



CLEARVIEW

REPORT TO COUNCIL

Report Number:	CS-008-2019
Department:	Community Services
Meeting Date:	January 21, 2019
Subject:	Zoning By-law Amendment – Jarlette Health Care Services – 2018-070-ZB

RECOMMENDATION

Be It Resolved, that Council of the Township of Clearview hereby:

- 1) Receive the report CS-008-2019 for information; and
- 2) Approve and authorize the Mayor and Clerk to execute the amending Zoning By-law 19-10 for lands municipally known as 7044 Highway 26, and legally described as CON 1 W PT LOT 25, formerly Nottawasaga, now in the Township of Clearview.

SUBJECT LANDS

The subject lands are described as 7044 Highway 26 and situated in the central part of the Township, within the Stayner Settlement Area. The parcel of land subject to the application is located within a portion of an existing development block (i.e., Block 39) within the Draft Plan Approved Estates of Clearview Subdivision. The lands encompass an area of approximately 2.42 ha (6 acres) and currently maintain frontage onto Highway 26. Although frontage is presently maintained on Highway 26, the subject lands will ultimately be accessed by and maintain approximately 85.5 metres of frontage onto an internal roadway within the Estates of Clearview Subdivision development. The subject lands presently support a single-detached dwelling, detached garage and several small accessory out-buildings, which are to be removed prior to development of the site.

BACKGROUND

The applicant (Jarlette Health Services) seeks to establish a multi-phased Continuum Care Facility (CCF) on the aforementioned 2.4 ha parcel of land. The CCF will be comprised of three (3) individual structures and is intended to develop over two (2) primary phases.

The first phase of the development proposes the construction of a four (4) storey Long-Term Care (LTC) home providing facilities and services for residents requiring 24-hour nursing care and support. The first and second floors of the LTC home will consist of 96 licensed long-term care beds. The inclusion of an additional 64 long-term care beds on a third storey of the LTC home is also proposed and contingent upon future allocation from the Ministry of Health and Long-Term Care. At the time all long term-care beds are instituted, the potential for an additional 35 seniors apartments on a fourth floor of the LTC home is also proposed.

In tandem within the development of the LTC home, the applicant also seeks to construct a one (1) storey Common Centre Link building joining the proposed LTC home and the future Retirement Lodge. The Common Centre Link is intended to connect the two primary structures and offer a range of supporting services to residents and visitors, including but not limited to; medical services, personal services shops, restaurant/cafe, theatre, games room, tuck shop, hair dresser/salon, greenhouse, etc.

The second phase of the development involves the construction of a Retirement Lodge within a second four (4) storey structure, south of the LTC home and connected by the proposed Common Centre Link building. When fully constructed the Retirement Lodge is intended to contain a total of approximately 140 apartment style dwelling units geared towards older members of the community. Providing lifestyle opportunities that promote independence and access to various levels of care services. The Retirement Lodge is intended to begin as a two-storey structure, eventually reaching a total of four storeys contingent upon market demand.

Through the development of the LTC home, the overall CCF development may also include an adult day centre offering services such as rehabilitation/restorative clinic, supporting the Local Health Integration Network Initiative to provide comprehensive, community focused care. The clinic may provide rehabilitation services for out-patients, including programs to improve strength, mobility, endurance, and life skills.

THE PROPOSAL

The proposed development is subject to Site Plan Approval and requires a Zoning By-law Amendment. The Zoning By-law Amendment considered in this report seeks to amend the subject lands existing Development Area (DA) Zone to an Institutional Residential 1 Exception 2 (INR1-2) Zone to permit:

- The use of the subject lands for Seniors Home, Nursing Home or Assistance Care Facility and Retirement Home (as presently permitted within a INR1 Zone);
- Additional uses, including; Clinic (Medical), Dwelling Unit (Apartment), Business or Professional Office, Personal Service Shop, Bake Shop, Restaurant;
- Increased maximum height of principle buildings and structures from 11 m to 18 m;
- Increased maximum height of accessory buildings and structures from 4.5 m to 7 m; and

- A reduction in the minimum number of loading spaces from 4 spaces to 2 spaces.

An application for Site Plan Approval is also presently under consideration and seeks to address the overall layout and function of the proposed development, including parking & traffic movements, grading and drainage, servicing, stormwater management, landscaping and buffering details. In support of the submission the following documents have been submitted: planning justification report; addendum to planning report; site plan; stormwater management report; grading and drainage plan; sediment and erosion control plan; servicing plan; and traffic memo.

A conceptual Site Plan of the proposed development is contained in Appendix 'B' of this report.

Surrounding Uses

The subject lands are bordered by Provincial Highway 26 to the south and are presently surrounded by low-density residential uses to the west and vacant agricultural lands to the north and east. The subject lands are located within the Draft Approved Estates of Clearview subdivision and will therefore eventually be located adjacent to residential development to the north and commercial uses to the east, at the time that the overall subdivision is constructed.

Existing Policy Framework

The subject lands are designated Commercial – Special Policy 1 in the Township of Clearview Official Plan (2001) and zoned Development Area (DA) Zone in the Township of Clearview Zoning By-law 06-54.

COMMENTS AND ANALYSIS:

In considering an amendment to the Township's Zoning By-law, a review of the Provincial Policy Statement, Growth Plan, County and local Official Plan must be undertaken. The proposed amendment must be assessed for consistency, conformity and compliance.

Provincial Policy Statement (2014)

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use and development. The policies of which promote the building of strong healthy communities, the wise use and management of resources, and the protection of public health and safety. The current ZBA application presently under consideration to permit the development of a Continuum of Care Facility on the subject lands is consistent with the policies of the PPS and the planning objectives they are intended to achieve, specifically:

Section 1.1.1 & 1.1.3.1 of the PPS directs that "healthy, livable and safe communities are sustained by accommodating an appropriate range and mix of residential (including housing for older persons), institutional (including long-term care homes)

and other uses to meet long terms needs” and that “Settlement Areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted”. The proposed development is located within the Settlement Area of Stayner and will feature the phased development of a total of approximately 160 long term care beds (64 of which are contingent upon future allocation from the Ministry of Health and Long Term) and 35 senior apartments proposed within the Long-Term Care (LTC) home. Approximately 140 apartment style dwelling units geared towards seniors are also proposed to be situated within the Retirement Lodge. A Common Centre Link building between and joining the proposed LTC home and Retirement Lodge is also proposed to provide supporting services, including but not limited to; medical services, personal services shops, restaurant, tuck shop, hair dresser/salon, etc.

The policies of Section 1.3 as it pertains to employment, directs that “Planning authorities shall promote economic development and competitiveness by providing for an appropriate mix and range of employment and institutional uses to meet long-term needs. The proposed Continuum of Care Facility is anticipated to create a range of employment opportunities and also promote the development of related supportive services and businesses in the surrounding area.

Section 1.5 speaks to Public Spaces, Recreation, Parks, Trails and Open Space. The proposed development provides for the inclusion of an internal sidewalk network intended to integrate into the larger network of sidewalks proposed within the overall Estates of Clearview Subdivision development and larger Stayner community. Internal outdoor courtyards within the LTC home as well as outdoor common/amenity areas are also proposed as part of the development.

Section 1.6 outlines the goal of the PPS relating to infrastructure and public services facilities. Section 1.6.6.2 of the PPS states that developments within settlement areas are preferred to proceed on full municipal services (i.e., municipal sewage and water services). The proposed Continuum of Care Facility will proceed on full municipal services and promotes the efficient use and optimization of services within the Estates of Clearview Subdivision.

The proposed Continuum of Care Facility will be situated within the Stayner Settlement Area and will provide a range of long-term care and living arrangements for seniors. The proposed development will promote economic development within the community and has the potential to create a mixture of employment opportunities. The proposed CCF will proceed on full municipal services and provides internal sidewalks and pedestrian linkage to the overall network of sidewalks within the community. The proposed development is located within the approved Estates of Clearview Subdivision which is comprised of approximately 1,000 approved residential units and will be located within a built-up area of the community and in close proximity to local services and amenities.

The proposal is consistent with the Provincial Policy Statement (2014) issued under the *Planning Act*.

Places to Grow: Growth Plan for the Greater Golden Horseshoe (2017)

The Growth Plan represents a long-term vision for the GGH and informs decision makers on the applicable growth management and environmental protection regulations of the Province. The proposed ZBA application, presently under consideration is consistent with the policies of the Growth Plan and the planning objectives they are intended to achieve, specifically:

Section 2.2.1 of the GGH Plan indicates that growth shall be directed toward settlement areas that have a delineated built boundary, existing or planned services, and that can support the achievement of complete community. Although not located within the delineated built boundary of the Stayner Community. The proposed development is located directly east of the built boundary and is consistent with the goal of community intensification and contributes to the development of a compact built form. The Stayner Community possesses servicing and infrastructure satisfactory to accommodate the type of development proposed. The proposed development will be located within a portion of an existing development block (i.e., Block 39) of the Estates of Clearview Subdivision and will proceed on full municipal services.

Section 2.2.1.4 states that one of the goals of a complete community is to provide a diverse range and mix of housing options and to accommodate people at all stages of life and meet the needs of all household sizes and incomes. The proposed CCF will provide a mixture of long-term care services and housing options geared towards seniors. Offering a total of approximately 160 LTC beds and approximately 175 apartment style dwelling units once fully constructed. The apartment style residential units offered by the proposed development will promote more affordable housing alternatives that are not readily available in Stayner at present time.

The subject lands are not situated within the delineated built boundary of the Community of Stayner and therefore the proposal is classified as being located within a Designated Greenfield Area. Section 2.2.7 of the Growth Plan states that new development in Greenfield Areas will be planned and designed to support the achievement of a complete community and encourage active transportation. The proposed CCF achieves the minimum density target of the Plan and provides a mix of housing options geared towards the senior population. The CCF plan also promotes active transportation by providing outdoor amenity areas and internal sidewalks that will ultimately connect to the network of sidewalks within the Estates of Clearview Subdivision and the overall community.

The proposal introduces a mix of house types and active transportation opportunities geared toward the senior population of the community. The proposal also conforms to the goal of the Growth Plan to direct growth to settlement areas and facilitates the development of a complete community in a compact built form. It is the opinion of staff that the proposal conforms to, and is consistent with, the goals and objectives of the Places to Grow Growth Plan for the Greater Golden Horseshoe (2017).

County of Simcoe Official Plan (2008, issued May 9, 2016)

The County of Simcoe Official Plan designates Stayner as a Primary Settlement Area. The subject lands are located within Stayner. A primary goal of the County OP is to direct a significant portion of growth and development to settlement areas where it can be effectively serviced. Section 3.5 stipulates that the objective of Settlements is to develop a compact urban form that promotes the efficient use of land and provision of water, sewer, transportation, and other services; develop mixed use settlements as strong and vibrant places; and promote development forms and patterns which minimize land consumption and servicing costs.

The proposed CCF is located within the Stayner Settlement Area and will be developed upon full municipal services. The CCF proposes the development of a mix of Residential, Institutional and related Commercial uses on an approximately 2.42 ha (6 acres) parcel of land, promoting a compact urban form. Through the inclusion of 160 LTC beds (64 of which are contingent upon future allocation from the Ministry of Health and Long Term) and a total of approximately 175 apartment style dwelling units gear towards seniors. The proposed development will also promote more affordable housing alternatives that are not readily available in Stayner at present time.

Based upon a review of the policies of the County Official Plan. It is the opinion of municipal staff that the proposed ZBA application conform to the County of Simcoe Official Plan.

Clearview Township Official Plan (2001)

The Township of Clearview designates the subject lands as 'Commercial – Special Policy 1' and places the lands within the Urban Settlement Area of Stayner. The site-specific designation having application to the subject lands was undertaken through an Official Plan Amendment (i.e., OPA 8) adopted by the Township of Clearview in March 2009 and approved by the County of Simcoe in September 2009 as part of the larger Estate if Clearview Subdivision development wherein the proposed development is located.

The relevant policies having applying to the subject lands in questions outlined within OPA 8 are as follows:

- Block 81 (including Block 39) shall be developed as a mixed use commercial and residential development providing a range of employment and living opportunities, office space and live-work units.
- Development of Block 81 (including Block 39) shall have a street orientation and all buildings shall have a minimum of two storeys.
- Block 81 (including Block 39) as shown on Schedule "B" attached hereto shall not be developed until the following have been completed:
 - a) Completion of a comprehensive site plan application for the entire block;

- b) The owner entering into of a site plan agreement with, and to the satisfaction of, the municipality

As directed by OPA 8 the proposed CCF will develop a mix of Residential, Commercial and Institutional uses on the subject lands, with the Township OP including 'Institutional' uses in the Residential designation. As indicated earlier within this report the proposed CCF proposes the development of a total of 160 LTC beds, 175 apartment style dwelling units gear towards seniors as well as supporting commercial businesses and services. The proposed CCF development is presently proceeding through a concurrent Site Plan Approval process and will ultimately result in the applicant entering into a Site Plan Agreement to the satisfaction of the municipality. The CCF proposal will promote economic development as well as future employment opportunities within the community. Further, the proposed LTC Home and Retirement Lodge will maintain a minimum of two storeys and a maximum of four storeys once fully constructed.

Similar to the policies of the County of Simcoe Office Plan. The Township of Clearview OP also directs that all major development shall be directed towards the Township's primary settlement areas, where full municipal services are or will be available. The CCF development is located within the Stayner Settlement Area and will proceed on full municipal services. The proposed subdivision is also consistent with the Goals and Objectives of Section 3.6 of the Township OP as they pertain to Development Form. The proposed development will be of high quality design; consistent with the shifting demographic structure and social needs of residents; and offer a varied/diversified mix of housing types geared toward the senior population (i.e., LTC beds & apartments units), encouraging a supply of more affordable accommodation options for residents. Given the location of the subject lands within the larger Estates of Clearview subdivision, the proposal will not require a major expansion of services and no undue pressure will be placed on existing municipal services and/or resources.

Section 4.6.2.1 of the Township Official Plan directs that Public Private nursing homes, senior citizen/retirement homes, etc. shall have access to arterial or collector roads and located in proximity to communities facilitates such as recreational centres, parks and commercial outlets. Access to Highway 26 will be provided via the Estates of Clearview internal road network, offering direct access to Mowat Street (collectors road) and Highway 26 (arterial road) once fully developed. The proposed CCF development will offer a range of commercial business and services in support of the LTC Home and Retirement Lodge uses. Further, the CCF is located within the Estates of Clearview Subdivision and will develop as an extension of the overall community.

Section 4.6.2.3 of the Township Official Plan directs that the density of a development shall be established in the implementing Zoning By-law and be based on the individual planning circumstances of the host urban settlement area. Further noting that the maximum medium density permitted for residential uses shall generally not exceed 50 dwelling units per hectare. The proposed development is comprised of a mixture of LTC units/beds, apartment style units and supporting commercial uses intended to service and support a senior population. In consideration that the LTC

Home component of the development is an Institutional use. The overall density of 72 units/ha maintained by the proposed development is based on the overall number of apartment units proposed (i.e., 175 apartment) on the 2.42 site. Although greater than the maximum stated medium density requirement, as the apartment units are to be developed in association with the overall CCF, it is the opinion of municipal staff that the increased density of the development is acceptable and does not require further amendment to the Township’s Official Plan.

It is the opinion of planning staff that the proposed development and ZBA application conform to the Township’s Official Plan.

Clearview Zoning By-law (06-54, as amended)

The subject lands are currently zoned Development Area (DA) in the Township’s Comprehensive Zoning By-law (06-54). The applicant has applied to amend the sites existing zoning to an Institutional Residential 1 Exception 2 (INR1-2) Zone.

The purpose of the proposed rezoning application is to permit the approval of a number of site-septic amendments to the existing zoning provisions as well as include several additional supporting uses not presently permitted in the Institutional Residential 1 (INR1) Zone. The effect of proposed ZBA would be to facilitate the phased development of a CCF on the subject lands. To provide greater clarity with respect to the proposed zone alterations. The following table has been prepared to highlight the noted zoning changes.

Proposed Zone	Provision	Existing	Proposed
INR1-2	Maximum Height of Principle Buildings and Structures	11 m	18 m
	Maximum Height of Accessory Buildings and Structures	4.5 m	7 m
	Minimum Number of Loading Spaces	4 Spaces	2 Spaces
	<u>Additional Uses to be Permitted</u> <ul style="list-style-type: none"> • Clinic (Medical) • Dwelling Unit (Apartment) • Business or Professional Office • Personal Service Shop • Bake Shop • Restaurant 		

A detailed overview of each of the requested special provisions for the INR1-2 Zone are noted below;

- a) The proposed zoning amendment seeks to increase the **Maximum Height of Principle Buildings and Structures** from 11 m to 18 m. The proposed variation would permit the buildings associated with the development to maintain a total of four storeys. Although the proposed increase of 7 m can

be considered significant, it can be considered relative minor in terms of impact and compatibility with surrounding uses. The proposed LTC Home and Retirement Lodge structures will be setback a minimum of 24 m from the interior property lines. The incorporation of landscaping around the perimeter of the development will also provide further buffering to surrounding properties.

- b) The proposed By-law seeks to increase the **Maximum Height of Accessory Buildings and Structures** from 4.5 m to 7 m. The proposed variation is being requested to enable accessory structures (i.e., gazebo) located with the outdoor amenity areas to maintain a maximum height of 7 m. Given the location and scale of the proposed outdoor amenity area as well as the overall development, the requested 2.5 m increase in heights is not anticipated to generate significant impacts.
- c) The proposed By-law seeks to reduce the **Minimum Number of Loading Spaces** from 4 spaces to 2 spaces. The minimum number of required loading spaces is typically based on a standard calculation of either the overall gross floor area or total number of proposed dwelling units associated with a given development. Although a total of 4 loading spaces is presently required based upon standard calculations for the development, in discussion with the Applicant it is understood that a total of 2 spaces provides a sufficient level of loading spaces for needs of the proposed CCF.
- d) The proposed By-law seeks to include several **Additional Uses (i.e., Clinic (Medical), Dwelling Unit (Apartment), Business or Professional Office, Personal Service Shop, Bake Shop, Restaurant)** on the subject lands, not presently permitted under the proposed Institutional Residential 1 (INR1) zoning. The additional uses are intended to allow related commercial uses on the subject lands in support of the CCF. Given that the proposed commercial uses will be supportive of the proposed LTC home and Retirement Lodge uses, no impacts or issues with incompatibility are anticipated.

It is the opinion of staff that the proposed Zoning By-law with its site-specific exceptions is appropriate, supportable, and conforms to the general intent and purpose of the Township's Comprehensive Zoning By-law.

Public /Agency Comments

A Public Meeting for the proposed JHS Zoning By-law Amendment was held by Council on November 19th, 2018 at 6:30 pm. A brief presentation was provided by the Township Planner and followed by a presentation by Mrs. Jennifer Ormiston (Mainline Planning Solution Inc.), the representative of the applicant, as well as Caroline McLeod (register nurse employed at JHS existing facility in Stayner). The meeting was well attended by members of the Public and several comments were received and have been summarized below.

Public Comments & Responses

The majority of comments received from the Public were in support of the proposal. Commenters encouraged Council to support and approve the proposal, and also sought further information with respect to the anticipated timing/completion of the proposed development. One member of the Public did inquire as to level of traffic anticipated to be generated by the proposed development as well as the CCF connectivity to the overall road network.

Municipal staff responded to the commenter indicating that all traffic would enter and exit the subject lands via an internal road network within the Estates of Clearview subdivision and would either connect to Mowat Street to the west or directly to Highway 26, via the internal road network once the Estate of Clearview subdivision is fully constructed.

As part of the approval of OPA 8 and the original the Estates of Clearview subdivision proposal, traffic generation for the existing commercially designated development block (i.e., Block 39) in which the subject lands are located was based on the site being used primarily for retail use, which typically generate high levels of traffic volumes. Given that the Institutional, Residential and Commercial uses associated with the CCF proposed under the current Zoning By-law Amendment typically generate lower levels of traffic compared to that of retail uses; overall traffic generation of the subject lands is likely to decrease from what was initially proposed as part of the site's commercial designation. A site-specific traffic memo has been submitted as part of the concurrent Site Plan Approval process. The results of which will be incorporated into the overall development of the site.

Council Member Comments & Responses

Similar to the comments received from the Public, the majority of comments provided by members of Council were also in support of the proposed development. One comment of concern was raised with respect to the original requested amendment in the maximum height of primary building and structures from 11 m to 20 m and potential impacts it may have on adjacent lands.

In response to the noted concern, the applicant has modified the original requested amendment from a total of 20 m to 18 m, a reduction of 2 m. Although the overall development will still ultimately maintain four storeys, all structures will not exceed a maximum height of 18 m. Additionally, the proposed configuration of the development has also been adjusted to shift the location of the proposed structures closer towards the center of the subject lands. Thereby, providing an increased setback from surrounding properties.

Based on the Applicant's modifications to the proposal and taking the comments as noted above into consideration, Township staff have reviewed the proposed Jarlette Health Services Zoning By-law Amendment and support the approval of the proposed Amendment.

CLEARVIEW STRATEGIC PLAN:

Council's direction with respect to this matter furthers the following Goals of the municipality's strategic plan:

- Attract residential developers with a strong emphasis on creating a mixed housing stock, with the focus of attainable housing.

- Develop and implement policies to support the creation of housing and accommodation options for seniors.

COMMUNICATION PLAN:

The Notice of Decision regarding this application will be distributed in accordance with the requirements of the *Planning Act*.

FINANCIAL IMPACT:

This proposal has no financial impact on the municipality.

REPORT SCHEDULES:

- A. Location Map
- B. Proposed Site Plan
- C. Proposed Landscaping Plan
- D. Proposed Architectural Elevations

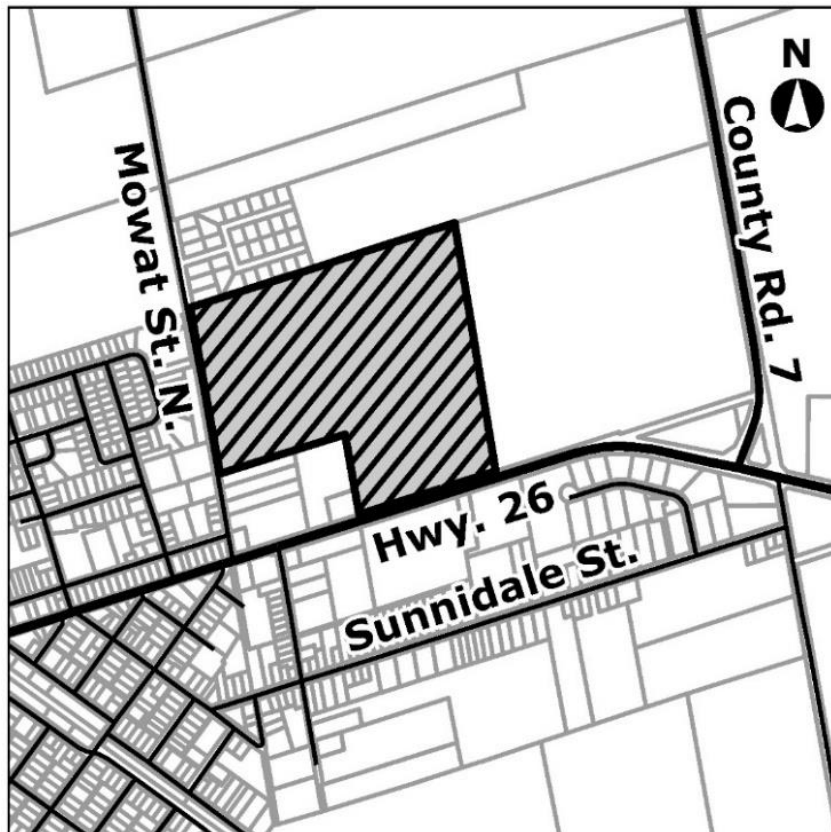
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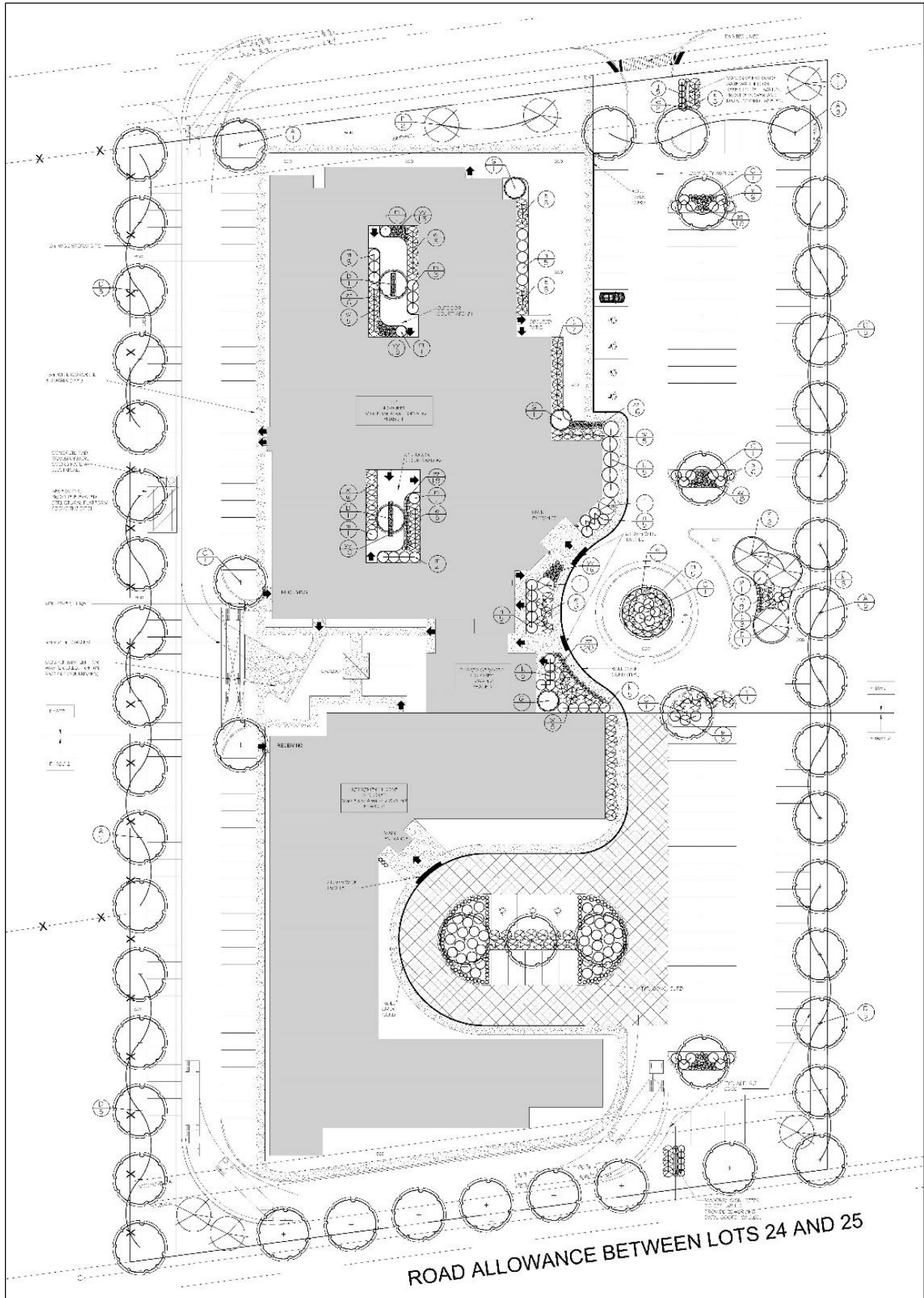
REVIEWED BY:

Mara Burton, BAA, MCIP, RPP
Director of Community Services

- A. Location Map



B. Proposed Landscaping Plan



C. Proposed Architectural Elevations

