

## Committee of the Whole (Public Meeting) Report

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

**WARD:** 3

**TITLE: BATTCORP HOLDINGS (VAUGHAN) LTD. AND BATTCORP II HOLDINGS (VAUGHAN) LTD.  
CIHA.23.002  
661 AND 681 CHRISLEA ROAD  
VICINITY OF LANGSTAFF ROAD AND HIGHWAY 400**

**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 for the lands shown on Attachments 1 and 2, requesting Council to make a resolution to the Minister of Municipal Affairs and Housing to issue a Community Infrastructure and Housing Accelerator (“CIHA”) order to permit a development shown on Attachments 3 to 8 consisting of the following:

- 1,488 residential units in 4 towers: two at 32-storeys and two at 35-storeys
- Ground floor commercial uses; and
- Privately owned-public space

**Report Highlights**

- The Owner proposes a development consisting of 1,488 residential units across four residential towers: two at 32-storeys and two at 35-storeys, with ground floor commercial uses, and a privately owned public space. A total gross floor area of about 134,500 m<sup>2</sup> is proposed. The towers are proposed to be split amongst two 4-storey podiums.
- 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 applicant is requesting that Council consider the development proposal through the Provincial CIHA tool.

## **Recommendations**

1. THAT the Public Meeting report for Community Infrastructure and Housing Accelerator File CIHA.23.002 (Battcorp Holdings (Vaughan) Ltd. and Battcorp II Holdings (Vaughan) Ltd.) 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: 661 and 681 Chrislea Road (the 'Subject Lands'). The Subject Lands and the surrounding land uses are shown on Attachment 2. All buildings surrounding the Subject Lands are 1-2 storeys in height. To the west are commercial plaza uses. To the north and east are industrial mall along with some industrial office and manufacturing uses. The lands to the south primarily contain industrial mall and industrial office uses.

Date of Pre-Application Consultation Meeting: May 29, 2023

Date application was deemed complete: The application remains incomplete as of the writing of this report.

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

Bill 109, *More Homes for Everyone Act*, 2022, received Royal Assent on April 14, 2022, and makes several amendments to the *Planning Act* (the 'Act'). Amongst the series of amendments, Section 34.1 of the Act was amended to create a new planning tool: the CIHA. The CIHA tool 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. A CIHA is similar to a Ministerial Zoning Order ('MZO'). The zoning order is issued outside of the development review process required under the Act. 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, in the February 28, 2023, Committee of the Whole Report, City Staff identified key priorities in the form of Guiding Principles to be taken into consideration when evaluating the merits of a CIHA application. The Guiding Principles include Geography and Land Use Criteria listed below.

#### ***Geography:***

The geography criteria of the Guiding Principles pertain to locational criteria that should be met to contribute to the City's overall intensification objectives. The geography criteria are:

- Within the Urban Boundary but outside the Greenbelt as identified by Vaughan Official Plan 2010 ('VOP 2010')
- Within Intensification Areas and Regional/Primary Intensification Corridors as identified in Schedule 1 – Urban Structure of VOP 2010

- Areas where rapid transit service is in operation
- Areas where municipal water/wastewater/stormwater servicing capacity and regional wastewater servicing allocation are available

*Land Use:*

The Land Use criteria of the Guiding Principles are intended to meet the City's objectives for creating complete communities and should include significant contributions to the community beyond the requirements stipulated through the standard approval process of an Official Plan Amendment and Zoning By-law Amendment application. The key priority requirements (i.e. significant contributions) that will be reviewed for each application is one or more of 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 661 and 681 Chrislea Road will be assessed based on these Guiding Principles at a future Committee of the Whole meeting where staff recommendations for the CIHA request will be outlined.

***The Owner is asking Council request MMAH for a CIHA order to facilitate the proposed development.***

Battcorp Holdings (Vaughan) Ltd., the owner of 681 Chrislea Road and Battcorp II Holdings (Vaughan) Ltd., the owner of 661 Chrislea Road (collectively the 'Owner'), has submitted CIHA application (CIHA.23.002) for the Subject Lands to permit the proposed development as shown on Attachments 3 to 8 (the 'Development'):

- 1,488 residential units across four residential towers; 2 at 32-storeys (109.6 m) and 2 at 35-storeys (118.6 m), split amongst two 4-storey podiums
- 1,514 parking spaces divided into 5 levels of above-ground parking located in the northern portion of the podiums, 3 levels of underground parking, and outdoor at-grade parking. 4 loading spaces are also proposed.
- The parking spaces are divided into: 1,210 residential parking spaces, 304 visitor parking spaces, and 32 accessible parking spaces.

- Two private outdoor amenity spaces for resident use
- An at-grade 1,300.25 m<sup>2</sup> privately owned publicly accessible open space ('POPS') at the south end
- Approximately 300 m<sup>2</sup> of retail and commercial uses at-grade within the western podium
- A GFA of approximately 134,500 m<sup>2</sup>
- Floor Space Index ('FSI') of 6.34 times the area of the lot

***York Region Council approved an Employment Land Conversion for the Subject Lands.***

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 land conversion to a non-employment use.

York Region (the "Region") requested the City evaluate 30 employment land conversion requests pertaining to lands within the City's boundaries as part of the Region's 2041 Municipal Comprehensive Review. The Subject Lands were part of that request. City Staff recommended against the employment land conversion in the May 20, 2020, Committee of the Whole Report, which was supported by Council on May 27, 2020.

Regional Staff recommended against the conversion in its October 15, 2020, Committee of the Whole Report. Regional Council approved the conversion at its October 22, 2020, meeting. The Subject Lands were subsequently removed from the Provincially Significant Employment Zone ('PSEZ') designation by MMAH. The subsequent YROP 2022 resulted in the Subject Lands being identified as "Community Area" under Land Use Designations Map 1A of YROP 2022. While employment opportunities are encouraged within the Community Area designation under policy 4.2.1 of YROP 2022, said designation is where the majority of residents, personal services, retail, arts, culture, recreational facilities and human service needs are to be located.

The Subject Lands remain designated "Prestige Employment" under Schedule 13 - Land Use of VOP 2010.

Additionally, while the Subject Lands were removed from the PSEZ designation, the designation remains on abutting and adjacent lands to the north (EM1 – Prestige Employment Zone, EM2 – General Employment Zone, and EMU – Employment Commercial Mixed-Use), south (EM2 – General Employment Zone), and east (EM1 – Prestige Employment Zone). See Attachment 2 for the zone categories and uses that comprise the portion of the PSEZ surrounding the Subject Lands.

***Required exemptions for conformity to provincial plans and municipal official plans for future applications.***

Subsection 34.1(15) of the Act allows the Minister of MMAH, at the request of Council via resolution, to exempt subsequent approval processes from being subject to conformity/consistency with the PPS, provincial plans, and municipal official plans in order to avoid challenges with the anticipated subsequent development applications

(plan of subdivision, plan of condominium, site plan control, etc.) needed to facilitate the development the zoning a CIHA order would impose.

As a supplement to the Council resolution, the CIHA request must also include additional information: the identification of any licenses, permits, approvals and permissions required to fully permit the proposed development, and a draft by-law which permits the intended use on the subject site.

***Public Notice was provided in accordance with the Planning 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 Langstaff Road, Silmar Drive, and Chrislea Road in accordance with the City's Notice Signs Procedures and Protocols.

b) Circulation Area: To all property owners within 1000 m of the Subject Lands, to the following ratepayers groups: Pine Valley Village Community, National Estates, and Weston Downs, and to anyone on file with the Office of the City Clerk having requested notice.

c) No comments have been received as of August 24, 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 Indigenous communities have been engaged and their interests considered. The City, in turn, has created guidelines requiring Applicants seeking a CIHA process to provide adequate evidence to the City's satisfaction that Indigenous Engagement has occurred. This is to occur in two parts:

1. As part of a complete application, an acknowledgement from the Indigenous community(ies) that the proposal has been received, and
2. Acknowledgement from the Indigenous community(ies) that their concerns (if any) have been satisfactorily addressed.

The application is incomplete, in part due to item 1 above remaining outstanding.

**Previous Reports/Authority**

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

## **Analysis and Options**

### ***Proposed Provincial Planning Statement (2023)***

The province has proposed combining elements of the PPS 2022 and Growth Plan 2019 into one cohesive document. The changes may come into effect before a future technical report is brought to the Committee of the Whole. 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 the movement of goods. Assessment of this new policy directive as it relates to the CIHA request within employment areas will be further reviewed in a future technical report to the Committee of the Whole.

### ***Provincial Policy (PPS 2020 and Growth Plan 2019)***

Should Council request MMAH issue a CIHA order, and the Minister of MMAH issues said order, it will exempt the Development from the PPS, Growth Plan, and official plans.

- While the lands are no longer within a PSEZ, and received an employment land use conversion under YROP 2022, the Subject Lands remain considered “Employment Area” due to the designation under VOP 2010.
- Pursuant to section 1.3.2 of the PPS 2020 “Employment Area” planning authorities shall protect and preserve such area for industrial and manufacturing uses.

### ***YROP 2022***

- The Subject Lands are identified as “Community Area” under Land Use Designations Map 1A of YROP 2022.
- The majority of residents, personal services, retail, arts, culture, recreational facilities and human service needs are to be located within the Community Area designation.
- Employment opportunities remain encouraged within the Community Area designation under policy 4.2.1.

### ***A CIHA order would override VOP 2010.***

Under the CIHA process, conformity to VOP 2010 is not applicable and the zoning order would be exempted from conformity. The nature of the conformity conflict is identified below:

#### **Official Plan Designation:**

- “Employment Area” on Schedule 1 – Urban Structure by VOP 2010
- “Prestige Employment” on Schedule 13 – Land Use by VOP 2010
- This designation permits uses related to economic activity (industrial, manufacturing, warehousing, and some office uses).
- The uses, height, density and land use permissions under this designation do not permit the Development as contemplated.

***A CIHA order would override parts of Zoning By-law 001-2021.***

In the case of a conflict with the Zoning By-law, the zoning imposed by a CIHA order would prevail to the extent of the conflict. In areas where there is no conflict, the applicable Zoning By-law continues to apply. The nature of the compliance conflict is outlined below:

Zoning:

- Under Zoning By-law 001-2021 the Subject Lands are zoned “SC Service Commercial Zone”, subject to site-specific exception 14.752.
- The zone principally permits automobile service uses and other uses suitable for the travelling public.
- Exception 14.752 permits additional service and retail uses: dry cleaning/clothing establishment, car establishment, funeral services, hardware store, motor vehicle sales, pet food outlet, pharmacy, and retail convenience.
- The Development is not anticipated by the current zoning.

Through the requested CIHA order, the applicant is requesting the Subject Lands be rezoned to “HMU High-Rise Mixed-Use Zone” with site-specific exceptions as identified in Attachment 9 of this report. The appropriateness of using this zone category on all or a portion of this site, considering only one of the two podiums proposes to contain commercial use, will be examined.

Additional zone categories/zoning exceptions may be identified through the detailed review of the applications and will be considered in a technical report to a future Committee of the Whole meeting.

***Following a preliminary review of the applications, 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>▪ A CIHA order is exempt from consistency/conformity from the PPS 2020, Growth Plan 2019, YROP 2022, and VOP 2010.</li> <li>▪ However, the Development will be reviewed for consistency/conformity with the above-noted documents in order to provide a basis of evaluating how the proposal is different from the surrounding planned context.</li> </ul>
b.	Land Use Conversion/Land Use Compatibility	<ul style="list-style-type: none"> <li>▪ A CIHA order would not change the land use designation imposed by VOP 2010. The CIHA order, if issued, would for all practical purposes remove the Subject Lands from the “Employment Area” designation of the VOP 2010. Matters related to the retention of employment opportunity and land use compatibility with existing adjacent land uses will be</li> </ul>

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
		<p>assessed and evaluated. The Owner has requested the land use compatibility study to be deferred to the Site Development stage.</p> <ul style="list-style-type: none"> <li>▪ The Subject Lands are bordered on three sides by a Provincially Significant Employment Zone ('PSEZ'). The CIHA order, if issued, would place sensitive land uses within proximity to existing employment areas where industrial activities are permitted. Land use compatibility with existing adjacent land uses will be assessed and evaluated. The Owner has requested the land use compatibility study be deferred to the Site Development stage.</li> <li>▪ As the Subject Lands are located within an Employment Area where residential use was not anticipated, there are no designated lands to act as a transitional buffer between the residential and employment uses. This may lead to conflict between the proposed sensitive residential use and existing employment uses.</li> <li>▪ The Subject Lands propose intensification within what is classified as a stable Employment Area in Schedule 1 of VOP 2010. The Subject Lands are not within an Intensification Corridor or Intensification Area. Stable Areas are not anticipated to experience significant physical change that would alter the general character of the area. The Development proposes significant change to the area in the form of unanticipated high density residential use.</li> <li>▪ The Subject Lands are between three Intensification Areas where growth is anticipated: Vaughan Mills Centre to the north and Vaughan Metropolitan Centre and Weston Road &amp; Highway 7 to the south. Intensification Areas are to be developed to have a mix of uses and appropriate densities to support existing/planned high-level transit and promote walking and cycling.</li> <li>▪ As the Subject Lands are within a stable Employment Area, land uses to service the Development were not anticipated, and services may not be available or planned in the area to address the needs of future residents. The nearest park and school are a 20-minute walk and do not conform with the City's policies, guidelines, and Official Plan's direction to build complete communities.</li> </ul>



	MATTERS TO BE REVIEWED	COMMENT(S)
		<ul style="list-style-type: none"> <li>▪ The Subject Lands are located within an Employment Area. Residential use is not anticipated within this area. Proceeding with a CIHA request will result in a change in the urban structure for the balance of the Langstaff Road corridor within the PSEZ which may lead to further land use conversions and de-stabilization of the immediate area.</li> </ul>
c.	Appropriateness of the CIHA Request in relation to VOP 2010 and Zoning By-law 001-2021	<ul style="list-style-type: none"> <li>▪ As the lands received an employment conversion at the Regional level, the traditional Official Plan and Zoning By-law Amendment processes appear to be appropriate alternatives to a CIHA request.</li> <li>▪ A CIHA allows a municipality to obtain a zoning order to facilitate development of great benefit to the community and affords the municipality opportunity to secure said benefits in excess of conventional <i>Planning Act</i> requirements. The Development proposes additional market-rate housing in the form of bachelor and 1 to 3 bedroom units. The Development will be reviewed in consideration of the proposed land use, the Guiding Principles ('key priorities') presented in the February 28<sup>th</sup> CIHA report, and any proposed benefits to the community.</li> <li>▪ The appropriateness of the proposed zone category and anticipated site-specific exceptions will be reviewed in consideration of the proposed land use, and existing and planned surrounding land uses.</li> </ul>
d.	Subsequent Approvals (Plan of Subdivision, Plan of Condominium, Site Plan)	<ul style="list-style-type: none"> <li>▪ Should a CIHA order be issued, the Owner is required to submit Draft Plan of Subdivision, Draft Plan of Condominium, and Site Development applications to be reviewed by staff.</li> <li>▪ Subsection 34.1(15) of the Act allows the Minister of MMAH, at the request of municipal Council, to exempt subsequent approval processes from being subject to the PPS, provincial plans, and municipal official plans. This avoids challenges with the anticipated subsequent development applications (plan of subdivision, plan of condominium, site plan control, etc.) needed to facilitate the development the zoning a CIHA order would impose.</li> </ul>

	MATTERS TO BE REVIEWED	COMMENT(S)
		<ul style="list-style-type: none"> <li>▪ The appropriateness of including additional wording exempting subsequent development applications a CIHA order would initiate from conformity/consistency exercises will be reviewed.</li> </ul>
e.	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>
f.	Allocation and Servicing	<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. If servicing allocation is unavailable, the appropriate mechanism through the CIHA process to accomplish the same or equivalent as a Holding Symbol “(H)”, which will be removed once servicing capacity is identified and allocated to the lands by Vaughan Council, will be investigated.</li> <li>▪ Currently, there is limited city-wide servicing capacity. York Region is expected to grant the City additional servicing capacity in Q4 of 2023. In the meantime, the City anticipates a Holding Symbol (“H”) or H-equivalent, will be required on the Zoning for the above noted development. The availability of Regional servicing capacity will be assessed at the site plan approval stage.</li> <li>▪ The sewers providing service to the Subject Lands are part of the same sewer tributary serving the Weston Road and Highway 7 area. External upgrades to infrastructure outside the Subject Lands may be required to adequately service the Subject Lands based on the uses and the intensity of uses contemplated (i.e. water, stormwater &amp; sanitary systems).</li> <li>▪ As part of the removal of the Holding Symbol “(H)” or H-equivalent, the Owner must provide, to the satisfaction of Development Engineering Department (‘DE’) an updated downstream sanitary capacity analysis and drawings of external municipal infrastructure upgrades required to</li> </ul>

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
		<p>demonstrate that the Subject Lands can be adequately serviced for sanitary sewage.</p> <ul style="list-style-type: none"> <li>▪ As part of the Holding Symbol “(H)” or H-equivalent, the Owner shall front-end finance and construct/contribute to related required water distribution system and wastewater servicing infrastructure improvements based on the conclusions and recommendations of the City’s Integrated Urban Water Master Plan EA (the ‘Plan’), specifically the Vaughan Metropolitan Centre Secondary Plan Area Functional Servicing Strategy Report.</li> <li>▪ As part of the Holding Symbol “(H)” or H-equivalent, the Owner shall enter into a Development Agreement with the City to design and construct at no cost to the City all applicable external municipal infrastructure necessary to benefit the Plan.</li> <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. (Weston Road and Highway 7, Vaughan Mills Centre, and Vaughan Metropolitan Centre).</li> <li>▪ As part of the Holding Symbol “(H)” or H-equivalent, the availability of water and sanitary servicing capacity for the Development must be identified and allocated by Vaughan Council by resolution.</li> </ul>
g.	Soil Quality	<ul style="list-style-type: none"> <li>▪ The submitted Phase 1 ESA report was written with the intent of the site remaining commercial. Given the proposed residential development, a revised Phase One and Two ESA reports conforming to OREG 153/04 standards, and assessing the site for the proposed residential use to confirm if exceedances of applicable Ministry of Environment, Conservation, and Parks (‘MECP’) standards are present.</li> <li>▪ The ESA reports shall be accompanied by a reliance letter from an environmental consultant. The owner will be required to obtain a MECP Record of Site Condition (‘RSC’) confirming that the entire development site is suitable for residential use.</li> </ul>

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
h.	Noise Impacts	<ul style="list-style-type: none"> <li>▪ Predicted sound levels at some of the outdoor amenity terraces exceed MECP guidelines. Mitigation is recommended to reduce predicted sound levels.</li> <li>▪ Projected sound levels are expected to exceed the allowable threshold for terraces closest and/or most exposed to Highway 400. The final Noise Study must be approved to the satisfaction of the DE Department.</li> </ul>
i.	Air Quality/Odour	<ul style="list-style-type: none"> <li>▪ Based on a review of the surrounding land uses, the Owner is required to submit an Air Quality and Odour Impact Study.</li> </ul>
j.	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>
k.	Design Review Panel ('DRP')	<ul style="list-style-type: none"> <li>▪ The DRP will review the Development at the Site Development stage.</li> </ul>
l.	Public Agency/Municipal Review	<ul style="list-style-type: none"> <li>▪ The Applications must be reviewed by York Region, Toronto and Region Conservation Authority, Ministry of Transportation, and external public agencies and utilities, municipalities and the Public, Separate, and French School Boards.</li> </ul>
m.	Parkland Dedication	<ul style="list-style-type: none"> <li>▪ The Applications 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>
n.	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>
o.	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 'Guiding Principles' 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</li> </ul>

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
		<p>the basis to justify the CIHA request: providing more market-rate housing in the form of 1,488 residential units.</p> <ul style="list-style-type: none"> <li>▪ Staff will review and determine if the contributions are in-line with the Guiding Principles within the February 28, 2023 report for determining if the CIHA request has merit, and whether the contributions are sufficient in aiding in the City's ability to meet its key priorities of creating complete communities.</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>
p.	Affordable Housing	<ul style="list-style-type: none"> <li>▪ The Applications will be reviewed in consideration of Provincial, Regional and City polices 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> <li>▪ The Development does not appear to deliver on any of the Guiding Principles identified in the February 28, 2023, report. At a minimum, Development Planning staff would expect the Development to provide a significant number of affordable housing units to satisfy some of the noted key priorities.</li> </ul>
q.	City's Tree Protection Protocol ('TPP')	<ul style="list-style-type: none"> <li>▪ The Arborist Report and Preservation Plan for all trees upon the Subject lands or within 6 m of it is to be provided at the Site Plan stage.</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, at the Site Plan stage.</li> </ul>
r.	Traffic Impacts, Road Widening and Access	<ul style="list-style-type: none"> <li>▪ The Subject Lands abut Langstaff Road, an arterial road under the jurisdiction of York Region. A large portion of the Langstaff Road frontage also abuts the southbound onramp to Highway 400, under the jurisdiction of the Ministry of Transportation ('MTO').</li> </ul>

	MATTERS TO BE REVIEWED	COMMENT(S)
		<ul style="list-style-type: none"> <li>▪ Two full-moves accesses are proposed on Chrislea Road. Staff have concerns with the location of the second proposed access due to the lack of sightline, large volume of anticipated traffic due to the location of both ramps to the parking garage and proposed lay-by parking spaces along the driveway.</li> <li>▪ A visual sightline analysis is required to ensure there is sufficient access for the east access (Access #2).</li> <li>▪ Staff will require a Parking Justification Study as the site is within an Employment Area and the Transportation Impact Study ('TIS') states only 1 of 2 transit routes operate 7 days a week. Staff cannot support the proposed resident rate of 0.8 parking spaces per unit without adequate justification.</li> <li>▪ The TIS recommends the signalization of Jevlan Drive/Chrislea Road and Silmar Drive. Design and implementation of the required infrastructure improvements will be the responsibility of the Owner and shall be reflected in appropriate agreements with the City.</li> <li>▪ An option to provide a 25 m eastbound auxiliary left-turn lane at the second entrance is explored in the TOS. Staff have concerns due to the sightlines issues at Access #2.</li> <li>▪ A functional design of Chrislea Road is required. It shall include all existing and proposed pavement marking and signage plans. This should include any proposed improvements to implement the recommended signalization at Jevlan Drive/Chrislea Road and Silmar Drive for the full buildout of the Development and proposed auxiliary left-turn lane.</li> <li>▪ The lay-by parking spaces along both access driveways should be provided a minimum 9 m clear throat length due to the conflicting area at the entrance to the site that may potentially overflow back onto Chrislea Road.</li> <li>▪ Provide pick-up and drop-off areas inside the property limit near the principle pedestrian entrances.</li> </ul>

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
		<ul style="list-style-type: none"> <li>▪ MTO will identify any specialized requirements within close proximity to its lands.</li> </ul>
s.	Active Transportation	<ul style="list-style-type: none"> <li>▪ Some long-term bicycle spaces are proposed within Level P3, whereas the By-law permits the spaces between levels P2 and 2. Please revise.</li> <li>▪ Access doors to all bike rooms should be situated in a safe place with convenient access to elevators.</li> <li>▪ Staff have concerns with the bike room locations within the parking garage.</li> <li>▪ There are safety concerns with the location of short-term bike racks in between the loading zone and vehicle parking entrance. Exploration of alternative options are encouraged.</li> <li>▪ Provide a Pedestrian and Bicycle Circulation Plan.</li> </ul>
t.	The Application has been Deemed Incomplete	<ul style="list-style-type: none"> <li>▪ The Owner is required to submit the following material for the Application to be deemed complete: <ul style="list-style-type: none"> <li>○ Acknowledgement from stakeholder Indigenous communities that they have received and are reviewing the Development proposal</li> <li>○ Update all drawings to include a scale</li> <li>○ Update applicable drawings to include floorplate area(s)</li> <li>○ Urban Design and Sustainability Guidelines</li> <li>○ Sustainability Performance and Summary Letter</li> <li>○ Pedestrian and Bicycle Circulation Plan</li> <li>○ Amendments to the application form</li> </ul> </li> </ul>
u.	Ground water and Source water Protection	<ul style="list-style-type: none"> <li>▪ The Subject Lands are within an identified area of concern due to know high water table conditions and confined artesian aquifer conditions, which could have geotechnical implications. The Owner has requested the hydrological and geotechnical studies be deferred to the Site Development stage.</li> <li>▪ The Subject Lands are located within a Wellhead Protection Area Q2 (WHPA-2).</li> </ul>

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
		<ul style="list-style-type: none"> <li>▪ New development is required to implement best management practices with the goal of maintaining predevelopment recharge. The application will be further analyzed to this end.</li> </ul>
v.	Site Connectivity	<ul style="list-style-type: none"> <li>▪ Block 2 is isolated by Highway 400 and the onramp along Langstaff Road. It would be more appropriate to locate this form of development closer to the intersection of two major arterial roads in an area with stronger community connection to existing residential uses and local services.</li> <li>▪ Providing stronger pedestrian connectivity to Langstaff Road should be examined given the MTO boundary.</li> <li>▪ Strengthening connections providing direct access linking paths/sidewalks to the POPS, residential lobbies, and amenity areas should be examined.</li> <li>▪ Proposed parking for the development should be placed underground to be compliant with 9.1.2.9d of VOP 2010. Above grade parking should be wrapped with active uses as per 9.1.2.9g of VOP 2010.</li> <li>▪ In-boulevard pedestrian and cycling facilities will be required along Silmar Drive and Chrislea Drive as per the recommendations of the Pedestrian &amp; Bicycle Master Plan (2020).</li> </ul>
w	Community Services/Facilities	<ul style="list-style-type: none"> <li>▪ As the Subject Lands are surrounded by employment uses and border a Highway 400 on-ramp, the Development must prioritize pedestrian connectivity. Connectivity along the abutting streets will be evaluated, including walking distances to existing parks and trails, and physical barriers (i.e. highways).</li> <li>▪ A Community Service and Facilities Impact Study and Park and Open Space Master Plan and Detail Facility Fit Study will be required at the Site Plan stage. Conditions to require these items as part of the request for a CIHA order will be investigated, should the Applications be approved.</li> </ul>



	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
x.	Amenity Spaces/POPS	<ul style="list-style-type: none"> <li>▪ Due to the lack of services and infrastructure for residents given the proposed location of the Development, block design should maximize and consolidate the amenity spaces/POPS to overall improve the quality of the space and its ability to accommodate appropriate programming.</li> <li>▪ As there is a lack of services and infrastructure available to residents given the location (e.g. nearest school and park is a 20 minute walk away), the interior court amenity space should be a minimum of 0.2 ha to meet the City's minimum requirements for POPS and maximize resident outdoor amenity space. 0.13 ha is proposed.</li> <li>▪ The redistribution of the blocks/podiums to frame a large, centralized POPS to help shield it from the most impactful noise levels and winds shall be examined.</li> <li>▪ The proposed rooftop amenity areas lack protection from the predominate northwesterly winds. Consideration needs to be given to shield the rooftop amenity areas.</li> <li>▪ The Owner is to confirm that the noise conditions for the POPS and amenity area have been examined as part of the noise study, and this information is to be included in the report.</li> <li>▪ Given the proposed rooftop uses, it would be beneficial to provide resident access to both amenity spaces given their different programming.</li> </ul>
y.	Building Design	<ul style="list-style-type: none"> <li>▪ Should the site be redesigned to maximize/consolidate the POPS/amenity spaces, the towers should continue to maintain a separation distance of at least 25 m.</li> <li>▪ The proposed 0-2 m at-grade setbacks need to be increased to at least 3 m along Chrislea Road and Simlar Drive.</li> <li>▪ The proposed loading for the retail/commercial space near the corner of Chrislea and Silmar Drives should be positioned further away from the corner of the public realm.</li> </ul>

	MATTERS TO BE REVIEWED	COMMENT(S)
		<ul style="list-style-type: none"> <li>▪ If the Development is reconfigured, the driveway location should be positioned to allow service access and to provide less interference with the amenity and building lobbies while maximizing POPS area. It may be more appropriate to locate the retail along Silmar Drive with the loading pushed further back into the building, or to find a way to consolidate it with the other building garbage and loading areas.</li> <li>▪ It is recommended the Development's public interface be designed to be more urban in character. Consider how the uses will inform the public realm and POPS, and how the spaces might be better activated by the specific program used.</li> </ul>
z.	Landscaping	<ul style="list-style-type: none"> <li>▪ Ensure that 1.2 m soil depth for tree planting is provided over a slab. This information is to be clearly shown on the building and landscape sections.</li> <li>▪ The City's standard sidewalk widths and other facilities, such as bike lanes, are to be coordinated with Development Engineering Department and reflected on the plans.</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.

### **Conclusion**

The CIHA tool may be used at Council's discretion. By resolution, Council asks MMAH to issue a CIHA zoning order outside of the development review processes of the *Planning Act*. The merits of using such a tool should be evaluated in accordance with

the Guiding Principles established in the report presented to Committee of the Whole on February 28, 2023.

The preliminary issues identified in this report and any other issues identified through the processing of the Application will be considered in the technical review of the Application. 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 David Harding, Senior Planner, Development Planning Department, ext. 8409.

### **Attachments**

1. Context Map
2. Location Map and Zoning
3. Conceptual Site Plan and Proposed Zoning
4. Conceptual Landscape Plan
5. Conceptual Building Elevations (North and East)
6. Conceptual Building Elevations (South and West)
7. Conceptual Perspective Rendering - Southwest
8. Conceptual Perspective Rendering - Southeast
9. Zoning By-law 001-2021 Exception Table

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