



MANAGEMENT REPORT

Date: September 9, 2024
To: Mayor and Council
From: Robyn McIntyre, Consulting Planner for the City of Stratford
Report Number: COU24-105
Attachments: Maps, Agency and Public Comments

Title: Official Plan Amendment Application OPA01-24 and Zone Change Application Z02-24 for 3188 Vivian Line 37 in the City of Stratford

Objective: The purpose of this report is to describe the proposed development at 3188 Vivian Line 37 and the associated applications submitted by GSP Group on behalf of peopleCare. This Official Plan Amendment and Zoning By-law Amendment will facilitate the establishment of a Nursing Home and a Retirement Home.

The purpose of the Official Plan Amendment application is to add a site-specific policy to the existing 'Residential Area' designation which will increase the maximum height on the north portion of the subject lands from 4 storeys to 5 storeys, and to increase the maximum height on the south portion of the subject lands from 4 storeys to 7 storeys.

The purpose of the Zoning By-law Amendment application is to rezone the property from Agricultural ("A") and Urban Reserve ("UR") to two separate site-specific Community Institutional Zones ("IN1-___" and "IN1-___"). Different site-specific provisions are requested for the north and the south portions of the subject lands. The following site-specific provisions are requested for each:

North Portion

- Section 2.3.2 b) of the Zoning By-law shall not apply;
- To limit the total number of beds permitted in the Nursing Home to 288;
- To reduce the minimum south interior side yard setback to 0.0 metres, whereas the Zoning By-law currently requires 9.9 metres;
- To reduce the minimum overall Landscaped Open Space requirement to 28%, whereas the Zoning By-law currently requires 35%;

- To add a provision stating that the Landscaped Open Space requirement shall include green roofs above ground level, for clarity;
- To reduce the minimum Landscaped Open Space requirement for Parking Lots with more than 50 parking spaces to 7.5%, whereas the Zoning By-law currently requires 15%;
- To remove the requirement for a planting strip between parking areas or aisles and lot lines where the IN1-_____ zone (north portion of 3188 Vivian Line 37) and the IN1-_____ zone (south portion of Vivian Line 37) abut, whereas the Zoning By-law currently requires a 1.5 metre planting strip or 0.15-metre-wide fence, wall, hedge, or shrub;
- To reduce the minimum bicycle parking requirement for the Nursing Home to 6 spaces, whereas the Zoning By-law currently requires 34 spaces;
- To add a provision that allows bicycle parking to be within 35 metres of the principle building entrance or the main employee entrance, whereas the Zoning By-law currently requires that bicycle parking be within 35 metres of the principle building entrance only;
- To reduce the minimum number of loading spaces for a Nursing Home to 2, whereas the Zoning By-law currently requires 3 spaces;
- To reduce the minimum loading space setback from the south interior lot line to 0.0 metres, whereas the Zoning By-law currently requires 1 metre where abutting a non-residential zone;
- To add a provision stating that a loading space shall not be required to be abutting the Nursing Home building, whereas the Zoning By-law currently requires that the space abuts the building; and
- To allow access and maneuvering to and from a loading space to exceed the boundaries of the subject lands only into a Right-of-Way easement registered in favour of the subject lands, whereas the Zoning By-law currently requires that access and maneuvering must be located on the same lot.

South Portion

- Section 2.3.2 b) of the Zoning By-law shall not apply;
- To allow a Personal Care Establishment and Personal Service Establishment accessory to a Retirement Home, whereas the Zoning By-law does not currently permit these as primary or accessory uses in the IN1 Zone;
- To reduce the minimum west interior side yard setback to 6.0 metres, whereas the Zoning By-law currently requires 12.25 metres;

- To reduce the minimum eastern interior side yard setback to 9.0 metres for a canopy, whereas the Zoning By-law currently requires 12.25 metres;
- To reduce the minimum rear yard setback to 0.0 metres, whereas the Zoning By-law currently requires 7.5 metres;
- To increase the maximum lot coverage to 34.5%, whereas the Zoning By-law currently allows a maximum of 30%;
- To remove the requirement for a planting strip between parking areas or aisles and lot lines where the IN1-XX zone (north portion of 3188 Vivian Line 37) and the IN1-XX zone (south portion of Vivian Line 37) abut, whereas the Zoning By-law currently requires a 1.5 metre planting strip or 0.15-metre-wide fence, wall, hedge, or shrub;
- To remove the parking requirement for a Personal Care Establishment and Personal Service Establishment accessory to a Retirement Home, whereas the Zoning By-law currently requires parking to be provided at a rate of 1 parking space per 30 square metres of net floor area for a Personal Care Establishment and a Personal Service Establishment;
- To reduce the minimum number of loading spaces required for a Retirement Home to 1, whereas the Zoning By-law currently requires 3;
- To reduce the minimum loading space setback from the rear lot line to 0.0 metres, whereas the Zoning By-law currently requires 1 metre where abutting a non-residential zone;
- To add a provision stating that a loading space shall not be required to be abutting the Retirement Home building, whereas the Zoning By-law currently requires that the space abuts the building; and
- To allow access and maneuvering to and from a loading space to exceed the boundaries of the subject lands only into a Right-of-Way easement registered in favour of the subject lands, whereas the Zoning By-law currently requires that access and maneuvering must be located on the same lot.

Staff Note:

Decorative Fencing Inclusion

The original circulation of the application indicated that site specific relief was also requested for both the north portion and south portion as follows:

"To add a provision stating that the vertical area of any decorative fencing or walls shall count towards the minimum Landscaped Open Space requirement for Parking lots with more than 50 parking spaces, for clarity;"

Upon subsequent review and based on agency comments, it has been determined that this relief is no longer required. Staff and the applicant have agreed to remove this site-specific provision from the request for both the north and south portions.

Landscaped Open Space

The applicant has submitted two site plan applications, one for the north parcel and one for the south parcel. Through the site plan application process for the north parcel, it was identified that the Landscaped Open Space contribution provided by the green roof was included in the calculation for Parking Lot Landscaped Open Space rather than the north-site-wide Landscaped Open Space. The green roof contributes 2% Landscaped Open Space and should contribute to the north-site-side Landscaped Open Space.

While the green roof's Landscaped Open Space contribution was allocated to the incorrect provision, ultimately the same amount of Landscaped Open Space is provided. As such, Staff have made the required adjustment to the Zoning By-law Amendment to reflect this adjustment. The Zoning By-law Amendment now requests a Landscaped Open Space of 28% whereas the Zoning By-law requires 35%. The Parking Lot Landscaped Open Space of 7.5%, whereas the Zoning By-law requires 15%.

Noise Study

A Noise Study was requested from the applicant to review the impacts of on-site noise sources. The Noise Study was received by the City of Stratford on August 29, 2024. The Noise Study determined that the potential environmental noise impact from road traffic and stationary noise is not significant. The recommendation for the north parcel was that central air-conditioning should be required, and a barrier is required along the inside and outside of the roof's edge. These elements will be incorporated into the development of the north parcel through the Site Plan Application and Building Permit process.

As the Noise Study focused on the development of the North Parcel, Staff are recommending a Holding Provision be established on the South Parcel to prohibit the construction of any buildings or structures prior to the completion of a Noise Study; this Holding Provision would implement the requirements of the Official Plan. Specifically, the recommended Holding Provision is as follows:

Uses Permitted Until the Holding Provision is Removed:

Site Alteration is permitted only to legally establish the north parcel (3188 Vivian Line 37) and south parcel (3184 Vivian Line 47) as well as any required easements. All other Site Alteration shall be prohibited until the Holding Provision is removed.

Site Development is permitted only to establish site elements that are shared with the North Parcel (3188 Vivian Line 37), including a driveway, parking area, and servicing

infrastructure. All other Site Development shall be prohibited until the Holding Provision is removed.

Conditions for Removal of Holding Provision:

That a Noise Study be completed to the satisfaction of the City of Stratford.

This would be a site-specific Holding Provision. Once a Noise Study is completed to the satisfaction of the City of Stratford, the Holding Provision could be removed, and the site could be developed in accordance with the requirements of the Zoning By-law.

Background:

Interpretation of this Report

- "Subject Lands" refers to 3188 Vivian Line 37 as it presently exists.
- "Adjacent" refers to property directly beside 3188 Vivian Line 37 as it presently exists.
- "OPA" refers to Official Plan Amendment application OPA01-24.
- "ZBA" refers to Zoning By-law Amendment application Z02-24.
- "Long-Term Care Facility" refers to the proposed development as a whole, being the Nursing Home on the north parcel, Retirement Home / Seniors Apartments on the south parcel, and all associated parking and landscaping.

History of Proposal

On January 13, 2022, the Ontario Ministry of Long-Term Care and the Perth-Wellington MPP, Randy Pettapiece, announced that approval had been given to peopleCare to build a new 160-bed Nursing Home in Stratford. This new facility is proposed to re-establish the 60 Long Term Care beds that were lost when the previous peopleCare Stratford home on Mornington Street was closed due to a flood in 2015. This new facility would also add 100 new beds and has been envisioned as part of a "campus of care" which would include a range of seniors housing and support options through a phased development.

In October 2022, the City of Stratford announced discussions with peopleCare on the potential development of the Nursing Home on one of two City-owned properties. The properties that were considered included: a portion of the Grand Trunk site (also known as the Cooper Block), or a vacant greenfield property at 3188 Vivian Line 37 in the north end of the City. Since discussions began, the Vivian Line 37 property has been identified as the preferred choice for the proposed development. It is approximately 5.7 acres in area, with access to municipal services from Vivian Line 37.

Following the selection of the site, a proposal was prepared. The proposal included a 288-bed Nursing Home on the north portion of the subject lands, and a 150 unit / 164-bed Retirement Home on the south portion of the subject lands. The Nursing Home on the north portion of the subject lands is proposed to be five-storeys in height. The Retirement Home is proposed to range from five to seven-storeys in height. The proposal also included associated resident parking, visitor parking, staff parking, landscaped space, amenity space, and other components.

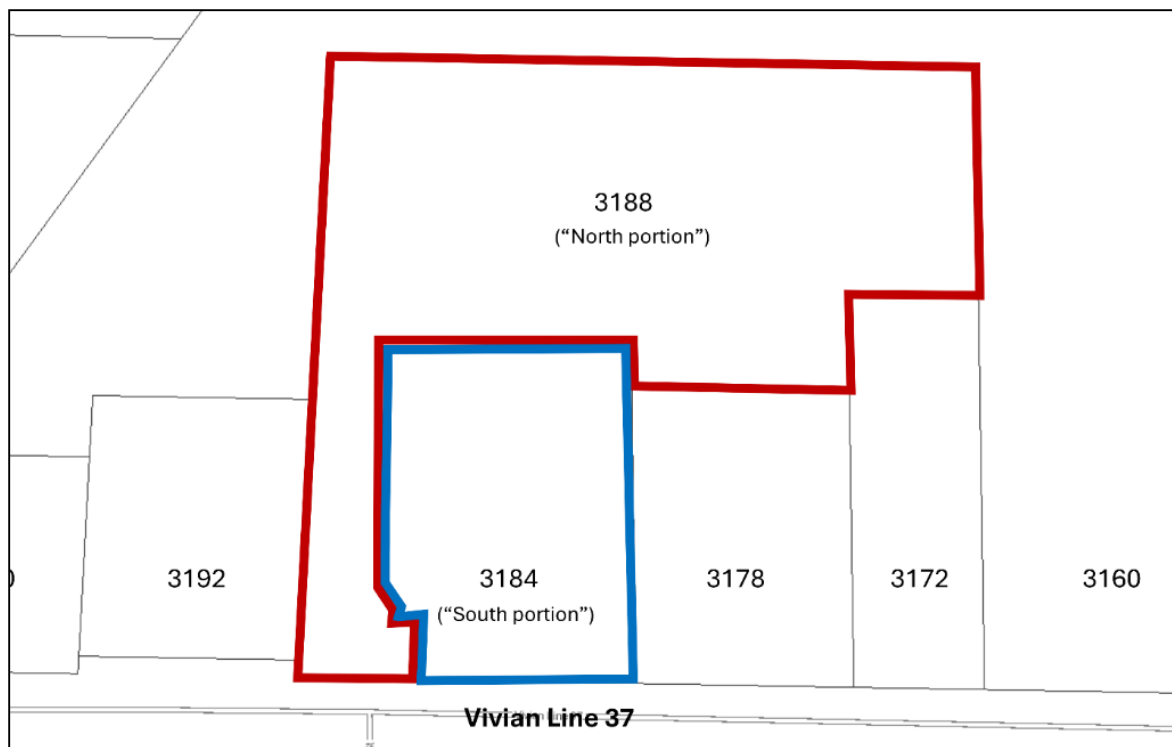
At the May 28, 2024, City Council meeting, a Notice of Intent was issued to 'Consider Declaring as Surplus and to Dispose of 3188 Vivian Line 37'. The matter was considered by City Council at its June 10, 2024, Regular Meeting. Minutes from this meeting are available online, on the City of Stratford's Council Calendar website.

At this meeting, City Council approved a resolution to declare the Vivian Line 37 lands as surplus, to dispose of the lands via direct negotiation and sale to a Nursing Home provider, and directed that Staff prepare a further report for Council's consideration. This resolution can be found online on the City of Stratford's Council Calendar website. A report on the potential sale of the property at 3188 Vivian Line 37 is to be considered by City Council.

peopleCare has retained GSP Group to assist with the planning applications required to facilitate the proposal. A Formal Consultation Application was received on May 1, 2024, to gather preliminary comments on the proposal. Applications for an Official Plan Amendment and Zoning By-law Amendment were received on June 28, 2024. Applications for Site Plan were received on July 3, 2024.

Proposed Phasing

The City has the authority to divide the lands through a Reference Plan prior to disposing of them. The lands are proposed to be divided into two parcels as outlined on the key map below. The north parcel (outlined in red) is to be municipally known as 3188 Vivian Line 37, and the south parcel (outlined in blue) is to be municipally known as 3184 Vivian Line 37.



The north parcel is proposed to be developed first, with the 5-storey 288-bed Nursing Home with associated parking, landscaping, amenities, and other components as Phase 1. The south parcel is proposed to be developed later, consisting of a 5 and 7 storey building containing 150-unit / 164-bed Retirement Home and associated parking, landscaping, amenities, and other components as Phase 2.

Site Characteristics

Characteristic	Information
Existing Use	Vacant / Agricultural
Frontage	94.5 metres
Depth	175 metres
Area	23,309 square metres
Shape	Irregular

Surrounding Land Uses

Direction	Use
North	Agricultural
East	Rural Residential and Agricultural
South	Residential
West	Residential and Agricultural

Public Comments

The Notice of Application and Public Meeting was sent to property owners within 120 metres of the subject lands on July 19, 2024. Notice was also included in the Town Crier portion of the Beacon Herald on July 20, 2024. Public comments received prior to the finalization of the Public Meeting Staff Report were appended to the report and addressed at the Public Meeting held on August 12, 2024. At this meeting, additional comments were received which are reviewed and analysed within this report.

Agency Comments

The Zone Change and Official Plan Amendment applications materials were sent to agencies for review and comment on July 5, 2024, with comments being due July 19, 2024. The agency comments received to date have been appended to this memo. Some agency comments have been discussed within this memo where appropriate.

Analysis:

Provincial Policy Statement, 2020

Resilient Development and Land Use Patterns

The PPS provides policy direction on achieving efficient and resilient development and land use patterns. This direction includes accommodating an appropriate range and mix of residential types in order to meet the long-term needs of the community.

The proposed development would establish a total of 288 Nursing Home beds in addition to 164 Retirement Home / Seniors Apartment beds. The addition of these beds provides a mix of residential types for the community.

Settlement Areas

The PPS specifically notes that settlement areas are to be the focus of growth and development. The City of Stratford is identified as a settlement area under the PPS.

Land use patterns within settlement areas are to efficiently use land and resources in addition to infrastructure and public service facilities.

The subject lands are within the City of Stratford's settlement area, and as such are appropriate for growth and development. The subject lands have access to municipal services which have capacity to service the subject lands, and a collector road which is intended to serve local travel demands to provide connections within neighbourhoods.

Land Use Compatibility

With respect to land use compatibility, developments are to avoid potential adverse effects from odour, noise, and other contaminants. Where avoidance is not possible, developments should mitigate these potential effects.

The proposed development includes a Nursing Home, a Retirement Home, and Seniors Apartments. These institutional and residential uses are complementary to the Residential designation in which they are proposed.

A Noise Study was requested from the applicant to review the impacts of on-site noise sources. The Noise Study was received by the City of Stratford on August 29th, 2024. The Noise Study determined that the potential environmental noise impact from road traffic and stationary noise is not significant. The recommendation for the north parcel was that central air-conditioning should be required, and a barrier is required along the inside and outside of the roof's edge. These elements will be incorporated into the development of the north parcel through the Site Plan Application and Building Permit process.

As the Noise Study focused on the development of the North Parcel, Staff are recommending a Holding Provision be established on the South Parcel to prohibit the construction of any buildings or structures prior to the completion of a Noise Study; this Holding Provision would implement the requirements of the Official Plan and would be site-specific. Once a Noise Study is completed to the satisfaction of the City of Stratford, the Holding Provision could be removed, and the site could be developed in accordance with the requirements of the Zoning Bylaw.

Housing

At the direction of the PPS, Planning authorities shall maintain the ability to accommodate residential growth; residential growth can take place through intensification. Through this residential growth, Planning authorities are required to provide for an appropriate range and mix of housing densities and options.

The proposed Nursing Home, Retirement Home, and Seniors Apartments contribute to the range and mix of housing densities and options to the City of Stratford. As the subject lands are within the City's settlement area and given their Residential Areas

designation in the Official Plan, they are appropriate to accommodate this institutional and residential growth.

Infrastructure and Public Service Facilities

Generally, the PPS promotes the use of existing infrastructure and public service facilities to ensure they are optimized and adaptively reused where appropriate.

The proposed development can be serviced by the existing municipal water, wastewater, and sewer infrastructure available along Vivian Line 37.

Long-Term Economic Prosperity

Development should support the long-term economic viability of communities by encouraging residential development to provide a range of housing options and optimize the long-term use of land.

The proposed Nursing Home, Retirement Home, and Seniors Apartments optimize the long-term use of the subject lands. These institutional uses are relevant to long-term community prosperity and allow community members to age in place within the City of Stratford. Overall, this supports improved quality of life and the economic viability of the City of Stratford.

City of Stratford Official Plan

Under Section 21 of the *Planning Act, R.S.O. 1990, c. P. 13*, municipal councils are permitted to consider and “*initiate an amendment to, or the repeal of, any official plan that applies to the municipality [...]*”.

As such, the subject OPA application has been submitted requesting a maximum height of five storeys on the north parcel, and five to seven storeys on the south parcel. In the instance of both the north and south parcels, the Official Plan currently permits a maximum of four storeys.

Schedules and Designations

Schedule A of the City of Stratford Official Plan identifies the subject lands as being designated ‘Residential Areas’; Schedule C identifies the subject lands as being partially in a SPP Significant Threat Area; and Schedule D identifies Vivian Line 37 as being a Collector road.

Section 3 – General Policy Directions

As per policy 3.2.3, the subject lands meet the general definition of a ‘Major Redevelopment Site’ as they have potential for residential development, exceed 2 hectares, are located on a Collector road, and are not within a Mixed-Use Corridor Area, Industrial Area, or Parks and Open Space Area. Evaluation criteria for Major

Redevelopment Sites are included under Subsection iii. The proposed development meets these criteria as follows:

- a) The proposed development is well setback from neighbouring residential uses and has been designed to place the tallest portion of the development (7-storeys) central to the site allowing the development to scale down closer to adjacent uses.
- b) The ground floor of the proposed development has been designed to consider pedestrian safety through pick-ups, drop-offs, deliveries, and general movement. Through the site plan process, the site will create an active and inviting street frontage.
- c) There are parking spaces between the Retirement Home building and the front lot line which are 13.5 metres from the front lot line. These parking spaces are outside of the minimum front yard setback of 7.5 metres. The majority of surface parking spaces are internal to the subject lands and are buffered from streets and residential uses as required. Details on the contents of this buffering will be determined during the site plan stage.
- d) The proposed development has been designed with consideration to public safety and accessibility given the nature of the proposed uses. There are sidewalks along Vivian Line 37 that offer connection to public facilities such as parks.
- e) A 45-degree angular plane test is often used to measure the compatibility of a building and identify if any mitigation is required for the mass of the building; this test is completed from eye-level at the property line. Both the five and seven-storey building portions on the south property remain approximately 17.6 metres from the nearest property line (to the east). This setback would permit an approximately 6-storey building under a 45-degree angular plane test.

A Shadow Study was requested for only the seven-storey portion of the proposed building given the difference between the requested height and the current permissions of the Official Plan (four-storeys). Staff have discussed the requirement for this Shadow Study with the applicant and it will be completed during the site plan amendment stage for Phase 2 on the south parcel.

- f) Preliminary grading, drainage, and stormwater management plans were provided with OPA and ZBA applications; there were no concerns with materials that were identified during the agency circulation process. The detailed design of these plans will take place during the site plan stage.
- g) Preliminary landscape plans were provided with OPA and ZBA applications; there were no concerns with materials that were identified during the agency

circulation process. The detailed design of the landscape plan will take place during the site plan stage.

- h) The proposed development is well setback from adjacent properties and does not significantly restrict or prevent development of adjacent properties in accordance with the Official Plan and Zoning By-law.
- i) Excess parking is provided in comparison to the requirements of the Zoning By-law. As permitted by the Zoning By-law, a Parking Agreement will be required to address the allocation of 'off-site' parking spaces for the south parcel, which are located on the north parcel. This Agreement will be part of the site plan stage. The installation or rough-in of electric vehicle parking spaces will be reviewed at the site plan stage as well.
- j) The subject lands front onto Vivian Line 37, a collector road. Transit Route 5 – Devon City Public Transit services which extends north along Romeo Street North, east along Vivian Line 37, and then south along Fairfield Drive. Opportunities to provide a pedestrian activated crosswalk light across Vivian Line 37 will be considered at the site plan stage.

As required under policy 3.5.6, an Archaeological Assessment has been completed on the subject lands and concluded that no archaeological material was documented during the assessment, and that no further archaeological assessments were required. This Archaeological Assessment has been entered into the provincial register.

Section 4 – Land Use Strategy

Per policy 4.2, the subject lands are designated Residential Areas. In these areas, residential development is focused in stable, well established residential neighbourhoods. These neighbourhoods include a range of related uses such as parks and schools; a Nursing Home is also considered a related use. Undeveloped lands on the periphery of the City are intended for future residential development.

The proposed development is a related use as permitted under the Residential Areas designation. The subject lands are 'undeveloped lands on the periphery of the City' and as such are intended for future residential use in accordance with the Official Plan.

Additionally, policy 4.5, encourages residential areas to achieve a mix of housing types and a minimum average density of housing in the development of new residential areas in order to provide diversity in housing stock. Residential Areas are intended to permit low and medium density residential uses in addition to complementary non-residential uses. Certain non-residential uses are permitted provided they are complementary to, or compatible with, the neighbourhood. Institutional uses are considered a complementary use to residential uses.

The proposed uses are considered complementary non-residential uses. The Official Plan does not establish density targets for complementary non-residential uses / institutional uses such as Nursing Homes and Retirement Homes.

Policy 4.5 also provides that the proposed development constitutes a New Residential Area. The maximum height permitted in a New Residential Area is four storeys. The proposed development exceeds the maximum of 4 storeys, and thus a site-specific policy is required to permit the proposed development. The building on the north parcel is proposed to be 5 storeys, and the building on the south parcel is proposed to be 7 storeys and site-specific policies for both parcels have been requested by the Official Plan Amendment application.

The proposed OPA would be specific to the proposed uses. Rather than generally permitting a 'five or seven storey height', the OPA proposes to permit a five storey Nursing Home on the north parcel, and a five to seven storey Retirement Home and Seniors Apartments on the south parcel. By tailoring the OPA to the specific uses of the proposed development, neighbours are granted some certainty in terms of the proposal and the applicant maintains flexibility to adjust the development details within the scope of the overall uses proposed.

Section 5 – Environment and Sustainability Strategy

The Source Protection Plan ("SPP") Significant Threat Area prohibits any uses that are or would be, a significant drinking water threat as identified in the Thames-Sydenham Drinking Water Source Protection Plan (5.4.3).

The SPP Significant Threats Area on the subject lands is in the southwest corner of the subject lands. No buildings are proposed in this location. The uses proposed within the subject lands as a whole do not constitute significant drinking water threat.

Section 7 – Community Infrastructure

Vivian Line 37 is identified as a collector road which is intended to serve local travel demands providing connections within neighbourhoods. Collector roads are required to have a road allowance width of 23 metres. In accordance with policies 7.2.1 and 7.2.2 the City shall require that sufficient lands be conveyed to the City to provide the appropriate Right-of-Way width through the site plan stage. The Site Plan provided with the OPA and ZBA applications identifies the required road widening area to be retained by the City.

All new urban development shall be connected to municipal water and sanitary sewer systems and shall only be permitted where the systems have adequate capacity to service such development and/or redevelopment. The proposed development is intended to be on municipal water and sanitary sewer systems and therefore satisfies this requirement. The agency circulation process raised no concerns regarding the capacity of these services or their ability to service the subject lands.

In order to ensure the City's supply of parkland is maintained, the City shall, as a condition of plan of subdivision, consent, or site plan approval, require the conveyance of land for parkland or other public recreational purposes based on the parkland conveyance provisions of the Planning Act. Parkland dedication will be collected at the site plan stage process through cash-in-lieu of parkland for both Phase 1 and Phase 2.

Development proposals shall be reviewed to ensure they are designed to accommodate emergency vehicles and other safety considerations. Adequate access and safety considerations are to be addressed at the site plan stage. The City's Fire Prevention department has advised that there are no concerns with providing emergency services to the proposed development.

Northeast Secondary Plan Background Study and Policies

The subject lands are designated 'Residential' in the City of Stratford's Northeast Secondary Plan ("the Secondary Plan"). Policies for the Northeast Secondary Plan Area are included Section 11.1 of the Official Plan.

The predominant use of land in the Secondary Plan area will be low density residential uses. Medium density residential uses are to be restricted to townhouses, quadraplexes, or apartment style-residences (11.1.2.12). The proposal includes a Nursing Home and Retirement Home which are complimentary to low and medium density residential uses as permitted by the Secondary Plan.

Summary

In summary, Council is permitted to consider the subject OPA under Section 21 of the *Planning Act, R.S.O. 1990, c. P. 13*. The proposed amendment would facilitate the addition of a range and mix of housing options to Stratford's housing stock in accordance with the direction of the PPS and is in general conformity with the intent of the Official Plan. For these reasons, Staff are recommending approval of OPA01-24.

City of Stratford Zoning By-law

Under Section 34 of the *Planning Act, R.S.O. 1990, c. P. 13*, municipal councils are permitted to consider amendments to Zoning By-laws passed under the same section of the *Planning Act*. As such, the subject ZBA application has been submitted requesting a number of amendments to the City of Stratford's Zoning By-law for the north and south parcels separately which are reviewed and evaluated in this section.

Evaluation of Site-Specific Provision Requests

1) Permitted Uses (Primary and Accessory)

The subject lands are split zoned, part Urban Reserve ("UR") and part Agricultural ("A"). The UR zone permits existing uses, home occupations, and single detached dwellings;

the proposed Nursing Home and Retirement Home are not currently permitted in the UR zone. The A zone permits agricultural uses, agricultural related uses, animal shelters, conservation uses, forestry, home occupations, institutional uses, livestock facilities, non-farm residential uses, on-farm diversified uses, and wayside permit aggregate operations. In this instance, 'institutional uses' refers to the following:

"[...] public or private school, place of worship, day care centre, nursing home, fire station, police station, ambulance dispatch office, ambulance terminal, administrative office of a municipal, provincial or federal government agency, auditorium, hospice, hospital, library, museum, park, and recreational park, or other similar type uses."

The proposed use is not currently permitted in the A zone. The ZBA proposes to rezone the subject lands with two separate site-specific Institutional Community zones to permit the proposed Nursing Home and Retirement Home uses. One site-specific zone would be for the north parcel, and the other would be for the south parcel.

As previously discussed in this report, the proposed uses are complementary to residential uses and are permitted in the Residential Areas designation of the Official Plan. Therefore, this site-specific request maintains the intent and purpose of the Official Plan and is appropriate to accommodate the proposed development.

2) Accessory Personal Care and Personal Service Establishments

The proposal includes personal care and personal service establishments within the Retirement Home, which does not presently permit accessory uses. As such, the ZBA requests a site-specific provision to permit a personal service and personal care establishments accessory to a Retirement Home.

The proposed build-out of the subject lands would establish an institutional long-term care facility, including a Nursing Home and Retirement Home. The definition of a 'Nursing Home' in the Zoning By-law allows for the inclusion of personal care as part of the overall establishment, however, these uses are proposed to be accessory to the Retirement Home. The proposed personal care and personal service establishments are intended to serve residents of this long-term care facility—the Nursing Home and Retirement Home alike—to make daily activities easier. For these reasons, the proposed personal care and personal service establishments would be complementary to the nature and function of the proposed institutional uses. Therefore, this site-specific request maintains the intent and purpose of the Official Plan and is appropriate to accommodate the proposed development.

3) No Parking for Accessory Personal Care and Personal Service Establishments

The proposed Personal Care and Personal Service Establishments are intended to service residents of the Nursing Home and Retirement Home; any parking associated with these uses would be for employees. The proposed development provides 46

parking spaces in excess of the Zoning By-law requirements. Therefore, this site-specific request is appropriate for the proposed use of the subject lands.

4) Section 2.3.2 – Lots with More Than One Zone

Both the north and south parcels are proposed to have a site-specific provision exempting them from the requirements of Section 2.3.2 b) of the Zoning By-law, which regulates lots with more than one zone.

As previously mentioned, the subject lands are presently split zoned between UR and A. Should the ZBA be approved prior to the north and south parcels being separated, then the different site-specific IN1 zones for the north and south parcels would also result in the lot being split zoned.

Section 2.3.2 b) states that where a lot is split zoned, and a use is permitted in both proposed zones, then the separate zones shall be interpreted together as one lot. By exempting the north and south parcels from this provision, the parcels are required to be treated as separate lots before they are severed. This ensures compliance with the site-specific provisions as requested and allows for the orderly development of the subject lands. For this reason, this site-specific request is appropriate for the proposed use of the subject lands.

5) Maximum Density for Nursing Home

As noted earlier in this report, the Official Plan does not provide policies to regulate the density of institutional uses such as Nursing Homes. The applicant has requested a site-specific provision to limit the maximum number of beds within the Nursing Home to 288. Staff are of the opinion that this site-specific request is appropriate for the proposed use of the subject lands.

As some public comments indicated concerns with the proposed density and building height, Staff are of the opinion that this site-specific request provides neighbours some assurance that the density of the Nursing Home, in terms of proposed number of beds, cannot increase without another public process that they can participate in. This site-specific request is appropriate for the proposed use of the subject lands.

6) Reduced Loading Space Requirements

Site specific provisions were requested to reduce the required number of loading spaces on the north parcel from three to two for a Nursing Home, and on the south parcel from two to one for a Retirement Home. The applicant presently operates a number of long-term care facilities and has advised that the operational and service needs of the Nursing Home use can be satisfied with two loading spaces, and that the Retirement Home use can be satisfied with one loading space. In total, three loading spaces would be provided. Given that the uses will ultimately function together, this site-specific request is appropriate for the proposed use of the subject lands.

7) Location of Loading Spaces

Three site specific provisions have been requested to accommodate the proposed design and location of these loading spaces as outlined below.

The first site-specific request for the location of the loading spaces is to remove the requirement for loading spaces to abut the associated Nursing Home and Retirement Home buildings. To maintain the function of the site and allow pedestrians to circulate, sidewalks have been placed between the loading spaces and the Nursing Home / Retirement Home buildings. Some public comments indicated concerns with the pedestrian flow of the site. The sidewalks surrounding the loading spaces support pedestrian flow. As such, this site-specific request is appropriate for the proposed use of the subject lands.

The second and third requests are related. The second request is to allow a setback of 0.0 metres to the shared lot line between the north parcel and south parcel, and the third request is to allow access and manoeuvring to and from the loading spaces to cross the shared lot line between the north parcel and the south parcel.

The proposed development has been designed to locate all three loading spaces in one place, being west central to the site abutting a shared lot line between the north and south parcels. This design allows for the efficient use and function of the site as a long-term care facility in comparison to locating the loading spaces separately within each parcel and in compliance with the setbacks of the Zoning By-law. To ensure legal rights to cross property lines when accessing and manoeuvring to and from the loading spaces, reciprocal access easements will be required at the site plan stage. For these reasons, these site-specific requests are appropriate for the proposed use of the subject lands.

8) Setback of 0.0 metres for Building Link

A site-specific provision was requested for both the north and south parcels to accommodate the proposed building link which is a one-storey connection between the north façade of the Retirement Home and south façade of the Nursing Home. This building link allows the uses to function together as intended, creating the proposed long-term care facility. This site-specific request is appropriate for the proposed use and function of the subject lands.

Some public comments raised concerns about this requested setback. While the location of this request was clarified at the public meeting, Staff confirm that the site-specific provision has been drafted to specifically reference the shared lot line between the north and south parcels to ensure that this relief would only apply to the building link area. The aforementioned relief from Section 2.3.2 b) of the Zoning By-law assists with the enforcement of this setback prior to the lots being created.

9) Western Interior Side Yard Setback Reduction

A site-specific provision is requested to reduce the western interior side yard setback of the south parcel from 12.25 metres to 6.0 metres. This would apply to the lot line between the west façade of the Retirement Home building and the lot line shared with the north parcel.

Reciprocal easements would be required along this shared lot line between the north and south parcels to facilitate the movement and location of the proposed loading spaces, as discussed earlier in this report. The west façade of the Retirement Home remains approximately 27.5 metres from the west lot line that is shared between the north parcel and the adjacent property. For these reasons, this site-specific request is appropriate for the proposed use and function of the subject lands.

10) Eastern Interior Side Yard Setback Reduction

A site-specific provision is requested to reduce the eastern interior side yard setback of the south parcel from 12.25 metres to 9.0 metres. Typically, this setback would be measured from the eastern interior lot line to the façade of the Retirement Home building, which is 17.6 metres. However, a canopy extends over the entrance of the Retirement Home building and the lay-by lane, projecting closer to the lot line than the Retirement Home façade. As such, the setback is instead measured from the eastern interior lot line to the canopy, this distance measures 9.0 metres.

Some public comments voiced concerns with pedestrian safety during pick-ups and drop-offs from the proposed long-term care facility. The proposed canopy addresses some of these concerns as it covers a lay-by lane which would allow incoming and outgoing visitors and residents easy, sheltered access to the main entrance of the Retirement Home. The canopy also offers refuge from the elements if it is sunny or raining, which can be a benefit to those with mobility challenges which was another concern expressed through public comments.

Given that the façade of the building is 17.6 metres from the eastern interior side lot line, and as the canopy assists in addressing public concerns, Staff are of the opinion that this site-specific request is appropriate for the proposed use and function of the subject lands.

11) Removal of Planting Strip Buffer from Abutting Parking Areas and Spaces

The ZBA requests a site-specific provision for both the north and south parcels to remove the requirement for a planting strip between parking areas and spaces along shared lot lines between the north and south parcels.

This request facilitates the function of the sites as a long-term care facility, allowing their drive aisles and parking areas to be connected for ease of use. This request would only apply to areas where the north parcel and south parcel abut internal to the sites.

This request would not apply to parking areas and spaces abutting adjacent properties, the applicant would still be required to establish planting strips between parking spaces and areas abutting adjacent properties. This site-specific request is appropriate for the proposed use and function of the subject lands.

12) Landscaped Open Space Requirement in Large Parking Lots

A site-specific provision is requested for the north parcel to allow a minimum landscaped open space area of 7.5% in large surface parking areas with more than 50 parking spaces, whereas the Zoning By-law presently requires a minimum of 15%.

For clarity, this requirement is above and beyond the landscaped open space requirements of the proposed Institutional Community zone.

The intent of this landscape open space requirement is to provide breaks in parking lots as traffic calming measures and to improve the aesthetic of parking lots. The proposed design includes a number of landscaped islands within the parking lot, and a number of traffic calming measures are included in the parking lot areas such as crosswalks and organic curves in the parking aisles. Details regarding the design of the landscaped islands will occur at the site plan stage. This site-specific request is appropriate for the proposed use of the subject lands.

13) Maximum Lot Coverage

The south parcel requests a site-specific provision to permit a maximum lot coverage of 34.5% whereas the Zoning By-law presently states a maximum of 30%. The purpose of this maximum requirement is to balance the impervious surfaces of a site with the pervious, landscaped areas which ultimately assists with stormwater management and drainage.

The south parcel includes landscaped open space to balance the proposed maximum lot coverage, including a number of landscaped islands, lawns, and a 25 metre by 30 metre landscaped open space central to the Retirement Home / Seniors Apartment building. Further, when looking at the north and south parcels together, the maximum lot coverage is 25% and a broader mix of landscaped open space is provided. Given that the north and south parcels will ultimately function together, and as the landscaped open space requirement balances across the entirety of the subject lands, this site-specific request is appropriate for the proposed use of the subject lands.

14) Minimum Landscaped Open Space Requirement

The north parcel requests a site-specific provision to permit a minimum landscaped open space area of 28%, whereas the Zoning By-law presently requires a minimum of 35%. Similarly to lot coverage, the purpose of this minimum requirement is to balance the impervious surfaces of a site with the pervious, landscaped areas which ultimately assists with stormwater management and drainage.

There were no concerns raised about the stormwater management report and preliminary drawings for this OPA and ZBA during the agency circulation phase. The applicant has provided that there are no concerns about drainage and balance of impervious surfaces on the subject lands. Further detailed review and design of the grading and drainage for the site will occur at the site plan stage. As such, this site-specific request is appropriate for the proposed use of the subject lands.

15) Green Roofs

The proposed development will incorporate a green roof on the north building, which is effectively an accessible garden-type space on the roof of the building. A site-specific provision has also been requested to allow green roofs to count towards Landscaped Open Space requirements as the definition of "Landscaped Open Space" requires that this space be located at ground-level, and effectively omits green roofs. This site-specific request is appropriate for the proposed use of the subject lands.

16) Bicycle Parking and Location

The north parcel has requested relief from the bicycle requirements of the Zoning By-law for two separate purposes. The first is to reduce the overall number of bicycle parking spaces required to 6 (6% of the required parking space count) rather than the Zoning By-law requirement of 34. There is no request for the south parcel, as it exceeds the bicycle parking requirement of 7 and provides 8 spaces.

The Zoning By-law does not provide a bicycle parking rate specific to Nursing Homes. As such, this use is categorized under "All other Institutional Uses" and required to provide bicycle parking at a rate of 2 spaces plus 1 space per 500 square metres of gross floor area. This rate is high in comparison to the bicycle parking requirements for other institutional uses in the Zoning By-law. For example, schools are only required to have one bicycle space per classroom, and Retirement Homes are only required to have 0.25 bicycle spaces per required visitor parking space. With the nature of the proposed Nursing Home Staff are of the opinion that this site-specific request is appropriate for the proposed use of the subject lands.

The second request is to permit the bicycle parking spaces to be within 35 metres of the main building entrance or the main employee entrance, whereas the Zoning By-law requires that the bicycle parking spaces be within 35 metres of the main building entrance only. This request would allow bicycle parking spaces to be dispersed throughout the site and located closer to the employee entrance, which promotes active transportation and aligns with the sustainability policies of the Official Plan. This site-specific request is appropriate for the proposed use of the subject lands.

Summary

In summary, Council is permitted to consider the subject ZBA under Section 34 of the *Planning Act, R.S.O. 1990, c. P. 13*. The proposed amendment would facilitate the establishment of a long-term care facility permitted by the Official Plan. The requested site-specific provisions provide appropriate relief from the Zoning By-law and would facilitate the proposed function of the subject lands. Staff are recommending approval of Z02-24.

Response to Comments

A Public Meeting for OPA01-24 and Z02-24 was held on August 12, 2024. This section provides responses to public comments received on OPA01-24 and Z02-24 prior to, at, and following the public meeting. This section may provide reference to another portion of this report if the response has already been discussed.

Site Plan Stage

A number of comments related to the detailed design of the subject lands which is addressed through the Site Plan process. Site Plan applications have been submitted for the north and south parcels, and the detailed design is in progress through consultation with Staff and relevant agencies. Certain studies, plans, and materials are to be addressed through the Site Plan applications and not the OPA01-24 and Z02-24. This includes the following materials that were mentioned in comments on this application:

- Drainage and Stormwater Management;
- Shadow Studies;
- Lighting / Photometric Studies; and
- Landscape Plans.

The City of Stratford has provided delegated authority for Staff to approve site plan applications. As such, these site plan applications are not public.

Preservation of Agricultural Lands

As discussed at the Public Meeting, the subject lands are located within the City of Stratford's settlement area and are intended for development. This is reflected in the policies of the City of Stratford's Official Plan and supported by the Provincial Policy Statement, 2020.

Increased Lot Coverage

Please refer to the following section of this report: *City of Stratford Zoning By-law, Evaluation of Site-Specific Provision Requests, 13*).

Reduced Setbacks

Please refer to the following section of this report: *City of Stratford Zoning By-law, Evaluation of Site-Specific Provision Requests, 7), 8), 9), and 10).*

Accessory Uses to Retirement Homes

Please refer to the following section of this report: *City of Stratford Zoning By-law, Evaluation of Site-Specific Provision Requests, 2) and 3).*

Traffic

As discussed at the public meeting, Vivian Line 37 is a collector road. For additional information within this report, please refer to the following section of this report: *City of Stratford Official Plan, Section 7 – Community Infrastructure.*

In Table 5 of the City's Transportation Master Plan as approved in 2023, Vivian Line 37 is identified as a candidate for a street classification change. Specifically, it is recommended that the portion of Vivian Line 37 between Mornington Street and Romeo Street be re-classified as an Arterial Road, a higher classification. The Official Plan indicates that Arterial Roads are intended to serve regional and local travel demands by carrying large volumes of all types of vehicular traffic. The City's Infrastructure Services Division provided the following comment on traffic along Vivian Line 37:

"Engineering: In the 2004 Northeast Secondary Plan, this area of the City is designated for growth, with Vivian Line identified as a collector road. This road is intended to handle moderate to high traffic volumes and facilitate connections within neighbourhoods. Vehicle speeds on this road are managed under provincial operational guidelines. Speed assessments were conducted in 2014, 2022, and 2023, and the results indicated that speeds were generally within acceptable limits. As with many of the City's collector roads, Staff have installed speed information signs for educational awareness. Enforcement was recommended to address occasional instances of speeding."

Concerns were raised about the speed of vehicles presently travelling along Vivian Line 37. This is an existing condition which would be outside the scope of the proposed development as it applies to a broader area (Vivian Line 37) which is not subject to OPA01-24 and Z02-24; these applications apply only to 3188 Vivian Line 37. Any actions Council would like to take to evaluate and address pedestrian safety along Vivian Line 37 should be addressed separately from OPA01-24 and Z02-24.

Pedestrian Safety

As discussed at the public meeting, there is presently a sidewalk extending from Mornington Street to Fairfield Street along the south side of Vivian Line 37. There is a sporadic sidewalk provided along the north side of Vivian Line 37 between Mornington

Street and Harrison Street, however it is not continuous. It is the intent of the City that a continuous sidewalk will also be provided on the north side of Vivian Line 37 in the future. The Transportation Master Plan approved in 2023 proposes a pedestrian crossing at the intersection of Mornington Street and Vivian Line 37 in the future.

Concerns were raised about the pedestrian safety along Vivian Line 37 as a direct result of high vehicle speeds. This is an existing condition that applies to a broad area (Vivian Line 37) which is outside the scope of the proposed development; the proposed development only applies to 3188 Vivian Line 37. Any actions Council would like to take to evaluate and address vehicular speeds along Vivian Line 37 should be addressed separately from OPA01-24 and Z02-24.

At the public meeting it was requested that a signalized crosswalk be established to connect the north and south sides of Vivian Line 37 and increase safety of future residents and staff when accessing the sidewalk or transit stop on the south side of the road. The City will consider crosswalk opportunities with the developer during the site plan stage.

Staff note that given the intent of providing a continuous sidewalk along both the north and south sides of Vivian Line 37, and as pedestrian safety is an existing concern, a signalized crosswalk would be utilized by and as a benefit to all members of the surrounding community. Given that a signalized crosswalk would benefit the greater community and not solely the proposed development, any actions Council would like to take to evaluate and address the feasibility of establishing a signalized crosswalk along Vivian Line 37 should be addressed separately from OPA01-24 and Z02-24.

Drainage and Stormwater Management

The stormwater management report and preliminary drawings provided with the OPA01-24 and Z02-24 submission indicate no concerns with managing drainage and stormwater on-site, which is typical for all developments. Details regarding the drainage of the site will be addressed at the site plan stage. Additional discussion on this topic can be found in the following section of this report: *City of Stratford Zoning By-law, Evaluation of Site-Specific Provision Requests, 13), 14), and 15).*

Parking

The Zoning By-law requires that the north parcel provide a minimum of 96 parking spaces and the proposal includes 139. The south parcel is required to provide a minimum of 103 parking spaces, and the proposal includes 106. In total, 199 parking spaces are required by the Zoning By-law, and 245 parking spaces are proposed. This is an excess of 46 parking spaces.

Some parking spaces for the south parcel are proposed to be located on the north parcel as permitted by the Zoning By-law. The specific location of these parking spaces would be addressed at the site plan stage.

Barrier-Free Parking

The Zoning By-law requires that the north parcel provide a minimum of 4 barrier-free parking spaces, and the proposal includes 4 spaces. The south parcel is required to have a minimum of 5 barrier-free parking spaces, and the proposal includes 5 spaces. In total, 9 barrier-free parking spaces are proposed, and the requirements of the Zoning By-law are met. Provided the parking requirements of the Zoning By-law remain satisfied, any parking adjustments to add or relocate certain parking spaces could be addressed through the site plan stage.

Comments from the public meeting requested that the applicant look at opportunities to provide additional barrier-free parking given the nature of the proposed uses. The applicant has advised that an additional accessible parking space is proposed on the north parcel for the Nursing Home; this adjustment will be reflected in the site plan at the site plan stage.

Electric Vehicle Parking

The City of Stratford's Zoning By-law does not require electric vehicle ("EV") parking spaces. The sustainability policies of the Official Plan would support the inclusion of EV spaces, however they cannot be required.

Comments from the public requested that the applicant look at opportunities to provide this parking, nonetheless. The applicant has advised that four parking spaces on the north parcel will be dedicated to electric vehicle parking with charging conduits.

Noise Study

Please refer to the following section of this report: Provincial Policy Statement > Land Use Compatibility. Additionally, please review the Staff Note Section of the Objective Section.

Emergency Vehicle Frequency

Some public comments expressed concerns with the noise emitted by emergency vehicles and increased frequency of these trips given the nature of the proposed development. Staff note that Section 4 of the City's Noise By-law indicates that emergency vehicles are exempt from the requirements of the By-law. As such, the noise from emergency vehicles cannot be mitigated. Noise from emergency vehicles is a part of urban life and experienced across the City; this is not unique to the proposed development.

Impacts on Trees

As discussed at the public meeting, tree removals will continue to be regulated by the City's Tree By-law. Any details regarding the landscaping of the site and proposed trees will be addressed at the site plan stage.

At the public meeting, a neighbour expressed concerns with some specific tree removals in proximity to their property. It is Staff's understanding that this neighbour is in contact with the applicant to discuss opportunities to relocate the affected trees, if possible.

Height and Density

Please refer to the following section of this report: *City of Stratford Official Plan, Section 3 – General Policy Direction and Section 4 – Land Use Strategy.*

Wind Study

Wind studies are typically requested for high rise buildings. The height of the building does not necessitate a Wind Study; this study was not requested by the City.

Shadow Study / Sunlight Study

A shadow study is being completed for the seven-storey portion of the south parcel to evaluate the shadow impacts. The details of the design and impacts of the Shadow Study will be reviewed and addressed at the site plan stage. Please refer to the following section of this report for additional information: *City of Stratford Official Plan, Section 3 – General Policy Direction, e).*

Lighting / Photometric Study

The proposed lighting for the exterior of the proposed buildings will be addressed during the site plan stage. During this review, consideration is given to ensure that there is no light 'spillage' onto neighbouring properties.

Contained Landscaped Space for Residents

The Nursing Home has an internal courtyard that acts as contained landscaped open space. Additionally, a green roof is proposed on the roof of the Nursing Home, which can act as contained landscaped space as well. The details of the landscaped open spaces will be addressed at the site plan stage.

Sustainable Measures

The detailed design of the site is addressed during the site plan stage which is in progress. As the design of the site has not yet been finalized, exact confirmation of features such as solar panels, use of recycled materials, and the ultimate lifespan of the

building cannot be confirmed at this time. The City of Stratford promotes sustainable development and will continue to encourage these features.

The applicant has provided that additional sustainable features are being discussed with their team. These features will be detailed during the site plan stage as appropriate.

Disposal Date for APS

Residents expressed interest in the proposed execution date for the sale of the subject lands. The sale of the lands is a legal matter that is being processed by the City's Corporate Services Department. The sale of the lands does not impact the planning merits of OPA01-24 or Z02-24.

Fire and Emergency Services

At the public meeting, the City advised that there are no concerns with providing fire and emergency services for the proposed building.

Lot Line Locations and Surveys

The applicant has had a legal survey of the subject lands prepared to show the location of all lot lines. This legal survey will be part of the public record as indicated at the public meeting and can be shared by the applicant.

Financial Implications:

Financial impact to current year operating budget:

There are no direct impacts to the current year operating budget as a result of the zoning change and official plan amendment applications. There is a financial implication to the City relating to the pending proposed disposition. Should these proposed changes be approved and the proposed disposition occurs, the proceeds from disposition will be realized at that time.

Financial impact on future year operating budget:

As there is no additional municipal infrastructure being assumed or created with this proposed development, there are no anticipated increases to operating costs to maintain services like roads linear infrastructure, or parks.

There will be a revenue impact to the City in the form of property tax revenues. These are dependent upon the assessed value determined by MPAC for the institutional use but will be reflective of other similar properties in the institutional classification.

Alignment with Strategic Priorities:

Enhance our Infrastructure

This report aligns with this priority as this proposal incorporates existing infrastructure, transportation networks and utilities to support sustainable growth.

Build Housing Stability

This report aligns with this priority as this proposal supports increasing housing availability, while targeting intensification.

Work Together For Greater Impact

This report aligns with this priority as the proposal promotes the reuse of existing lands to meet the housing needs of the community.

Alignment with One Planet Principles:**Health and Happiness**

Encouraging active, social, meaningful lives to promote good health and wellbeing.

Equity and Local Economy

Creating safe, equitable places to live and work which support local prosperity and international fair trade.

Culture and Community

Nurturing local identity and heritage, empowering communities and promoting a culture of sustainable living.

Travel and Transport

Reducing the need to travel, encouraging walking, cycling and low carbon transport.

Staff Recommendation: THAT Official Plan Amendment application OPA01-24 and Zoning By-law Amendment application Z02-24 as submitted by GSP Group on behalf of Stratford LTC LP c/o peopleCare Inc. to establish a Long-Term Care Facility on the lands municipally known as 3188 Vivian Line 37, Stratford BE APPROVED with the addition of a Site-Specific Holding Provision on the South Parcel, for the following reasons:

- 1. The request is consistent with the Provincial Policy Statement;**
- 2. The request is in conformity with the goals, objectives, and policies of the Official Plan;**
- 3. The request maintains the intent and purpose of the Zoning By-law, and is appropriate for the proposed use and function of the subject lands;**
- 4. The public were consulted during the application circulation and public meeting and comments that have been received in writing or at the public meeting have been reviewed, considered, and analyzed within the Planning Report;**

AND THAT Council pass a resolution that no further notice is required under Section 34 (17) of the Planning Act.

Prepared by:

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