
HALDIMAND COUNTY

Report PDD-42-2022 Zoning By-law Amendment Application for LTC Facility Expansion and Parking Lot – Edgewater Gardens LTC and HWMH



For Consideration by Council in Committee on September 20, 2022

OBJECTIVE:

To consider rezoning 432 and 434 Broad Street West, Dunnville to permit the expansion of Edgewater Gardens Long-Term Care Facility and rezoning 405 Broad Street West, Dunnville to permit a satellite parking lot which is necessary to meet the parking standards for the expanded facility.

RECOMMENDATIONS:

1. THAT Report PDD-42-2022 Zoning By-law Amendment Application for LTC Facility Expansion and Parking Lot – Edgewater Gardens LTC and HWMH be received;
2. AND THAT application PLZ-HA-2022-066 to amend the Haldimand County Zoning By-law HC 1-2020 by rezoning 432 and 434 Broad Street West, Dunnville from 'Urban Residential Type 2 (R2)' Zone to 'Community Institutional – Holding (IC – H)' Zone to permit the expansion of Edgewater Gardens Long-Term Care Facility in Dunnville, be approved for the reasons outlined in Reports PDD-36-2022 and PDD-42-2022;
3. AND THAT application PLZ-HA-2022-105 to amend the Haldimand County Zoning By-law HC 1-2020 by adding a special provision and Holding (H) provision to the 'Urban Residential Type 2 (R2)' Zone for 405 Broad Street West, Dunnville to permit a parking lot for Edgewater Gardens Long-Term Care Facility and the Haldimand War Memorial Hospital in Dunnville, be approved for reasons outlined in Report PDD-42-2022;
4. AND THAT the proposal is deemed to be consistent with the Provincial Policy Statement (2020) and conforms with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) and Haldimand County Official Plan;
5. AND THAT 405 Broad Street West, Dunnville be placed under Site Plan Control for reasons outlined in Report PDD-42-2022;
6. AND THAT the General Manager of Community & Development Services be authorized to remove the Holding (H) provision on all lands when all conditions have been satisfied;
7. AND THAT the by-laws attached to Report PDD-42-2022 be presented for enactment.

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Reviewed by: Shannon VanDalen, MCIP, RPP, CMMI, Manager of Planning & Development

Respectfully submitted: Mike Evers, MCIP, RPP, BES, General Manager of Community & Development Services

Approved: Craig Manley, MCIP, RPP, Chief Administrative Officer

EXECUTIVE SUMMARY:

In March of 2021, the Ministry of Long Term Care awarded Edgewater Gardens Long-Term Care Facility sixty-four (64) new beds to double existing bed capacity from sixty-four (64) to one hundred and twenty-eight (128) beds. Council recently approved in principle Zoning By-law Amendment application PLZ-HA-2022-066 to permit the expansion of Edgewater Gardens onto 432 and 434 Broad Street West, Dunnville by rezoning the lots from 'Urban Residential Type 2 (R2)' Zone to 'Community Institutional – Holding (IC – H)' Zone, subject to conditions, including the supply of parking spaces. The approval in principle approach was utilized to demonstrate support to Edgewater Gardens and the Ministry for the expansion without making a final decision until the related Zoning By-law Amendment application PLZ-HA-2022-105 was brought forward for Council's consideration to permit the required parking spaces across the street at 405 Broad Street West, Dunnville.

Edgewater Gardens and the Haldimand War Memorial Hospital (HWMH) recently submitted application PLZ-HA-2022-105 to rezone 405 Broad Street West by adding a special provision to the 'Urban Residential Type 2 (R2)' Zone to permit a standalone parking lot. Edgewater Gardens and the HWMH intend to supply parking for their staff on both the existing HWMH campus and on 405 Broad Street West (Attachment 1), which necessitated application PLZ-HA-2022-105.

Both proposals are consistent and conform to planning policy frameworks, are considered good land use planning and desirable, and are in the public interest. Planning staff recommend approval of these applications subject to Holding (H) provisions and placing 405 Broad Street West, Dunnville under site plan control as described in this report. This will ensure interface and compatibility measures are established to ensure property integration with the neighboring residential dwellings.

Council is being asked to finalize approval for Zoning By-law Amendment application PLZ-HA-2022-066 for the expansion lands and approve application PLZ-HA-2022-105 for the parking lot lands. If Council approves these applications, the proponent would need to work through the Site Plan application process and removal of Holding (H) provision process prior to site alteration and development on any of these lands. The Site Plan application process would include a Site Plan agreement to commit the parking spaces to the HWMH and Edgewater Gardens.

BACKGROUND:

Location and Description – Expansion Lands (PLZ-HA-2022-066)

432 and 434 Broad Street West have a total frontage of 20.12 metres (65.62 feet) on Broad Street West and are approximately 0.11 hectares (0.26 acres) in size (Attachment 1). These lands will be merged with 428 Broad Street West prior to construction. These lands contain two dwellings that will be demolished to accommodate the proposed expansion.

Location and Description – Parking Lot Lands (PLZ-HA-2022-105)

405 Broad Street West, Dunnville (Attachment 2) is a large corner lot with 50.29 metres (165 feet) of frontage on Broad Street West and 64.05 metres (210 feet) of exterior side yard along John Street. These lands are 0.32 hectares (0.79 acres) in size and are vacant of any buildings or structures; however, they contain a gravel parking lot with vehicle access onto John Street as well as mature trees.

These lands abut two large residential lots to the north (402 and 412 Alder Street West) and abut John Street to the east. A row of low-density residential lots are located across John Street to the east. These lands abut Broad Street West to the south. The Haldimand War Memorial Hospital (HWMH) campus of care (campus) is located across the street on the south side of Broad Street West. The HWMH campus is located on three separate parcels at 317 Lock Street West, 400 Broad Street West, and 428 Broad Street West, Dunnville (Attachment 3). The campus is owned by the HWMH and consists of residential

condominiums (317 Lock Street West), the HWMH (400 Broad Street West), and Edgewater Gardens Long-Term Care Facility (428 Broad Street West). These lands abut a large residential lot to the west (411 Broad Street West). Various fences and mature trees buffer these lands from the three (3) abutting residential lots.

Previous Application

Minor Variance Application PLA-2016-021 – 405 Broad Street West

The Committee of Adjustment approved Minor Variance application PLA-2016-021 on April 12, 2016 to permit a temporary construction camp on 405 Broad Street West to facilitate the renovation and construction of an addition to the HWMH across the street. The Minor Variance application was submitted because the Town of Dunnville Zoning By-law 1-DU 80 required the construction camp to be located on the lands where the construction was occurring (i.e. on the HWMH campus). The construction camp could not be located on the HWMH campus because it was highly developed and intensively used and adequate space to stage construction materials and equipment was not available on the campus. The approval was conditional upon the subject lands being returned to their original condition thirty (30) days following completion of construction. The construction materials and equipment were removed from the subject lands, however, the gravel base remains and provides overflow parking for the HWMH campus, as needed.

Current Applications

PLZ-HA-2022-066 – Expansion Lands

The Ministry of Long Term Care awarded Edgewater Gardens Long-Term Care Facility sixty-four (64) new beds to double existing bed capacity from sixty-four (64) to one hundred and twenty-eight (128) beds in March of 2021. Council approved in principle Zoning By-law Amendment application PLZ-HA-2022-066 on August 23, 2022 (Report PDD-36-2022) to permit the expansion of Edgewater Gardens onto 432 and 434 Broad Street West (Attachment 4) by rezoning the lots from 'Urban Residential Type 2 (R2)' Zone to 'Community Institutional (IC)' Zone, subject to conditions including rezoning 405 Broad Street West to permit a parking lot, requiring proper site design through site plan control, and committing the parking lot to the HWMH and Edgewater Gardens via a Site Plan agreement. The approval in principle approach was utilized to demonstrate support to Edgewater Gardens and the Ministry for the expansion without making a final decision until the related Zoning By-law Amendment application PLZ-HA-2022-105 was brought forward for Council's consideration to permit the required parking spaces across the street at 405 Broad Street West, Dunnville. Approval in principle of Zoning By-law Amendment application PLZ-HA-2022-066 was a critical first step in the overall expansion project as it demonstrated support for the project to Edgewater Gardens and the Ministry of Long Term Care. Final approval of application PLZ-HA-2022-066 remains critical prior to the end of the calendar year.

PLZ-HA-2022-105 – Parking Lot Lands

The Haldimand County Zoning By-law HC 1-2020 requires one (1) parking space for every three (3) long-term care beds. Twenty-two (22) parking spaces are required for the current sixty-four (64) bed Long-Term Care Facility, which are provided throughout the HWMH campus. A total of forty-four (44) parking spaces will be required for the one hundred and twenty-eight (128) bed Long-Term Care Facility.

The preliminary concept plan illustrates removal of ten (10) existing parking spaces in front of the existing Long-Term Care Facility to accommodate the expansion as well twenty-two (22) additional parking spaces required by the expansion of sixty-four (64) beds (Attachment 4). The other twelve (12) parking spaces are supplied elsewhere on the HWMH campus. Thus a minimum of 32 additional parking spaces are required to support the proposal in compliance with the Zoning By-law at 405 Broad Street West, which can be accommodated given the size and configuration of the site. The HWMH and

Edgewater Gardens intend to supply parking for Edgewater Gardens and the HWMH on both the existing campus (in existing parking spaces) and on 405 Broad Street West (new parking spaces). However, as there is no additional space on the HWMH campus to supply the required additional parking spaces, the property at 405 Broad Street is required for the supply of parking spaces. Details relating to the location, configuration, and buffering will be addressed as part of the Site Plan process. The parking lot would provide for all of the required parking required by/displaced by the new construction and will comply with all required parking requirements (sizes, parking aisle widths).

405 Broad Street West is currently zoned 'Urban Residential Type 2 (R2)' Zone in the Haldimand County Zoning By-law which permits a bed and breakfast establishment; single detached dwelling; semi-detached dwelling; duplex dwelling; group home dwelling; accessory secondary suites; accessory home based business, home office; and accessory home-based business, home occupation. The 'Urban Residential Type 2 (R2)' Zone does not permit a parking lot; a parking lot or structure is only permitted as a standalone or principle use in the 'Downtown Commercial (CD)', 'General Commercial (CG)', 'Service Commercial (CS)', and 'Marine Commercial (CM)' Zones, and an accessory parking lot is only permitted as an accessory use to a permitted, principle use on a lot (i.e. a parking lot is permitted on the HWMH campus to supply parking to staff, but not across the street).

The HWMH submitted Zoning By-law Amendment application PLZ-HA-2022-105 for 405 Broad Street West in early July, 2022 to add a special provision to the 'Urban Residential Type 2 (R2)' Zone to permit a standalone parking lot to supply additional parking for the HWMH and Edgewater Gardens to facilitate the expansion of the Edgewater Gardens Long-Term Care Facility. This application was submitted a few months following application PLZ-HA-2022-066 which is the reason for the two reports (PDD-36-2022 at the August 23, 2022 meeting and PDD-42-2022 at the September 20, 2022 meeting). The parking lot will be asphalted and will include onsite lighting and a parkette along Broad Street West to preserve a mature tulip tree. Fencing and/or additional landscaping will be addressed as part of the Site Plan process.

ANALYSIS:

The analysis for application PLZ-HA-2022-066 (long term care facility expansion) is contained in Report PDD-36-2022. The following planning considerations apply to application PLZ-HA-2022-105 (parking lot proposal):

Provincial Policy

The Provincial Policy Statement (PPS), 2020 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 require settlement areas to be the focus of growth and development. Provincial policy states that healthy, liveable and safe communities are sustained, in part, by ensuring that necessary public service facilities (such as long-term care facilities) are or will be available to meet current and projected needs. Provincial policy encourages public service facilities (including hospitals and long-term care facilities) to be co-located in community hubs and integrated to promote cost-effectiveness. Provincial policy states that priority should be given to maintaining and adapting existing public service facilities and spaces as community hubs to meet the needs of the community and optimize the long-term viability of public investments. Existing public service facilities that are located in or near strategic growth areas and are easily accessible by active transportation and transit, where that service is available, should be the preferred location for community hubs. Municipalities will collaborate and consult with service planning, funding, and delivery sectors to facilitate the co-location and planning of community hubs and other public service facilities.

The expansion of Edgewater Gardens Long-Term Care Facility was supported in principle by Staff and Council on August 23, 2022 on the basis that the expansion would help address the 200 person wait

list and the expansion lands are located within the settlement area of Dunnville on a campus of care, which is expressly supported by Provincial policy. This application facilitates the expansion of the Edgewater Gardens Long-Term Care Facility by providing required parking across the street from the Long-Term Care Facility and HWMH for staff and visitors. Therefore, this application is consistent and conforms to Provincial policy.

County Policy

Haldimand County Official Plan

That Haldimand County Official Plan (OP) creates the framework for guiding land use changes in the County over the long-term. The OP provides the avenue through which Provincial Policy is implemented into the local context, protects and manages the natural environment, directs and influences growth patterns, and facilitates the vision of the County as expressed through its residents. A Zoning By-law Amendment application must conform to the OP.

405 Broad Street West is designated 'Residential' in the OP. The OP states that residentially designated areas within each of Haldimand County's urban communities are expected to continue to accommodate attractive and functional neighbourhoods that provide a variety of housing forms and community facilities supportive of a residential environment. Community-oriented, institutional uses including long term care facilities are permitted in areas designated 'Residential' subject to criteria (which were discussed in Report PDD-36-2022 for conformity).

Additionally, the OP states that adequate off-street parking facilities shall be provided for all new development and/or redevelopment proposals to serve the needs to the specific use. Parking facilities may be permitted in all land use designations with the exception of the 'Natural Area' designations and shall be accessory to a permitted use or public facility.

This application directly supports and facilitates the expansion to Edgewater Gardens Long-Term Care Facility by providing parking for staff and visitors. The parking lot will be accessory, albeit across the street, to the HWMH campus, including Edgewater Gardens. Existing mature trees will be preserved onsite including the tulip tree located on site, where possible; greenspace and a private parkette will be provided along Broad Street West; and fencing, additional landscaping, asphalt, and lighting will be installed in the parking lot to enhance the property aesthetics, buffering, and safety. These details, as well as grading and stormwater management, will be addressed at the time of the Site Plan application. This application conforms to the OP.

Haldimand County Zoning By-law HC 1-2020

PLZ-HA-2022-105 – Parking Lot Lands

The Haldimand County Zoning By-law HC 1-2020 regulates and provides provisions for the use of land within the County by stating exactly how lands may be used, where buildings and other structures can be located, the types of buildings that are permitted and how they may be used, and the lot sizes and dimensions, parking requirements, building heights and setback from the street. The Zoning By-law implements the Official Plan and is legally enforceable. The use of the property must conform to the permissions in the Zoning By-law and a Site Plan approval cannot be issued if the correct zoning is not in effect.

405 Broad Street West is currently zoned 'Urban Residential Type 2 (R2)' Zone in the Zoning By-law which permits low density residential uses and does not permit a standalone parking lot. The purpose of this application is to permit a standalone parking lot on 405 Broad Street West to provide parking for Edgewater Gardens and HWMH staff to facilitate the expansion of the Edgewater Gardens Long-Term Care Facility.

The Zoning By-law requires a 4.5 metre (14.7 feet) setback of the parking area from adjacent residential properties and a 2 metre (6.5 feet) landscape strips along streets to ensure proper parking lot design, buffering, and aesthetics. The design will comply with these zone standards. The Zoning By-law and Design Criteria also require onsite lighting to be directed downward, directed or deflected away from adjacent lots and streets, and require zero (0) light spillage/trespass over property lines. These requirements will be addressed via detailed design at the site plan control stage. It is Planning staff's opinion that this application is desirable as it will facilitate the expansion of Edgewater Gardens and is appropriate for the area, being a large corner lot (lacking neighbours on two sides, with the entrance/exit being on the local street) and directly across the street from the HWMH campus. Details relating to fencing, landscaping, tree preservation, lighting, and grading can and would typically be addressed through the Site Plan application process. Details relating to pedestrian crossing, if required, can also be addressed through the Site Plan application process or future municipal process. A draft Zoning By-law is included as Attachment 5.

The 'R2' Zone is not subject to Site Plan Control in the Zoning By-law. Planning staff recommend that the subject lands be placed under Site Plan Control to ensure a site plan application is submitted and approved for construction of the parking lot and its related features (fencing, landscaping, lighting, grading, snow storage, etc.). A Site Plan Control By-law is included as Attachment 6.

Planning staff also recommends that a 'Holding (H)' provision be affixed to the zoning of the subject lands to prevent the use and construction of a parking lot until:

1. A Site Plan agreement is registered on title, which commits the parking on the subject lands to Edgewater Gardens and the HWMH;
2. A Site Plan application is approved by the General Manager of Community & Development Services; and
3. Archaeological investigation and approval is complete.

A 'Holding (H)' provision By-law is included as Attachment 7.

PLZ-HA-2022-066 – Expansion Lands

The Draft Zoning By-law and 'Holding (H)' provision By-law for the expansion lands are included as Attachments 8 and 9. The Zoning By-law rezones 432 and 434 Broad Street West from 'Urban Residential Type 2 (R2)' Zone to 'Community Institutional – Holding (IC – H)' Zone, which permits a long-term care facility. Planning staff recommends a Holding (H) provision for:

- i. Confirmation and granting of servicing allocation;
- ii. Archaeological investigation and approval;
- iii. Parking assessment and plan approval for 405 Broad Street West;
- iv. Site Plan approval for 405 Broad Street West and 432 and 434 Broad Street West, including registration of required site Plan Agreements; and
- v. Approval of a Deeming By-law for 432, 434, and 428 Broad Street West.

Conclusion and Next Steps

Overall, it is Planning staff's opinion that both applications are consistent with the Provincial Policy Statement (2020), conform to A Place to Grow: Growth Plan for a Greater Golden Horseshoe (2020), conform to the Haldimand County Official Plan, are appropriate and compatible development, and are desirable and in the public interest. Planning staff recommend approval of both applications and passage of the attached by-laws.

If Council approves both applications, next steps would include:

1. Submission and approval of the site plan applications for the expansion lands and the parking lot lands to address zoning, engineering, architecture, parking, and landscaping requirements;

2. Submission and approval of a Deeming By-law to deem 428, 432, and 434 Broad Street West as one property;
3. Clearance of the conditions of the Holding (H) provisions; and
4. Obtaining County permits such as building, road entrance, and water and sewer permits.

FINANCIAL/LEGAL IMPLICATIONS:

All required financial securities for works in the County right-of-way and onsite landscaping will be detailed in the Site Plan Agreement and will be posted to the County prior to Site Plan approval. Commitment of the parking spaces to Edgewater Gardens and the HWMH will also be detailed in the Site Plan Agreement. Cash-in-lieu of parkland dedication will be provided to the County prior to Site Plan approval in accordance with the County's parkland dedication by-law.

STAKEHOLDER IMPACTS:

Planning staff and Council heard concerns raised by the owners of 438 Broad Street West regarding impacts of construction on their house foundation at the August 23, 2022 Council in Committee meeting. To that end, Edgewater Gardens has had conversation with these property owners and has committed to continuing conversation with these property owners during the construction planning and construction process to ensure their concerns are not realized. Staff will also work on developing provisions for inclusion in either the site plan agreement or building permit that provide assurances of the protection of off-site property and buildings.

Planning staff have received a number of phone calls from area residents relating to activities on 405 Broad Street West (unauthorized parking and use), disturbance of adjoining property owners (headlights shining into properties and unauthorized petting of dogs), and concerns relating to fencing, landscaping, lighting, and grading design of the parking lot, including public participation in the Site Plan process. These concerns have been passed onto the HWMH and Edgewater Gardens staff who will monitor unauthorized parking and use, and review options to secure the parking lot for staff parking only. HWMH and Edgewater Gardens staff also invited the property owners of the three (3) abutting residential lots (402 and 412 Alder Street West and 411 Broad Street West) and adjacent lots at 330 and 416 Alder Street West, 309 and 315 John Street, and 333 Broad Street West to an onsite meeting on August 18, 2022 to address concerns relating to future site planning for buffering, fencing, landscaping, and lighting of the parking lot. A summary of the onsite meeting is included as Attachment 10; representatives from the HWMH and Edgewater Gardens have appropriately addressed residents' concerns. The HWMH and Edgewater Gardens will continue to work with the neighbouring property owners during the site planning process prior to submission of a Site Plan application to the County.

Six Nations Council – We ask that the proponent retain as many trees as possible and adopt a 10-1 tree replanting ratio.

Building & Municipal Enforcement Services – Parking lot to comply with Section 5 of the Haldimand County comprehensive Zoning By-law HC 1-2020.

Canada Post – Please be advised that Canada Post does not have any comments on this application for a parking lot as this will not affect mail delivery.

Development Technologist – No objection.

Economic Development and Tourism Division – Haldimand County's Economic Development and Tourism Division has no concerns with this proposal.

Emergency Services – No concerns with this application.

Grand River Conservation Authority (GRCA) – Consistent with GRCA’s comments on the Edgewater Garden Long-Term Care Facility expansion pre-consultation (dated July 6, 2022, attached) and in light of the concept plan appearing to be unchanged from the presentation and discussion on July 6, we have no comment on the proposed rezoning for 405 Broad Street East. The property is largely unregulated by GRCA and the works proposed are minor. See Attachments 11 and 12.

Project Manager, Forestry Operations – Forestry isn’t concerned about the proposed rezoning for 405 Broad Street West, Dunnville. The County will require a Tree Protection Plan demonstrating how the County-owned trees along Broad Street West and John Street will be protected and incorporated into the parking lot design. There is a locally significant Tulip tree located on the site that the applicant should include on the Tree Protection Plan for preservation.

Trans-Northern Pipeline Inc. (TNPI) – Thank you for contacting Trans-Northern Pipelines Inc. (TNPI). We confirm that TNPI has no infrastructure in the mentioned area.

Transportation Engineering Technologist – A Traffic Impact Study (TIS) is not required but details of the construction are required, including: start time, expected duration and any phasing that will affect access and parking. Staff, visitor/resident, and outpatient parking locations to be provided. Pedestrian crossing is to be reviewed.

No comments were received from Mississaugas of the Credit First Nation, Bell Canada, CN Railway, CP Railway, Enbridge, Hydro One (High Voltage/Corridor), Hydro One (Local), Metro Loop, Rogers, and the Finance Division.

REPORT IMPACTS:

Agreement: Yes

By-law: Yes

Budget Amendment: No

Policy: No

REFERENCES:

1. *Report PDD-36-2022 Zoning By-law Amendment Application for Edgewater Gardens Long-Term Care Facility Expansion:*
<https://pub-haldimandcounty.escribemeetings.com/Meeting.aspx?Id=f6810bab-93ff-4568-831d-94aaa0f513e7&Agenda=Agenda&lang=English&Item=37&Tab=attachments>

ATTACHMENTS:

1. Location Map – Expansion Lands.
2. Location Map – Parking Lot Lands.
3. HWMH Campus.
4. Edgewater Gardens LTC Expansion Concept Plan.
5. Draft Zoning By-law – Parking Lot Lands.
6. Draft Site Plan Control By-law – Parking Lot Lands.
7. Draft Holding (H) Provision Removal By-law – Parking Lot Lands.

8. Draft Zoning By-law – Expansion Lands.
9. Draft Holding (H) Provision Removal By-law – Expansion Lands.
10. August 18 Onsite Meeting Notes.
11. GRCA Comments.
12. GRCA Map.