

## Committee of the Whole (2) Report

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**DATE:** Tuesday, December 5, 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:** DECISION

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### **Purpose**

To seek endorsement from the Committee of the Whole to use the Community Infrastructure and Housing Accelerator ('CIHA') tool through CIHA Application File CIHA.23.001 (the 'Application') to seek a CIHA Order from the Minister of the Ministry of Municipal Affairs and Housing ('MMAH') for the subject lands shown on Attachments 1 and 2, to permit the development shown on Attachments 3 to 8 (the 'Development') consisting of:

- Three (3) high-rise mixed-use buildings, and one (1), stand-alone hotel with a maximum permitted height of 60-storeys;
- 1,269 dwelling units of which a minimum of 5% will be reserved for 'Affordable Housing';
- 5,142 m<sup>2</sup> of Office space, 1,589 m<sup>2</sup> of Community Facility space, 6,081 m<sup>2</sup> of Place of Assembly space, and 1,835 m<sup>2</sup> of Retail space;
- 1,750 m<sup>2</sup> of public park space; and,
- A Privately Owned Publicly Accessible Space (POPS).

### **Report Highlights**

- The Owner proposes that Council consider permitting the Development through use of the CIHA tool.
- The Development Planning Department proposes conditions as outlined in this report should Council resolve to support use of the CIHA tool for the Development.

## **Recommendations**

1. THAT Council request the Minister of the Ministry of Municipal Affairs and Housing ('MMAH') make an Order pursuant to section 34.1 of the *Planning Act* for Community Infrastructure and Housing Accelerator ('CIHA') File CIHA.23.001 (8083 Jane Street Ltd.) with respect to the lands municipally known as 8083 Jane Street, shown on Attachment 13, and staff be directed to submit a CIHA Order request package to the Minister of MMAH within 15 days of passing the Council Resolution. The request package shall include the following:
  - a. A draft CIHA Order in substantially the same form as that shown in Attachment 13 of this report;
  - b. A request to the Minister of MMAH to attach conditions to the CIHA Order, as identified in Appendix C of Attachment 13, should the CIHA Order be made by the Minister of MMAH;
  - c. A request to the Minister of MMAH to attach a condition to the CIHA Order requiring the Owner provide a minimum 5% of the total residential units for affordable housing as a CIHA Order community benefit requirement, should the CIHA Order be made by the Minister of MMAH; and
  - d. A request to the Minister of MMAH to exempt subsequent Site Plan Application, Draft Plan of Subdivision Application and Draft Plan of Condominium Application from consistency/conformity to provincial plans, the Provincial Policy Statement, A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 ('Growth Plan'), York Region Official Plan, 2022 ('YROP 2022') and Vaughan Official Plan 2010 ('VOP 2022').
2. THAT the CIHA Order request impose a "High-Rise Mixed-Use Zone HMU" with site-specific zoning provisions for the Subject Lands municipally known as 8083 Jane Street shown on Attachment 13 as follows:
  - a. Permit three (3) mixed-use buildings;
  - b. Permit one (1) 8-storey stand alone hotel;
  - c. Permit a maximum permitted height of 60-storeys (193.5 m);
  - d. Permit a maximum of 1,269 residential dwelling units within the three (3) mixed-use buildings;
  - e. Permit a minimum of 5,142 m<sup>2</sup> of Office space;
  - f. Permit a minimum of 1,589 m<sup>2</sup> of Community Facility space;
  - g. Permit a minimum of 6,081 m<sup>2</sup> of Place of Assembly space;
  - h. Permit a minimum of 1,835 m<sup>2</sup> of Retail space;
  - i. Permit a minimum of 1,750 m<sup>2</sup> public park space; and
  - j. Permit a Privately Owned Public Space (POPS) 'Urban Square'.

## **Background**

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

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

Date application was deemed complete: August 16, 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*, R.S.O.1990, c.P.13 (the '*Planning Act*'). Amongst the series of amendments, a new planning tool has been created, known as the Community Infrastructure and Housing Accelerator within section 34.1 of the *Planning Act*, which enables municipalities to submit requests to 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.

### ***The Applicant is seeking that Council request a CIHA Order from MMAH to facilitate the Development.***

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

### ***Exemptions from conformity/consistency to provincial plans and municipal official plans for future applications***

Subsection 34.1(15) of the *Planning Act* allows the Minister of MMAH, at the request of Council via resolution, to exempt subsequent development approval processes from being required to be consistent with the PPS, and from conformity to provincial plans and municipal official plans. These subsequent development approval processes include Draft Plan of Subdivision, Draft Plan of Condominium, and Site Development Applications. The exemption avoids challenges that the subsequent development applications may face in carrying out the principle of development the CIHA Order would impose.

Together with the Council resolution requesting the CIHA Order, 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 CIHA Order which permits the intended use on the Subject Lands.

### ***The Subject Lands are within a Provincially Significant Employment Zone ('PSEZ').***

The PPS and Growth Plan for the Greater Golden Horseshoe provides guidelines and criteria for land use conversions of PSEZ.

Within the York Region Official Plan, 2022, the Subject Lands are identified as “Urban Area” under Regional Structure Map 1 and “Employment Area” under Land Use Designations Map 1A. In Vaughan Official Plan 2010, the Subject Lands are designated “Prestige Employment”.

For typical *Planning Act* applications, Section 1.3.2.4 of the PPS and Sections 2.2.5.9 and 2.2.5.10 of the Growth Plan require a Municipal Comprehensive Review (‘MCR’) be undertaken in order to consider converting employment lands to non-employment uses. Under section 34.1 of *Planning Act*, the CIHA tool exempts development proposals from the traditional planning frameworks, including MCRs for employment conversions.

The Regional Municipality of York undertook a recent MCR, in which the Subject Lands were considered for land use conversion.

The MCR recommended that the Subject Lands remain within the Employment Area Designation. Under the CIHA process, 8083 Jane Street will not require an MCR in order to remove the lands from the Employment Area Designation and the criteria’s identified in Section 1.3.2.4 of the PPS and Sections 2.2.5.9 and 2.2.5.10 of the Growth Plan will no longer be fully applicable in evaluating an employment conversion.

***Public Notice was provided in accordance with the Planning Act and Council’s Notification Protocol.***

- Date of Notice (Circulated 150 m from Subject Lands as shown on Attachment 1): 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.
- Date of Public Meeting: September 12, 2023, date ratified by Council September 26, 2023
- Date of Committee of the Whole Courtesy Notice sent to those requested to be notified: December 23, 2023

**Previous Reports/Authority**

Previous reports related to the application and Subject Lands can be found at the following links:

More Homes For Everyone Act, 2022 – Community and Housing Accelerator, Committee of the Whole Report  
February 28, 2023, Committee of the Whole Report (Item 1, Report 11)

8083 Jane Street Ltd. Committee of the Whole Public Meeting  
September 12, 2023, Committee of the Whole Public Meeting (Item 4, Report No. 33) and adopted by Council on September 26, 2023

## **Analysis and Options**

***Public Consultation and Indigenous Engagement is required in accordance with the MMAH's CIHA tool guidelines.***

### **Public Meeting**

The September 12, 2023 Public Meeting generated comments from the public. The following are a summary of the comments provided and received to date. The comments are organized by topics as follows:

#### **Infrastructure Capacity**

- The Development will take away from servicing allocation capacity in areas that have already been planned for long term growth such as Vaughan Metropolitan Centre (VMC) and Vaughan Mills Centre areas.
- The Development is considered unplanned and unscheduled growth that was not contemplated in any master servicing plan and will compound existing infrastructure constraints.

#### **Land Use Compatibility**

- The Subject Land are identified as Provincially Significant Employment Zone and in proximity to Canadian National Railway lands which conflicts with sensitive land use such as residential dwelling.

#### **Effects on existing community services**

- The Development will compound the existing parkland shortage in the neighbouring VMC precinct.

#### **Environmental Impacts**

- The Development will cause negative environmental impacts to the Humber River watershed.
- The neighbouring VMC precinct is experiencing a deficit in stormwater management measures that continues to negatively affect and degrade the Black Creek sub-watershed. The contemplated Development will exacerbate this existing concern.

### **Indigenous Engagement**

Prior to submitting a CIHA Order request to the MMAH, the City is required to demonstrate that proper Indigenous consultation has occurred. The City in turn created guidelines requiring Owners seeking a CIHA process to provide adequate evidence to the City's satisfaction that Indigenous engagement has occurred prior to seeking endorsement from Council.

The Owner engaged with various Indigenous groups, specifically the Mississaugas of The Credit First Nation and Nation Huronne-Wendat. The Owner provided a summary of the Indigenous Engagement process along with the responses as shown in Attachment 14. Attachment 14 will form part of the submission materials to the MMAH should Council choose to endorse the CIHA Order request.

As shown in Attachment 14, there were no objections or significant concerns identified in the Indigenous engagement process. Development Planning is satisfied with the Indigenous engagement process as it relates to the Development contemplated at 8083 Jane Street.

***The CIHA Order is not required to be consistent with the PPS or conform to the Growth Plan as amended, and YROP 2022. The CIHA process exempts the Development from the PPS 2020, Growth Plan 2019, as amended, YROP 2022 and VOP 2010.***

Provincial Policy Statement, 2020 ('PPS')

The PPS, 2020 provides direction on matters of Provincial interest related to land use planning and development and includes building strong, healthy communities with an emphasis on efficient development and land use patterns, wise use and management of resources, and protecting public health and safety.

The Subject Lands are within a Settlement Area and the Delineated Built-Up Area of the Built Boundary of York Region. The Proposed Development facilitates a compact urban form through the intensification of underutilized lands in the City's established Settlement Area where full municipal services exist. The compact urban form, the ability to utilize existing municipal infrastructure, and the opportunity to provide housing with varying unit sizes facilitate a higher density development that capitalizes on the transportation infrastructure investments, consistent with the PPS, 2020.

The Development is also within an employment area as defined by the Growth Plan, YROP 2022 and VOP 2010. Section 1.2.6 of the PPS, 2020 direct that the introduction of sensitive land uses including residential shall only be considered adjacent to employment areas if the following has been considered:

- a) there is an identified need for the proposed use;
- b) alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;
- c) adverse effects to the proposed sensitive land use are minimized and mitigated;
- d) potential impacts to industrial, manufacturing or other uses are minimized and mitigated.

The Subject Lands are located in "Stable Areas" between two "Intensification Area" as defined by VOP 2010. The contemplated Development would assist in adding to the City's housing supply including affordable housing. Residential and commercial uses outside the defined "Intensification Areas" may interrupt the existing employment area along Jane Street. This maybe be offset however by the 5,142 m<sup>2</sup> of office space included in the proposed development, a condition to secure such use has been incorporated in the draft CIHA Order.

The Land Use Compatibility/Mitigation Study (Air Quality and Noise) prepared by RWDI dated March 15, 2023, includes an assessment of the land use surrounding the Subject Lands. Findings from that study will be discussed in further detail throughout the report

however the conclusion identified no immediate concern with land use compatibility. The City has noted however, that CN rail continues to expand fuel storage operation on their existing site east of the of Subject Lands which is identified in parts of staff comments. As previously stated, CIHA applications are exempted from provincial policies including the PPS, 2020.

#### A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended ('the Growth Plan')

The Growth Plan provides a framework for implementing the Province's vision for building strong, prosperous communities within the Greater Golden Horseshoe to 2041. The premise of the Growth Plan is building compact, vibrant and complete communities, developing a strong competitive economy, protecting and wisely using natural resources, and optimizing the use of existing and new infrastructure to support growth in a compact and efficient form.

The Subject Lands are not within an Intensification Area and are located adjacent to a future Major Transit Station Area ('MTSA') at Pennsylvania Avenue and Jane Street. The Growth Plan defines a MTSA as the area within an approximate 500 to 800 m of a transit station.

The Pennsylvania MTSA is contemplated as a Bus Rapid Transit ('BRT') Station. If completed the Development at 8083 Jane Street would have direct access to the planned transit station. It should be noted however that the Jane Street BRT corridor is conceptual, with no tied funding allocation at this time. Both YROP 2022 and Metrolinx's Regional Transportation Plan does not foresee the line being implemented until after 2041. Delivery of the transit infrastructure is therefore unknown.

The Subject Lands are located within a PSEZ. Current policy directives within the Growth Plan encourage the protection of such lands for strategic economic development. In accordance with policies 2.2.5.9 and 2.2.5.10 of the Growth Plan, the introduction of non-employment use can only occur through a MCR. The proposed development at 8083 Jane Street however is being contemplated through a CIHA process which exempts applications from consistency to provincial plans including the Growth Plan. While a change in use on the Subject Lands are proposed, the CIHA proposal provides 5,142 m<sup>2</sup> of office space use through a mixed-use arrangement. This will help maintain a level of employment functionality on the Subject Lands.

#### York Region Official Plan 2022 ('YROP 2022')

- The 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.

The findings noted from the review of the PPS, the Growth Plan and YROP 2022 are informational to assist Council in determining the merit of the proposal.

***A CIHA Order would override the policies of VOP 2010.***

VOP 2010 sets out the municipality's general planning goals and policies that guide future land use. A CIHA Order is not required to demonstrate conformity to the policies of VOP 2010. However, for the purpose of analysis, the existing policy framework in relation to the Development is identified below:

Official Plan Designation:

- The Subject Lands are designated "Prestige Employment" by the Land Use Designations Map 13 of VOP 2010. The uses, height, density and land use provisions under this designation does permit the Development as contemplated.

The findings noted from the review of VOP 2010 are informational to assist Council in determining the merit of the proposal.

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

In the case of a conflict with the Zoning By-law 001-2021 (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 Development is not permitted by the current zoning category for the Subject Lands. Under Zoning By-law 001-2021 the Subject Lands are zoned "Prestige Employment Zone". The zone principally permits Automotive Detailing, Manufacturing or processing facility, warehousing and distribution facility uses, commercial school and other industrial/ employment uses. The existing zoning provision does not permit the proposal contemplated on the Subject Lands.

The Owner is requesting a "High-Rise Mixed-Use Zone HMU" with site-specific exceptions as identified in the draft CIHA Order in Attachment 13 of this report to permit the Development.

The Owner requests consideration of a 0 m tower step-back be entertained whereas 3 m is required within the HMU Zone. Urban Design Division has raised significant concern with the compatibility of the built form in relation to the surrounding low-rise uses, and the lack of stepping to facilitate a transition and reduce wind tunneling effects. For this reason, staff is not supportive of any alteration to the minimum tower step-back provision.

6,369 m<sup>2</sup> of amenity area is required based on the contemplated residential dwelling count of 1,269, whereas 6,250 m<sup>2</sup> is proposed, a shortfall of 119 m<sup>2</sup>. The site is within an employment area, which does not contain nor is it within proximity to public spaces.



As the intent of a CIHA is to encourage community benefits above and beyond that typically required of a *Planning Act* application process and to expedite priority developments, staff is not supportive of the proposed amenity area reduction.

The Owner is requesting a reduction in parking rates to 0.5 per dwelling unit and 3 parking space per 100 m<sup>2</sup> of GFA for Places of Assembly. The Development Planning Department acknowledge that such reductions are aggressive for the level of intensification proposed on a site surrounded by employment uses. Staff does not support the parking rate proposed and recommends the minimum rates as identified in Zoning By-law 001-2021 apply to ensure sufficient parking is provided.

The Development Planning Department has reviewed the proposal. Should Council endorse the CIHA Order request, the required zone provisions to permit the Development are identified in Attachment 13.

Should the MMAH issue a CIHA Order in response to the Council resolution only the MMAH may make further amendments to the CIHA Order.

***The Planning Act allows for the CIHA Order to contain conditions that can only be cleared and/or removed by MMAH.***

Under Section 34.1(13) of the *Planning Act*, the MMAH may impose conditions on the CIHA Order. The conditions can only be cleared and/or removed by the Minister of MMAH. To ensure the orderly development of the Subject Lands the City has proposed conditions, which may be referred to in Appendix C of Attachment 13, to be included with the CIHA Order request. While the Minister of MMAH is solely responsible for lifting/removing conditions, it is anticipated that MMAH will liaise with appropriate parties requesting the conditions to ensure they are satisfactorily addressed before removing it. Please refer to Attachment 12 for a detailed summary outlining the rationale for each condition.

***Community benefits above and beyond the Planning Act requirements are to be provided as part of the CIHA Order request, to the satisfaction of the City.***

The City of Vaughan considers contribution to community benefits for CIHA Order requests on a case-by-case basis. On March 21, 2023, Council resolved to receive the February 28, 2023 report which outlines key priorities that are intended to meet the City's objectives for creating complete communities. These priorities are to be considered and/or assist in securing benefits above and beyond what is required through the standard approval process of an Official Plan and Zoning By-law Application.

The Development proposed on the Subject Lands will contain the following additional community benefits:

- Minimum of 5% of the total residential dwelling units reserved for 'Affordable Housing'
- 1,589 m<sup>2</sup> of Community Facility space
- 5,142 m<sup>2</sup> of Office space

The 'Affordable Housing' component comprises of a minimum of 5% of the total residential dwelling count. The definition of 'Affordable Housing' is referenced in the draft CIHA Order and is tied to the definition within YROP 2022. The 'Affordable Housing' will be finalized and secured through a future agreement to be registered on the property. A condition to this effect is listed in Appendix C of Attachment 13.

The Development includes 174 dwelling units allocated towards 'senior lifestyle'. The Owner plans on selling the dwelling units at regular market value prices, but are marketed for senior living. Development Planning Department views and treats these units as market dwelling units, as there is no mechanism in the proposal that ensures the end-users will be seniors.

The Community Facility space will be further defined as the project advances however, the Owner has indicated that the potential use of such space includes community programs, youth and educational programs, daycare, and senior drop in space. The space will be secured by ensuring a minimum GFA of the identified uses are included in the draft CIHA Order.

The City has also identified office space as one of the key priorities in creating complete communities. The Development includes an office space component of approximately 5,142 m<sup>2</sup>. The space will be designed to accommodate leading edge technology and research incubator firms. The draft CIHA Order will include language that permits a minimum GFA dedicated for an office space component. Securing such space will help offset the loss of removing the Subject Lands from the employment area through the CIHA Order process.

***Community Benefits Charge ('CBC') is applicable and will be collected at Building Permit Stage.***

The Development meets the criteria for 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.

**Operational Impact**

***Development Planning Department***

The Development at 8083 Jane Street is a step towards meeting the City's objectives of creating a complete community by taking underutilized employment lands and providing a variety of housing options, including affordable housing, office space, commercial space, and community facility space within proximity of each other. These uses are ultimately best suited within identified Intensification Areas where services and infrastructure are planned/available.

In advancing the Development forward, staff will continue to work with the Owner, provided the CIHA Order is successful. The building footprint, site plan layout and parking arrangement are conceptual and will be subject to further change as the application progress. The level of intensity planned for the Subject Lands requires a

detailed and strategic design that is both transit and pedestrian oriented. The provisions required to facilitate this vision will be incorporated into the draft CIHA Order as a condition.

If the CIHA Order is successful, the Development will require a future Draft Plan of Subdivision to create an unencumbered public park block. Conditions in the draft CIHA Order has been provided to secure 1,750 m<sup>2</sup> of area for the designated park. The Draft Plan of Subdivision is necessary prior to the advancement of a Site Plan Application on the Subject Lands which will also be required.

The CIHA Order for 8083 Jane Street will be precedent setting for an area that is predominately used for employment purposes. Developing broader long-term land use policies along the Jane Street corridor should therefore be explored if demand for further employment conversions is contemplated or considered within proximity to the Subject Lands. Such review should consider land-use compatibility, safety and planned or required infrastructure improvements. Staff recognizes however that such an initiative is outside the scope of this specific application.

#### ***Vaughan Fire and Rescue Services Emergency Planning Department***

The Vaughan Fire and Rescue Services Emergency Planning Department has reviewed the planned CIHA Order request including the Land Use Compatibility/Mitigation Study (Air Quality and Noise) prepared by RWDI dated March 15, 2023. Emergency Planning makes note that the Subject Lands is in proximity to an outdoor storage tank on the CN Macmillan rail yard lands. Vaughan Fire and Rescue Services Emergency Planning Department full set of comments can be found in Attachment 9.

#### ***Departmental and External Agency Comments***

This Application was also circulated to other applicable City departments and external agencies for comments. The following City departments and external agencies have provided their comments in Attachment 9:

- Urban Design Division: POPs should be designed at an elevation that seamlessly transitions from public to private space without significant grade changes or visual barriers. Surface parking should be located below grade to achieve a transit and pedestrian oriented urban environment.
- Development Engineering Department: Development Engineering notes several internal and external infrastructure improvements required to facilitate the Development on the Subject Lands. Design and funding of the infrastructure improvement will need to be established prior to final issuance of the CIHA Order.
- Parks Infrastructure Planning and Development Department
- Fires and Rescue Services
- Parks, Forestry and Horticulture Operations Department
- Real Estate Department
- Canadian National Railway Company
- Other external agencies and various utilities

The comments provided by the above note City Departments and external agencies will be addressed through CIHA order conditions as shown in Attachments 9, 12 and 13 of this report. CIHA Order conditions are decided, managed, and cleared/removed only by the Minister of MMAH.

The following City departments and external agencies responded with no comments or concerns:

- Cultural Heritage Division
- Canada Post
- Financial Planning & Development Finance
- Rogers
- Enbridge
- York Catholic District School Board
- Alectra Utilities

### **Financial Impact**

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

### **Broader Regional Impacts/Considerations**

York Region has reviewed the Application and provided their comments as shown in Attachment 10. If Council elects to proceed with the CIHA Order request, York Region has provided conditions that are included in the draft CIHA Order as shown in Attachment 13 and further explained in Attachment 12.

#### ***The Toronto and Region Conservation Authority (TRCA) has the following comments:***

TRCA has reviewed the Application and has provided comments as shown in Attachment 11.

The TRCA has identified a significant portion of the Subject Lands as part of the Humber River Watershed and subject to Ontario Regulation 166/06. The property includes a portion of the Black Creek flood plain and buffer area, which has been altered through urbanization.

The TRCA advises that flood mitigation measures including off-site infrastructure improvements be investigated, planned, and designed to the TRCA satisfaction prior to issuance of the CIHA Order. The TRCA further notes a 10-metre setback from the long-term stable top of bank shall be incorporated into the final developable area of the Subject Land which will alter the final Site Plan concept. This will be further investigated through further review of the application as it advances.

If Council elects to proceed with the CIHA, TRCA has provided conditions that are included in the draft CIHA Order as shown in Attachment 13.

## **Conclusion**

The Development Planning Department has reviewed the CIHA Application. Under Section 34.1 of the *Planning Act*, CIHA proposals are exempt from demonstrating consistency with the PPS, and conformity to the Growth Plan, YROP 2022 and VOP 2010. The Development Planning Department believes in maintaining a comprehensive and orderly approach to planning. Through the evaluation of the proposal, Development Planning recommends Council include Attachment 13 in its resolution and submission package to MMAH should it choose to endorse CIHA application File CIHA.23.001.

Should Council not endorse the CIHA Order request, file CIHA. 23.001 shall be received for information and the Zoning By-law remains the solely applicable zoning document for the Subject Lands. This decision would direct staff to cease the processing of the CIHA Order request and close the file.

**For more information**, please contact OluwaKemi (Kemi) Apanisile, Planner, at extension 8210.

## **Attachments**

1. Context Map
2. Location Map and Zoning
3. Conceptual Site Plan & Proposed Zoning (Subject to further revisions)
4. Conceptual Landscape Plan (Subject to further revision)
5. Conceptual POPs (Subject to further revision)
6. Conceptual Building Elevations - North and East (Subject to further revisions)
7. Conceptual Building Elevations - South and West (Subject to further revisions)
8. Conceptual Perspective Rendering (Subject to further revision)
9. City Departments and External Agencies Comments
10. York Region Comments
11. Toronto and Region Conservation Authority Comments
12. Community Infrastructure Housing Accelerator (CIHA) Order Conditions and Rationale
13. Draft Community Infrastructure and Housing Accelerator (CIHA) Order
14. Indigenous Engagement Summary

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