Official Plan: *To protect Vaughan's manufacturing, industrial and warehousing sectors from potential impacts, any development or redevelopment of lands ~~where~~ sensitive land uses are or will be located within ~~1000 metres~~ of an Employment Area, will be required to undertake appropriate environmental studies (e.g., noise, dust, vibration, air quality, 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 and/or off-site mitigation measures may be required prior to development at the expense of the applicant for the more sensitive land use.*

We appreciate the text modifications of the policy, as they are a positive change in relation to the Subject Lands by increasing the required study range for sensitive uses in proximity to employment areas.

The site-specific Secondary Plan policy will need to be updated to reflect the change in numbering, as it currently references policy 5.2.1.2 of the current Official Plan, and will need to be changed to reference 3.4.3.2 of the draft Official Plan.

Major Transit Station Areas

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 2.2.2.12 provides the following:

Where a PMTSA overlaps with an existing or planned Strategic Growth 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 Strategic Growth 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, and as we previously commented on the 'Part A Official Plan Amendment' (September 28, 2023 letter), we recommend that the City further amend Policy 2.2.2.12 to protect the existing and planned expansion of the Subject Lands as follows:

Where a PMTSA overlaps with an existing or planned Strategic Growth 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 Strategic Growth Area, Secondary Plan Area, Area Specific Policy, or Site-Specific Policy applies.

Notwithstanding the minimum density and/or height requirements of the PMTSA, 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 PMTSA policies with regard to minimum densities and/or height to expand the existing facilities which would not be permitted under the MTSA. It is also important to have this policy in place now given that the prescribed land uses and minimum densities in a PMTSA cannot be appealed once approved.

We appreciate the opportunity to provide comments to the City and trust that our recommended revised wording is implemented. We kindly request that we be kept apprised of any further meetings and updates related to the Draft Official Plan.

If you have any questions, do not hesitate to contact our office.

Sincerely,

MHBC



Dana Anderson, MA, FCIP, RPP
Partner

Cc: United Parcel Service Canada LTD., Miller Thomson LLP.

Appendix C: Comment Letter, September 28th, 2023



PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE

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*

Appendix D: Comment Letter, June 16th, 2023



June 16, 2023

Delivered Via Email
(oprmanager@vaughan.ca)

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

Tara L. Pjurko
Direct Line: 416.595.2647
Direct Fax: 416.595.8695
tpjurko@millerthomson.com

File: 0232132.0002

Dear Mr. Filipetto:

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

