
HALDIMAND COUNTY

Report PDD-09-2024 Zoning By-law Amendment to Rezone the Subject Property to Facilitate the Expansion of Edgewater Gardens

For Consideration by Council in Committee on June 18, 2024



OBJECTIVE:

To consider rezoning 437 Lock Street, Dunnville to permit the expansion of Edgewater Gardens Long-term Care Facility.

RECOMMENDATIONS:

1. THAT Report PDD-09-2024 Zoning By-law Amendment to Rezone the Subject Property to Facilitate the Expansion of Edgewater Gardens be received;
2. AND THAT application PLZ-HA-2024-030 to amend the Haldimand County Zoning By-law HC 1-2020 by rezoning 437 Lock Street, 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 reasons outlined in Report PDD-09-2024;
3. 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 the Haldimand County Official Plan;
4. 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;
5. AND THAT the by-laws attached to Report PDD-09-2024 be presented for enactment at a future Council meeting.

Prepared by: Mark Andrews, M.A., MCIP, RPP, Senior Planner

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: Cathy Case, Chief Administrative Officer

EXECUTIVE SUMMARY:

The subject application is to facilitate the expansion of the Edgewater Gardens Long-Term Care facility by rezoning the subject lands from "Urban Residential Type 2 (R2)" to "Community Institutional (IC)" with a "Holding (H)" provision. The "Holding (H)" Provision is proposed to address a Deeming By-law and Site Plan, including Site Plan Agreements. The (IC) Zone will permit a variety of institutional uses, including a hospital and long-term care home.

The proposal is consistent and conforms to applicable planning policy frameworks, is considered good land use planning, is desirable and is in the public interest. Planning staff recommend approval of this application subject to a Holding (H) provision as described in this report. This will ensure interface and

compatibility measures are established to ensure property integration with the neighboring residential dwellings.

BACKGROUND:

The Haldimand War Memorial Hospital (HWMH) campus of care (campus) is located on three (3) separate parcels at 317 Lock Street West, 400 Broad Street West, and 428 Broad Street West, Dunnville. 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), which currently accommodates 64 long-term care beds. The HWMH has been operating in the Dunnville community for more than 100 years and Edgewater Gardens has been operating since 2006. Edgewater Gardens has a wait list with more than 200 names on it. 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 previously approved 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. Council also previously approved Zoning by-law Amendment application PLZ-HA-2022-105 to permit the required parking spaces offsite at 405 Broad Street West, Dunnville.

The existing campus (317 Lock Street West, and 400 & 428 Broad Street West) is zoned 'Community Institutional (IC)' Zone, with various special provisions for uses, setbacks, and parking. 437 Lock Street (the subject property) is owned by the HWMH and currently contains a single detached dwelling and is part of future development and expansion. This additional lot is required to facilitate a two-storey wing that will be connected to the main building via linkage (hallway) between 432 and 434 Broad Street West, and will provide additional space needed to accommodate the sixty-four (64) new beds (Attachment 2). The wing proposed on the subject lands will also accommodate a new loading area to service the facility. The subject lands were recently acquired and are presently not zoned 'IC' with the rest of the HWMH campus; and, is currently zoned 'Urban Residential Type 2 (R2)' Zone.

To permit the expansion of Edgewater Gardens and expand the overall campus from a principle of land use (zoning) perspective, Edgewater Gardens submitted a Zoning By-law Amendment application in February, 2024 to rezone the subject lands to the 'Community Institutional (IC)' Zone. Dealing with the zoning now, to establish a supportive zoning category, is critical to demonstrate to the Ministry the level of project support and advancement. In particular, the Ministry requires the correct zoning to be in place before Edgewater Gardens submits all other documentation for a Development Agreement with the Ministry.

Location and Description – Expansion Lands (PLZ-HA-2024-030)

437 Lock Street West is located on the north side of Lock Street, east of Helena Street and has a total frontage of 19.81 metres (65 feet) and an approximate area of 0.10 hectares (0.25 acres) (Attachment 1). The parcel currently contains a single detached dwelling which will be demolished to accommodate the proposed expansion. The subject property will be merged with 428, 432 and 434 Broad Street West prior to construction through a Deeming By-law.

Related Applications

PLZ-HA-2022-066 – Expansion Lands

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 by rezoning the lots from 'Urban Residential Type 2 (R2)' Zone to 'Community Institutional

– Holding (IC - H) 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. PLZ-HA-2022-066 and PLZ-HA-2022-105 (Report PDD-42-2022) was approved by Council on September 26, 2022.

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. 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). Given that a parking lot is not a permitted use in the ‘Urban Residential Type 2 (R2)’ Zone, the HWMH submitted a Zoning By-law Amendment application to add a site-specific provision to permit the use of a standalone parking lot to supply additional parking for the hospital and Edgewater Gardens to facilitate the expansion. This application (Report PDD-42-2022) was approved by Council on September 26, 2022 which rezoned the subject property to ‘Urban Residential Type 2 (R2 - H) – Holding’ Zone. The parking lot will be paved and will include onsite lighting and a parkette along Broad Street West to preserve a mature tulip tree. This and other pertinent landscaping and design details will be addressed through the Site Plan process.

ANALYSIS:

The following planning considerations apply to this proposal:

Provincial Policy

Provincial Policy Statement (PPS), 2020

The Provincial Policy Statement (PPS), 2020 provides overall policy direction on matters of provincial interest related to land use planning and development in Ontario. The PPS sets the policy foundation for regulating the development and use of land. The *Planning Act* requires all decisions affecting planning matters to be consistent with the PPS policies.

The PPS requires settlement areas to be the focus of growth and development. Land use patterns within settlement areas are to be based on densities and a mix of land uses which efficiently use land and resources; are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid their unjustified and/or uneconomical expansion; and support active transportation. The subject lands are located in the settlement area of Dunnville. The existing campus and subject lands are well positioned within the built-up area of Dunnville for local staff and visitors to choose modes of active transportation (walking or biking) over driving. Edgewater Gardens is existing and is co-located with other like uses on a campus of care. Expansion of the existing Long-Term Care Facility and campus onto the subject lands will efficiently use land and hospital resources. The subject lands front onto existing municipal services (water, wastewater, and stormwater); through the Site Plan process, the applicant will be required to provide functional servicing and stormwater

reports and related plans to provide servicing proposals for County review and approval. Planning staff recommends that a Holding (H) provision be affixed to the zoning of the subject lands to require servicing capacity to be allocated to the project and confirmation of capacity in the conveyance system (pipes) and at the plants. This will permit Council to amend the principle of land use today, while ensuring that servicing matters are addressed prior to site alteration and development. Staff do not have concerns with water and wastewater capacity in the conveyance system (pipes) and treatment (plant) at this time. Based on information currently available, staff believe the project can be functionally serviced. However, a Functional Servicing Report (FSR) with a request for servicing allocation, Stormwater Management Report, servicing and grading plans, and modelling of the request are required to confirm adequate servicing at the time of the Site Plan application.

Furthermore, the PPS identifies that healthy, liveable and safe communities are sustained, in part, by accommodating a mix and range of uses including long-term care facilities and ensuring that necessary infrastructure and public service facilities (including long-term care facilities) are or will be available to meet current and projected needs. The PPS recommends that public service facilities (including hospitals and long-term care facilities) be co-located in community hubs, where appropriate, to promote cost-effectiveness and facilitate service integration, access to transit, and active transportation. The expansion is needed to address the current wait list at Edgewater Gardens and the Ministry of Long-Term Care has awarded Edgewater Gardens new beds to double bed capacity. The expansion will be co-located within an existing campus, thereby satisfying these policies.

In addition, the PPS states that development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved. The applicant is required to complete and provide the Provincial archaeological checklist as part of the Site Plan application package and may be required to submit an archaeological assessment if triggered by the answers provided in the checklist. Planning staff recommends that a Holding (H) provision be affixed to the zoning of the subject lands to require completion of the archaeological checklist and approval of an archaeological assessment by the Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI), if required. This will permit Council to amend the principle of land use today, while ensuring that archaeological matters are addressed prior to site alteration and development.

Lastly, the PPS prohibits long-term care facilities in riverine hazard land areas. The Grand River Conservation Authority (GRCA) previously confirmed that the subject lands fall outside of the riverine hazard lands, Dunnville Special Policy Area for floodplains, and their regulation limit. Therefore, there is no concern with permitting the expansion onto the subject lands.

It is Planning staff's opinion that the subject application is consistent with the PPS.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020

A Place to Grow ('the Growth Plan') states that public service facilities (including long-term care facilities), land use planning, and investment in public service facilities will be co-ordinated to implement the Growth Plan. Public service facilities and public services should be co-located in community hubs and integrated to promote cost-effectiveness. 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.

It is Planning staff's opinion that the proposal is consistent with and conforms with the Growth Plan.

While it does not fall directly under the PPS or Growth Plan, it is worth noting that the Province has assigned a housing target to the County to the year 2031. Although Haldimand County has not officially accepted the provincially assigned housing target due to other factors attached to it, it has pledged to work towards the assigned number as an acknowledgement of the current housing crisis. Recent amendments to the Province's definition of housing units that count towards meeting the target now includes long-term care beds. This means that upon initiation of construction, this project would account for 64 new housing starts.

Haldimand County Official Plan

The subject property is designated 'Residential' in the Haldimand County Official Plan (OP). The OP states that Haldimand County is committed to providing a variety of social services including assisted living or long-term care to enable residents to enjoy a high quality of life.

Accordingly, the OP permits community-oriented, institutional uses including long-term care facilities in areas designated 'Residential' in accordance with the following criteria:

- a) the use should generally be located in proximity to an arterial or collector road;

Planning Comment: The subject property fronts onto Lock Street West, which is an arterial road.

- b) adequate on-site parking must be provided, including provision for drop-off and pick-up facilities, where required;

Planning Comment: A Zoning By-law Amendment application (PLZ-HA-2022-105) was approved by Council on September 26, 2022 to address the provision of parking for the expansion at an off-site location (405 Broad Street West). The Haldimand County Zoning By-law HC 1-2020 permits the off-site approach to parking for institutional uses subject to the execution of an agreement that 'ties' the supply to the benefitting lands. The applicant will be required to submit a Site Plan application, including a site plan agreement, to commit parking on 405 Broad Street West to the HWMH campus (including Edgewater Gardens).

- c) screening and buffering shall be implemented in accordance with the policies of the OP, as appropriate; and,

Planning Comment: A Site Plan application will be required to address the site details, window placement, and screening and buffering relative to adjacent residential uses. The future site plan application will be in-line with existing development on the HWMH campus, thus maintaining existing setbacks, and will have an appearance and function typical of the existing hospital campus. The future site plan application will need to conform to all required setbacks to the street and adjacent properties in the Haldimand County Zoning By-law, thereby resulting in preferred urban design and buffering.

- d) buildings are designed in a manner that reflects the character of the neighbourhood in which it is proposed, including consideration of nature, scale and density of existing development in the vicinity.

Planning Comment: To be addressed through the Site Plan application process. Elevation drawings will be required as part of the Site Plan application package.

It is Planning staff's opinion that the proposal is consistent with the Haldimand County Official Plan.

Haldimand County Zoning By-law HC 1-2020

The subject property is currently zoned 'Urban Residential Type 2 (R2)' Zone. The 'R2' Zone does not permit institutional uses, including a long-term care facility or hospital. The existing health care campus is zoned 'Community Institutional (IC)' Zone with special provisions for permitted uses, setbacks, and

parking. The applicant is proposing to rezone the subject property to the 'IC' Zone to permit the expansion to Edgewater Gardens and expand the overall campus.

Edgewater Gardens will be required to merge the subject property with 428, 432 and 434 Broad Street West through a Deeming By-law to bring the subject lands into conformity with the Zoning By-law prior to construction. Edgewater Gardens will also be required to satisfy the standard 'IC' zone provisions for items such as setbacks, landscaping strips (buffers), parking, and loading or apply and receive approval for a subsequent Minor Variance application if any provisions are not met. The standard IC zone provisions are similar to, and in some cases more conservative than, those of the R2 zone, in particular as it pertains to setbacks and height restrictions. Given this, the resultant Edgewater expansion would be at an appropriate scale of development that will seamlessly fit in the area.

Similarly, the 'IC' Zone is under Site Plan Control. A Site Plan application, including a Site Plan Agreement must be entered and be approved by the General Manager of Community & Development Services prior to building permits being obtained. Planning staff recommends that a Holding (H) provision be affixed to the zoning of the subject lands to require approval of a Deeming By-law and Site Plans, including Site Plan Agreements. This will permit Council to amend the principle of land use today, while ensuring that zoning conformance and Site Plan matters are addressed prior to site alteration and development.

It is Planning staff's opinion that the subject application generally conforms with the Haldimand County Zoning By-law HC 1-2020 provided that a Holding (H) provision is affixed to the zoning of the subject lands to address certain matters as noted above.

A Zoning By-law is included as Attachment 3 to the subject report. A Holding (H) provision removal by-law authorizing the General Manager of Community & Development Services to remove the H provision when all conditions have been satisfied is included as Attachment 4.

Conclusion

It is Planning staff's opinion that the subject applications are consistent with the Provincial Policy Statement (2020), conform to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020), conform to the Haldimand County Official Plan, and are appropriate and compatible development for the subject lands. Planning staff recommend approval of the subject application in principle subject to final decision at the June 18, 2022 Council in Committee meeting.

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 Agreements and will be posted to the County prior to Site Plan Approval. 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. Development Charges will be provided to the County at the time of building permit application.

STAKEHOLDER IMPACTS:

Mississaugas of the Credit First Nation – No comments received.

Six Nations of the Grand River – No comments received.

Grand River Conservation Authority (GRCA) – No comments received.

Planning Comment: It is noted that the property largely falls outside of the regulated Conservation Authority Lands, with only a very small portion at the south-west corner being captured.

Bell Canada – No comments received.

Canada Post – No comments received.

Emergency/Fire Services – No comments received.

Project Manager, Forestry Operations – No Comments received.

Engineering Services, Transportation Engineering Technologist – No comments received.

Building & Municipal Enforcement Services – Advised there are a number of deficiencies on the proposed Site Plan including providing the correct setbacks, snow storage, parking space dimensions, area of the expansion and loading space areas and dimensions.

Planning Comment: These items can be addressed at the detailed-design stage (i.e., Site Plan). Any provisions that do not comply with the Zoning By-law may require a Minor Variance application prior to the Site Plan being approved. These items do not impact the approval of the zoning by-law amendment.

No comments were received by any neighbouring property owner's or members of the public.

REPORT IMPACTS:

Agreement: Yes

By-law: Yes

Budget Amendment: No

Policy: No

REFERENCES:

None.

ATTACHMENTS:

1. Location Map.
2. Owner's Sketch.
3. Draft Zoning By-law.
4. Draft Holding (H) Provision Removal By-law.