

## C1

### Communication

**Council – June 24, 2025**

**CW(1) – Report No. 23 Item No. 3**

June 3, 2025

**BY EMAIL ([clerks@vaughan.ca](mailto:clerks@vaughan.ca)) & REGULAR MAIL**

Vaughan City Hall  
c/o Office of the City Clerk  
2141 Major Mackenzie Drive, Level 100  
Vaughan, Ontario  
L6A 1T1

**Attn: Mayor S. Del Duca & Members of the Committee of the Whole**

**Re: Committee of the Whole Agenda June 4, 2025 – Item 3.  
Official Plan Amendment - City File OP.22.007  
5655, 5657, 5731, 5767, 5781 Highway 7 and 7700 and 7714 Martin Grove Road  
(South-West Quadrant Martin Grove Road and Highway 7)  
City of Vaughan, Region of York  
Our file: 1711-25**

As planners of record, we write on behalf of Westlake Canada Inc., o/a Westlake Pipe & Fittings ('Westlake') regarding the above captioned planning application ('OP.22.007') before Committee for a decision. As a significant industrial stakeholder, Westlake has, and continues to participate regularly in the city's planning programs to pursue productive implementation of land use planning policies. For the past thirty-five years 'Westlake' continues to manufacture and distribute a wide variety of pipes, fittings and building products serving the City of Vaughan, Region of York and the broader regional market. Westlake's products are essential to servicing the residential & ICI building products market in the city, the region and in Canada. In fact, Westlake's industrial products broadly support region-wide housing and related construction activities.

As part of the Vaughan Enterprise Zone (VEZ) south, 'Westlake' employs approximately 170 workers and staff and its manufacturing business operations are located at 101, 131 and 155 Regalcrest Court and also includes a licensed portion of the Hydro Corridor used for the outside storage of manufactured pipe and fitting products. Please refer to the attached Aerial Image describing the relative boundaries of 'Westlake' business operations and their collective properties in relation to the western boundary of the OP.22.007 properties.

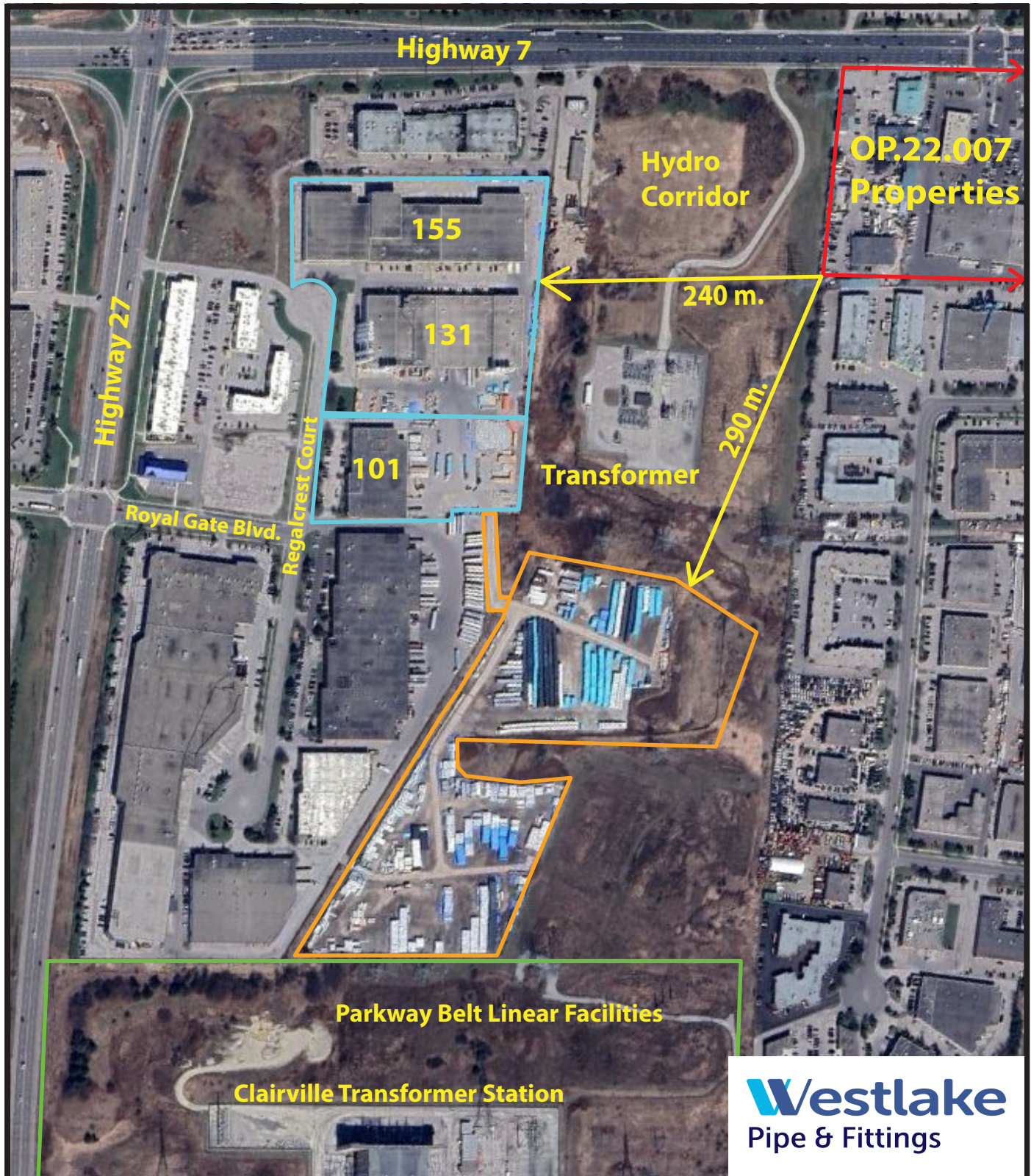
We are of the opinion that City Staff's recommendation to approve File OP.22.007 is premature for the following reasons:

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**AERIAL IMAGE**  
**WESTLAKE CANADA INC. O/A WESTLAKE PIPE & FITTINGS**



1711\_Image1\_JAN.2025

G/E IMAGE APRIL 2024

**Legend**

- 101, 131 & 155 REGALCREST COURT
- NORTHERN & SOUTHERN OUTSIDE STORAGE BLOCKS (LICENCED)
- OP.22.007 - MARTIN GROVE AND HIGHWAY 7 PROPERTIES
- OP.22.007 - DISTANCE FROM WESTLAKE PIPE & FITTINGS PROPERTIES
- PARKWAY BELT WEST PLAN AREA





## **Provincial Planning Policies Strengthen Planned Functions ‘Employment Areas’**

The *Planning Act* and the Provincial Planning Statement (PPS 2024) have strengthened and clarified the planning policies and planned functions of ‘Employment Areas’, as further implemented via municipal Official Plans and zoning. To protect the long-term operational and economic viability of ‘Employment Areas’, the PPS 2024 section ‘3.5 Land Use Compatibility’ reads:

1. *Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.*
2. *Where avoidance is not possible in accordance with policy 3.5.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other major facilities that are vulnerable to encroachment by ensuring that the planning and development of proposed adjacent sensitive land uses is only permitted if potential adverse affects to the proposed sensitive land use are minimized and mitigated, and potential impacts to industrial, manufacturing or other major facilities are minimized and mitigated in accordance with provincial guidelines, standards and procedures.*

Based on the provincial planning framework, the onus or responsibility of achieving ‘Land Use Compatibility’ is placed on the proponent of new ‘Sensitive Land Uses’, thereby protecting the long-term operational and economic viability of existing and planned ‘Employment Areas’. This is further re-iterated by Provincial NPC-300 GUIDELINE, C1.3.1 which reads “... the proponent of a new noise sensitive land use (is responsible) to ensure compliance with the applicable sound level limits and for these responsibilities to be reflected in land use planning decisions.” A proponent’s responsibilities include, but are not limited to:

- *determining the feasibility of the project;*
- *assessing outdoor and indoor acoustical environments, as appropriate;*
- *investigation of feasible means of noise impact mitigation;*
- *ensuring that the required noise control measures are incorporated into the development, and;*
- *describing the technical details, and clarifying the responsibility for the implementation and maintenance, of the required noise control measures.*

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The NPC-300 GUIDELINE, along with the Environmental Guideline D-1 "Land Use and Compatibility" make it clear that the assessment of noise impacts on sensitive uses is not a one-time requirement. It is a requirement any time Westlake has to make changes in its processes. This requirement applies even if the change is not a significant expansion if Westlake's processes are subject to either an Environmental Compliance Approval (ECA) or an Environmental Activity and Sector Registration (EASR) because amendments will need to be made. Acoustic Assessment Report, Audits and Noise Abatement Action Plans may need to be provided or changed. The encroachment of sensitive land uses will not only drive up costs and processing times, but could result in necessary ECA amendments for Westlake's existing facilities being impossible to obtain. The long-term operational and economic viability of its operations is potentially threatened and land use compatibility has not been demonstrated at this time, allowing this application to be approved.

### **Lack of Demonstrated Need for the Additional Density & Building Height per OP.22.007**

The in-effect Vaughan Official Plan, as amended ('VOP 2010') permits a 'Mid-Rise Mixed-Use' land use designation for the OP.22.007 properties, and includes a maximum density of 2.5 and 3, and a maximum building height of 8 – 10 storeys. Notwithstanding, the OP.22.007 applicant has:

*"...submitted a proposal to permit a phased high-rise mixed-use master plan community consisting of 10 residential apartments blocks totalling 13 buildings with at-grade commercial uses, a maximum height of 28-storeys, a maximum Floor Space Index ('FSI') of 5.62 times the area of the lot and a total of 3,390 units spanning three phases, various public and private roads, public parks and privately owned spaces" (City Staff Report).*

As a planning application, OP.22.007 is subject to the substantive and procedural requirements of the *Planning Act*, the PPS 2024, the York Region Official Plan, 2022, now subsumed within and as the City of Vaughan Official Plan 2010, as amended.

The planning profile of the OP.22.007 properties is exhibited by Official Plan policies, as further reflected in the City's pending VOP 2025 with a 2051 planning horizon:

- Not located in a 'Regional Centre' and is located in an 'Urban Area';
- Not located in a 'Protected Major Transit Station Area' ('MTSA'), nor identified as a 'Future MTSA';





- The 70+ Protected MTSA's in York Region, (some 21 existing MTSA's in the City, with 6 more Future MTSA's identified) are planned to be developed and/or redeveloped to support higher density residential development to achieve MTSA planned functions;
- Highway 7 is identified as a 'Rapid Transit Corridor' and a 'Regional Intensification Corridor' within Employment Areas;
- Within a 'Community Area' that abuts the 'West Vaughan Employment Area Zone' which is *"an area of high economic output and strategically located to provide opportunities to improve coordination between land use planning economic development and infrastructure investments to support investment and job creation over the long-term."*

## **Land Use Compatibility Issues**

Notwithstanding Staff's recommendation, it is clearly acknowledged by City Staff that the OP.22.007 proposal exhibit Land-Use Compatibility concerns with the nearby protected employment areas. City Staff advise as follows in their report (page 4 and 8 of 14):

- *"The proposed residential and commercial land uses will be within proximity to existing industrial uses to the south and the proposed land-use buffer may be insufficient to mitigate compatibility concerns."* Page 4. (This observation should have also included Westlake's properties to the west.)
- *"The supporting Land-Use Compatibility / Air Quality Study must consider future growth potential on abutting employment areas and its effects on the proposed residential and commercial uses proposed on the Subject Lands."* Page 4
- *"Encroachment of 'sensitive land uses', including residential uses, may affect the integrity of the overall employment area."* Page 4
- *"Subsequent land use compatibility studies are required to be provided at the individual Zoning By-law Amendment stage to supplement the initial Land Use Study, and to confirm the industrial classes within the area of influence, including the identification of on-site and off-site mitigation measures and appropriate setback provisions in adherence with the D6-3 guidelines. These provisions will be incorporated into the site-specific policies as shown in Attachment 7 of this report."* Page 8.



Land use compatibility studies are to include a Noise Assessment, Environmental Engineering and Air Quality, among others *"...at the subsequent rezoning, draft plan of subdivision and site development stage, to secure mitigation and design measures for individual redevelopment sites within the Subject Lands. This will be incorporated as site-specific policies of this Plan and may also be used as a Holding provision if required."* Page 12.

## **CONCLUSIONS & RECOMMENDATION**

Westlake should not have to contend with land use compatibility pressures from proposed 'Sensitive Land Uses' as public planning policies and regulations protect the integrity of 'Employment Areas' from the proposed 'encroachment' of 'Sensitive Land Uses', as further implemented via municipal Official Plans and zoning.

Westlake requests that the application should not be approved at this time, it being premature until more careful noise and air emissions studies have been carried out to demonstrate and ensure that current and future Westlake operations are compatible with the development and that Westlake's operational and economic viability can be ensured.

OP.22.007 represents a significant increase in residential densities and building heights, beyond what is currently provided for by the City's Official Plan. While the need for housing is acknowledged, it would appear that there are plenty of other opportunities and planning applications in process in well planned Secondary Plan Areas and approved Protected MTSA's that are fully capable of satisfying the city's planned housing goals and objectives, combined with the delivery of expensive public infrastructure and services.

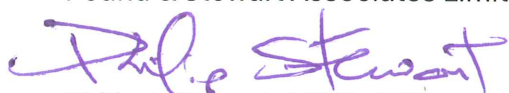
In closing, on behalf of Westlake it is my professional planning opinion that OP.22.007 be refused as it does not represent good community planning.

Please ensure our firm remains on the City's mailing list regarding any future public notices, updates, reports, Committee and Council Agenda related items, and any Council decision or actions on the above captioned matter.

Thank-you in advance for your co-operation.

Yours truly,

Pound & Stewart Associates Limited



Philip J. Stewart, MCIP, RPP

/la\_1711ltr.Westlake.June.03.2025

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Attachment: Aerial Image 1

cc. Ward 2 Councillor A. Volpentesta, [Adriano.Volpentesta@vaughan.ca](mailto:Adriano.Volpentesta@vaughan.ca)

cc. Ms. L. Cardile, Ward 2, Executive Assistant, [Lucy.Cardile@vaughan.ca](mailto:Lucy.Cardile@vaughan.ca)

cc. Mr. V. Musacchio, Interim Deputy City Manager, Planning & Growth Management & Housing Delivery, City of Vaughan [vince.musacchio@vaughan.ca](mailto:vince.musacchio@vaughan.ca)

cc. Ms. N. Tuckett, MCIP, RPP, Director of Development and Parks Planning, City of Vaughan [nancy.tuckett@vaughan.ca](mailto:nancy.tuckett@vaughan.ca)

cc. Mr. M. Antoine, Sr. Manager of Development Planning, MCIP, RPP, City of Vaughan [mark.antoine@vaughan.ca](mailto:mark.antoine@vaughan.ca)

cc. Mr. K. Apanisile, Sr. Planner, MCIP, RPP, City of Vaughan [Kemi.Apanisile@vaughan.ca](mailto:Kemi.Apanisile@vaughan.ca)

cc. Ms. E. Mahoney, CAO, Region of York ([Erin.Mahoney@york.ca](mailto:Erin.Mahoney@york.ca))

cc. Messrs. D. Tang & R. Gray, Miller Thomson LLP

cc. client

