



OAKVILLE

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: JUNE 11, 2018

FROM: Planning Services Department

DATE: May 18, 2018

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

LOCATION: 2135 Dundas Street West

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RECOMMENDATION:

1. That Zoning By-law Amendment application submitted by All Seniors Care Acquisitions Ltd. (File No. Z.1327.01), as revised, be approved on the basis that the application is consistent with the Provincial Policy Statement, conforms or does not conflict with all applicable Provincial plans, conforms with the Region of Halton Official Plan and North Oakville West Secondary Plan, has regard for matters of Provincial interest, and represents good planning for the reasons outlined in the report from the Planning Services department dated May 18th, 2018;
2. That By-law 2018-089, an amendment to Zoning By-law 2009-189, be passed;
3. That notice of Council's decision reflects that the comments from the public have been appropriately addressed; and,
4. That, in accordance with Section 34(17) of the *Planning Act*, no further notice is determined to be necessary.

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KEY FACTS

Location:

The subject lands are located on the north side of Dundas Street West, west of Hospital Gate, adjacent to the Oakville Trafalgar Memorial Hospital.

Proposal:

The applicant seeks to amend Zoning By-law 2009-189 by rezoning the lands from Existing Development (ED) to Institutional Special Provision 59 holding provision 18 (H 18 I SP 59), to permit a nursing home 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).

Timing:

The applications were deemed complete on January 18th, 2018 (after Royal Assent of Bill 139) and this report is provided to Council to make a decision on the application within the 150 day *Planning Act* timeframe. Accordingly an appeal would be considered by the Local Planning Appeal Tribunal ('LPAT') under the 'new rules'.

EXECUTIVE SUMMARY:

The subject lands are designated 'Employment District' on Figure NOW2 of the North Oakville West Secondary Plan ('NOWSP') and are zoned Existing Development 'ED' and Stormwater Management Facility 'SMF'. The portion of the subject lands zoned 'SWF' are surplus to the needs to the stormwater management facility located north of the subject lands. The existing zoning does not directly implement the NOWSP as neither zone currently permits employment uses. Implementation of the NOWSP is intended to be evaluated on a site-specific basis through rezoning applications.

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 (policy 8.6.5.1). However, the NOWSP provides special policies for the Health Oriented Mixed Use Node ('HOMUN'), within the Employment District designation, which includes restrictions for certain employment uses as well as permissions for other land uses such as 'supportive housing'. Based on the analysis provided herein, the subject lands are within the HOMUN.

The proposed land use would constitute a 'nursing home' within the North Oakville framework. Based on the analysis provided herein, the proposed nursing home conforms to the NOWSP and the Halton Region Official Plan which recognizes the policies of the NOWSP.

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Within the context of the PPS, the proposed land use is considered 'special needs' housing which is a sensitive land use. The applicant submitted a land use compatibility study which provides that the proposed development would be appropriately separated from other planned employment uses to prevent adverse impact on the viability of the larger employment area. Given the level of skilled care proposed within a purpose-built institutional building, pursuant to group B3 care occupancy of the *Ontario Building Code*, the proposed nursing home would be considered an institutional land use which may be permitted within an employment area, pursuant to the PPS employment area policies.

The PPS acknowledges that the official plan is the most important vehicle for implementation of the PPS (Section 4.7). Comprehensive, integrated and long-term planning based the local context is best achieved through official plans. The proposed institutional land use would assist in achieving healthy, liveable and safe communities objectives and is consistent with the policies of the PPS.

One of the challenges identified by the Growth Plan is people over the age of 60 are expected to comprise over 25% of the population by 2041¹, which will result in the need for more age-friendly development that can address their unique needs and circumstances. Accordingly, a guiding principle of the Plan is to support the achievement of complete communities that are designed to support healthy and active living and meet people's needs for daily living throughout an entire lifetime (Section 1.2.1).

The subject lands are located within an employment area and a strategic growth area within the context of the Growth Plan. The Growth Plan provides strong protection for employment areas and prime employment areas. Institutional uses may be permitted in an employment area, pursuant to the Growth Plan employment area policies. The proposed nursing home would support the broader complete community objectives of the Growth Plan as the facility would provide higher-level skilled care to seniors, many of which with serious long-term health care needs. The proposed facility would be transit-supportive, contribute to the primary employment function of the HOMUN and be supportive of the adjacent Hospital. Based on the analysis provided herein, the proposed nursing home conforms or does not conflict with the policies of the Growth Plan.

Since the statutory public meeting held on March 19th, 2018, the owner has agreed to revise their application to prohibit dwelling units in the site-specific zoning (thereby only allowing for 'assisted living units'), has clarified that the entire facility will be a purpose-built institutional building pursuant to Group B3 Care occupancy of the *Ontario Building Code*, and have revised the ground floor along public street

¹ "Greater Golden Horseshoe Growth Forecasts to 2041: Technical Report (November 2012) Addendum", Hemson Consulting Ltd., 2013

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frontages to include active uses accessory to the nursing home to improve the manner in which the building addresses the public streets.

A site plan agreement will be required to be registered on the title of the property which will further advance a number of matters including, but not limited to, urban design, streetscape improvements, building design, tree canopy cover, low impact development and landscaping.

Based on the foregoing, and the analysis within this report, staff recommend approval of the Zoning By-law Amendment, as revised.

BACKGROUND

The purpose of this report is to provide a full staff review and a recommendation on the proposed zoning by-law amendment application to permit a nursing home 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 6th, 2017, but was not deemed complete until January 18th, 2018 (after Royal Assent of Bill 139) upon submission of additional required supporting material. A Public Information Meeting was held on February 13th, 2018 with one attendee. A statutory public meeting was held on March 19th, 2018 where the following resolution was adopted:

1. *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.*
2. *That analysis of the following matters of interest to Council be included as part of the recommendation report:*
 - a. *Revisit issue of potential employment land conversion so that we are in conformity with the Growth Plan etc...*
 - b. *How many employees, is there a potential for an employment conversion needing an Official Plan Amendment through an Municipal Comprehensive Review?*
 - c. *Do we have a definition for residential that have multiple uses that are accessory to the permitted main use – How are services paid?*
 - d. *Have an issue with the uses proposed and how this bundle of uses related to assisted living.*
 - e. *Sensitive uses regarding sterilizing the balance of the lands.*
 - f. *Will there be individual kitchens or commercial kitchens?*
 - g. *Is this similar to Amica?*

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The following are answers to the matters identified by Council:

- a) The proposed land use is not an employment land conversion pursuant to the PPS or Growth Plan. More detailed analysis is provided in this report.
- b) According to the applicant, the proposed facility would create 117 new jobs. A municipal comprehensive review is not required, since an employment land conversion is not proposed. More detailed analysis is provided in the planning analysis section of this staff report.
- c) The proposed accessory facilities, such as a theatre, chapel, multi-purpose room, library/lounge, games / bistro room would function similar to a common elements of a condominium in so far as they are provided for residents and guest(s) of residents of the building. The applicant advised that this facility will be charging a monthly fee to residents. As part of the monthly fee a resident will receive an assisted-living, barrier-free sleeping unit, all daily nutritional requirements including meals and snacks, ordering and provision of daily medication, housekeeping services laundry services shuttle to scheduled medical appointments, access to all amenities in the building and bathing and grooming, as required. The applicant advised that the only additional costs would be for additional specific care beyond that listed above or for a salon appointment. The proposed accessory facilities would be considered accessory to the principle nursing home use and permitted.
- d) The assisted living units would provide accommodation and services such as meals, common amenities such as a library, movie theater, etc... for primarily seniors some with long-term health conditions. Each private room would include a bedroom, bathroom, living area, laundry facility and a kitchenette (not a full kitchen).
- e) Ministry land use compatibility guidelines were reviewed and applied in the existing and planned context in accordance with the HOMUN policies which includes restrictions for certain employment uses as well as permissions for other land uses such as 'supportive housing'. The land uses surrounding the hospital are already restricted given the hospital is considered a sensitive land use. The analysis in this staff report concludes that there are no land use compatibility issues within the existing or planned context.
- f) The applicant confirmed that daily meals and snacks are prepared in the central commercial kitchen and that the kitchen would provide quality meals focused on the dietary requirements of seniors. The floor plans submitted by the applicant provide that neither the assisted living units nor the total care units are equipped with kitchens. Dwelling units, including units with a full kitchen would be prohibited by the site-specific zoning by-law.
- g) The proposed facility would provide a different spectrum of care than Amica at Oakville (Bronte) ('Amica'). Amica provides a mix of assisted living units and independent living units with full kitchens. The proposed facility would provide exclusively assisted living units which provide a level of care similar to a long-term care home within the 'total care' wing of the facility.

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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 a nursing home ranging in height from four to six storeys which is comprised of 98 ‘assisted living units’ and 84 ‘total care units’ (total of 182 units). Common areas for residents include a theatre (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 approximately 21,600 m² and floor space index proposed is approximately 1.8.

The proposed nursing home would provide a higher level of skilled care, supervision, personal care and support than a typical retirement home. The ‘total care’ suites are expected to cater to individuals, usually seniors, who have serious long-term health care needs that cannot be fulfilled at home, and provide immediate support to family caregivers, and the resident, to regain strength and confidence usually following a stay in the hospital. Together with the ‘assisted living’ suites the proposed nursing home would provide a range of care.

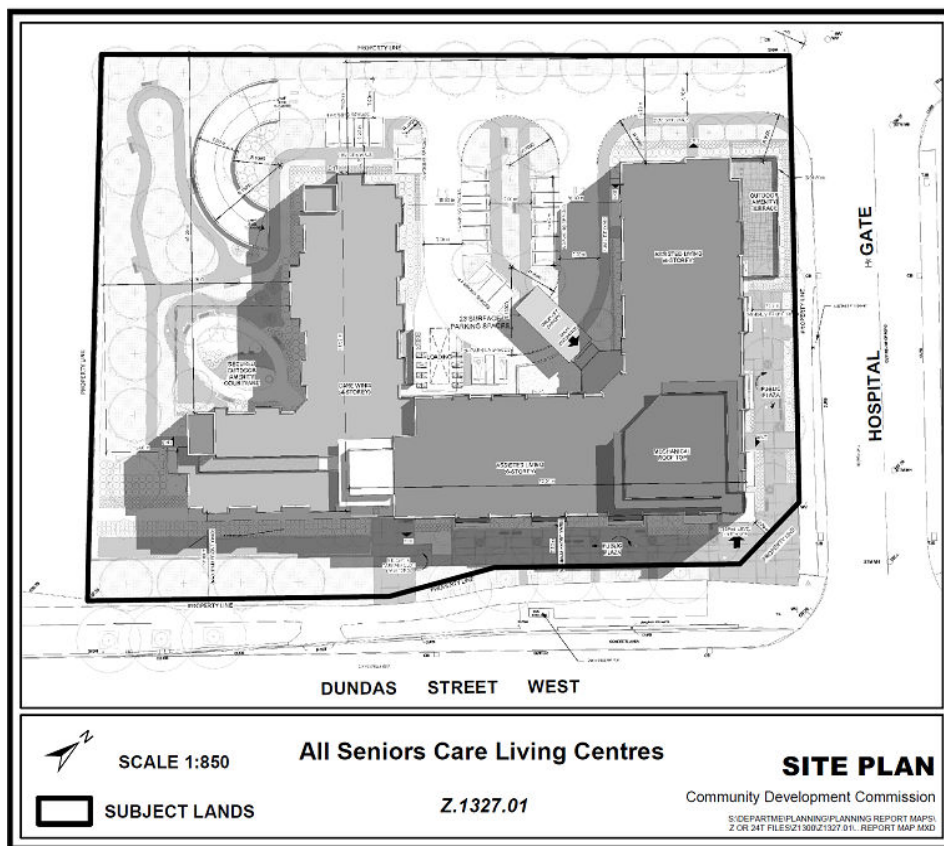


Figure 1: Site Plan

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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 Trafalgar Memorial Hospital

South: Dundas Street West then residential

West: natural heritage system / greenfield designated employment land

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.

The PPS provides that healthy, liveable and safe communities are sustained by, in part, accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs (policy 1.1.1 b).

The PPS directs planning authorities to permit and facilitate all forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements (policy 1.4.3 b 1)). Special Needs is defined as:

Special Needs: means any housing, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living. Examples of special needs housing may include, but are not limited to, housing for persons with disabilities such as physical, sensory or mental health disabilities, and housing for older persons. (PPS, 2014)

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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) and within an 'employment area' which is defined as:

Employment Area: those areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities. (PPS, 2014)

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).

Land use compatibility policies of the PPS require major facilities² and sensitive land uses³ to be planned to ensure they are appropriately designed, buffered and/or separated from each other to prevent or mitigate adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term viability of major facilities (policy 1.2.6.1).

The PPS defines institutional use as it relates to development of hazardous lands which includes hospitals, long-term care homes and retirement homes, (policy 3.1.5).⁴ The term institutional is not defined in the balance of the PPS.

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

² **Major facilities:** means facilities which may require separation from sensitive land uses, including but not limited to airports, transportation infrastructure and corridors, rail facilities, marine facilities, sewage treatment facilities, waste management systems, oil and gas pipelines, industries, energy generation facilities and transmission systems, and resource extraction activities. (PPS, 2014)

³ **Sensitive land uses:** means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land uses may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities. (PPS, 2014)

⁴ **Institutional use:** for the purposes of policy 3.1.5, means land uses where there is a threat to the safe evacuation of vulnerable populations such as older persons, persons with disabilities, and those who are sick or young, during an emergency as a result of flooding, failure of floodproofing measures or protection works, or erosion. (PPS, 2014)

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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.

One of the challenges identified by the Growth Plan is people over the age of 60 are expected to comprise over 25% of the population by 2041⁵, which will result in the need for more age-friendly development that can address their unique needs and circumstances.

One of the guiding principles of the Growth Plan is to support the achievement of complete communities that are designed to support healthy and active living and meet people's needs for daily living throughout an entire lifetime (Section 1.2.1). Complete communities are defined as:

Complete Communities: Places such as mixed-use neighbourhoods or other areas within cities, towns, and settlement areas that offer and support opportunities for people of all ages and abilities to conveniently access most of the necessities for daily living, including an appropriate mix of jobs, local stores, and services, a full range of housing, transportation options and public service facilities. Complete communities are age-friendly and may take different shapes and forms appropriate to their contexts. (Growth Plan, 2017)

With respect to how and where to grow, the subject lands are located within a settlement area, outside of the built boundary and along the Dundas Street transit corridor. Pursuant to local in force policy, the subject lands are also located within the HOMUN. Further, the Council-approved urban structure identifies a node for future study at Third Line and Dundas Street West. Accordingly, within the context of the Growth Plan, the subject lands are located within a 'strategic growth area' which is defined as:

Strategic Growth Areas: Within settlement areas, nodes, corridors, and other areas that have been identified by municipalities or the Province to be the focus for accommodating intensification and higher-density mixed uses in a more compact built form. Strategic growth areas include urban growth centres, major transit station areas, and other major opportunities that may include infill, redevelopment, brownfield sites, the expansion or conversion of existing buildings, or greyfields. Lands along major roads, arterials, or other areas with existing or planned frequent transit service or higher order transit corridors may also be identified as strategic growth areas.

⁵ "Greater Golden Horseshoe Growth Forecasts to 2041: Technical Report (November 2012) Addendum", Hemson Consulting Ltd., 2013

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Lands adjacent to or near to existing and planned frequent transit should be planned to be transit-supportive and supportive of active transportation and a range and mix of uses and activities (Policy 2.2.4 10))

Pursuant to Policy 2.2.1 c) strategic growth areas and locations with existing or planned transit, with a priority on higher order transit where it exists or is planned are one of the areas where growth is to be focused. Policy 2.2.1 4) of the Growth Plan provides that applying the policies of the Plan is to support the achievement of complete communities that:

- a) feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;*
- b) improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;*
- c) provide a diverse range and mix of housing options, including second units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;*

The subject lands are located within an 'employment area'.⁶ 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;*
- 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*

⁶ **Employment Area:** Areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities. (PPS, 2014, Growth Plan, 2017)

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c) integrating employment areas with adjacent non-employment areas and developing vibrant, mixed-use areas and innovation hubs, where appropriate.

All decisions made on or after July 1st, 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 subject 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.

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.

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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 and was prepared to be consistent with the 2005 PPS, and in conformity with the 2006 Growth Plan. 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 a HOMUN is included within the Employment District on the north side of Dundas Street West at Third Line. The NOWSP requires the range and scale of uses in the Employment District to be designed to be sensitive to the adjacency and compatibility with development in the HOMUN.

Pursuant to Section 8.6.5.2 of the Plan, a range of employment uses are permitted with the Employment District including institutional uses such as places of worship and vocational schools and additional uses specific to the HOMUN including a hospital, and may also include 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 abutting the HOMUN and major arterial roads, general industrial operations, transportation terminals, outside storage and operations incidental to industrial operations, waste processing and waste transfer stations are not permitted. Further, for those uses that are permitted abutting the lands in the Health Oriented Mixed Use Node, they are to be carefully evaluated to ensure they do not adversely impact on the uses in the HOMUN and matters such as the location of loading bays, sources of light, noise and fumes are reviewed to ensure that any impact on the residential or health related uses complies with Provincial guidelines and regulations (Section 8.6.5.4 a) and c)).

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:*

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- *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 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.*

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On September 26th, 2017, Council adopted the urban structure official plan amendment for the North Oakville West Secondary Plan (By-law 2017-081, OPA No.318). The Region of Halton approved the amendment on April 26th, 2018. The purpose of the urban structure is to provide a framework for directing where and how growth is to be accommodated to the year 2041.

As part of the amendment, a new policy section 8.1.5.2 states that “the provisions of Section 3 and Schedule A1 of the Livable Oakville Plan shall be read in conjunction with the policies of the North Oakville West Secondary Plan in a manner that gives effect to both sets of policies. Schedule A1 (Urban Structure) of the Livable Oakville Plan illustrates a ‘Node and Corridor for Further Study’ at Third Line, north of Dundas Street West, which pertains to the HOMUN. The policies in section 3.6 in the Livable Oakville Plan go on to state that “for those areas identified on Schedule A1 – Urban Structure as Nodes and Corridors for Further Study, future review shall provide updated and new policies to delineate boundaries, the mix of land uses and the intensity and scale of development.”

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 site-specific Institutional zone would permit a range of land uses including a nursing home, private or public park, ancillary retail, financial institution, general or medical office, parking garage, art gallery, library, museum, place of worship and research and development.

A nursing home is defined by the Zoning By-law as:

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.

Only assisted care units are permitted in a nursing home by the proposed site-specific by-law as dwelling units are prohibited.

Site-specific performance standards applied for include: maximum front yard from 6.0 m to 10.0 m (along Dundas Street); maximum flankage yard from 6.0 m to 10.0 m (along Hospital Gate); and, maximum height from 16.0 m to 27 m. Exceptions to the maximum front and flankage setbacks recognize the irregular front lot line and allow for varying setbacks to achieve urban design requirements. The site-specific zoning also prohibits a parking garage to be located above the finished ground level within 3.9 m - 5.0 m of the exterior side of the building wall oriented toward the front lot line (Dundas Street West) and 9.0 m from the exterior side of the building wall

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oriented toward the flankage lot line (Hospital Gate) to allow for more active uses at grade.

PLANNING ANALYSIS:

Official Plan Review

As part of the town-led urban structure review, which forms part of a larger official plan review which is working toward full consistency with the PPS (2014) and conformity with the Growth Plan (2017), new and revised policies were adopted by Planning & Development Council on September 26th, 2017 through Official Plan Amendment ('OPA') 15 (Livable Oakville), OPA 317 (North Oakville East Secondary Plan) and OPA 318 (NOWSP). The Region of Halton approved the amendments on April 26th, 2018.

The general area of Third Line and Dundas Street West was identified as a "Node and Corridor for Further Study" which signifies that this is an area for future comprehensive study as part of the official plan review. The future study will provide further direction for establishment of boundaries of the HOMUN as well as direction for the land use policies and designations governing future development.

Planning Services Review

The subject lands are separated from adjacent lands by a stormwater management pond to the north, Hospital Gate to the east, Dundas Street West to the south and natural heritage system to the west. While the subject lands are separated from adjacent lands they are part of a larger health-oriented node which includes the Oakville Trafalgar Memorial Hospital and medical office building located to the east, proposed Courthouse to the north and ErinoakKids Centre for Treatment and Development to the northeast. Additionally, a development application has been submitted to permit a health science and technology district to the east of the Hospital (Figure 1).

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Figure 3: Surrounding Context

The local policy framework for this Node was passed by Council on May 25th, 2009 as part of the NOWSP which designated the subject lands, and adjacent lands north of Dundas Street, as Employment District and identified a HOMUN at the north side of Dundas Street West at Third Line, where the Hospital is now located.

In accordance with the HOMUN policy framework, the new state-of-the art 1.6 million sq.ft. Oakville-Trafalgar Memorial Hospital was approved, built and is now operational. There is an initial capacity for 457 beds with shelled-in space to grow to 602 beds in the future. It is anticipated that the hospital will employ over 2,600 people. The hospital was planned and designed to be flexible, adaptable and expandable for changing population needs and to accommodate advances in medical and clinical practices providing services for all stages of life. The hospital achieved Leadership in Energy and Environmental Design ('LEED') Gold certification.

Similarity, the ErinoakKids Centre for Treatment and Development was approved as part of the HOMUN policy framework and provides a full range of medical and therapy services that are fully accessible and appropriately designed to provide care to children and youth with a broad range of disabilities and special needs. It is estimated that this facility employs approximately 110 staff and this number is expected to increase as the number of children served also increases. The facility was built to LEED Silver standards.

On May 11th, 2015, Council received report PD-6015 entitled Health Oriented Mixed Use Node, and endorsed objectives and principles set out in the report that guide the review and evaluation of applications to implement a HOMUN as contemplated in the NOWSP. These principles do not have the same status as approved policies, but nevertheless provide direction to guide development in the HOMUN area. The following are the council endorsed objectives for the HOMUN:

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- *be a world-class innovation district providing a concentration of employment focused on the life sciences, engineering and technology sectors, including the new 1.5 million sq. ft. Oakville hospital,*
- *integrate academic institutions that link education and business in life sciences research and development,*
- *provide numerous health related jobs expressed at a minimum of number of jobs per hectare or square feet per employee, and*
- *incorporate innovative and sustainable design and practices for buildings, streetscapes, energy distribution, natural habitat and stormwater management.*

The endorsed principle of land uses includes a hierarchy of primary and secondary employment and consideration of a residential component under consternation through that report which was restricted to the eastern most portion of the Node. Sustainability, transportation and community design principles were also endorsed which apply to the whole HOMUN (Appendix D).

Health Oriented Mixed Use Node Boundaries

Figure NOW 2 (Land Use Plan), of the NOWSP identifies the HOMUN on the north side of Dundas Street at Third Line, and does not identify specific boundaries of the Node.

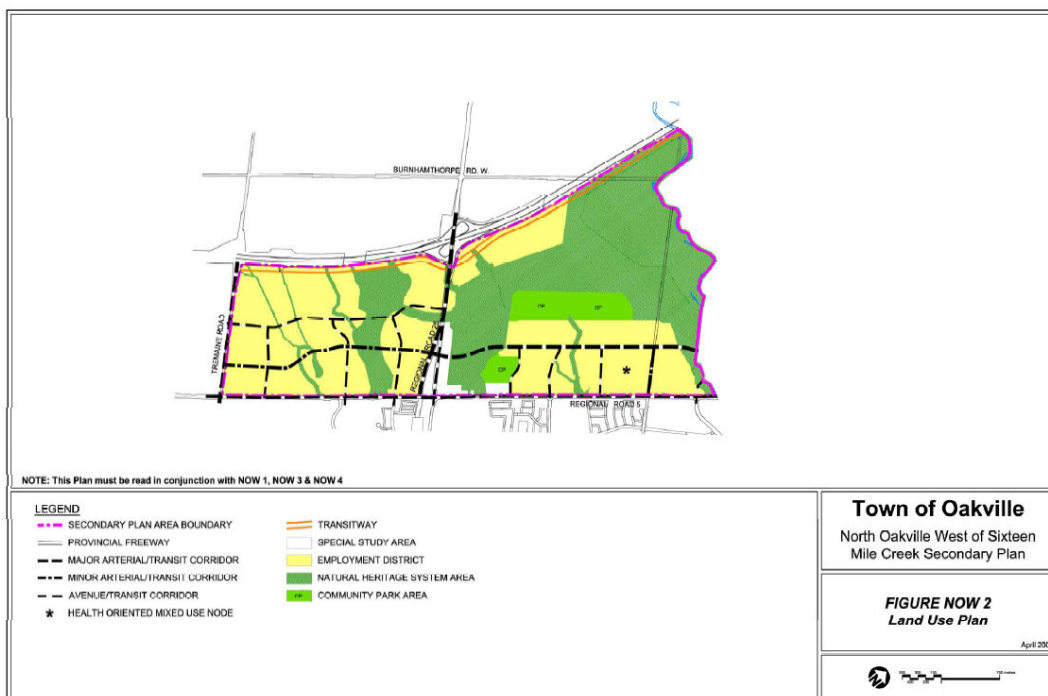


Figure 4 Figure NOW 2 Land Use Plan

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Staff report PD-6015 entitled Health Oriented Mixed Use Node, considered by Council on May 11th, 2015 interpreted the area of the node as extending east and north of the hospital based on the 'relationship of the parcels to Third Line'. However, the subject lands were not considered as part of the report which was focused on the lands on the east side of the Hospital.

Section 8.6.5.4 a) of the NOWSP provides that:

It is not intended that the full range of employment uses will be permitted in all locations designated "Employment District". The precise range of uses and density of development shall be stipulated in the zoning by-law. In particular, the lands in the Employment Area designation abutting the Health Oriented Mixed Use Node will be subject to a site specific zoning regulations including the use of a holding zone, and any proposed use will be carefully evaluated to ensure that it does not adversely impact on the uses in the Health Oriented Mixed Use Node.

The intent of the NOWSP is to interpret the boundary of the HOMUN, including the uses within the HOMUN, at the site-specific level through a detailed zoning by-law amendment. The following are considerations for determination for whether the subject lands are part of the HOMUN:

i. Location

The subject lands are located immediately adjacent to the Oakville Trafalgar Memorial Hospital. While this locational criteria is supportive of inclusion of the subject land in the HOMUN, it is not definitive as the HOMUN study has only recently been initiated.

ii. Supportive Land Uses

The Growth Plan requires municipalities to plan for employment areas by, in part, limiting sensitive land uses that are not ancillary to the primary employment use (policy 2.2.5 7) a). Similarly, the NOWSP limits sensitive land uses such as educational facilities, including public and private schools, day care and day nursery uses and only permits them if they are related to or supportive of an employment land use (policy 8.6.2.2 b)).

The applicant is proposing to construct a 182 unit nursing home consisting of 98 'assisted living units' and 84 'total care units'. The nursing home would be operated by a private corporation, and would not be administered by the Province.

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The total care units would provide skilled care, supervision and support and offer higher levels of personal care and support than those offered by the 'assisted living' wing of the building. The 'total care units are expected to cater to individuals, usually seniors, who have serious long-term health care needs that cannot be fulfilled at home. However, they can also provide immediate support to family caregivers, and the resident, to regain strength and confidence usually following a stay in the hospital.

The assisted living units would provide accommodation and services such as meals, common amenities such as a library, movie theater, etc... for primarily seniors. Each private room would include a bedroom, bathroom, living area, laundry facility and a kitchenette (not a full kitchen).

Together, the proposed nursing home would provide a range of care which would allow for patrons to stay in the same facility, in the same community with familiar surroundings through a range of supportive care. It could also provide immediate support to family caregivers, and the resident, to regain strength and confidence usually following a stay in the hospital. Accordingly, the proposed nursing home would be supportive of the primary employment use of the HOMUN, being the hospital.

iii. Sensitive Land Use / Impact on Employment Area

Within the broader context, the HOMUN is part of a larger 'employment area'⁷ as defined by the PPS and Growth Plan with special policies which restrict certain employment uses as well as permit other land uses such as 'supportive housing'.

It is necessary to properly assess the introduction of a sensitive land use⁸ within or adjacent to an employment area to ensure it is appropriately designed, buffered and/or separated from existing or planned major facilities⁹ to prevent or mitigate adverse effects from odour, noise and other contaminants, minimize risk to public

⁷ **employment area:** means those areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities. (PPS, 2014)

⁸ **Sensitive land uses:** means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land uses may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities (PPS, 2014, Growth Plan, 2017)

⁹ **Major facilities:** means facilities which may require separation from sensitive land uses, including but not limited to airports, transportation infrastructure and corridors, rail facilities, marine facilities, sewage treatment facilities, waste management systems, oil and gas pipelines, industries, energy generation facilities and transmission systems, and resource extraction activities. (PPS, 2014)

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health and safety, and to ensure the long-term viability of major facilities / the employment district (policy 1.2.6.1, PPS).

The Provincial D6 Guidelines (Compatibility between Industrial Facilities) can be applied to assist in preventing or minimizing future land use problems due to the encroachment of sensitive land uses and industrial land uses on one another.

The NOWSP permits a wide range of employment land uses within the Employment District designation. However, on lands adjacent to the HOMUN, noxious land uses such as industrial operations, transportation terminals, and waste processing stations are not permitted and other land use uses are subject to compatibility policies (policy 8.6.5.4).

In response to staff comments, the applicant submitted a Land Use Compatibility Study dated May 2nd, 2018 which assessed land use compatibility with respect to existing facilities with air pollution potential and planned land use. The Report concludes that the proposed development can be supported as the air emissions from the existing and future surrounding land use is expected to cause no adverse impacts on development. Further the report found that most of the surrounding commercial and light industrial facilities are Class I or 0 (i.e. no potential of air quality issues) and are beyond minimum separation distances for their Class.

Broadly, the subject lands are located between two sensitive land uses being the Hospital and residential south of Dundas Street. The subject lands are also separated from the broader employment area by Natural Heritage System to the west and a stormwater management pond to the north. Given the surrounding context, the planned context including the HOMUN policies, and that the minimum separation distance identified in the D6 Guidelines is 20 m for a Class I facility¹⁰, the proposed development is not expected to have a negative impact on the types of uses that may be permitted in the broader employment area.

Given the foregoing, the subject lands are considered to be appropriate for inclusion within the HOMUN.

¹⁰ A Class I Industrial Facility is "A place of business for a small scale, self-contained plant or building which produces/stores a product which is contained in a package and has low probability of fugitive emissions. Outputs are infrequent, and could be point source or fugitive emissions for any of the following: noise, odour, dust and/or vibration. There are daytime operations only, with infrequent movement of products and/or heavy trucks and no outside storage". (D6 Guidelines)

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Employment Area Land Use

North Oakville West Secondary Plan

Amongst other land uses, the NOWSP permits 'long term care facilities' and 'supportive housing' within the HOMUN. The NOWSP does not define either term, accordingly the normal meaning of the word applies.

Council has already considered and adopted a definition of a long term care facility through Zoning By-law 2014-014. While this by-law does not apply to the subject lands, it does provide for a definition of a long term care facility within the Oakville context:

means a premises licensed pursuant to Provincial legislation consisting of assisted living units where a broad range of person care, support and health services are provided for the elderly, disabled or chronically ill occupants in a supervised setting, and may include one or more amenity areas such as a common dining, lounge, kitchen, and recreational area.

The applicant confirmed that, at this time, neither the proposed 'assisted living units' or 'total care units' would be licensed as long term care units pursuant to Provincial legislation. Accordingly, the proposed development would not constitute a long term care facility.

Within the NOWSP context, a 'nursing home' is defined by the North Oakville Zoning By-law as:

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.

Based on staff's assessment of the proposed land use, the proposed development would constitute a nursing home within the north Oakville context which is a form of 'supportive housing'. It is noted that the site-specific zoning would also permit a retirement home, which is defined the same by the Zoning By-law. However the site-specific zoning would prohibit dwelling units, thereby only permitting assisted living units.

It is noted that through the approval of the Official Plan Amendment and Zoning By-law Amendment for the Hospital (File No.: Z.1326.01), and approval of the North Oakville Zoning By-law on November 23rd, 2009, a retirement home and a nursing home have been interpreted as constituting 'supportive housing' pursuant to the NOWSP. The hospital zone (Institutional Special Provision 9), permits, amongst other land uses, a retirement home and a nursing home as-of-right.

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As previously identified, the proposed nursing home would provide a supportive function to the health-oriented primary employment function of the HOMUN.

Accordingly, the proposed nursing home land use conforms to the HOMUN policies of the NOWSP.

Halton Region Official Plan

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 NOWSP). The proposed land use would be supportive of the primary employment function within the HOMUN, and assist in achieving employment objectives for the area. Accordingly, the proposed land use conforms to the Halton Region Official Plan.

Both the PPS and Growth Plan have been updated by the Province since both the NOWSP and Halton Region Official Plan were approved. As part of an official plan review for each official plan, a conformity exercise will be undertaken to assess consistency with the PPS and conformity with the Growth Plan.

Provincial Policy Statement

The PPS provides that healthy, liveable and safe communities are sustained by, in part, accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs (policy 1.1.1 b).

The PPS directs planning authorities to permit and facilitate all forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements (policy 1.4.3 b 1)). Within the context of the PPS, the proposed land use is considered 'special needs' housing.

Housing for 'older persons' can cover a broad range of land uses from independent living arrangements in a development marketed for a certain demographic to purpose-built institutional buildings which provide skilled care, supervision and support to individuals who have serious long-term health care needs.

The PPS provides some flexibility to interpret whether special needs housing would constitute an institutional land use. Policy 3.1.5 provides a definition of institutional

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uses¹¹ and includes hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools as institutional uses. In contrast, policy 1.1.1 b) of the PPS identifies long-term care as an institutional use and 'housing for older persons' as a residential use.

Residential land use is not a permitted land use within an employment area. The Owner has agreed to amend their application to prohibit dwelling units within the site-specific zoning. Accordingly, any residential occupancy within the proposed facility would be in the form assisted living units. No units will contain a full kitchen, and most meals are expected occur in a common dining area.

The proposed nursing home would provide a higher level of skilled care, supervision, personal care and support than a typical retirement home. The 'total care' suites are expected to cater to individuals, usually seniors, who have serious long-term health care needs that cannot be fulfilled at home, and provide immediate support to family caregivers, and the resident, to regain strength and confidence usually following a stay in the hospital. Together with the 'assisted living' suites the proposed nursing home would provide a range of care which would be supportive of the primary employment function of the HOMUN.

Further, the Owner has also agreed to design the facility as a Group B3 Care occupancy, pursuant to the Building Code. Group B3 Care occupancy is not for residential occupancy, it is designed for occupancy in which persons receive special or supervisory care because of cognitive or physical limitations. Some examples of differences include:

- Similar to a hospital, fresh air must be ducted directly to each Group B3 care suite with humidity control to improved air quality and to reduce the potential of spread of disease.
- Group B3 requires a structural fire-resistance rating of 2 hours versus 1 hour for a Group C (residential).
- The facility will have fire compartments of no more than 1,000 s.m. on each floor. The creation of fire compartments allows staff to move residents to a safe zone without having to exit them directly out of the building in the event of a fire. This method of creating fire compartments is used in hospitals and Long Term Care Facilities, where evacuating vulnerable patients is often not possible or safe.

¹¹ **Institutional use:** for the purposes of policy 3.1.5, means land uses where there is a threat to the safe evacuation of vulnerable populations such as older persons, persons with disabilities, and those who are sick or young, during an emergency as a result of flooding, failure of floodproofing measures or protection works, or erosion. (PPS, 2014)

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- The Building Code requires fully barrier-free design in a Group B3 occupancy. Fully barrier-free design includes larger door widths, corridors, and bathrooms.
- The emergency power requirements of a B3 facility are increased to allow for greater amounts of equipment to run on a back-up generator in the event of power loss.
- Group B3 facilities are required to be equipped with a 2-stage fire alarm system.

The PPS acknowledges that the official plan is the most important vehicle for implementation of the PPS (Section 4.7). Comprehensive, integrated and long-term planning based the local context is best achieved through official plans. However, the policies of the PPS continue to apply after adoption and approval of an official plan.

Given the foregoing, the proposed development constitutes a purpose-built institutional use land use which would be supportive of the primary health-oriented employment function of the area, and would be appropriately separated from other planned employment uses to prevent adverse impact on viability of the larger employment area.

Accordingly, the proposed institutional land use would assist in achieving healthy, liveable and safe communities objectives and is consistent with the policies of the PPS.

Growth Plan

The Growth Plan recognizes that people over the age of 60 are expected to comprise over 25% of the population by 2041¹², which will result in the need for more age-friendly development that can address their unique needs and circumstances. This will include a more appropriate range and mix of housing options, easier access to health care and other amenities, walkable built environments, and an age-friendly approach to community design that will meet the needs of people of all ages.

One of the guiding principles of the Growth Plan is to support the achievement of complete communities¹³ that are designed to support healthy and active living and

¹² "Greater Golden Horseshoe Growth Forecasts to 2041: Technical Report (November 2012) Addendum", Hemson Consulting Ltd., 2013

¹³ **Complete Communities:** Places such as mixed-use neighbourhoods or other areas within cities, towns, and settlement areas that offer and support opportunities for people of all ages and abilities to conveniently access most of the necessities for daily living, including an appropriate mix of jobs, local stores, and services, a full range of housing, transportation options and public service facilities.

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meet people's needs for daily living throughout an entire lifetime. The proposed development would provide an important contribution to fulfilling broader complete community objectives.

With respect to how and where to grow, the subject lands are located within a settlement area, outside of the built boundary and along the Dundas Street transit corridor. Pursuant to local in force policy, the subject lands are also located within the HOMUN. Accordingly, within the context of the Growth Plan, the subject lands are located within a 'strategic growth area'.¹⁴ Pursuant to Policy 2.2.1 c) strategic growth areas and locations with existing or planned transit, with a priority on higher order transit where it exists or is planned are one of the areas where growth is to be focused. Policy 2.2.1 4) of the Growth Plan provides that applying the policies of the Plan is to support the achievement of complete communities that:

- a) feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;*
- b) improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;*
- c) provide a diverse range and mix of housing options, including second units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;*

Lands adjacent to or near to existing and planned frequent transit should be planned to be transit-supportive and supportive of active transportation and a range and mix of uses and activities (Policy 2.2.4 10))

The proposed development would provide approximately 117 jobs and 182 units providing in excess of 299 people/jobs on a 0.11 hectare site (net). Pursuant to the Ministry of Transportation Transit-Supportive Guidelines the suggested minimum density thresholds for areas within a 5-10 minute walk of transit capable of supporting different types and levels of transit service is 160 people / jobs combined for bus rapid transit (gross). Accordingly, the density proposed is supportive of planned transit along Dundas Street West. More detailed site design transit-

Complete communities are age-friendly and may take different shapes and forms appropriate to their contexts.

¹⁴ **Strategic Growth Areas:** Within settlement areas, nodes, corridors, and other areas that have been identified by municipalities or the Province to be the focus for accommodating intensification and higher-density mixed uses in a more compact built form. Strategic growth areas include urban growth centres, major transit station areas, and other major opportunities that may include infill, redevelopment, brownfield sites, the expansion or conversion of existing buildings, or greyfields. Lands along major roads, arterials, or other areas with existing or planned frequent transit service or higher order transit corridors may also be identified as strategic growth areas.

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supportive matters such as pedestrian connectivity to transit stops will be implemented as part of the required site plan application.

The subject lands are located within an 'employment area'.¹⁵ Policy 2.2.5 (7) a) provides policy direction regarding planning for employment areas by prohibiting residential uses and limiting other sensitive land uses that are not ancillary to the primary employment use.

The applicant amended the Zoning By-law Amendment application to, amongst other matters, prohibit dwelling units. Dwelling units would be considered a 'residential use' which is not permitted by the Growth Plan. The proposed development, as revised, is considered an institutional land use with only assisted living units, which may be permitted within an employment area.

Further, it has been demonstrated that the proposed development would be appropriately separated from other planned employment uses to prevent adverse impact / impact on viability of employment area.

Accordingly, the proposed land use would conform or not conflict with the policies of the Growth Plan and would provide an important contribution to achieving broader complete community objectives.

Technical Review

Urban Design

Given the surrounding context, the proposed building height and massing is appropriate. The Shadow Impact Analysis demonstrates that adequate sunlight is available for residential amenity spaces to maximize their use during spring, summer and fall afternoons and evenings.

The original grading of the site created a condition where the underground parking level was at grade along Dundas Street. The Urban Design and Open Space Guidelines require the building base to be designed and massed to create a pedestrian oriented streetscape, with large expanses of transparent glazing on the ground floor to create visual interest for pedestrians and indoor users (Section 3.4.5.1). Further, blank facades are not permitted along public streets (Urban Design and Open Space Guidelines, Section 3.3.2).

Based on staff comments, the applicant revised the ground floor plan and elevations, remove the berm originally proposed along Dundas Street West,

¹⁵ **Employment Area:** Areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities. (PPS, 2014, Growth Plan, 2017)

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reconfigure the internal parking layout, add program space along the Dundas Street West and Hospital Gate street frontages, and add parking spaces so the development fully complies with the North Oakville Zoning By-law parking requirements.



Figure 5: Hospital Gate Perspective from Applicant



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Figure 6: Dundas Street West Perspective from Applicant

The site-specific zoning will prohibit a parking garage to be located above the finished ground level within 3.9 m - 5.0 m of the exterior side of the building wall oriented toward the front lot line (Dundas Street West) and 9.0 m from the exterior side of the building wall oriented toward the flankage lot line (Hospital Gate). The streetscape improvements are expected to be further advanced and secured for through site plan approval.

As part of the site plan application, the design of the building is expected to be refined. For long façade as proposed, significant breaks in the massing should be incorporated. Long façade should also incorporate varied architectural elements, different planes, projections and recesses to create a human scale built form.

Functional Servicing & Stormwater Management

In general, the supporting engineering submission outlines how the proposed site development can be serviced, graded and accessed from Hospital Gate. The portion of the subject lands zoned Stormwater Management Facility 'SWF' are part of the subject lands and are not needed to expand the adjacent stormwater management facility which was developed as part of the Hospital.

A holding provision is recommended as part of the site-specific zoning (By-law 2018-089) which will address matters related to extension of wastewater together with associated easements, and stormwater management including low impact development. The applicant has agreed to implement low impact development measures which will be secured for through site plan approval.

Landowner Agreement

Section 8.9.4 of the North Oakville West Secondary Plan provides that in order to ensure the appropriate and orderly development of the Secondary Plan area, and to ensure the costs associated with the 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.

As part of development of the Oakville Trafalgar Memorial Hospital, services were extended to the area. Halton Healthcare confirmed that servicing costs of the subject parcel were addressed as part of a past land dedication. Accordingly, related cost sharing considerations have been satisfied.

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Tree Protection

A Vegetation Management Plan covering the entire development site has been submitted as part of the proposed Zoning By-law Amendment. The plan includes 115 trees representing both private and public-owned trees. Tree preservation will be reviewed in more detail at the Site Plan process stage.

Transportation

Staff have reviewed the Transportation Impact Study submitted with the application and the proposed development can be accommodated on the existing roadways without modification. Detailed review of site plan matters such as vehicle maneuverability and pedestrian circulation plan including connection to public transit will be reviewed as part of the site plan application.

Cultural Heritage

This property is adjacent to a listed heritage property at 2165 Dundas Street West which was evaluated as part of the Cultural Heritage Landscapes Inventory project and found to have low potential as a Cultural Heritage Landscape or for its remaining structures. Due to the low potential for cultural heritage value and the proximity between the sites, there are no heritage concerns with the proposed development at this time.

Environmental Site Assessment

The applicant submitted a Phase 1 Environmental Site Assessment which was based on CSA standards. In accordance with Halton Region's Guidelines, and as part of the recommended holding provision, an updated phase 1 Environmental Site Assessment will be required to be based upon O.Reg. 153/04 standards which demonstrate that the lands are free and clear for their intended sensitive land use.

Archaeological

Stage 1 and 2 Archaeological Assessments were completed for the subject lands which do not recommend any further assessment. The Assessments have been provided to the Ministry of Tourism, Culture and Sport for acknowledgement.

Natural Heritage

Conservation Halton confirmed that the subject property is not located within their regulated area and is adequately setback from any natural hazards.

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Noise

The subject lands are adjacent to Dundas Street West which is a significant transportation noise source. A Noise Study was submitted which predicts that future traffic sound level will exceed Ministry of Environment and Climate Change guidelines at the façade of the building with exposure to Dundas Street West. Outdoor amenity space has been designed to be shielded by the north side of the building and setback along the east end of the building along Hospital Gate such that no noise mitigation is required for those spaces.

In terms of the individual units, central air conditioning is recommended for all units. Since future sound levels at the Dundas façade of the building are predicted to exceed sound criteria, sound attenuating building construction is recommended now to address future conditions, together with warning clauses. The foregoing will be implemented as part of the site plan agreement registered on title.

Site Plan Matters

Site design matters such as landscape, tree canopy cover, streetscape improvements, pedestrian circulation plans, low impact development, waste management plan will be reviewed as part of the site plan application. The foregoing matters will be reviewed within the context of the sustainability objective of the HOMUN, as endorsed by Council and other applicable policy. It is anticipated that the subject lands will be able to provide over 30% tree canopy cover and will utilize stormwater management strategy which integrates with the broader stormwater management plan and incorporates innovative low impact development stormwater management measures.

Staff have also encouraged the Owner to consider enhancing building construction consistent with other buildings constructed within the HOMUN which have achieved up to LEED Gold standards, provide opportunity for renewable energy systems and overall improved energy efficiency.

Matters raised by the Public

A Public Information Meeting was held on February 13th, 2018 with one attendee in attendance. The statutory public meeting was subsequently held on March 19th, 2018 with a public submission. Written submissions received as of the date of this report are included in Appendix C.

Public comments received to date have identified a number of concerns which have been reviewed in the planning analysis section of this report. These matters include building height in relation shadows / sunlight.

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The foregoing concerns have been reviewed in the planning analysis section of this report. The Shadow Impact Analysis demonstrates that adequate sunlight is available for residential amenity spaces to maximize their use during spring, summer and fall afternoons and evenings.

Other matters raised such as construction dust and construction traffic / noise will be addressed through implementation of the By-laws enacted to limit noise from construction during certain times of the day and limit adverse impacts from construction such as excessive dust or other nuisances.

Based on the above, staff have included a recommendation that *'comments from the public have been appropriately addressed'*, in satisfaction of the new requirements introduced through *Bill 73, The Smart Growth for Our Communities Act*.

If additional public input is received at the public meeting, the recommendations of this report could be amended to address how such submissions have affected Council's planning decisions.

CONCLUSION

The Planning Department undertook a circulation of the application to ensure that all technical and financial matters have been satisfactorily addressed.

Staff is satisfied that the application is consistent with the Provincial Policy Statement, conforms or does not conflict with all applicable Provincial plans, conforms to the Region of Halton Official Plan, has regard for matters of Provincial interest, and represents good planning. Staff recommends approval of the Zoning By-law Amendment as the following requirements have been satisfied:

- The proposed development would provide skilled care, supervision and support to occupants of the facility and be supportive of the primary employment function of the HOMUN.
- The proposed development is located within a strategic growth area, and would be transit-supportive.
- The proposed sensitive land use would be appropriately separated from other planned employment uses to prevent adverse impact / impact on viability of larger employment area.
- The proposed nursing home is a permitted land use within the HOMUN pursuant to the NOWSP and the Halton Region Official Plan.
- The proposed institutional land use would assist in achieving healthy, liveable and safe communities objectives of the PPS and is consistent with the policies of the PPS.

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- The proposed institutional land use would provide an important contribution to achieving broader complete community objectives and would conform or not conflict with the policies of the Growth Plan.
- Site design matters will continue to be advanced through the required site plan approval application.
- Comments from the public have been appropriately addressed.
- A full circulation has been undertaken and there are no outstanding financial or planning issues to be resolved;

Staff recommend approval of the zoning by-law amendment application as the proposal represents good planning and is in the public interest.

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 13th, 2018 with one attendee in attendance. A statutory public meeting was held on March 19th, 2018. All comments received as of the date of this report have been addressed herein.

A second statutory public meeting is being held as part of this staff report to fulfil the related notification requirements of the *Planning Act*.

(B) FINANCIAL

Works associated with this development are local in nature and to be funded by the applicant. Financial requirements such as Development Charges and Parkland will be based on an assessment of the corporate status of the applicant and review of the living units as part of the building permit review process.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

The application was circulated to internal and external departments and agencies for review. Concerns from the circulated departments and agencies raised have been addressed in this staff report and, if required, have been included as zoning performance standards in the site-specific by-law.

(D) CORPORATE AND/OR DEPARTMENT STRATEGIC GOALS

This report addresses the corporate strategic goal to:

- be the most livable town in Canada

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(E) COMMUNITY SUSTAINABILITY

The proposed development generally complies with the Town's sustainability goals and objectives.

APPENDICES:

- A – Official Plan (*North Oakville West Secondary Plan*) extract
- B – Zoning By-law (2009-189) extract
- C – Public Comments
- D – Health Oriented Mixed Use Node Development Criteria

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