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July 7, 2023

Hon. Steve Clark, Minister  
Ministry of Municipal Affairs and Housing  
777 Bay Street, 17<sup>th</sup> Floor  
Toronto, ON  
M7A 2J3

Via email: [planningconsultation@ontario.ca](mailto:planningconsultation@ontario.ca)

Dear Minister Clark:

**RE: Review of proposed policies adapted from A Place to Grow and Provincial Policy Statement to form a new provincial planning policy instrument**  
ERO number 019-6813

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MacNaughton Hermsen Britton Clarkson ("MHBC") are the planning consultants for the United Parcel Service, Canada ("UPS"). UPS owns approximately 16.45 hectares of land known municipally as 2900 Steeles Avenue West in the City of Vaughan which is located at the northeast corner of Jane Street and Steeles Avenue West (the "Subject Lands"). The Subject Lands are a major facility and a national distribution hub for UPS employing over 2,000 employees. The facility operates 7 days per week and 24 hours a day and generates significant truck movements in and out of the facility.

UPS's facilities on the Subject Lands are recognized in the City of Vaughan Official Plan and Steeles West Secondary Plan through past amendments which expressly recognize and protect the existing and future planned operations, consistent with the current Provincial Policy Statement and Growth Plan. While not within a defined *Employment Area* or within a Provincially Significant Employment Zone, the Subject Lands are surrounded by one, and the Subject Lands serve as a major facility which is expected to exist beyond the timeframe of the City's Official Plan.

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 with the current and zoned expansion capability of the operation to ensure necessary mitigation measures are provided to protect the rights of UPS.

The continued and expanded use of the property by UPS will not detract from long term goals and objectives for the Steeles West Secondary Plan or the Steeles Avenue corridor or preclude the long term build out of the area provided that necessary mitigation is implemented by new surrounding development to ensure the existing and planned use of the UPS property is protected. UPS was a participant in the planning processes leading to this policy recognition of their operation as an important facility and employment use in the City of Vaughan.

This letter is in response to the proposed new *Provincial Planning Statement*, which will replace *A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020* ("Growth Plan") and the *Provincial Policy Statement, 2020* ("PPS"), as it impacts UPS and its facilities.

### ***Current Provincial Policy Context***

In the existing PPS, UPS's facilities are defined under *Major Facilities*:

***"Major facilities: means facilities which may require separation from sensitive land uses, including but not limited to airports, manufacturing uses, transportation infrastructure and corridors, rail facilities, marine facilities, sewage treatment facilities, waste management systems, oil and gas pipelines, industries, energy generation facilities and transmission systems, and resource extraction activities."***

The policies in Section 1.2.6 Land Use Compatibility of the current *PPS* protects major facilities, from the encroachment of sensitive land uses that may impact their long-term operational and economic viability. Where avoidance is not possible, in accordance with policy 1.2.6.1 of the current *PPS*, policy 1.2.6.2 identifies a list of criteria that shall be met in order to permit the development of adjacent sensitive land uses:

- "a) there is an identified need for the proposed use;*
- b) alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;*
- c) adverse effects to the proposed sensitive land use are minimized and mitigated; and*
- d) potential impacts to industrial, manufacturing or other uses are minimized and mitigated".*

The Growth Plan echoes these policies, with policy 2.2.5.8 stating that:

*"The development of sensitive land uses, major retail uses or major office uses will, in accordance with provincial guidelines, avoid, or where avoidance is not possible, minimize and mitigate adverse impacts on industrial, manufacturing or other uses that are particularly vulnerable to encroachment".*

Overall, the current provincial planning regime recognizes the importance of major facilities and the need to protect existing and planned facilities from sensitive land uses and to address land use compatibility and minimize impacts through avoidance, and where that is not possible, through mitigation.

### ***Proposed Provincial Planning Statement***

The proposed *Provincial Planning Statement* as drafted raises several concerns for UPS, specifically in relation to land use compatibility and the long-term protection of its facilities.

The revised Land Use Compatibility policies of the proposed *Provincial Planning Statement* (Section 3.5) further contributes to the potential for municipal policy changes which would lead to the introduction of sensitive land uses in proximity to UPS's facilities without adequate study and mitigation to protect the UPS operations, as they remove such criteria. Policy 1.2.6.1 of the current PPS provides UPS with the continued policy support to ensure that adequate protection is provided such that sensitive land uses will only be permitted if it is demonstrated that there is no adverse impact to existing and planned (zoned) operations.

Together, the above-listed elements of the proposed *Provincial Planning Statement* may encourage and/or increase policy change to dilute or eliminate policy protections to provide adequate and proper evaluation of the introduction of sensitive land uses in proximity to major facilities. As discussed, the development of sensitive land uses in proximity to UPS's facilities could impact UPS's current and planned operations without

adequate study and mitigation to the UPS operations. Therefore, it is recommended that the land use compatibility policies in the current PPS be maintained in the proposed *Provincial Planning Statement*.

We thank you for the opportunity to comment. 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 | MHBC Planning

*Cc: United Parcel Service Canada*