



ATTACHMENT 12 YORK REGION COMMENTS

Corporate Services

May 25, 2021

Margaret Holyday, MCIP RPP
Senior Planner
Development Planning Department
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON, L6A 1T1

Dear Ms. Holyday,

**Re: Request for Exemption from Regional Approval
of Official Plan Amendment
Eastwood Holdings Corp.
9291 Jane Street
Vaughan File Nos.: OP.20.017 and Z.20.044
York Region File Nos.: LOPA.21.V.0004 and ZBA.21.V.0010**

This is in response to your circulation and request for comments for the above-captioned Official Plan Amendment (OPA) application and Zoning By-law Amendment application.

According to the applicant's Planning Justification Report, prepared by SGL Planning & Design Inc., dated December 2020, the 1.47 hectare (3.64 acres) subject site is located on lands municipally known as 9291 Jane Street, within the northeast quadrant of Jane Street and Rutherford Road, in the City of Vaughan. The proposed development consists of 760 apartment units in two 36-storey towers with 923 parking spaces in a four level under ground garage. The overall density is 4.17 FSI/ 517 units per hectare.

Regional staff do not have any comments on the proposed site specific rezoning application.

Background and Previous Planning Approvals

The proponent of this OPA application appealed the Vaughan Official Plan (2010). Therefore, the in- force Official Plan applicable to the subject lands is OPA 626, which was approved by the Ontario Municipal Board in 2005. OPA 626 applies to the larger landholding, which includes the existing four residential condominium towers known as the Bellaria Residences. OPA 626 permitted the development of approximately 720 units at densities of 2.7 FSI and 200 units per hectare, and at a maximum height of 16 storeys. Due to the proximity to the CN MacMillan Yard's

pullback track, OPA 626 prohibited residential land uses on the lands subject to these applications.

In June 2008, Vaughan Council approved OPA 688, as this Amendment was exempt from Regional approval, granted through our letter dated December 7, 2007. OPA 688 applies to just the Balleria lands and increased the permitted density from 200 to 250 units per hectare. This permitted a fourth building to accommodate 211 dwelling units, resulting in an increase from 720 to 900 apartment units.

The Vaughan Council adopted and Regionally endorsed Vaughan Official Plan (2010), which has been appealed, designated the subject lands “High Rise Residential” with a permitted height of 16 storeys and 4 FSI, located along a Primary Intensification Corridor. City Council further modified the adopted Plan on September 27, 2011, March 20, 2012 and April 17, 2012. The September 27, 2011 modifications changed the subject lands from “High Rise Residential” to “Commercial Mixed Use”. Regional staff note that the originally adopted and endorsed Vaughan Official Plan (2010) designation of “High Rise Residential” does not include a site specific policy reflecting the prohibition of residential uses on the subject lands as per OPA 626.

In an effort to settle the site specific appeal of the VOP 2010, Vaughan Council, Regional staff and the appellant agreed to policy modifications to the VOP 2010, which was subject to the completion of a Transportation Study to the satisfaction of the Region. The Settlement Motion was opposed at the LPAT and the site specific appeal of the VOP 2010 is scheduled for a contested hearing later this year.

This site specific OPA application, OP.20.017, is submitted with supporting studies to enable a full municipal and public review.

Purpose and Effect of the Proposed Amendment

The Official Plan Amendment application proposes to permit residential land uses on the subject lands, by redesignating the subject lands from OPA 626 “High Density Residential/Commercial” to VOP 2010 “High-Rise Residential”, permitting a maximum building height of 36 storeys, permitting a maximum density of 4.2 FSI, and setting policies for study requirements to address land use compatibility issues associated with the CN Pullback Track and nearby employment uses to the site plan approval stage. The proposed development, for 760 residential units on 1.47 hectares of land, equates to a density of 517 units per hectare.

Request for Exemption from Regional Approval

Based on our review and the Region’s previous consent to the proposed VOP 2010 policy modifications, the purpose and intent of this OPA appears to be a routine matter of local significance. Further, in accordance with the Regional Official Plan, specifically policy 8.3.8, the proposed Amendment does not adversely affect Regional planning policies or interests.

Pursuant to Council authorization in By-law A-0265-1999-017, OPA application OP.20.017, is hereby exempted from approval by Regional Planning Committee and Council. This allows the Amendment to come into effect following its adoption by the City of Vaughan and the expiration of the required appeal period.

To promote sustainable new residential developments beyond Ontario Building Code requirements, the Region offers development incentive programs that benefit local municipalities and development proponents/applicants. More specifically, the Sustainable Development Through LEED® (Leadership in Energy and Environmental Design) program provides water and wastewater servicing capacity assignment credits (up to 30 per cent) for new residential high-rise buildings four storeys or higher. The applicant is encouraged to participate in this program and more information is available at www.york.ca/waterincentives.

Residential development requires servicing capacity allocation prior to final approval. If the City does not grant this development allocation from the existing capacity assignments to date, the proposal may require additional Regional infrastructure based on conditions of future capacity assignments.

Affordable rental housing is a priority for York Region. On October 17, 2019 Regional Council approved a new interest free Development Charge Deferral for Affordable, Purpose-Built Rental Buildings policy to support development of rental housing affordable to mid-range income households. Further details of the program can be found in the [staff report](#) and associated policy. The applicant is encouraged to pursue affordable rental housing in coordination with the City and Region.

Technical Comments

Below is a summary of technical comments received from Regional Departments.

Transportation Comments

The Region has reviewed the proposed development application along with the Supporting Transportation Overview of Phase 2 Feasibility and Transportation Mobility Assessment (the Study) dated November 2020 prepared by Poulos & Chung.

The following consolidated comments are provided in coordination with staff from Transportation Planning, Traffic Signal Operations, Development Engineering and YRRTC. These comments shall be addressed to the satisfaction of the Region prior to the final approval of the Official Plan Amendment.

A. OPA Comments

A revised Transportation Mobility Plan is required to address the comments provided in Section B to the satisfaction of the Region, prior to the approval of the OPA. The revised Study shall ensure that sufficient and appropriate access arrangement and the required infrastructure

improvements associated with each phase of the proposed development are implemented, to the satisfaction of the Region.

B. Preliminary Comments for Transportation Overview of Phase 2 Feasibility and Transportation Mobility Assessment dated November 2020 prepared by Poulos & Chung.

Transportation Planning

1. It should be noted that a meeting was held with the Consultants to discuss the scope of work for the Study with the understanding that a terms of reference would be reviewed and approved by the Region prior to the commencement of the Study. However, the Study terms of reference provided in Appendix A of the report were not circulated to the Region staff for review.
2. The Study only assesses year 2021 for the background and for the full built-out conditions for the proposed development. The Study shall assess horizon years 5 and 10 years beyond the full built out of the proposed development as per the Region Mobility Plan Guidelines. The Study shall be revised accordingly.
3. The Study shall be based and built upon the Final Transportation Mobility Plan Study completed by MMM as part of the Vaughan Mills Secondary plan Area.
4. The Study shall investigate/recommend level of development that can be accommodated with an additional right in-right out only access to Jane Street (phase 1A), additional level of development that can be achieved with a full move connection to Caldari Road Extension (phase 1B) and ultimate development that can be achieved (phase 2) and tied to Table E2-Phase 2 recommended Network Improvements (Transportation Assessment-VMC Secondary plan). Table E2 include a number of transportation improvements, notably higher-order transit service on Jane Street in the form BRT or LRT with its dedicated ROW from Spadina Subway Station to future Major Mackenzie Hospital.
5. The proposed right in-right out only access onto Jane Street provides no congestion relief to the southbound left turn lane at the intersection of Jane Street and Rutherford Road intersection. The Study shall investigate the feasibility of the Caldari Road Extension to Rutherford Road.
6. The Study shall include background development levels as contemplated in the Vaughan Mills Secondary Plan.
7. The Study shall include and analyze all new proposed intersections along Jane Street and Rutherford Road as identified in the Vaughan Mills Secondary Plan.
8. The Study shall provide information as to steps undertaken by the consultant to calibrate the existing signals network model to ensure that the model reflects the field conditions.
9. 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.

10. The Study recommends optimizing total split timings during all three peak hours for all scenarios (existing, future and background) to improve LOS and delay at existing signals. This recommendation is made in isolation and without any regard to coordination of traffic signals upstream and downstream, as well as queuing as a result of the signal progression. The Study shall assess the impacts of signal coordination based on queues and critical movements.
11. The Study acknowledges that there is currently no protected pedestrian crossing at the site entrance to provide a safe direct connection for the 1500+ residential units to the area facilities such as southbound transit stop on the west side of Jane Street, pathway connection on the west side of Jane Street, proposed cycle lane on the west side of Jane Street and the elementary school on Julliard Drive (a little west of Jane Street). The Study should recommend feasible active transportation connections to connect proposed and existing development to these facilities.
12. The Study shall address all detailed technical comments outlined in Section B as these technical comments will significantly impact the findings and recommendations of the Transportation Study.
13. The Region may provide additional comments once a revised Study to the satisfaction of the Region is submitted for review.

Traffic Signal Operations

1. It is not clear when "existing" traffic data was counted.
2. Clarification is required why only traffic volumes at two key intersections are shown in the figures while several boundary intersections are stated to be examined as part of the assessment.
3. The study base and horizon years should be updated to be consistent with those illustrated in Transportation Mobility Plan Guidelines (Nov 2016).
4. Copy of Synchro analysis files and Synchro output reports should be provided to staff to review the analysis and queue assessment, as well as to confirm proposed optimized signal timing plans.
5. The northerly vehicular access shown on the Concept Plan in Figure 8 does not seem to serve only right turn movements.

Development Engineering & YRRTC

Comments and conditions will be provided at subsequent development applications.

Water and Wastewater Servicing Comments

Infrastructure Asset Management (IAM) has reviewed the subject Official Plan Amendment (OPA) in conjunction with the Functional Servicing Report dated November 2020 prepared by Schaeffers Consulting Engineers. IAM does not have any objection to the approval of the OPA application subject to the following comments:

1. Residential development in the City of Vaughan requires servicing capacity allocation prior to final approval. If the City of Vaughan does not grant this development allocation

from the existing capacity assignments to date, then the development may require additional regional infrastructure based on conditions of future capacity assignment, which may include:

- Duffin Creek WPCP Outfall Modification – 2021 anticipated completion
- Other projects as may be identified in future studies.

The timing of the above infrastructure is the current estimate and may change as each infrastructure project progresses and is provided for information purposes only.

2. The FSR indicates that water services will be at the plug connecting to the Jane Street watermain and a hydrant test will be conducted to confirm that there is adequate flow and pressure in the existing watermain for the subject development. Wastewater services for the OPA area is proposed to be provided by connecting to the existing York Region trunk sewer along the west boulevard of Jane Street. IAM believes that there are alternatives available in the vicinity of the subject development to provide servicing through the existing city-owned connections to the regional sewer. The owner is advised to revise the wastewater servicing proposal accordingly and resubmit to the Region together with the associated development application for review and comments.
3. There is potential for construction impacts to Regional Infrastructure. As referenced in the FSR, the Region's 975mm diameter trunk sewer along the west boulevard of Jane Street is in close proximity to the proposed OPA area. Integrity of the Regional infrastructure shall always be protected and maintained during construction and grading work for the proposed development. Any dewatering, shoring and tie-back system designs, if used in the vicinity of the Region's infrastructure shall be submitted as part of an engineering submission to the Region for review and comments. Region will provide further requirements with respect to the proposed construction in the vicinity of regional infrastructure at the time of reviewing the associated development application.

Water Resources Comments

Water Resources do 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.

Recharge Management Area

Please note the property is located (partially) within the WHPA-Q (Recharge Management Area). As such the CTC Source Protection Plan water quantity recharge policy will apply. The proponent must make best effort to maintain predevelopment recharge at the site using best management practices. The contact person for this requirement is Quentin Hanchard at TRCA. The approving body for compliance with the policy will be the local municipality.

Summary

The Official Plan Amendment application proposes to permit residential land uses on the subject lands, by redesignating the subject lands from OPA 626 “High Density Residential/Commercial” to VOP 2010 “High-Rise Residential”, permitting a maximum building height of 36 storeys, permitting a maximum density of 4.2 FSI, and setting policies for study requirements to address land use compatibility issues associated with the CN Pullback Track and nearby employment uses to the site plan approval stage.

Based on our review, the Region’s previous consent to the proposed VOP 2010 policy modifications, and as requested by Vaughan Planning staff, OPA application OP.20.017, is exempt from Regional approval.

We respectfully request a copy of the Notice of Adoption of the OPA be forwarded to this office. Please contact Augustine Ko, Senior Planner, at 1-877-464-9675, ext. 71524 or at augustine.ko@york.ca should you have any questions or require further assistance.

Sincerely,



Karen Whitney, M.C.I.P., R.P.P
Director of Community Planning and Development Services

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