

## Committee of the Whole (Public Meeting) Report

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**DATE:** Tuesday, September 12, 2023

**WARD(S):** 4

**TITLE:** 8083 JANE STREET LTD.

**COMMUNITY INFRASTRUCTURE AND HOUSING  
ACCELERATOR (CIHA) FILE CIHA.23.001**

**8083 JANE STREET**

**VICINITY OF JANE STREET AND MACINTOSH BOULEVARD**

**FROM:**

Haiqing Xu, Deputy City Manager, Planning and Growth Management

**ACTION:** FOR INFORMATION

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### **Purpose**

To receive comments from the public and the Committee of the Whole on an application to use the Community Infrastructure and Housing Accelerator (CIHA) tool to permit a development comprising of three (3) mixed-use buildings ranging in heights of 12, 50 and 60 storeys, and one (1), 8-storey standalone hotel as shown on Attachments 3 to 9. The development will include a total of 1,269 dwelling units of which 150 will be 'Attainable Housing' and 1,492 parking spaces. Non-residential uses include convention centre, office space, retail uses, a public park, and a community centre.

### **Report Highlights**

- The Owner proposes a development consisting of three (3) mixed-use buildings at 12, 50 and 60-storeys in height, and one (1) 8-storey standalone hotel. The development consists of 1,269 dwelling units of which 150 will be 'Attainable Housing', 37,583 m<sup>2</sup> of non-residential GFA, 1,492 parking spaces, and a combined Floor Space Index (FSI) of 7.36 times the area of the lot.
- This report identifies preliminary issues to be considered in a technical report to be prepared by the Development Planning Department at a future Committee of the Whole meeting.
- The application is being considered through the CIHA tool to facilitate the development.

## **Recommendations**

1. THAT the Public Meeting report for Community Infrastructure and Housing Accelerator (CIHA.23.001) BE RECEIVED, and that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

## **Background**

Location: 8083 Jane Street (the 'Subject Lands'). The Subject Lands and the surrounding land uses are shown on Attachments 1 and 2.

Date of Pre-Application Consultation Meeting: January 27, 2023

Date application was deemed complete: August 17, 2023

### ***Community Infrastructure and Housing Accelerator ('CIHA')***

Bill 109, *More Homes for Everyone Act*, 2022, received Royal Assent on April 14, 2022, and is intended to make several amendments to the *Planning Act* (the 'Act'). Amongst the series of amendments, a new planning tool has been created, known as the Community Infrastructure and Housing Accelerator (CIHA) within section 34.1 of the Act, which enables municipalities to submit requests to the Ministry of Municipal Affairs and Housing ('MMAH') for the issuance of a zoning order on a given site. Staff outlined the provisions of the CIHA tool in the February 28, 2023 Committee of the Whole Report, which was received by Council on March 21, 2023. The link to that report is provided within the Previous Reports/Authority section.

### **Requirement and community benefits for CIHA request**

CIHA requests through the City of Vaughan will be considered on a case-by-case basis, however, the City has identified key priorities that will be taken in to consideration in the evaluation of a CIHA applications. These key priorities are intended to meet the City's objectives for creating complete communities and should be considered as additional community benefits beyond the requirements stipulated through the standard approval process of an Official Plan and Zoning By-law Application. The key priority requirements that will be considered for each application is the following:

- Priority Housing Types:
  - Purpose-built rental housing
  - Affordable housing (including market and non-market sector, as defined in the Provincial Policy Statement 2020 and/or York Region Official Plan 2022 ('YROP 2022'))
  - Minimum number of family-sized units within a high-density residential Development
  - Senior's housing (ex. Long-Term Care Facilities)
  - Supportive housing for persons with disabilities
- Office Development
- Developments that incorporate significant sustainable development features,

which includes achieving a Gold performance level as defined in the Council approved Sustainability Metrics Program

- Developments that provide a significant contribution to or restoration of the City's Natural Heritage Network
- Developments which contribute to sustainable transportation and mitigating congestion by providing zero net new parking spaces (i.e. no more parking than what already exists on-site)

The development at 8083 Jane Street will be assessed based on these City objectives at a future Committee of the Whole meeting where staff recommendations for the CIHA request will be stipulated and outlined.

***The Applicant is seeking that Council request a CIHA order to MMAH to facilitate the proposed development.***

8083 Jane Street Ltd. ('the Owner') has submitted the CIHA Application for the Subject Lands to convert the lands from employment to mixed-use, and facilitate a development (the 'Development') comprised of the following as shown on Attachments 3 to 8:

- (Building 1) 60-storey mixed-use building;
- (Building 2) 50-storey mixed-use building;
- (Building 3) 8-storey standalone hotel;
- (Building 4) 12-storey mixed-use building;
- 1,269 dwelling units of which 150 will be for Attainable Housing;
- 5,142 m<sup>2</sup> of office space;
- 1,835 m<sup>2</sup> of retail space;
- 6,081 m<sup>2</sup> of convention centre space;
- 20,083 m<sup>2</sup> hotel space (between the standalone hotel and a 2<sup>nd</sup> hotel within Building 2);
- 1,589 m<sup>2</sup> of community centre space;
- 4,501 m<sup>2</sup> of privately-owned publicly accessible space (POPS); and
- 1,769 m<sup>2</sup> of public park space.

***Employment Area (Employment Land Conversion)***

The Subject Lands are within a Provincially Significant Employment Zone ('PSEZ'). The PPS and Growth Plan for the Greater Golden Horseshoe ('Growth Plan') provides guidelines and criteria for land use conversions of PSEZ. Section 1.3.2.4 of the PPS and sections 2.2.5.9 and 2.2.5.10 of the Growth Plan requires that a Municipal Comprehensive Review ('MCR') be undertaken in order to consider an employment conversion to a non-employment use. The Regional Municipality of York undertook a recent MCR in which the Subject Lands were considered for land use conversion. The review process however recommended that the lands remain within the employment area.

The subsequent YROP 2022 resulted in the Subject Lands being identified as "Urban Area" under Regional Structure Map 1 and "Employment Area" under Land Use

Designations Map 1A of YROP 2022. The existing “Employment Area” designation does not permit the proposed development, which contains residential uses. Section 4.3.2 and 4.3.3 of YROP 2022 provides policy direction to protect employment areas by ensuring local official plans limit permitted uses to manufacturing, warehousing, industrial, offices, and associated retail and ancillary facilities. The Development proposed at 8083 Street will be mixed-use residential, commercial, and office space.

#### Proposed Provincial Planning Statement (2023)

Regard should also be considered for the proposed updated Provincial Planning Statement (2023). The province has proposed combining elements of the PPS 2022 and Growth Plan into one cohesive document. This process, if approved, would result in the removal of the PSEZ and would expand on the definition of employment area by focusing it on manufacturing, warehousing, and movement of goods. Assessment of this new policy directive as it relates to CIHA request within employment areas will be further reviewed in a future technical report to the Committee of the Whole.

#### ***Analysis and Options***

- Provincial Policy Statement
  - Subject Lands is considered “Employment Area”
  - Pursuant to section 1.3.2 “Employment Area” planning authorities shall protect and preserve such area for industrial and manufacturing uses.
  
- Growth Plan for the Greater Golden Horseshoe (‘Growth Plan’)
  - Subject Land is considered within a “Built-Up Area”
  - Is identified as a Provincially Significant Employment Zone (‘PSEZ’)
  - sections 2.2.5.9 and 2.2.5.10 of the Growth Plan requires that a Municipal Comprehensive Review (‘MCR’) be undertaken in order to consider an employment conversion to a non-employment use.
  
- York Region Official Plan (YROP2022)
  - Subject Lands are identified as “Urban Area” under Regional Structure Map 1 and “Employment Area” under Land Use Designations Map 1A of YROP 2022.
  - The existing “Employment Area” designation does not permit the proposed development which contains residential uses.
  - Section 4.3.2 and 4.3.3 of YROP 2022 provides policy direction to protect employment areas by ensuring local official plans limit permitted uses to manufacturing, warehousing, industrial, offices, and associated retail and ancillary facilities.
  
- Vaughan Official Plan (VOP2010)
  - Subject Lands are designated “Prestige Employment”. The uses, height, density and land use provisions under this designation does permit the Development as contemplated.

- Zoning By-law 001-2021
  - the Subject Lands are zoned “EM1 Prestige Employment Zone”. This zone category does not permit the contemplated development on the Subject lands.

### ***Required Exemption***

#### ***Exemption to Provincial Policy and YROP2022***

Should the CIHA request be approved by MMAH, it will exempt the Development from provincial plans, the PPS and YROP 2022 as discussed above. The proposal at 8083 Jane Street would result in the following exemptions:

1. the removal of the Subject Lands from PSEZ under the PPS & Growth Plan; and
2. land use conversion of “Employment Area” to ‘Community Area’ designation under the YROP 2022.

#### ***Exemption to Vaughan Official Plan 2010 (VOP 2010) and Zoning By-law 001-2021***

The CIHA order process for 8083 Jane Street would also provide an exemption to the following local land-use designation policies and zoning regulations:

1. Under VOP 2010 the Subject Lands are designated “Prestige Employment”. The uses, height, density and land use provisions under this designation does not permit the Development as contemplated. Under the CIHA process, conformity to VOP 2010 is not applicable and will be exempted from conformity.
2. Under Zoning By-law 001-2021 the Subject Lands are zoned “EM1 Prestige Employment Zone”. This zone category does not permit the contemplated development on the Subject lands. Through the requested CIHA order, the Subject Lands would be rezoned to “HMU High-Rise Mixed-Use Zone” with site-specific exceptions as identified on Attachment 9, Table 1 of this report.

Additional zoning exceptions may be identified through the on-going detailed review of the CIHA Application and will be considered in a later technical report to a future Committee of the Whole meeting.

If Council chooses to support the CIHA request by way of a Council Resolution, the draft zoning by-law amendments required to facilitate the Development will be drafted and submitted to the MMAH for final consideration within 15 days of the resolution passing.

### ***Public Notice was provided in accordance with the Act and Council's Notification Protocol***

- a) Date the Notice of Public Meeting was circulated: August 18, 2023.

The Notice of Public Meeting was also posted on the City's website at [www.vaughan.ca](http://www.vaughan.ca) and Notice Signs were installed along Jane Street, MacIntosh

Boulevard, and Talman Court in accordance with the City’s Notice Signs Procedures and Protocols.

- b) Circulation Area: To all property owners within 150 m of the Subject Lands and to anyone on file with the Office of the City Clerk having requested notice.
- c) No comments have been received as of August 22, 2023, by the Development Planning Department.

Any written comments received will be forwarded to the Office of the City Clerk to be distributed to the Committee of the Whole as a Communication and be reviewed and addressed by the Development Planning Department in a future technical report to the Committee of the Whole.

***Indigenous Engagement/Consultation***

Prior to submitting the CIHA request to MMAH, the City must demonstrate that proper indigenous consultation has been completed. The City in turn has created guidelines requiring Applicants seeking a CIHA process to provide adequate evidence to the City satisfaction that Indigenous Engagement has occurred.

Upon receiving the CIHA request for 8083 Jane Street, the Owner has provided two separate letters, one from the Mississaugas of the Credit First Nation and the second from the Huronne-Wendat Nation acknowledging that consultation has occurred. Review of each letter will be assessed through a future technical report to the Committee of the Whole.

**Previous Reports/Authority**

The following is a link to a previous report regarding the CIHA:  
[February 28, 2023, Committee of the Whole \(Item 1, Report 11\)](#)

***Following a preliminary review of the application, the Development Planning Department has identified the following matters to be reviewed in greater detail:***

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
a.	Conformity and Consistency with Provincial Policies, York Region and City Official Plan Policies	<ul style="list-style-type: none"> <li>▪ The Application will be reviewed for consistency and conformity with the PPS, the Growth Plan and the policies of the YROP 2022, and VOP 2010</li> </ul>

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
b.	Employment Area, Land-use conversion, Land use Compatibility	<ul style="list-style-type: none"> <li>▪ The CIHA order, if approved would remove the Subject Lands from the “Employment Area”. Matters related to retention of employment opportunity and land use compatibility with existing adjacent land uses will be assess and evaluated.</li> <li>▪ The CIHA order if approved, would place sensitive land-uses within proximity to existing employment areas where heavy industrial activities are permitted, including activities associated with the nearby CN Macmillian Yard and operations that require heavy truck traffic.</li> <li>▪ The Subject Lands are located between two ‘Intensification Area’ and is considered a ‘Stable Areas’ as identified by Schedule 1 of VOP 2010. Proceeding with the CIHA request may result in a change in urban structure for the balance of the Jane Street corridor which may lead to further land-use conversions and the de-stabilization of the immediate area.</li> </ul>
c.	Appropriateness of the CIHA request	<ul style="list-style-type: none"> <li>▪ The appropriateness of the CIHA request will be reviewed in consideration of the proposed land use designation, building height and density, retail uses at grade, parking arrangements, community benefits including attainable housing.</li> <li>▪ The appropriateness of the rezoning and site-specific exceptions through the CIHA order will be reviewed in consideration of the existing and planned surrounding land uses.</li> </ul>
d.	Studies and Reports	<ul style="list-style-type: none"> <li>▪ The Owner submitted studies and reports in support of the Applications available on the city’s website at <a href="https://maps.vaughan.ca/planit/">https://maps.vaughan.ca/planit/</a> (PLANit Viewer) and must be approved to the satisfaction of the City or respective approval authority. Additional studies and/or reports may be required as part of the application review process.</li> </ul>
e.	Allocation and Servicing, Infrastructure	<ul style="list-style-type: none"> <li>▪ Should the CIHA request be endorsed by Council and approved by the MMAH the availability of water and sanitary servicing capacity for the Development must be identified and allocated by Vaughan Council.</li> <li>▪ Allocating servicing capacity should be confirmed by Council prior to the MMAH final approval of the CIHA order.</li> </ul>

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
		<ul style="list-style-type: none"> <li>▪ Allocating servicing capacity in unplanned residential areas may limit the city’s ability to allocate future service capacity in areas already planned for mixed-use residential intensification i.e. (Vaughan Mills Centre and Vaughan Metropolitan Centre).</li> <li>▪ External upgrades to infrastructure outside the Subject Lands maybe required to adequately services the property based on the uses and the intensity of uses contemplated. (i.e. water, stormwater &amp; sanitary systems).</li> <li>▪ Connectivity along Jane Street will be evaluated. There currently are no walking or multi-use trail provisions along the Jane Street corridor where the Subject Lands are located. Such infrastructure will be required in order service the site for active transportation.</li> </ul>
f.	Urban Design Guidelines	<ul style="list-style-type: none"> <li>▪ The Development will be reviewed in consideration of the City of Vaughan City-wide Urban Design Guidelines.</li> </ul>
g.	Design Review Panel ('DRP')	<ul style="list-style-type: none"> <li>▪ The DRP must review the Application prior to proceeding to the Committee of the Whole.</li> </ul>
h.	Public Agency/Municipal Review	<ul style="list-style-type: none"> <li>▪ The CIHA request must be reviewed by York Region and the Toronto and Region Conservation Authority (<u>TRCA</u>) and other external public agencies and utilities, municipalities and the Public, Separate, and French School Boards.</li> </ul>
i.	Parkland Dedication	<ul style="list-style-type: none"> <li>▪ The CIHA request will be reviewed in consideration of the requirements of the <i>Planning Act</i> and the City of Vaughan’s Parkland Dedication Policy.</li> </ul>
j.	Community Benefits Charges	<ul style="list-style-type: none"> <li>▪ The Development meets the criteria for Community Benefits Charges ('CBC') being 5 or more storeys and 10 or more units. The City passed the CBC By-law on September 14, 2022, which is therefore the applicable mechanism used to collect community benefits.</li> </ul>
k.	Affordable Housing	<ul style="list-style-type: none"> <li>▪ The CIHA request will be reviewed in consideration of Provincial, Regional and City policies to ensure that the Development provides an appropriate level, range and mix of unit sizes and types to meet the City’s affordable housing goals.</li> </ul>



	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
l.	Key Priorities Contribution for CIHA request	<ul style="list-style-type: none"> <li>▪ Separate from the Community Benefit Charges, CIHA requests will be evaluated on the level of additional contributions provided through the Development based on the ‘Key priorities’ the City has identified in the February 28<sup>th</sup>, 2023 report. These contributions should be considered beyond the regular statutory requirements under the <i>Planning Act</i>.</li> <li>▪ The Owner has identified the following contributions that will be incorporated into the Development and will be used as the basis to justify the CIHA request: <ul style="list-style-type: none"> <li>- Proximity to public mass transit infrastructure;</li> <li>- Increase economic activity on underutilized employment land through the introduction of a hotel, convention centre, retail and high-tech office space;</li> <li>- Incorporating ‘Attainable Housing’ as a housing option;</li> <li>- ‘Senior lifestyle dwelling units’ as a housing option; and</li> <li>- Market-based dwelling units to aid in on-going housing demand pressures.</li> </ul> </li> <li>▪ Staff will review and determine if the contributions are sufficient in aiding in the City’s ability meet their key priorities of creating complete communities.</li> <li>▪ Staff will need to further define the term ‘Attainable Housing’ if a CIHA order is considered for the Development.</li> <li>▪ If MMAH chooses to approve the CIHA order, the ability for the City to secure and capture the contribution through the CIHA process will be reviewed. The City may secure contributions, through agreements and conditions prior to the final implementing documents associated with the CIHA order is established.</li> </ul>
m.	City’s Tree Protection Protocol (‘TPP’)	<ul style="list-style-type: none"> <li>▪ There are a number of trees on the Subject Lands, which are required to be removed to accommodate the proposed development.</li> <li>▪ The Development will be reviewed in accordance with the City’s Tree Protection Protocol, for the protection and the replacement of any tree(s) should they be damaged during construction, if the Applications are approved.</li> </ul>

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
n.	Traffic Impacts, Road Widening and Access	<ul style="list-style-type: none"> <li>▪ The Transportation Impact Study will be reviewed in accordance with the City’s Transportation Impact Study Guidelines to the satisfaction of the Development Engineering Department.</li> <li>▪ The proposed traffic generated by the Development will be reviewed in consideration of existing traffic conditions at Jane Street and MacIntosh Boulevard.</li> <li>▪ Matters including the driveway entrance, parking, ramps to the underground parking garage, truck manoeuvring, bicycle parking and Transportation Demand Management requirements are required to be reviewed to the satisfaction of the Development Engineering Department.</li> <li>▪ The Subject Lands are located on Jane Street, an arterial road under the jurisdiction of York Region.</li> <li>▪ York Region will identify any required land conveyances.</li> </ul>
o.	Future Site Development Application and subsequent permits	<ul style="list-style-type: none"> <li>▪ Should the CIHA be approved by MMAH the Owner is required to submit a related Site Development Application to be reviewed by staff.</li> <li>▪ Final tenure of the dwelling units will also determine if a Draft Plan of Condominium is required.</li> </ul>
p.	Flood Plains and Developable Area	<ul style="list-style-type: none"> <li>▪ The Subject Lands are within a Flood Plain as identified on Toronto and Region Conservation Authority (TRCA) Flood Plan Map. In order to advance the CIHA request, the TRCA request flood mitigation measures including comprehensive infrastructure improvements to the adjacent Black Creek Channel be implemented.</li> <li>▪ The TRCA notes that the planning and design of any flood mitigation measure internal and external to the Subject Lands will need be advance to a point where the TRCA can determine the feasibility of work and remediation measures.</li> <li>▪ The Owner and City will need to provide commitment to any construction related to flood mitigation measures.</li> </ul>

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
		<ul style="list-style-type: none"> <li>▪ Further confirmation will be required through the TRCA’s review which will subsequently confirm final developable area and potential flood mitigation measures.</li> <li>▪ The development limit on the Subject Lands will need to be confirmed prior to advancing the CIHA order.</li> </ul>

**Financial Impact**

There are no financial requirements for new funding associated with this report.

**Operational Impact**

Development Planning staff have circulated the Applications to internal City Departments for review.

**Broader Regional Impacts/Considerations**

The Applications have been circulated to the York Region Community Planning and Development Services Department for review and comment. Any issues will be addressed when the technical report is considered.

The Subject Lands, as discussed, are designated “Employment Area” under YROP 2022. Discussions with respect to land use employment conversion through the CIHA process will be further assessed.

**Conclusion**

The preliminary issues identified in this report and any other issues identified through the processing of the CIHA Application will be considered in the technical review of the Applications. Comments from the public and Vaughan Council expressed at the Public Meeting or in writing will be addressed in a comprehensive report to a future Committee of the Whole meeting.

**For more information**, please contact OluwaKemi (Kemi) Apanisile, Planner, Development Planning Department, ext. 8210.

**Attachments**

1. Context Map
2. Location Map and Zoning
3. Conceptual Site Plan and Proposed Zoning
4. Landscape Plan
5. Landscape Plan and POPS
6. Building Elevations - North and East Elevations

7. Building Elevations - South and West Elevations
8. Perspective Rendering
9. Zoning By-law 001-2021 Table 1

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