

## REPORT

### PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: MARCH 19, 2018

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**FROM:** Planning Services Department

**DATE:** February 26, 2018

**SUBJECT:** **Public Meeting Report, Zoning By-law Amendment, All Seniors Care Acquisitions Ltd., 2135 Dundas Street West, File No. Z.1327.01**

**LOCATION:** 2135 Dundas Street West

**WARD:** 4

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#### **RECOMMENDATION:**

That comments from the public with respect to the Zoning By-law Amendment application by All Seniors Care Acquisitions Ltd. (File No. Z.1327.01), be received.

#### **KEY FACTS**

The following are key facts for consideration with respect to this report:

- The subject lands are located on the north side of Dundas Street West, west of Hospital Gate, adjacent to the Oakville Hospital.
- The subject lands are designated Employment District.
- The applicant is proposing to rezoning the lands from Existing Development and Stormwater Management Facility to a site-specific Institutional Zone to permit one building ranging in height from four to six storeys, comprised of 98 'assisted living units' and 84 'total care units', together with other common areas (total of 182 units).
- The application was submitted on December 6<sup>th</sup>, 2017, but was not deemed complete until January 18<sup>th</sup>, 2018 (after Royal Assent of Bill 139) upon submission of additional required supporting material.
- A Public Information Meeting was held on February 13<sup>th</sup>, 2018 with one attendee in attendance.

#### **BACKGROUND**

The purpose of this report is to introduce the planning application in conjunction with the statutory public meeting. Council will hear public delegations on the application, ask questions of clarification and can identify matters to be considered. The report is to be received and no recommendations on the application are being made at this time.

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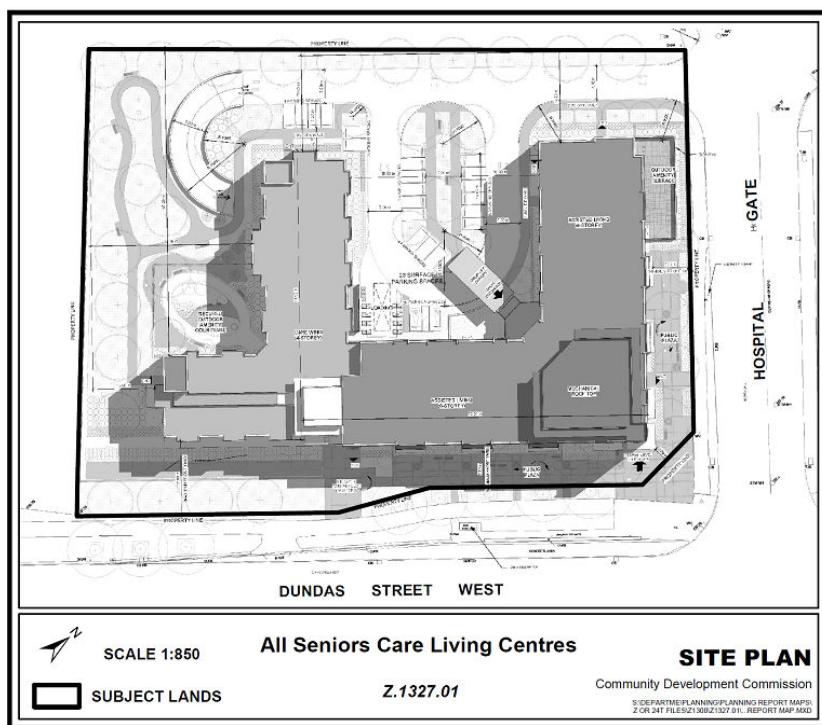
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The report outlines the proposed development and identifies matters raised to date through the technical review and public consultation. Following the statutory public meeting and once the review is complete, staff will bring forward a recommendation report for consideration by Planning and Development Council.

The application was submitted on December 6<sup>th</sup>, 2017, but was not deemed complete until January 18<sup>th</sup>, 2018 (after Royal Assent of Bill 139) upon submission of additional required supporting material. A Public Information Meeting was held on February 13, 2018 with one attendee in attendance. The applicant is proposing to rezone the lands from Existing Development (ED) and Stormwater Management Facility (SWF) to a site-specific Institutional Zone.

### Proposal

A Zoning By-Law Amendment application was submitted which proposes to rezone the subject lands from Existing Development and Stormwater Management Facility to a site-specific Institutional Zone to permit one building ranging in height from four to six storeys, comprised of 98 'assisted living units' and 84 'total care units' (total of 182 units). Common areas for residents include a theater (46 seat), chapel (56 seat), multi-purpose room, outdoor amenity terrace, pool and running track, library/lounge, games / bistro room, dining room, offices, kitchen, private dining room, doctor and nurse offices, therapy room, secured outdoor amenity courtyard and nursing station. Total gross floor area proposed is 21,600 m<sup>2</sup> and floor space index proposed is 1.76.



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## Location

The subject lands are located on the north side of Dundas Street West, west of Hospital Gate.



Figure 2: Air Photo

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### Site Description

The subject lands are 1.2 ha (3.03 acres) in size with approximately 126 m of frontage on Dundas Street West and 75 m of frontage on Hospital Gate. The site is currently occupied by a vacant residential dwelling, several outbuildings and trees.

### Surrounding Land Uses

The surrounding land uses are as follows:

North: stormwater management pond

East: Hospital Gate then Oakville Hospital

South: Dundas Street West then residential

West: greenfield designated employment land / natural heritage system

## **POLICY FRAMEWORK**

### Provincial Policy Statement

The Provincial Policy Statement (2014) ('PPS') is intended to promote a policy led system, which recognizes that there are complex relationships among environmental, economic and social factors in land use planning. The PPS encourages the wise management of land to achieve efficient development and land use patterns by directing growth to settlement areas and by promoting a compact development form.

On February 24, 2014, the Ministry of Municipal Affairs and Housing issued a new PPS under Section 3 of the *Planning Act*. The new PPS replaces the 2005 Statement and is effective April 30, 2014.

The subject lands are located within a settlement area, which broadly is to be the focus of growth and development (policy 1.1.3.1). More specifically, the subject lands are within an employment area, as defined by the PPS, and located along a transit corridor, as identified by the Province and Halton Region. Pursuant to policy 1.1.3.2, land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently use land and resources; are appropriate for, and efficiently use, the infrastructure and public service facilities; minimize negative impacts to air quality and climate change, and promote energy efficiency; support active transportation; are transit-supportive; and directed in accordance with the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.



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Policy 1.3.1 provides that planning authorities shall promote economic development and competitiveness by:

- a) providing for an appropriate mix and range of employment and institutional uses to meet long-term needs;*
- b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;*
- c) encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities; and*
- d) ensuring the necessary infrastructure is provided to support current and projected needs.*

Within employment areas, planning authorities are directed to plan for, protect and preserve employment areas for current and future uses and ensure that the necessary infrastructure is provided to support current and projected needs (policy 1.3.2.1). Conversion of lands within employment areas to non-employment uses may be permitted through a comprehensive review (policy 1.3.2.2).

In accordance with section 3 of the *Planning Act*, all planning decisions 'shall be consistent with' the PPS.

#### Growth Plan for the Greater Golden Horseshoe

On May 18, 2017 the Growth Plan for the Greater Golden Horseshoe, 2017 ('Growth Plan') was released and it came into effect on July 1, 2017, replacing the Growth Plan for the Greater Golden Horseshoe, 2006. The Growth Plan is a long-term plan that works together with the Greenbelt Plan, the Oak Ridges Moraine Conservation Plan and the Niagara Escarpment Plan to manage growth, build complete communities, curb sprawl and protect cultural heritage resources and the natural environment.

The subject lands are located outside of the built boundary and are within an 'employment area', as defined by the Growth Plan. Further, the subject lands are located along a transit corridor, as identified by the Province and Halton Region. Policy 2.2.5 (1) of the Growth Plan provides that economic development and competitiveness in the Greater Golden Horseshoe will be promoted by:

- a) making more efficient use of existing employment areas and vacant and underutilized employment lands and increasing employment densities;*

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- b) ensuring the availability of sufficient land, in appropriate locations, for a variety of employment to accommodate forecasted employment growth to the horizon of this Plan;*
- c) planning to better connect areas with high employment densities to transit; and*
- d) integrating and aligning land use planning and economic development goals and strategies to retain and attract investment and employment.*

Policy 2.2.5 (7) provides policy direction regarding planning for employment areas by:

- a) prohibiting residential uses and limiting other sensitive land uses that are not ancillary to the primary employment use;*
- b) prohibiting major retail uses or establishing a size or scale threshold for any major retail uses that are permitted and prohibit any major retail uses that would exceed that threshold; and*
- c) integrating employment areas with adjacent non-employment areas and developing vibrant, mixed-use areas and innovation hubs, where appropriate.*

Policy 2.2.5 (9) provides that the conversion of lands within employment areas to non-employment uses may be permitted only through a municipal comprehensive review (undertaken by Halton Region). For greater certainty, the redesignation of an employment area to a designation that permits non-employment uses is considered a conversion (policy 2.2.5 (10)).

All decisions made on or after July 1, 2017 in respect of the exercise of any authority that affects a planning matter are required to conform to the Growth Plan.

#### Region of Halton Official Plan

The lands are designated “Urban Area” and included in the “Employment Area” overlay in the Halton Region Plan. Lands within the “Urban Area” are intended for residential and employment growth. Policy 76 notes that the range of permitted uses is to be in accordance with Local Official Plans and Zoning By-laws. All development, however, is subject to the policies of the Regional Plan.

Employment Areas are subject to the objectives and policies for the Urban Area. In addition, the objectives of the Employment Areas are:

- 77.1(1) To ensure the availability of sufficient land for employment to accommodate forecasted growth to support Halton’s and its Local Municipalities’ economic competitiveness.*

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*77.1(2) To provide, in conjunction with those employment uses within the residential and mixed use areas of the communities, opportunities for a fully-diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses.*

*77.1(3) To locate Employment Areas in the vicinity of existing major highway interchanges and rail yards, where appropriate, within the Urban Area.*

Section 77.4(1) of the Halton Region Plan prohibits residential and other non-employment uses in the Employment Areas except to recognize uses permitted by specific policies of a Local Official Plan on December 16, 2009 (such as the North Oakville West Secondary Plan).

*Further, Section 77.4 of the Halton Region Plan provides that it is the policy of the Region to:*

*77.4(2) Plan for, protect and preserve the Employment Areas for current and future use.*

*77.4(5) Require Local Municipalities to promote intensification and increased densities in both new and existing Employment Areas by facilitating compact, transit-supportive built form and minimizing surface parking.*

#### North Oakville West Secondary Plan

On May 25, 2009 the North Oakville West Secondary Plan was approved by Council through OPA 289. OPA 289 was partially approved by the Ontario Municipal Board on December 4, 2009 for lands including the subject lands. The Secondary Plan includes detailed policies establishing general development objectives to guide the future development of the area covered by the Plan.

The subject lands are designated 'Employment District' on Figure NOW2. Section 8.6.5.1 of the plan provides that the primary focus of the Employment District designation is to protect for, and establish a range of development opportunities for employment generating industrial, office and service employment uses. Within the Employment District, and in accordance with Figure NOW2 of the Secondary Plan, a Health Oriented Mixed Use Node is shown on the north side of Dundas Street West at Third Line.

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Pursuant to Section 8.6.5.2 of the Plan, a range of land uses may be permitted within the Health Oriented Mixed Use Node, including research and development facilities, medical and other offices, laboratories, clinics, supportive housing, long term care facilities, rehabilitation facilities, and other similar uses including retail and service commercial facilities related to the permitted uses.

On lands adjacent to the Health Oriented Mixed Use node, land uses such as industrial operations, transportation terminals, and waste processing stations are restricted and land use compatibility policies apply (policy 8.6.5.4).

Section 8.6.5.4 d) of the Plan provides that development is required to conform to the following additional criteria:

- *Main buildings shall be designed and located to assist in the creation of an attractive street edge, to provide for a strong pedestrian connection to the sidewalk, and to recognize any potential future intensification of the site:*
- *The balance between the areas of the lot occupied by buildings and the service and parking areas will be designed, wherever feasible, to reduce the extent of the street frontage occupied by service and parking areas. Where street frontage is occupied by parking and service areas, enhanced landscaping shall be provided;*
- *Maximum height -15 storeys;*
- *Minimum Floor Space Index –0.25 for retail and service commercial uses; and regard shall be had for the provisions of Subsection e) below with respect to all other uses;*
- *Maximum Floor Space Index – 3 and;*
- *Service establishments shall be located in clusters at intersections with Arterials and Avenues.*

Section 8.7.8 a) Health Services states:

*“The Town shall work with the Halton Healthcare Services, the Mississauga-Halton Local Health Integration Network and appropriate government and service agencies and the community to assist in providing the maximum level of health service to the community.”*

Section 8.9.4 (Landowners Agreement(s)) states:

- a) *In order to ensure the appropriate and orderly development of the Secondary Plan area, and to ensure the costs associated with the*



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*development of the Secondary Plan are equitably distributed among all landowners, development within the 407 West Employment District and/or the Sixteen Hollow Employment District shall only be permitted to proceed when landowners representing a significant proportion of the respective employment district have entered into a cost sharing agreement or agreements amongst themselves to address the distribution of costs associated with development in a fair and equitable manner.*

- b) The development of individual parcels of land will generally not be permitted in the absence of participation in a landowners' cost sharing agreement, except in circumstances where the Town is satisfied that the development of the subject parcel would implement a logical extension of roads and services, the ability to appropriately and efficiently service the respective overall employment district is not prejudiced, and there is no risk of unacceptable financial impact to Town or the Region.*

On September 26, 2017, Council approved urban structure official plan amendments (By-law 2017-081 for NOWSP). As of the date of this report, these town-initiated official plan amendments are not in full force and effect and are being reviewed by Halton Region as the approval authority. As part of these amendments, Schedule A1 (Urban Structure) illustrates a 'Node and Corridor for Future Study' at Third Line, north of Dundas Street West.

#### North Oakville Zoning By-law

The subject lands are zoned Existing Development – ED and Stormwater Management Facility - SMF. The applicant has applied to rezone the lands to a site-specific Institutional Zone. The institutional zone would permit a range of land uses including a private or public park, ancillary retail, financial institution, general or medical office, parking garage, art gallery, library, museum, nursing home, place of worship, private career college, public works yard, public, private, post-secondary or commercial school, stormwater management, outside storage, research and development; and, a caretaker dwelling unit or a retirement home.

A nursing home and retirement home share the identical definition in the Zoning By-law:

*a building in which persons are cared for and lodged, where, in addition to sleeping accommodation and meals, personal care, nursing services and medical care are provided or made available.*

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Site-specific performance standards applied for include: maximum front yard from 6.0 m to 16 m (along Dundas Street); maximum flankage yard from 6.0 m to 8.0 m (along Hospital Gate); maximum height from 16.0 m to 26.5 m; and minimum parking from 0.5 vehicle parking spaces per unit to 0.46 vehicle parking spaces per unit.

The draft zoning by-law amendment submitted by the applicant may be viewed in the Planning Services Department, 2nd floor Town Hall, during regular business hours (8:30am-4:30pm), or on the Town of Oakville website at

<https://www.oakville.ca/business/da-27952.html>.

## COMMENTS

The proponent has provided numerous studies in support of the application which have been circulated to various public agencies and internal town departments, and which are under review. The following studies and supporting documentation are also accessible on the town's website (<https://www.oakville.ca/business/da-27952.html>):

- Plan of Survey
- Site Plan, Floor Plans, Elevations
- Truck & Vehicle Turning Plan
- Site Servicing & Grading Plan
- Pedestrian Circulation Plan
- Planning Justification Report
- Draft Zoning By-law Amendment
- Waste Management Plan
- Urban Design Brief
- Noise Feasibility Study
- Environmental Site Assessment
- Functional Servicing Report
- Stormwater Management Report
- Environmental Implementation Report
- Transportation Impact Analysis
- Archaeological Assessment
- Landscape & Tree Canopy Cover Plan
- Sun / Shadow Study

## **Matters to be considered**

A complete analysis of the application will be undertaken and includes a review of the following matters, which have been identified to date:

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**i. consistency / conformity with applicable Provincial, Regional and town policy including:**

- whether the proposed land use is permitted within an employment area or whether it would constitute an employment land conversion;
- whether the subject lands form part of (or are outside) of the health oriented mixed use node identified by the NOWSP / whether the proposed land use is appropriate for within or adjacent to the node, as the case may be;
- whether the introduction of a sensitive land use within an employment area would limit future land use on remaining employment lands; and,
- whether the proposed density and built form of development supports the urban structure of the town and is appropriate given the surrounding context / emerging policy (official plan / urban structure review).

**ii. Suitability of land for intended use including:**

- contamination (whether the subject lands are 'clean' / suitable for a sensitive land use);
- noise (whether transportation noise from area roads can be appropriately mitigated for the proposed sensitive land use);
- archaeological (whether such matters have been appropriately investigated, identified and protected); and,
- environmental (whether the full extent of the Natural Heritage system has been protected including endangered species, wetlands, woodlots, etc..)

**iii. Impact/integration of the proposed development on adjoining properties including:**

- transportation impact to adjacent intersections, the hospital and the surrounding area;
- impact of shadow(s) from proposed building;
- adequacy of proposed sanitary, water and stormwater management servicing and consistency with applicable engineering standards; and,
- pedestrian circulation and integration with larger network.

**iv. urban design and function of site including:**

- parking layout and functionality thereof;
- adequacy of site layout and design in relation to waste management plan;
- design of building base to create a pedestrian oriented streetscape (Urban Design and Open Space Guidelines ('UDOSG'), Section 3.4.5.1). As proposed, most of ground-related façade would create a

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blank wall with spandrel panels and a berm to hide the ground floor on the west portion of the front façade.

- façade along public street. Windows, awnings and canopies, outdoor terraces and patios, projections and recesses, and architectural details and change of materials should be incorporated in accordance with UDOSG, Section 3.3.2. For proposed long façade, significant breaks in the massing should be proposed. Long facades should also incorporate varied architectural elements, different planes, projections and recesses to create a human scale built form. It is also suggested to widen the corner element to be more proportionate with the rest of the facades.

Site plan matters such as the proposed alignment of the proposed site access with the hospital entrance opposite Hospital Gate, detailed streetscape plan / improvements, detailed stormwater management design, servicing agreement (Halton Region), and landscaping would be addressed in more detail as part of a future site plan application.

In addition, comments received from the public at this public meeting will be considered and included in a forthcoming recommendation report.

## **CONCLUSION**

Planning staff will continue to review and analyze the proposed applications and address all technical matters, if any, along with submitted public comments, and report to Council at a future meeting. No further notice is required, however, written notice of any future public meetings will be provided to those who have made written and/or verbal submissions.

## **CONSIDERATIONS:**

### **(A) PUBLIC**

Notice for this meeting was distributed to all properties within 120 m of the subject property and included on the sign posted on the site.

A Public Information Meeting was held on February 13, 2018 with one attendee in attendance.

### **(B) FINANCIAL**

None arising from this report.

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**(C) IMPACT ON OTHER DEPARTMENTS & USERS**

The application was circulated to internal and external departments and agencies for review. The application remains in technical review.

**(D) CORPORATE AND/OR DEPARTMENT STRATEGIC GOALS**

This report addresses the corporate strategic goal to:

- be the most livable town in Canada

**(E) COMMUNITY SUSTAINABILITY**

The proposed development will be reviewed to ensure compliance with the Town's sustainability objectives of the Livable Oakville Plan.

**APPENDICES:**

A – Official Plan (*North Oakville West Secondary Plan*) extract

B – Zoning By-law (2009-189) extract

Prepared by:

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Current Planning – West District

Recommended by:

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Manager

Current Planning – West District

Submitted by:

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Director, Planning Services