



TOWNSHIP OF
**Elizabethtown-
Kitley**

STAFF REPORT
Department: Planning

Report Number: P-2024-04
Date: 2024-01-29

To: Mayor Burrow and Members of Council
From: Michael Czarny, Planner & Jim Hutton, Planner

Subject: Public Meeting Re: Community Infrastructure and Housing Accelerator (CIHA) Request for the Proposed Row's Corners Development (Campus Elizabethtown) Part of Lot 6, Concession 3 (Geographic Elizabethtown)

RECOMMENDATION

Nonapplicable for this Public Meeting.

BACKGROUND

The attached Notice of Public Meeting was circulated to area property owners, prescribed agencies, posted on the municipal website as well as at the subject property.

The request for a Community Infrastructure and Housing Accelerator (CIHA) application to the Minister of Municipal Affairs and Housing is for the purpose of seeking an expedited zoning approval. In issuing an order, the Minister can provide an exemption from other planning related approvals such as Provincial Policy Statement and Municipal Official Plans.

The subject lands are currently owned by the Township, having been purchased in 1965 for \$7K. Following conclusion of [RFP 2023-001 Rows Corners Park Land Master Plan](#) in May 2023, Council accepted the alternate proposal submitted by [Campus Habitations](#) in July 2023 due to the nature of the proposed workforce housing development component while respecting the significant recreational history of the property. The due diligence process was carried out between August and December, 2023, and at the regular meeting held on January 9, 2024, Council authorized execution of a long-term land lease of Rows Corners with Campus Habitations (first and second reading of By-law No. 24-02 only). Third reading of By-law No. 24-02 is expected to be considered on January 29, 2024. The [draft lease](#) includes provisions for annual rent payments, utilities, taxation and potential purchase options. Campus Habitations and Township officials continue to discuss servicing options for the project.

For reference purposes, the definition of the workforce (attainable) housing solution being utilized for this proposed development is as follows:

Attainable housing is a definition, which was developed by Canada Mortgage & Housing Corporation (CMHC), whereby housing is considered affordable (attainable) when it consumes no more than 30% of a household's gross, pre-tax income.

This solution proposed by Campus Habitations has no association with housing that is subsidized by the government, or private, public and non-profit sectors (ie: rent geared to income, social housing, co-op, rent subsidy, etc.).

The proposed project for the Row's Corners property includes:

- 14 three story residential type buildings containing a variety of 1-, 2- & 3-bedroom apartments for a total of 320 apartments;
- The construction of an 800 m² commercial building fronting onto County Road 6; and
- The development of an interior road and on-site park and amenity space.

The following reports have been submitted by the proponent in support of the proposal:

- Planning Rationale
- Site and Phasing Plan
- Environmental Impact Statement
- Geotechnical Report
- Conceptual Servicing and Stormwater Management Report
- Traffic Impact Study

Council supported the concept of a CIHA tool and authorized staff to prepare and distribute the Notice for the Row's Corners development at the Council Meeting on January 8th, 2024. Specific public consultation requirements are not prescribed as part of the *More Homes for Everyone Act, 2022* that made changes to the *Planning Act* to create the CIHA tool. The Township is holding a Public Meeting to replicate the typical consultation process required for Zoning By-law Amendments as per the *Planning Act*. After the Public Meeting, comments from the public and circulated agencies will be considered and a further report and recommendation will be submitted to Council on February 12th prior to submitting the CIHA request to the Minister.

DISCUSSION/OPTIONS

Provincial Policy Statement, 2020 (PPS) – The lands would be considered Rural Lands by the PPS which permits a mix of uses including agricultural, resource management, and residential development among others. The CIHA tool allows the Minister to provide an exemption to Provincial Policy Statement policies which would permit the proposal to proceed.

County Official Plan – The lands are designated Rural Lands with a small portion designated Mineral Aggregate Resources (Tertiary Sand and Gravel Resource Area). Rural Lands limits residential development while protecting and promoting rural and agricultural uses. The CIHA tool allows the Minister to provide an exemption to the County Official Plan which would permit the proposal to proceed.

Township Official Plan – The lands are designated Rural. The Extreme Wildland Fire Potential is identified as low and unclassified. Schedules of the Official Plan also identify Significant Woodlands and Permanently Wet Areas on the subject property. The CIHA tool allows the Minister to provide an exemption to the Township Official Plan which would permit the proposal to proceed.

Township Zoning By-law – The lands are zoned Open Space (OS). The CIHA tool allows the Minister to provide an exemption to the Township Zoning By-law which would permit the proposal to proceed. A draft Zoning By-law Amendment has been prepared to address the proposed development.

FINANCIAL IMPLICATIONS

Nonapplicable at this time.

LINK TO STRATEGIC PLAN

This Public Meeting for Campus Elizabethtown is linked directly to Priority Two, specifically Economic Development Initiatives 2 and 3, in challenging the status quo of current land assets to maximizing value and decisions for Township owned properties (specifically Rows Corners Fairgrounds), while prioritizing growth, streamlining development, and supporting developers in initiating new projects.

OTHERS CONSULTED

From the notification and circulation of the rezoning application the following comments were received:

- Email dated January 23, 2024, from Kaitlin Webber, Planner, MHBC Planning, Urban Design & Architecture on behalf of TransCanada Pipelines LTD (TCLPL) – TCPL comments that the development will likely require a class remediation of the pipelines to accommodate the proposed population density.

Attachments:

- Notice of Public Meeting
- Concept Plan
- Report A-24-004 (excerpts)
- Draft Zoning By-law

NOTICE OF PUBLIC MEETING

TOWNSHIP OF ELIZABETHTOWN-KITLEY

CONCERNING A PROPOSED
COMMUNITY INFRASTRUCTURE AND HOUSING ACCELERATOR (CIHA) REQUEST FOR THE
PROPOSED ROWS CORNERS DEVELOPMENT (CAMPUS ELIZABETHTOWN)

Con. 3, Pt. Lot 6, 3823 County Road 6 (Geographic Elizabethtown)

YOU HAVE BEEN CIRCULATED THIS NOTICE as you are either a property owner within 500 m (1640 ft.) of the property which is the subject to the proposed CIHA application; or you are a prescribed person or public body.

Public notice of this meeting to be held before Council on **Monday, January 29, 2024 at 6:00 p.m.** will be posted on the subject lands. **Attached** is a copy of the **Notice** being posted on the subject lands for your information, as it provides details on the proposed CIHA application and input opportunities. Also attached is a **Location Map** of the property.

IF you wish to be notified of the decision on the proposed amendments by the Township of Elizabethtown-Kitley **you must make a written request for such notice** to the Deputy Clerk, at the below address.

Further information on the amendments is also available for inspection at the municipal office at the below address during regular business hours or by contacting the Planning and Development Department by phone (Ext. 217) or via email.

DATED this 10th day of January, 2024.

Laura Stanzel, Deputy Clerk

Township of Elizabethtown-Kitley

6544 New Dublin Road, R.R. #2

Addison, ON KOE 1A0

Phone (613)345-7480 /Fax 345-7235

E-mail address:

deputyclerk@ektwp.ca

Location Map

Con. 3, Pt. Lot 6, 3823 County Road 6, Elizabethtown



NOTICE OF PUBLIC MEETING

TOWNSHIP OF ELIZABETHTOWN-KITLEY

CONCERNING A PROPOSED COMMUNITY INFRASTRUCTURE AND HOUSING ACCELERATOR (CIHA) REQUEST FOR THE PROPOSED ROWS CORNERS DEVELOPMENT (CAMPUS ELIZABETHTOWN)

Con. 3, Pt. Lot 6, 3823 County Road 6 (Geographic Elizabethtown)

The Township of Elizabethtown-Kitley is providing Notice of a proposed Community Infrastructure and Housing Accelerator (CIHA) application to the Minister of Municipal Affairs and Housing. The purpose of the CIHA application is to obtain an order from the Minister for the expedited zoning approval of the Row's Corners project. In issuing an order, the Minister is able to provide an exemption from other planning related approvals such as Provincial Policy Statement and Municipal Official Plans.

The Council of the Corporation of the Township of Elizabethtown-Kitley will hold a Public Meeting on **Monday, January 29, 2024 at 6:00 p.m.** in the Council Chambers at the Municipal Office located at 6544 New Dublin Road in New Dublin as well as via Council's virtual zoom meeting process to consider the following application for approximately 12 ha (30 ac) of land situated in Part of Lot 6, Concession 3, Geographic Elizabethtown and located at 3823 County Road 6.

The purpose of the CIHA application is:

- To permit 14 three story residential type buildings containing a variety of 1-, 2- & 3-bedroom apartments for a total of 320 apartments;
- To permit the construction of an 800 m² commercial building fronting onto County Road 6; and
- To permit the development of an interior road and on site park and amenity space.

ANY PERSON INTERESTED in speaking to the proposed amendment may do so by contacting the Deputy Clerk via email to deputyclerk@ektwp.ca to arrange for an opportunity to address Council. A request to speak in-person or virtually at the meeting must be made by noon on January 29, 2024.

Anyone interested in making written representations to Council on the proposed application should submit written comments to the Main Municipal Office, 6544 New Dublin Road, R.R. #2, Addison, ON K0E 1A0 or via email to deputyclerk@ektwp.ca by noon on January 29, 2024, so the comments can be relayed at the public meeting.

IF you wish to be notified of the decision on the proposed amendments by the Township of Elizabethtown-Kitley you must make a written request for such notice to the Deputy Clerk, at the below address.

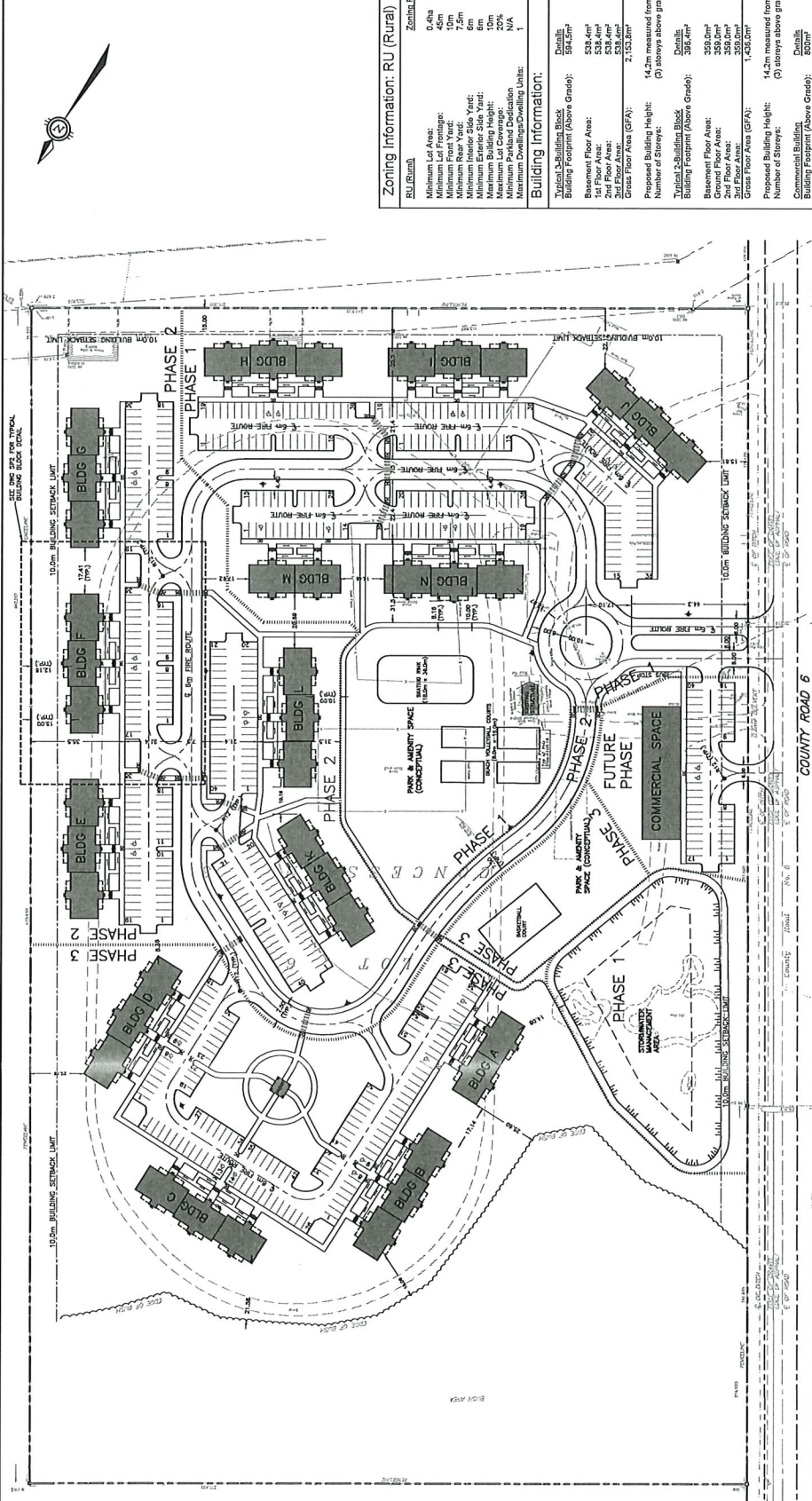
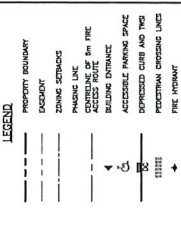
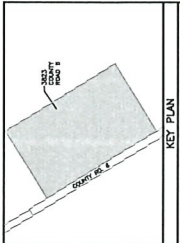
ADDITIONAL INFORMATION relating to the proposed application is available to the public for inspection during regular office hours through the Planning and Development Department at the Main Municipal Office.

For more information about this matter including information about preserving your appeal rights, contact the Township of Elizabethtown-Kitley Planning and Development Department at the below address, either in person, by phone (Ext. 217) or via email.

DATED this 10th day of January, 2024.

Laura Stanzel, Deputy Clerk

Township of Elizabethtown-Kitley
6544 New Dublin Road, R.R. #2
Addison, ON K0E 1A0
Phone (613) 345-7480
Fax (613) 345-7235
E-mail: deputyclerk@ektwp.ca



Zoning Information: RU (Rural)

Minimum Lot Area:	0.4ha	Zoning Requirement:	Proposed:
Minimum Front Yard: <td>4.0m</td> <td>10m</td> <td>(6) Dwelling Units</td>	4.0m	10m	(6) Dwelling Units
Minimum Rear Yard: <td>7.5m</td> <td>10m</td> <td>(6) Dwelling Units</td>	7.5m	10m	(6) Dwelling Units
Minimum Interior Side Yard: <td>6m</td> <td>10m</td> <td>(6) Dwelling Units</td>	6m	10m	(6) Dwelling Units
Minimum Building Height: <td>10m</td> <td>14.2m - 3 Storeys</td> <td>(6) Dwelling Units</td>	10m	14.2m - 3 Storeys	(6) Dwelling Units
Maximum Lot Coverage: <td>20%</td> <td>14.2m - 3 Storeys</td> <td>(6) Dwelling Units</td>	20%	14.2m - 3 Storeys	(6) Dwelling Units
Maximum Dwelling Density: <td>14</td> <td>14</td> <td>(6) Dwelling Units</td>	14	14	(6) Dwelling Units

Building Information:

Typical 2-Building Block	Details:
Building Footprint (Above Grade):	594.5m ²
Basement Floor Area:	538.4m ²
1st Floor Area:	538.4m ²
2nd Floor Area:	538.4m ²
3rd Floor Area:	538.4m ²
4th Floor Area (GFA):	2,153.3m ²
Proposed Building Height:	14.2m measured from grade to top of parapet
Number of Storeys:	(3) storeys above grade + (1) storey underground

Commercial Building:

Typical 2-Building Block	Details:
Building Footprint (Above Grade):	306.4m ²
Basement Floor Area:	359.0m ²
1st Floor Area:	359.0m ²
2nd Floor Area:	359.0m ²
3rd Floor Area (GFA):	1,436.0m ²
Proposed Building Height:	14.2m measured from grade to top of parapet
Number of Storeys:	(3) storeys above grade + (1) storey underground

Parking Information:

Proposed 2-Building Block - Vehicular Parking Requirements	Zoning Requirement
Apartment - Resident: 0.75 spaces per Bed = 48 x 0.75 = 36 spaces	1 space per Unit
constituting of: 2 accessible spaces (3.7m x 6m)	1 accessible per 20 spaces
Proposed 2-Building Block - Vehicular Parking Requirements <th>Zoning Requirement</th>	Zoning Requirement
Apartment - Resident: 0.75 spaces per Bed = 32 x 0.75 = 24 spaces	1 space per Unit
constituting of: 2 accessible spaces (3.7m x 6m)	1 accessible per 20 spaces
Proposed Commercial - Vehicular Parking Requirements <th>Zoning Requirement</th>	Zoning Requirement
Commercial Building: 1 space per 20m ² = 800 / 20 = 40 spaces	1 space per 20m ²
constituting of: 2 accessible spaces (3.7m x 6m)	1 accessible per 20 spaces

Site Information:

Municipal Address: 3823 County Road 6, Township of Elizabethtown-Kitley

Legal Description: Part of L.S. 6, Concession 3, Township of Elizabethtown-Kitley, County of Leeds

This site plan has been compiled using information contained in the topographic plan signed and dated Oct 18, 2002 provided by: Hopkins Chilly Land Surveyors Inc., Ontario Land Surveyors

NOTE: FOR MORE DETAILED INFORMATION SEE SITE PLAN PHASING PLANS

NO.	REVISION	DESCRIPTION	DATE	BY
1	ISSUED FOR SITE PLAN		13/12/23	CZ

DRAFT NOT FOR CONSTRUCTION

NOTES: ALL UTILITIES AND SERVICES ARE SHOWN AS EXISTING UNLESS OTHERWISE NOTED. THE CLIENT IS RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES AND SERVICES. ALL UTILITIES FOR REMOVAL OR RELOCATION ARE SHOWN WITH A DASHED LINE. ALL UTILITIES TO BE INSTALLED ARE SHOWN WITH A SOLID LINE. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

PROJECT NO.	22075
DRAWN BY	HCLS
CHECKED BY	HCLS
DATE	DEC 2023
DRAWN BY	HCLS
CHECKED BY	HCLS
DATE	DEC 2023

CAMPUS HABITATIONS

3823 COUNTY ROAD 6
ELIZABETHTOWN-KITLEY, ON

Robinson
Land Development

350 Palladium Drive
Oshawa, ON L2Y 1A8
(416) 902-6060 | rsl.com

SITE PLAN



TOWNSHIP OF
**Elizabethtown-
Kitley**

STAFF REPORT
Department: Administration

Report Number: A-24-004
Date: 2024-01-08

To: Mayor Burrow and Members of Council
From: Leslie Drynan, Administrator

**Subject: Community Infrastructure and Housing Accelerator (CIHA) Tool
Option for the proposed Rows Corners Development**

RECOMMENDATION

THAT, Report A-24-004 Community Infrastructure and Housing Accelerator (CIHA) Tool Option for the proposed Rows Corners Development be received;

AND THAT, the Council of the Township of Elizabethtown-Kitley support the concept of a CIHA request to the Minister of the Municipal Affairs and Housing;

AND THAT, staff be authorized to prepare and distribute a notice of public meeting regarding the CIHA request for Rows Corners to be held on Monday, January 29th, 2024 at 6:00 pm;

AND THAT, staff be authorized to commence the Indigenous consultation process as it relates to the proposed development for Rows Corners;

AND THAT, a summary of findings from the community and Indigenous consultations, including a draft CIHA request resolution to MMAH (if appropriate) be presented for consideration at the February 12th, 2024, Council meeting.

BACKGROUND

The More Homes for Everyone Act, 2022 made various amendments to the *Planning Act*, including the addition of a new section 34.1 that provides authority and sets out a process whereby municipalities may request the Minister of Municipal Affairs and Housing to issue a zoning order. The Minister may respond to these requests by issuing a zoning order (a "CIHA Order"). This tool is being referred to as the "Community Infrastructure and Housing Accelerator". It is important to note that CIHA is **not** the same as MZO (Minister's Zoning Order (MZO)). The province has recently paused the use of MZO's, pending a thorough review of their use.

In determining whether to issue a CIHA Order, the Minister is not required to consider a provincial policy statement, a provincial plan, or an official plan.

If another planning approval in addition to rezoning is required, the Minister may also provide that provincial policy statements, provincial plans and an official plan do not apply to those subsequent planning instruments.

Key differences between a CIHA Order and a Zoning By-law Amendment include:

- A CIHA Order can include conditions imposed by the Minister, including the requirement to register an agreement on title to the land. This may allow CIHA Orders to secure community benefits or other matters important for the orderly development of lands that may not otherwise be possible to secure under the existing legislative framework;
- The process for Council to request a CIHA Order does not have the same consultation requirements as Zoning By-Law Amendments;
- A CIHA Order does not need to conform with the Official Plan; and
- A CIHA Order cannot be appealed to the Ontario Land Tribunal.

These differences would allow the Township to expedite the approval process for developments that Council has identified as key priorities, based on the benefits they will provide such as the creation of affordable and/or supportive housing.

Although this report provides an overview of the CIHA program in its entirety, the sole priority project for Council's consideration / use of this tool currently, is the proposed development at Rows Corners.

DISCUSSION/OPTIONS

The Minister issued Guidelines on the use of the CIHA on October 25th, 2022.

The Guidelines speak to, among other things, the types of developments that are considered a priority. The Minister may make a CIHA Order to expedite priority developments, including:

- community infrastructure projects that are subject to Planning Act approval including lands, buildings, and structures that support the quality of life for people and communities that provide public services; e.g. health and long-term health care facilities;
- **any type of housing, including community housing, affordable housing and market-based housing;**
- development associated with transportation infrastructure;
- buildings that would facilitate employment and economic development; and
- mixed-use developments.

The Guidelines clarify that the Minister will only consider an exemption from the application of provincial and local land use policy requirements for subsequent approvals if the approval is needed to facilitate the proposed project, and the municipality provides a plan that would, in the opinion of the Minister, adequately mitigate any potential impacts that could arise from the exemption.

This includes, but is not limited to, matters dealing with community engagement; Indigenous engagement; and environmental protection/mitigation.

Steps to Request a CIHA

To request a CIHA, a municipality must follow specific steps related to public consultation, including:

- Providing public notice. The legislation, however, does not specify any statutory notice requirements.
- Undertaking consultation with such persons, public bodies and communities as the municipality considers appropriate.
- Engagement with Indigenous communities and consideration of their interests prior to making a request for an Order.
- Ensuring the CIHA Order once issued is made available to the public.

In addition, within 15 days of passing the Council resolution to request the CIHA Order, the municipality must provide the Minister with the following:

- A copy of the municipal council's resolution identifying the requested amendments;
- A copy of the draft zoning by-law amendment to facilitate provincial consideration of the request;
- A description of the consultation undertaken;
- A map showing the location of the lands to which the CIHA Order would apply;
- A description of any licenses, permits, approvals, permissions, or other matters that would be required before a use that would be permitted by the CIHA Order could be established; and
- Such information as may be prescribed.

The Guidelines indicate that the Minister may ask for additional information or material to be provided to help make the decision. This may include:

- Certain studies or reports, such as a planning justification report, an archaeological assessment, environmental impact statement and servicing study; and
- Additional information about the engagement completed with Indigenous communities about the proposed project.

CIHA versus Zoning By-law Amendment

The table below summarizes the key differences between the legislated approval processes for a CIHA Order and Zoning By-Law amendment.

	CIHA	Zoning By-law Amendment (ZBLA)
Legislated Approval Timeline	No specified timeline. Staff expect it to be similar to a ZBLA 90-day approval timeline. There is no prescribed timeline for the Minister to issue a CIHA Order.	90 days
Public Consultation Requirement	No specific consultation requirements or notice requirements. Staff recommend a similar consultation process as would occur for a ZBLA.	One public meeting with at least 20 days' notice provided to the public.
Application of Provincial Policies and Official Plan	Not required.	Required. Applicants can also apply for Official Plan Amendments.
Conditions	The Minister may impose conditions including a requirement that the owner enter into an agreement that may be registered against title to the subject lands to secure such other conditions.	In the absence of the necessary regulations, conditions may not be imposed under section 34 of the Planning Act.
Primary Approval Body	Minister of Municipal Affairs and Housing	Township Council
Appeal Rights	None	Applicant, third parties, public bodies.

If there are no appeals of a ZBLA, a ZBLA would come into force sooner than a CIHA Order issued by the Minister. However, Council's decision with respect to a ZBLA can be appealed to the Ontario Land Tribunal, creating uncertainty around when a final decision may be issued. An appeal would create significant delays for priority projects.

Primary Benefits of the CIHA process

The primary benefits of a CIHA Order, are as follows:

- Arguably, most important (from a staff perspective) is the fact that the CIHA tool would also allow the Township to advance projects that, while supportable, do not conform with the Official Plan.
- The legislation does not impose any limits on the conditions that the Minister can place on the approval of a CIHA Order. This may allow for agreements that secure matters such as infrastructure improvements or community benefits over and above what may already be secured through the Planning Act.
- The restriction on appeals provides certainty around the final approval that is not possible under the normal ZBLA process.

Risks in the Use of CIHA

There are some potential risks in the use of CIHAs. Notably, there may be a perception of insufficient consultation prior to a CIHA being requested. Relatedly, there could be a perception of overreach by the Township since CIHA orders may be seen as taking away appeal rights where they otherwise would have been allowed.

These two risks can largely be mitigated through an appropriate and thorough public consultation process that informs the public of Council's final decision.

There are also risks with respect to CIHA Order itself. These include:

- There is no specified timeline for the Minister to issue an Order;
- The Minister may refuse to issue the Order;
- The Minister may revoke a CIHA Order that has been issued; and
- The Minister may amend the Order requested, creating uncertainty as to the final permissions and/or conditions imposed.

Overall, the use of a CIHA order should be seen as a tool to be used in exceptional circumstances for priority projects, rather than as a general replacement for the Township's standard planning approval process. To this end, the use of the CIHA tool should not replace, or be seen as a replacement for, the Township's overall effort to improve the approval process intended to make the system work better for everyone.

Framework for Using the CIHA Tool

In considering the feasibility of utilizing the CIHA tool, staff recommend that the following elements be evaluated to determine the appropriateness of requesting a CIHA order:

Delivery of Community Benefits: It is staff's opinion that CIHAs should be restricted to projects that deliver affordable housing and/or community benefits well beyond what can be secured through the current approval process.

In the instance of the proposed development at Rows Corners, a ZBLA and Township & Counties OPA is required, resulting in a potential approval timeline of 12 months.

The requested zoning amendments are supportable: There should be a co-ordinated municipal assessment and position on the proposed changes to the zoning by-law (Township and Counties) to ensure they are supportable by staff and that they can be implemented successfully.

Any variances to the Official Plan Policies are supportable: One of the advantages of a CIHA Order is that it does not need to comply with the Official Plan. If there are any variances to the Official Plan (Township and Counties), there should be a coordinated municipal assessment and position on the proposed variances to the Official Plan to ensure they are supportable by staff.

Opportunity for Appropriate Consultation: The CIHA requirements provide more flexibility for consultation than a traditional ZBLA process.

The project is Implementable via Site Plan: Council recommendations for CIHA Orders should ensure that the associated development can be implemented at the site plan level.

In requesting the CIHA Order, sufficient direction should be provided by the Township so that the Minister is not required to address site plan matters or impose conditions not included in the municipal request.

This condition is generally required for staff to recommend a typical zoning by-law amendment for approval.

The development will advance in a timely manner: Staff are of the opinion that the use of CIHA Orders should be limited to projects where the Township and/or project proponent is committed to advancing the project in a timely manner, such as actively advancing site plan approval and building permits or seeking approvals in relation to a funding deadline.

Proposed Process for Requesting a CIHA Order for Rows Corners

Pre-application: In consultation with Township and Counties Planning staff and MMAH staff, it is the opinion that the proposed development at Rows Corners may qualify for a CIHA Order. Notably, the pre-application review confirmed that:

- The proposal delivers a substantial stock of affordable housing and appropriate community benefits;
- The proposed amendments to the zoning by-law are supported by staff;
- The adjustments to Official Plan designations or policies are supportable; and
- The Township and developer are committed to advancing the project following issuance of a CIHA Order.

Application review: Under the Planning Act, ZBLAs are expected to be approved by Council within 90 days of an application being submitted, and a similar review timeline should be expected of CIHA requests. Where possible, this CIHA request would be expedited by staff.

Public Consultation: As with zoning by-law amendment applications, staff recommend that at least one community consultation meeting be held prior to a final report being brought to Council on the matter, including circulation to neighbouring property owners and 20' days' notice in advance of the meeting. This consultation session would allow the public to provide input on the requested order in advance of staff drafting an approval report.

Committee Meeting: Zoning by-law amendment applications are typically reviewed and recommended by the Township's Planning Advisory Committee (PAC) prior to advancing to Council. It is the recommendation that the need for such a meeting be waived given the affordable housing component of this application, and that members of PAC be included as part of the public consultation process. In this circumstance, the final report would be advanced directly to the Council for approval.

Approval: Following the public consultation, a proposed CIHA Order would be advanced to the Council, requesting approval from the Minister. Following the Minister's approval, staff would notify the public as required by the legislation.

Proposed Timeline

January 8, 2024	Township Council considers and support CIHA concept for Rows Corners Development
January 9, 2024 – January 29, 2024	<ul style="list-style-type: none"> Public Meeting Notice prepared, circulated, posted on Township website, social media sources and local print media. Staff commence Indigenous consultation process and continue consultations on proposed site plan.
January 29, 2024 @ 6:00 pm (Township Council Chambers)	Public Meeting – Proposed Rows Corners Development including presentation of draft Zoning By-law
February 12, 2024	Summary of Consultations and Draft CIHA Request Resolution presented to Council

From an efficiency perspective, the comprehensive Planning Rationale, attached hereto and forming part of this report, that was submitted as part of the Site Plan Application describes in detail the proposed project and legislative details that staff utilized in assessing the validity prior to recommending the CIHA request as opposed to a ZBLA and OP Amendment.

FINANCIAL IMPLICATIONS

None currently.

LINK TO STRATEGIC PLAN

This initiative is linked directly to Priority Two, specifically Economic Development Initiatives 2 and 3, in challenging the status quo of current land assets to maximizing value and decisions for Township owned properties (specifically Rows Corners Fairgrounds), while prioritizing growth, streamlining development, and supporting developers in initiating new projects.

OTHERS CONSULTED

Township Planning Department

UCLG Planning Department

MMAH Staff

Attachments

Planning Rationale

The Corporation of the Township of Elizabethtown-Kitley

By-law No. 24-XX

A BY-LAW TO AMEND ZONING BY-LAW 13-21, as amended

(Campus Habitations – Former Rows Corners Fairgrounds)

(Part Lots 19, Concession 1, Geographic Elizabethtown, Being Part 1, Plan 28R-13711)

Whereas the Municipal Council of the Corporation of the Township of Elizabethtown-Kitley deems it desirable to amend Zoning By-law No. 13-21, as amended, under Section 34 of the Planning Act, R.S.O. 1990, c. P. 13, as amended;

Now Therefore the Municipal Council of the Corporation of the Township of Elizabethtown-Kitley enacts as follows:

1. **That** Zoning By-law No. 13-21, as amended, is hereby further amended by the **addition** of the following new subsection at the end of Section 5.2 4. **Special Exception Zones:**

1. **R2-2** (*Former Row's Corners Fairgrounds – 3823 County Road 6 – 0801 -PIN 441580097*)

Notwithstanding any provision of this by-law to the contrary, those lands described as Part of Lot 6, Concession 3, Geographic Township of Elizabethtown (3823 County Road 6, PIN 44158-0097) and zoned R2-2 on Schedule A3 to Zoning By-law No. 13-21 shall be used in accordance with the following zone provisions:

Permitted Uses:

- 12 3-block modular buildings containing 24 residential apartment units each for a total of 288 apartment units
- 2 2-block modular buildings containing 16 residential apartment units each for a total of 32 apartment units
- 1 commercial building of 800 square metres – permitted uses within the commercial building shall be in accordance with Section 6.1 1.
- Accessory park, open space and amenity space including a skating rink, beach volleyball courts, basketball courts and accessory structures related to the park and amenity space
- Stormwater management facilities and other infrastructure services related to the supply of potable water, waste water disposal, garbage disposal and other services
- Accessory parking areas and facilities

Zone Provisions:

- Lot Area (min) 10.0 ha
- Lot Frontage (min) 400 m
- Front Yard (min) 8m
- Exterior Side Yard (min) n/a
- Rear Yard (min) 8m
- Building Height (max) 15m
- Parking spaces per 3-building block (min) – 34 regular spaces, 2 accessible spaces
- Parking spaces per 2-building block (min) – 22 regular spaces, 2 accessible spaces
- Parking for Commercial Building (min) – 38 regular spaces, 2 accessible spaces
- Regular parking space – 2.75m X 6m
- Accessible parking space – 3.7m x 6m
- Maneuvering aisle in parking area (min) 6.0m

2. **That** Schedule “A3” to By-law No. 13-21, as amended, is hereby further amended by changing the zone symbols of the subject lands from Open Space (OS) to R2-2, as shown on Schedule “A” attached hereto.
3. **That** Zoning By-law No. 13-21, is amended hereby to give effect to the foregoing but Zoning By-law No. 13-21, shall remain in all other respects, in full force and effect save as may be amended otherwise or dealt with hereafter.
4. **That** this By-law shall come into force on the date it is passed by the Council of the Corporation of the Township of Elizabethtown-Kitley subject to:
 - a) the expiration of the time period specified for the filing of objections by the Notice of Passing of this By-law, provided that no Notice of Objection has been filed within the time period specified; or
 - b) the approval of the By-law by the Ontario Land Tribunal, where an objection to the approval of this By-law has been filed within the time period specified in the Notice of Passing of this By-law.

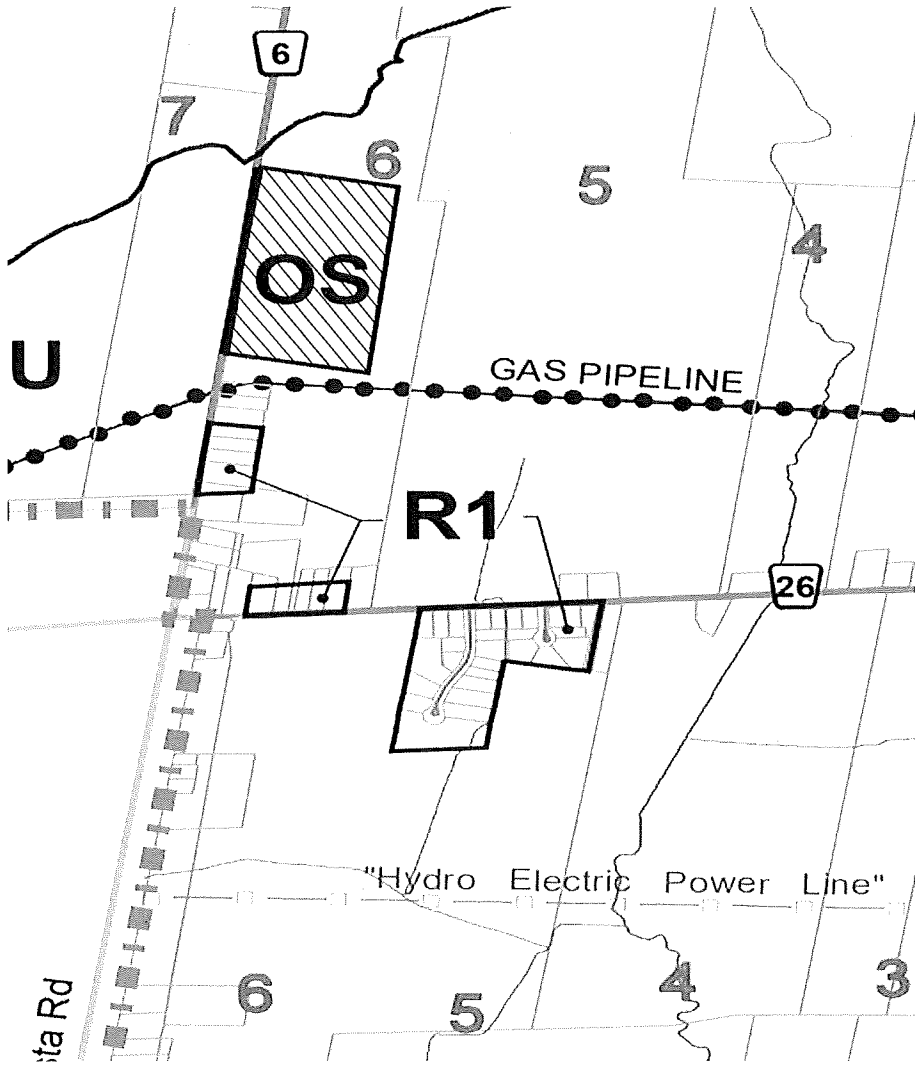
Read a **First** and **Second** time this _____ day of _____, 2024.

Read a Third time and finally **Passed** this ____ day of _____ , 2024.

MAYOR

CLERK

SCHEDULE "A" TO BY-LAW NO. 24-XX
Part of Lot 6, CONCESSION 3, (3823 County Rd 6)
GEOGRAPHIC TOWNSHIP OF ELIZABETHTOWN
TOWNSHIP OF ELIZABETHTOWN-KITLEY
COUNTY OF LEEDS & GRENVILLE



AREA(S) SUBJECT TO THIS BY-LAW



FROM: OPEN SPACE (OS)
TO: SPECIAL EXCEPTION ZONE (R2-2) ZONE (3823 COUNTY RD 6)

**SCHEDULE "A" TO BY-LAW NO. 24-XX
PASSED THE DAY OF , 2024**

Mayor

Clerk