

## ATTACHMENT 10

### YORK REGION COMMENTS

November 14, 2023

OluwaKemi (Kemi) Apanisile, BURPI, MCIP RPP  
Planner  
City of Vaughan  
Development Planning Department  
2141 Major Mackenzie Drive  
Vaughan, ON L6A 1T1

Dear Kemi Apanisile:

**Re: Community Infrastructure and Housing Accelerator (CIHA)  
MPAR Developments  
8083 Jane Street  
City File Nos.: CIHA.23.001, OP.23.010 and Z.23.019  
York Region File Nos.: LOPA.23.V.0047 and ZBA.23.V.0072**

This is in response to your second circulation and request for comments for the Community Infrastructure and Housing Accelerator (CIHA) application that was received on September 26, 2023. Our commnet letter for the first circulation was sent to Vaughan on September 28, 2023. As such, the applicant's second submission does not respond to the Region's comments. Our first circulation comments remain relevant and are included in this updated letter.

The 1.77 ha subject site is located at the southeast corner of Jane Street and MacIntosh Boulevard and is currently occupied by the Bellvue Manor Banquet Hall. The proposed development consists of 945 market residential units, 150 attainable residential units contained in two mixed-use towers (50 and 60 storeys), 5,142 m<sup>2</sup> of office space, 6,081 m<sup>2</sup> of convention centre space, 1,835 m<sup>2</sup> of retail space, 20,083 m<sup>2</sup> for two hotels, 174 seniors' lifestyle units and 1,589 m<sup>2</sup> of community space in a 12-storey mixed-use tower, 4,501 m<sup>2</sup> of publicly accessible open space, and 1,769 m<sup>2</sup> public park. The overall built density is 7.36 FSI.

### **Community Infrastructure and Housing Accelerator**

The City of Vaughan should consider the following matters before making a decision on the proposal:

1. The subject lands are designated Employment Area in the Vaughan Official Plan and York Region Official Plan
2. The subject lands are protected in the Provincial Growth Plan for the Greater Golden Horseshoe as being within a Provincially Significant Employment Zone

3. A requested employment land conversion on the subject lands was not supported by Vaughan Council on May 27, 2020
4. The requested employment land conversion was not approved by York Region Council on October 22, 2020
5. The subject lands are wholly within and surrounded by employment uses
6. Introducing new high density residential uses on a site-specific basis surrounded by employment uses would create an isolated community without close access to typical residential neighbourhood uses, such as schools, community facilities, and walkable destinations.
7. Introducing new residential uses on the subject lands could:
  - a) destabilize surrounding existing employment uses, creating potential compatibility issues
  - b) place upward pressure on land values, discouraging the establishment of new employment businesses
  - c) create incompatibility issues given its proximity to the nationally significant CN Macmillan Yard

**The subject lands are not located within a planned intensification area**

York Region staff fully supports every effort to accelerate building more housing units based on good planning principles. The City of Vaughan has a number of planned community areas to accommodate residential intensification.

The Vaughan Metropolitan Centre Secondary Plan area, which is located south of the subject lands, is planned to accommodate a potential population of 118,000 in approximately 67,000 residential units. This is Vaughan’s primary intensification area. The focus is to direct residential intensification to this Regional Centre/Urban Growth Centre. Consideration should be given to the cumulative impacts on available servicing and transportation capacity to accommodate growth in the VMC. Further, there are no sidewalks on either side of Jane Street between the VMC and the subject lands that offers a publicly maintained pedestrian connection to the VMC and subway station.

The table below illustrates some of Vaughan’s intensification areas and their associated growth potential.

<b>Intensification Secondary Plan Areas</b>	<b>Planned Population</b>	<b>No. of Residential Units</b>
VMC	118,000	67,000
Weston 7	51,580	27,000
Yonge Steeles Corridor	45,000	23,500
Steeles West	11,000	5,500
Promenade Centre	15,000	8,800

<b>Total Potential</b>	<b>240,580</b>	<b>131,800</b>
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An example of an appropriate use of the Community Infrastructure and Housing Accelerator Order would be to advance a mixed-use project in one of Vaughan’s planned intensification areas listed in the above table.

### **Non-conformity with the 2022 York Region Official Plan**

The 2022 York Region Official Plan (ROP) contains policies that guide economic, environmental and community building decisions to manage growth. These policies strengthen the connections between the natural and built environment, job opportunities, human services, transportation, public health and fiscal capacity. The Regional Official Plan policies also coordinate and set the stage for more detailed planning by local municipalities.

The Regional Official Plan prescribes an urban structure based on an intensification matrix whereby Regional Centres and Corridors are intended to accommodate the highest concentration of intensification, followed by GO transit train stations, bus terminals and subway stations and further down the matrix, Local Centres and Corridors. As such, it is a Regional interest to ensure appropriate levels of intensification occurs within all intensification areas.

The (ROP) was recently modified and approved by the Minister of Municipal Affairs and Housing in November 2022 and designates the subject lands “Employment Area”. The proposed high-density mixed-use residential development does not conform with the ROP, as residential uses are not permitted. The proposed high-density development also does not conform with the Region’s intensification hierarchy and planned urban structure. The subject lands are not within an area planned for significant intensification.

### **Departmental Comments**

Below is a summary of comments received from Regional Departments.

#### **Transportation**

Regional transportation staff have reviewed the second submission. Their comments provided on the first submission have not been addressed, are still outstanding and are restated below.

### **Preliminary Comments for Transportation Assessment Report**

#### Transportation Planning

Transportation Planning has reviewed the proposed application and supporting Transportation Assessment Report. For the reasons noted below in our comments, a revised Transportation Study is required to the satisfaction of Region, in order for the Region to determine the appropriateness of the proposed development.

1. The transportation study area shall be extended to include all the signalized intersections along Jane Street from Langstaff Road to Highway 7. Additionally, any signalized

intersection that the development traffic will travel to and from Highway 400, including the Highway 400 ramps shall also be included in the analysis. The report shall be revised accordingly.

2. Through the review of the Transportation Study prepared by BA Group, it is our opinion that the Study underestimated the existing congestion by using a "Best Case" scenario for the overall traffic impacts on the surrounding roadway network. The impact of the proposed development is also underestimated as the Study used lower trip rates to estimate trips generated by the proposed development. The proxy sites are located in VMC or very close to a subway station. However, the proposed development is located more than a kilometer from the subway station and +800 meters from the VMC transit station. Therefore, the report shall be revised using the ITE trip rates. There may be a need to adjust ITE vehicle trip rates to reflect a local community's context. However, to significantly reduce the trip generation rates from the established ITE trip rates with a degree of confidence, a comprehensive trip generation study is required. The comprehensive trip generation study shall be based on the validated method of data collection from additional sites and analysis of site level attributes including parking, occupancy levels, building orientation, pedestrian and bicycle infrastructure and other design features. Therefore, it is strongly recommended that Study use ITE trip rates adjusted for local community context.
3. The Study also assumes that Rapid Transit will be implemented on Jane Street in the near future. However, it should be noted that although Regional Transportation Master Plan recommends Jane Street as a Rapid Transit Corridor, Metrolinx TMP propose this project in 2041. The trip rates shall be adjusted upwards keeping in mind that rapid transit will not be implemented on Jane Street for the development. Additionally, as the proposed development is a conversion from an employment area to a mixed-use residential designation the Study shall assess the need of rapid transit on Jane Street to accommodate the proposed development.
4. The traffic data collected was for a single day only and the relatively small sample size (one day) limits the number of factors that could be accounted for in the statistical analysis. Therefore, either additional traffic data is collected or compared with the other recent approved traffic studies in the area. As such, the Study shall be revised based on the updated traffic volumes for typical conditions.
5. The revised Transportation Study shall include existing queuing and operational issues based on actual observation or TMC camera recording. The Study shall also include the methodology that was applied to calibrate/validate intersections existing conditions to accurately predict future conditions.
6. The revised Transportation Study shall also use Synchro input parameters as per Regional standards.
7. Peak hour factors (PHF) should be based on existing traffic counts to ensure the "worst case" conditions are analyzed over a peak hour period. The average PHF based on the existing traffic counts can be applied to the whole intersection, however, if an individual

movement or approach has sharp peaking characteristics, then a PHF should be calculated and applied for each movement or approach. Additionally, the future proposed intersection peak hour factors should be based on adjacent existing intersections.

8. The background growth rates on major arterials shall be confirmed using Region EMME Model using screenline methodology.
9. This section of Jane Street is planned for a basic 45.0 metre right-of-way. As such, all municipal setbacks shall be referenced from a point 22.5 metre from the centerline of construction of Jane Street. Any additional lands required for additional turn lanes at the intersections/access will also be conveyed to York Region for public highway purposes, free of all costs and encumbrances, to the satisfaction of the York Region Solicitor.
10. Study recommended that pre-paid Presto card for six-month period should be provided to all the residents of units that do not purchase parking spaces. In our opinion the pre-paid presto cards should be provided to all the residential units at the applicant's cost. Table 2 shall be revised accordingly.
11. The Region will provide additional comments when an updated Transportation Study is submitted to the Region for review.

#### Transportation Sustainable Mobility

1. The Owner is advised that the City of Vaughan is undertaking a detailed design project on Jane Street, in the vicinity of Highway 7 to Teston Road, to implement in-boulevard cycle tracks along the segment. The Owner shall coordinate with City of Vaughan and Region staff to ensure a sufficient platform is protected for to construct the future cycle tracks while minimizing impacts to the proposed sidewalk and streetscaping.

#### **Conditions for CIHA Order**

1. Provide a Transportation Impact Study consistent with the format and recommendations of the Region's Transportation Mobility Plan Guidelines for Development Applications (November 2016). The TIS shall include assessment of other modes of transportation such as transit and active transportation for internal and external to the site in the future total conditions.
2. Provide a comprehensive Transportation Demand Management Plan (TDM) consistent with Region Transportation Mobility Plan Guidelines to the satisfaction of York Region. The TDM Plan shall include a TDM checklist that summarizes the programs and measures, estimated costs and responsibility of the applicant to implement TDM recommendations.
3. Demonstrate through a preliminary site plan that protects for a basic 45.0 metre right-of-way for this section of Jane Street. As such, all municipal setbacks shall be referenced from a point 22.5 metre from the centerline of construction of Jane Street. Any additional lands required for turn lanes at the intersections/access will also be conveyed to York Region for public highway purposes, free of all costs and encumbrances, to the satisfaction of the York Region Solicitor.

### **Water and Wastewater Servicing**

Environmental Services Infrastructure Asset Management (IAM) staff have reviewed the subject application in conjunction with the following:

- Functional Servicing and Stormwater Management Report (FSR) prepared by Valdor Engineering Inc. dated July 2023
- Architectural drawings prepared by SvN, dated June 6, 2023

### Servicing Allocation

1. The residential development proposed within the subject development area will require water and wastewater servicing allocation from the City of Vaughan. If the City of Vaughan does not grant this development the required allocation from the Region's existing capacity assignments to date, then the development may require additional infrastructure based on conditions of future capacity assignment.
2. Institutional and commercial land uses generally do not require servicing capacity allocation. However, seniors' facilities and hotel suites require servicing capacity allocation when they include in-suite kitchen amenities due to the associated higher water and wastewater demands/flows. More detailed information/floor plans for the proposed seniors' residences and hotel suites is required to be submitted the servicing capacity allocation required for this proposal. IAM requests further information and clarification of this item.
3. It is IAM's understanding that lands located in and near the Vaughan Metropolitan Centre Secondary Plan area, including the subject lands, are contemplating higher density growth than planned in the recently approved Regional Official Plan. Please note that the Region's recently completed 2022 Water and Wastewater Master Plan has not considered the level of intensification proposed. As such, the cumulative impact of proposed growth in the VMC (and upstream and downstream areas) on the Regional infrastructure system must be monitored and addressed through various capacity management tools which include: the capacity assignment program (managed in collaboration with local municipalities), future master plan studies, phasing of growth in alignment with available capacity, advancement of infrastructure through pre-paid development charge credit agreements with developers, etc.
4. At this time, the Region's servicing capacity commitment remains within the limits of currently assigned capacity to the City of Vaughan. It is in the City's jurisdiction to allocate the Region assigned capacity to individual developments based on their growth priorities.

### Water and Wastewater Servicing

5. The FSR indicates that water servicing will be provided through connections to the existing 300 mm diameter local municipal watermains on Talman Court and MacIntosh Boulevard. In addition, a hydrant flow test was completed April 2023 and the results determined there was adequate pressure and flows to service the proposed development.

6. Wastewater servicing is proposed to be provided through a connection to the existing 600 mm diameter local municipal sanitary sewer on Talman Court. A downstream analysis was not documented in the FSR.
7. Page 6 of the FSR states that sanitary flows from the development will drain to the Region's Humber Sewage Pumping Station. IAM notes that flows from the subject site are in fact tributary to the Region's Black Creek Sewage Pumping Station. This should be corrected for accuracy and clarity.
8. Should changes to the servicing strategy occur, an updated FSR shall be provided to the Region for review and record.

#### Foundation Drainage

9. Details on the proposed dewatering discharge strategy have not yet been provided in the FSR or the Hydrogeological Report.
10. The Owner is advised that temporary discharge to the municipal sanitary sewer system will only be considered when no other alternatives are feasible. Additionally, the Region does not support permanent discharge of groundwater to the sanitary system. Please incorporate in the design accordingly.

#### Other

11. IAM notes that engineering drawings including the site servicing plan are required to be signed and sealed by a licensed professional engineer. Please revise accordingly upon subsequent submission.

#### Conditions for CIHA Order

1. Prior to final approval, the Owner shall provide to the Region the following documentation to confirm that water and wastewater services are available to the subject development and have been allocated by the City of Vaughan:
  - a copy of the Council resolution confirming that the City of Vaughan has allocated servicing capacity, specifying the specific source of the capacity, to the development proposed within this draft plan of subdivision.
  - a copy of an email confirmation by City of Vaughan staff stating that the allocation to the subject development remains valid at the time of the request for regional clearance of this condition.
2. The Owner shall agree in the development agreement that the Owner shall save harmless the City of Vaughan and York Region from any claim or action as a result of water or sanitary sewer service not being available when anticipated.
3. Prior to final approval, the Owner shall provide an electronic set of the final engineering drawings showing the water and wastewater infrastructure for the proposed development to Development Services and the Infrastructure Asset Management branch for record.



4. Prior to final approval, the Owner shall submit a Functional Servicing Report, to the satisfaction of the City and Region.

### **Water Resources**

Water Resources Branch of the Public Works Department does not have any objections/concerns subject to the following comments with the LOPA application as it relates to Source Protection policy. Should the proposal change and/or the application be amended, Water Resources will require recirculation for comment and/or approval.

#### Area of Concern:

Water Resources would like to note the site is in an identified area of concern due to known high water table conditions and confined artesian aquifer conditions, which could have geotechnical implications with respect to construction activities including, but not limited to, dewatering (short-term or long-term), foundation construction, and building stability. As such, Water Resources recommends that any geotechnical and hydrogeological investigations undertaken by the owner take into account the fact that groundwater levels may currently be artificially depressed at the site due to third party permanent dewatering systems in the area. Also, please note that the Environmental Monitoring and Enforcement group of the Environmental Services department should be contacted at [sewerusebylaw@york.ca](mailto:sewerusebylaw@york.ca) for a dewatering permit, if required.

#### Highly Vulnerable Aquifer:

The site is partially within a Highly Vulnerable Aquifer (HVA). Please note that within a HVA, should the proposed development include bulk fuel ( $\geq 2500L$ ) or bulk chemicals ( $\geq 500L$ ), a Contaminant Management Plan (CMP) will be required prior to approval, for Water Resources review and approval. Please visit [www.York.ca/protectingwater](http://www.York.ca/protectingwater) or see <https://www.york.ca/media/82911/download> for the associated CMP documentation minimum requirements. If a CMP is not required, a letter prepared by a qualified professional will be required in its place stating that the above noted activities will not be occurring.

#### Recommended Best Management Practices

##### **Geotechnical and Hydrogeological Support**

For your reference the Oak Ridges Moraine (YPDT-CAMC) Groundwater Management Tool: <https://oakridgeswater.ca/> can be accessed for geological data in support of geotechnical and hydrogeological analysis.

##### **Construction Best Management Practices**

As the site is within a vulnerable area, Water Resources does encourage the use of best management practices during construction and post construction with respect to the handling and storage of chemicals (such as used oil, degreasers and salt) on site. It is strongly

recommended that Risk Management Measures are put in place with respect to chemical use and storage including spill kits, secondary containment, a spill response plan and training.

### **Salt Management**

As the site is within a vulnerable area, Water Resources recommends the use of a contractor who is certified by Smart About Salt, and use of best management practices identified in the TAC Synthesis of Best Management Practices for Salt and Snow are followed: <https://www.tac-atc.ca/sites/tac-atc.ca/files/site/doc/resources/roadsalt-1.pdf>. If the proposed development includes a parking lot, Water Resources recommends following the Parking Lot Design Guidelines: <https://www.lsrca.on.ca/Shared%20Documents/reports/Parking-Lot-Design-Guidelines-Salt-Reduction.pdf>.

### **Summary**

The proposed development consists of 945 market residential units, 150 attainable residential units contained in two mixed-use towers (50 and 60 storeys), 5,142 m<sup>2</sup> of office space, 6,081 m<sup>2</sup> of convention centre space, 1,835 m<sup>2</sup> of retail space, 20,083 m<sup>2</sup> for two hotels, 174 seniors' lifestyle units and 1,589 m<sup>2</sup> of community space in a 12-storey mixed-use tower, 4,501 m<sup>2</sup> of publicly accessible open space, and 1,769 m<sup>2</sup> public park. The overall built density is 7.36 FSI.

The applicant has requested the City of Vaughan to endorse the use of a Provincial Community Infrastructure and Housing Accelerator (CIHA) Order. York Region Development Planning staff do not support the proposed application/development, as it does not conform with the York Region Official Plan.

Should you have any questions or require further information regarding our comments, please contact Augustine Ko, Senior Planner, at 1-877-464-9675, ext. 71524, or by email at [Augustine.Ko@york.ca](mailto:Augustine.Ko@york.ca).

Sincerely,



On behalf of  
Karen Whitney, MCIP, RPP  
Director, Development Services