

ATTACHMENT 11

TORONTO AND REGION CONSERVATION AUTHORITY (TRCA)
COMMENTS

November 9, 2023

CFN 68416.05
Ex Ref CFN 68386.05

SENT BY E-MAIL (kemi.apanisile@vaughan.ca)

Kemi Apanisile
Planner
Development Planning
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario L6A 1T1

Dear Kemi Apanisile:

**Re: Community Infrastructure and Housing Accelerator Request (CIHA.23.001)
Official Plan Amendment OP.23.010
Zoning By-law Amendment Z.23.019
Part of Lot 8, Concession 4
8083 Jane Street
City of Vaughan, Regional Municipality of York
8083 Jane Street Inc.**

Further to our previous letter dated August 11, 2023, this letter acknowledges receipt of additional technical information associated with the Community Infrastructure and Housing Accelerator (CIHA) request. A digital copy of the materials was submitted to the Toronto and Region Conservation Authority (TRCA) by the proponent on October 10, 2023 and October 17, 2023. The following materials were reviewed by TRCA staff:

- HEC-RAS Model Results – 8083 Jane Street, prepared by Valdor Engineering Inc.
- Digital Copy of HEC-RAS Models – Hydraulic Analysis for Flood Mitigation Concept, prepared by Valdor Engineering Inc.

Application Specific Comments

After TRCA's last formal comment letter dated August 11, 2023, staff met with the proponent, their engineering consultant and City of Vaughan staff on September 8, 2023 and September 22, 2023.

During the meetings, staff and the proponent discussed the necessary requirements related to confirming the feasibility of flood mitigation measures for the site. The responsibilities and logistics surrounding the implementation of the flood remediation works were also discussed.

It was identified that the proponent would be taking on the responsibility of designing and constructing flood remediation works on City lands. It was agreed that the proponent would provide hydraulic analysis to TRCA to confirm, at a conceptual level, that the proposed measures, including installation of relief culverts under Jane Street and Pennsylvania Avenue and modifications to the existing Black Creek channel, would result in the removal of the flood hazard condition from the lands at 8083 Jane Street without causing impacts/increased risks on adjacent lands (i.e., causing increased flood depths, velocity, and erosion).

Recommendation

Based on a review of the materials noted above, TRCA staff continue to have concerns related to the proposed flood plain remediation works including, the modelling setup, proposed channel alteration designs and potential downstream impacts to the control of erosion.

It is the understanding of TRCA that the City of Vaughan will be taking a report for the CIHA request forward to the December 2023 Committee of the Whole meeting. City staff have requested that any outstanding issues be provided as conditions that can be incorporated into a draft CIHA order. As such, TRCA conditions are outlined in Appendix 'A' of this letter.

Fees

By copy of this letter, the applicant is advised that the TRCA has implemented a fee schedule for our planning application review services.

Based on the above, a review fee of \$14,330 (Official Plan – Major) will need to be provided to the TRCA by the proponent for the current submission. The noted fees should be submitted to TRCA as soon as possible.

We trust these comments are of assistance. Should you have any questions, please contact me at stephen.bohan@trca.ca

Sincerely,



Stephen Bohan

Senior Planner

Development Planning and Permits | Development and Engineering Services

Copied: Vince Musacchio, City of Vaughan (vince.musacchio@vaughan.ca)

Appendix 'A' TRCA Conditions Associated with CIHA Request CIHA.23.001

TRCA policy, along with provincial, regional, and municipal policies all identify that new or intensified development should be prohibited within areas subject to natural hazards, including flooding. The intent behind these policies is to reduce the risk to life and property by directing development away from hazardous areas.

Based on TRCA's current engineered flood plain mapping and modelling, a significant portion of the subject property is impacted by flooding during a Regional Storm (i.e., Hurricane Hazel level) event.

Given the existing flood hazard impacting the site and the applicable policy framework, TRCA staff would not provide support for a proposal to redesignate and rezone the subject lands from employment/commercial use to residential use. The outcome of this land use change would be intensification within a flood hazard which represents an increased risk to life and property.

If a CIHA order is issued by the province to establish the principle of development for high-rise mixed-use development on the site, TRCA staff will require a comprehensive and coordinated approach to flood plain remediation that mitigates the flood hazard conditions and meets the regulatory policy requirements of TRCA.

1. Prior to any development or site alteration on the property at 8083 Jane Street, the Owner shall:
 - Obtain a permit from the TRCA pursuant to Ontario Regulation 166/06 for any development or site alteration works associated with the high-rise mixed-use development within TRCA's Regulated Area.
 - Obtain a permit from TRCA pursuant to Ontario Regulation 166/06 for flood plain remediation works involving installation of relief culverts under Jane Street and Pennsylvania Avenue and modifications to the Black Creek corridor.
2. As a part of a TRCA permit application for flood plain remediation works, the following technical requirements and design considerations will need to be addressed, at a minimum, to the satisfaction of the TRCA:
 - As a part of the design for the flood remediation works, the proponent will need to provide all modelling files to demonstrate that there are no negative off-site impacts (i.e., causing increased flood depths, velocity, and erosion) due to the development and the remediation works. Please note that hydraulic 2D MIKE Flood model should be used for the Flood Impact Assessment.
 - All proposed infrastructure and channel modification measures need to be modelled and digital files need to be provided.
 - The Owner shall explore all options to avoid the use of vertical retaining walls and channel hardening measures within the reach of the Black Creek corridor that is subject to the flood remediation works. The channel alteration options will need to incorporate natural channel design principles consistent with TRCA's channel modification design requirements and TRCA's valley and stream crossing guideline.
 - The locations for any cut and fill should be clearly identified on applicable drawings/plans by including cross sections with cut and fill volumes provided between each cross section.

It also must be demonstrated that the cut and fill volumes are equivalent for every 0.3 m vertical increments.

3. Prior to the issuance of occupancy for buildings on the property at 8083 Jane Street, the subject lands shall be removed from the Regional Storm flood plain subject to clearance from TRCA. The Owner shall provide documentation including, but not limited to:
 - Confirmation that flood mitigation works including installation of the relief culverts under Jane Street and Pennsylvania Avenue and modifications to the Black Creek corridor are completed pursuant to a permit from TRCA pursuant to Ontario Regulation 166/06;
 - Updated flood line mapping based on as-constructed drawings have been prepared by a qualified engineer and approved by TRCA, which confirms the subject lands have been removed from the Regional Storm flood plain; and
 - The development meets the program, regulatory and policy requirements of the TRCA.