

# **Attachment 11**

## **Staff Review and Planning Analysis**

### **Provincial Policy Statement, 2020**

The 2020 Provincial Policy Statement (PPS) came into effect on May 1, 2020. It provides policy direction on matters of provincial interest related to land use planning and development. All planning decisions, including the comments, submissions and advice provided to Council shall be consistent with the PPS.

Part IV of the PPS provides a vision for Ontario's Land Use Planning System, which directs growth and development to settlement areas by promoting "efficient development patterns (that) optimize the use of land, resources and public investment in infrastructure and public service facilities". Facilitating a range and mix of housing options through new development and intensification to respond to current and future needs is encouraged.

Policy Section 1.0 – Building Strong Healthy Communities is the most relevant to this application. It contains policies that promote efficient land use patterns that create housing opportunities, protect the environment, maintain public health and safety, facilitate economic growth and manage change.

Policy 1.1.1 of the PPS promotes creating and sustaining communities that are healthy, liveable and safe. This is achieved through planning efficient development and land use patterns having an appropriate range and mix of residential development types (i.e., multi-unit residential including housing for older persons), employment and other land uses to meet long term needs and sustain provincial and municipal financial well-being [1.1.1 a), b)]. Development must avoid land use patterns that may cause environmental or health and safety concerns [1.1.1 c)]. The integration of transit supportive development, intensification and growth management is to be promoted all while ensuring that the necessary supporting infrastructure and public service facilities are available [1.1.1 e), g)].

Policy 1.1.3 requires development in settlement areas to use land and resources wisely, considering opportunities for intensification and redevelopment as well as overall regeneration. Specifically, residential densities and a mix of uses are to make efficient use of land and resources while being appropriate for and having the ability to be accommodated by infrastructure and public service facilities that are planned or available. In addition, land use and development patterns in settlement areas are to support active transportation and be transit supportive [1.1.3.1, 1.1.3.2 a), b), e)]. Appropriate locations are to be identified to accommodate a significant supply and range of housing options through intensification and redevelopment that also considers existing nearby building stock and the availability of infrastructure and public service facilities [1.1.3.3]. Appropriate development standards are to be promoted that facilitate intensification, redevelopment and a compact built form, while mitigating risks to public health and safety [1.1.3.4].

Section 1.4 focuses on housing. The PPS requires an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents. This includes providing and creating housing for special needs, including for older persons, and directing new development to areas where existing infrastructure and public services are available. A priority is placed on intensification in built-up areas where the use of active transportation and public transit can be optimized. Cities are encouraged to set development standards for intensification to minimize costs and facilitate a compact built form.

As the City's Official Plan is to be the main instrument for implementation of the PPS in Guelph [4.6], a more detailed review on how the proposed Zoning By-law Amendment is consistent with the above PPS policies as well as policies in the City's Official Plan will be outlined later in this analysis.

In Planning staff's opinion, the proposal to develop a mixed-use retirement community with 226 units and commercial space is consistent with the PPS. The development represents mixed use intensification along two arterial roads. It will redevelop lands within the City's settlement area from a vacant and underutilized site to a higher density than what currently exists. The development will further create a mix of new housing options, including special needs housing and a residential form specifically intended for older persons. The development is compatible with the existing surrounding mix of land uses, including low and medium density residential. The proposed development will also efficiently make use of existing and planned infrastructure, including cycling and public transit.

### **Provincial Growth Plan for the Greater Golden Horseshoe (A Place to Grow)**

The Growth Plan for the Greater Golden Horseshoe, 2019 (Growth Plan) is a provincial plan that builds on the PPS. The current Growth Plan came into effect on May 16, 2019 and was amended on August 28, 2020 (first amendment). While the PPS as discussed above provides broader policy direction, the Growth Plan provides more focused policy direction for the Greater Golden Horseshoe area.

The Growth Plan supports building compact and complete communities, managing forecasted population and employment growth to the year 2051, protecting the natural environment, and supporting economic prosperity. All decisions affecting planning matters, including new development and redevelopment must conform with the current Growth Plan.

The policies of the Growth Plan focus on several key themes, including building complete communities; directing a significant share of growth to existing built-up areas of the City to meet population and employment targets and densities; making efficient use of infrastructure including developing transit-supportive densities; and creating a healthy mix of housing options and employment land uses. The vision in the Growth Plan is for urban centres to be characterized by a more compact built form, with an intensification first approach to development.

Section 2.2 of the Growth Plan contains policies to identify where and how population growth to the horizon year of 2051 will be accommodated within the City. These sections contain policies related to intensification, creating complete communities as well as optimizing and making efficient use of infrastructure and public service facilities.

The subject lands are within the City of Guelph settlement area and are designated in the City's Official Plan for urban development. The subject lands are located within the City's "Delineated Built-Up Area" as shown on Schedule 1B: Growth Plan Elements of the Official Plan. As per Policy 2.2.2.2 of the Growth Plan (and by extension Policy 2.4.5.1 a) of the Official Plan), a minimum 40 per cent of new residential development in the City must occur each year within the Delineated Built-Up Area. The Growth Plan will eventually increase the required proportion of growth within built up areas to 50 per cent of all development from when the Council-adopted Municipal Comprehensive Review (MCR through Official Plan Amendment 80) is approved and comes into effect [2.2.2].

The Zoning By-law Amendment conforms to the policies of these sections by:

- Directing redevelopment and intensification to lands within the existing delineated built-up area of the City that has existing municipal water and wastewater systems;
- Redeveloping and accommodating new residential growth on an underutilized parcel of land;
- Promoting redevelopment that supports active and public transportation options, such as being directly located on several transit routes as well as in proximity to existing commercial uses, parks, and public service facilities;
- Adding new housing units to an established neighbourhood that will contribute to enhancing and broadening the range and mix of housing types and options that are available;
- Applying a compact built form that will enhance the public realm along designated arterial roads (Arkell Road and Gordon Street);
- Further contributing to the mix of land uses in the surrounding area and encouraging redevelopment that is in close proximity to existing services, and public open space; and,
- Making efficient use of public service facilities as well as existing and planned infrastructure (e.g., roads, water and sewer, parks, etc.).

Overall, the mixed-use development proposal represents a more compact and efficient built form that will be served by adequate infrastructure and public service facilities. The development will contribute to the overall intensification target within the City's built-up area, resulting in a site density of 115.3 units per hectare.

Planning staff are of the opinion that the proposed Zoning By-law Amendment is consistent with and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe.

### **Official Plan Conformity**

The west portion of the subject lands, closest to Gordon Street, is designated "Neighbourhood Commercial Centre" and the east portion is designated "Medium Density Residential" in the Official Plan (See Attachment-4).

The "Medium Density Residential" designation permits multiple unit residential buildings including apartments and complimentary, small-scale non-residential uses. In this designation, multiple unit residential buildings are permitted at a net density between 35 and 100 units per hectare to a maximum building height of six (6) storeys.

The "Neighbourhood Commercial Centre" designation permits commercial, retail and service uses along with multiple unit residential within mixed-use buildings [9.4.4.11]. The maximum net density of residential development within the "Neighbourhood Commercial Centre" designation is 100 units per hectare. This designation permits a maximum building height of six (6) storeys.

The developer is currently proposing to redevelop the 1.96 hectare property to a mixed-use retirement community containing a total of 226 units for seniors and 257.4 square metres of commercial space on the ground level facing Arkell Road (see current development concept in Attachments-9 and 10). The development has a net density of 115.3 units per hectare. This represents a form of 'redevelopment' and 'intensification' as defined by the Official Plan.

### **Residential Development Policies**

Notwithstanding the maximum residential densities specified above, the Official Plan permits this density rate to be exceeded for development that is exclusively for senior citizens, provided the applicable residential policies are met [9.2.1.2]. A Senior Citizen is

defined in the Official Plan as any person 60 years of age or older. The developer is proposing a mixed-use retirement community exclusively for Senior Citizens with a net density of 115 units per hectare. While this density is greater than the 100 units per hectare maximum in both the "Neighbourhood Commercial Centre" and "Medium Density Residential" designations, the development meets the applicable residential policies of the Official Plan, and thus, the net density meets this policy. The proposed development will include three types of housing for older adults and Senior Citizens, including apartments, independent living and memory care. More discussion on Planning staff's opinion on how the residential policies are met is provided later in this analysis.

Special Needs Housing is defined in the Official Plan as:

"any housing, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living. Examples of special needs housing may include, but are not limited to, housing for persons with disabilities such as physical, sensory or mental health disabilities, and housing for the elderly. For the purposes of this Plan, it also includes group homes, emergency shelters, special care facilities for persons with disabilities and housing for seniors (rest homes, palliative care, nursing homes)."

Considering the continuum of care and housing options offered specifically to Senior Citizens in the proposed development, it would also be considered a form of Special Needs Housing as per the Official Plan. Special Needs Housing is permitted within land use designations where residential uses are permitted [9.2.2.1]. This would include both the "Neighbourhood Commercial Centre" and "Medium Density Residential" designations.

Where a Zoning By-law Amendment is required to permit special needs housing, the amendments must have consideration for a set of criteria in Policy 9.2.2.5. This includes:

- i. The nature of the proposed use and its compatibility with the immediate neighbourhood.

The apartments and assisted living for senior citizens is compatible with the immediate neighbourhood. More discussion on the compatibility of the built form is discussed throughout this analysis.

- ii. The objective of community integration.

The development will have a significant amount of amenity space on site for residents as well as services. The site design has the building directly front onto Arkell Road. The applicant has indicated that there will be a private shuttle service offered to residents, which will support integration to other services in the community.

- iii. The existing Zoning By-law regulations.

A discussion on the proposed Zoning and regulations is discussed in detail later in this analysis.

- iv. Specific performance standards such as dwelling type, buffering, minimum amenity area and minimum floor space.

A variety of housing units is proposed for seniors to allow for a continuum of care. Minimum landscape buffers along the perimeter of the property are met, more than double the minimum amount of common amenity area is being provided and the regulations for minimum residential floor space is met.

- v. Access to community facilities such as education, public transit and recreation.

The subject lands are currently located directly on two Guelph Transit Routes, including the Mainline (Route 99). Bus stops for Go Transit is also located at the corner of Gordon Street and Arkell Road. Educational and recreation facilities are located close to the subject lands are discussed further below.

Section 9.3 of the Official Plan contains policies that apply to residential land use designations. The proposed mixed-use retirement residential development satisfies the residential objectives, including:

- Facilitating the development of a full range of housing types, densities and tenure to meet a diversity of lifestyles and the social needs, health and well-being of current and future residents;
- Supporting special needs housing;
- Providing for higher densities of residential development in an appropriate location to ensure transit-supportive densities, a compact urban form and walkable communities;
- Ensuring compatibility between various forms of housing and between residential and non-residential uses;
- Maintaining the general character of built form in existing established residential neighbourhoods while accommodating compatible residential infill and intensification;
- Directing new residential development to an area where full municipal services and infrastructure is available and can be provided in an efficient and cost effective manner;
- Encouraging the distribution of local convenience commercial uses that is in an appropriate location;
- Ensuring new development is compatible with surrounding land uses and the general character of neighbourhoods;
- Promoting an innovative housing type and form to ensure accessible, adequate and appropriate housing for all socio-economic groups; and
- Ensuring new residential development is located and designed to facilitate and encourage convenient access to shopping, institutions and recreation by walking, cycling and the use of transit.

Section 9.3.1.1 of the Official Plan identifies criteria that must be used to assess multi-unit residential development proposals as well as for intensification proposals within existing neighbourhoods. These criteria are to be applied in addition to the applicable urban design policies of the Official Plan discussed above.

1. That the building form, scale, height, setbacks, massing, appearance and siting is compatible in design, character and orientation with buildings in the immediate vicinity.

The proposed mixed-use retirement development will be within a single building containing three (3) distinct wings of housing that offer different levels of care and independence for senior citizens. Two of the housing wings (north and south) are six

(6) storeys in height, and the middle wing is five (5) storeys in height. A single storey amenity area containing an indoor pool will connect the middle and south wing.

Although the building exceeds the maximum length of 75 metres recommended in the City's Built Form Standards for Mid-Rise Buildings and Townhouses, the building has a variety of heights, setbacks, articulation and massing changes along its length. This creates visual interest, minimizes shadowing and overlook to adjacent properties. Due to the shared services and nature of the special needs housing types, interconnection of the three wings is practical and to maximize functionality. Finally, the layout of the building footprint makes an efficient placement, given the irregular shape of the subject property.

The siting of the three-winged building has been made to reduce shadows and maximize privacy to rear yards of adjacent low-rise residential properties on Malvern Crescent to the east. A minimum 4.2 metre side yard setback to the adjacent religious establishment and single detached lots to the east is maintained and only applies to a small corner of the building given the varying angled footprint (i.e., a zig-zag orientation). The building has been designed to front onto Arkell Road, which allows for a 42.5 metre setback to the south lot line while maintaining a 45-degree angular plane from the road centreline.

Planning staff are of the opinion that the scale, height, setbacks, appearance and siting of the development is compatible in design, character and orientation with buildings in the immediate vicinity of the site.

2. Proposals for residential lot infill will be compatible with the general frontage of lots in the immediate vicinity.

The subject lands are currently three separate conveyable parcels assembled for this infill development (33 and 41 Arkell Road and 1408 Gordon Street). The three parcels will be merged and consolidated into a single parcel of land. The applicant has requested that for the purposes of zoning, Arkell Road be considered the frontage. Merging 33 and 41 Arkell Road will create a continuous frontage of 78 metres which is consistent with and compatible with the frontage of multi-residential lots in the immediate vicinity.

The residential development can be adequately served by local convenience and neighbourhood shopping facilities, schools, trails, parks, recreation facilities and public transit.

3. The proposed development can be serviced with appropriate commercial, recreational and institutional uses to meet the day-to-day needs of residents. Commercial, recreational and institutional uses within close proximity include:
  - Elmbrook Plaza (1388-1398 Gordon Street)
  - Pine Ridge Park
  - Preservation Park
  - Arkell Road Bible Chapel
  - Salvation Army Citadel
  - Commercial uses and plazas at Gordon Street and Heritage Drive
  - Upper Grand District School Board Continuing Education Facility

4. Vehicular traffic generated from the proposed development will not have an unacceptable impact on the planned function of the adjacent roads and intersections.

Transportation Services staff have reviewed the application and the Traffic Impact Study (TIS) prepared by Paradigm Transportation Solutions Limited and have no concerns with the revised development concept. In response to comments from staff on the initial design, the applicant made revisions restricting the driveway access from Arkell Road to right-in movements only. Transportation Services staff have concluded that additional traffic generated by the proposed development can be accommodated on adjacent roads and intersections.

5. Vehicular access, parking and circulation can be adequately provided and impacts mitigated.

Vehicular access is proposed from both Gordon Street and Arkell Road. The Gordon Street access will be full-movement and the Arkell Road access restricted to right-in only. The applicant revised the internal site circulation by widening drive aisles and demonstrating the ability to accommodate the turning radii of trucks, including garbage, fire and delivery.

The applicant is proposing to provide a total of 149 off-street parking spaces in both underground and in a surface lot. Table 1.0 in this analysis shows the required and proposed parking rates. This exceeds the minimum amount of parking required in the Zoning By-law and will accommodate all users of the site, including residents, staff and visitors. The applicant included a parking study with their initial submission which evaluated comparable developments in similar municipalities. It was found that the proposed development will have rates that meet and likely will exceed expected demands.

6. That adequate municipal infrastructure, services and amenity areas for residents can be provided.

Engineering staff have confirmed that there is adequate servicing capacity available for the proposed development. The applicant is also proposing to provide more than twice the minimum required amount of common amenity area.

7. Surface parking and driveways shall be minimized.

Both surface and below grade parking is proposed as part of the development. The surface parking is located on the western and southern portion of the site. The surface parking area will be screened and buffered with adequate landscaping and pedestrian walkways.

8. Development shall extend, establish or reinforce a publicly accessible street grid network to ensure appropriate connectivity for pedestrians, cyclist and vehicular traffic, where applicable.

The proposed development will reinforce the publicly accessible street grid network and ensure connectivity to the Arkell Road and Gordon Street municipal sidewalks for pedestrians. On-site bicycle parking, including secure indoor facilities will be available for cyclists.

9. Impacts on adjacent properties are minimized in relation to grading, drainage, location of service areas and microclimatic conditions, such as wind and shadowing.

The Functional Servicing Report has determined that there will not be any impacts to adjacent properties related to grading, drainage and the location of services. The property owner has met with adjacent property owners at 1354 Gordon Street to coordinate grading, retaining walls and landscaping buffers between along the shared lot line. An Official Plan Amendment and Zoning By-law Amendment was approved for the development of an eight (8) storey mixed-use building at 1354 Gordon Street in September 2022.

The site also currently accepts some stormwater from the adjacent Arkell Road Bible Chapel at 39 Arkell Road. The stormwater management and grading proposed for the site will be designed to continue to accommodate this existing condition in addition to changes resulting from the development.

A Pedestrian Wind Assessment (letter of opinion) as well as a Sun and Shadow Study were completed for the proposed development. Wind conditions on and around the site were found to be suitable for the intended uses. No changes to the building design or layout were recommended from a wind comfort perspective. The Sun and Shadow Study did not find any unacceptable shadow impacts to adjacent properties and the City's shadow criteria were met. More discussion on the Sun and Shadow Study is included later in this analysis.

10. The development addresses public safety, identified public views and accessibility to open space, parks, trails and the Natural Heritage System, where applicable.

The proposed development will address public safety and accessibility by having direct pedestrian connections and clearly defined entrances to Arkell Road and Gordon Street.

The site is located within proximity to parks and trails. There are no identified views that will be impacted or obstructed by the development.

11. The conservation and integration of cultural heritage resources, including identified public views can be achieved subject to the provisions of the Cultural Heritage Resources Section of this Plan.

The City's Senior Heritage Planner has reviewed the development proposal and did not identify any cultural heritage resource impacts.

The proposed development and Zoning By-law Amendment satisfies the criteria for multi-unit residential buildings and intensification proposals in Official Plan Policy 9.3.1.1.

### **Complete Communities and Intensification (Growth Plan Conformity)**

One of the central themes of the Official Plan is planning for a complete and healthy community. This includes ensuring that needs for daily living throughout an entire lifetime are met, by providing convenient access to a mix of employment opportunities, local services, public transportation and a full range of housing options. It is the goal to achieve a well-designed, compact and vibrant city [3.1.1]. Overall, this theme of the Official Plan focuses on implementing the Growth Plan discussed earlier in this analysis.

The proposed mixed-use retirement community will contribute towards sustaining a complete and healthy community by offering a continuum of care housing options targeted



at senior citizens. Needs for daily living for a variety of lifestyle needs will be accommodated by amenities and services both on and off-site. The subject lands are directly on public transit routes on Gordon Street and will be directly connected to other transportation options including pedestrian, cycling and vehicles.

All projected population growth to the year 2031 is to be accommodated within the City's current settlement area boundaries and is to be achieved through promoting a compact built form and intensification [3.3.1, 3.3.2, 3.7.1,]. Currently, a minimum 40% of the City's annual residential development is to be directed to the City's built-up areas through intensification. Growth in the built-up area is to be directed to locations where capacity exists to best accommodate the population and employment growth. Vacant and underutilized lots such as the subject lands are to be revitalized through redevelopment through promoting infill development. To support vibrant communities, a diverse and compatible mix of land uses, including residential and employment will be provided. This will include a range and mix of housing. Through intensification of existing Built-up Areas, redevelopment will generally be at higher densities than surrounding areas while achieving an appropriate transition of built form to adjacent areas. Urban design is to be of high quality that creates attractive and vibrant spaces while supporting transit, walking and cycling for everyday activities [3.7.3].

An appropriate range of housing types and densities to meet the projected requirements of current and future residents is to be achieved by the City through maintaining the ability to accommodate residential growth for a minimum of 10 years by residential intensification and redevelopment on lands that are designated and available for development [3.6.1]. The units for seniors will consist of a variety of levels of independence and care, including standard apartments, independent living and a memory care wing. This will contribute to maintaining a balanced and diverse housing mix in the City.

#### **Neighbourhood Commercial Centre (9.4.4)**

There are several objectives for Neighbourhood Commercial Centres in the Official Plan. This includes establishing local convenience and neighbourhood commercial uses that serve daily shopping needs and are within convenient walking distance of residential areas. Development in Neighbourhood Commercial Centres is to be done in a coordinated manner that is compatible with existing and surrounding neighbourhoods. New development is also to be well connected to surrounding neighbourhoods through trails, walkways and transit [9.4.4].

Where new development is proposed in a Neighbourhood Commercial Centre, adjacent lands are to be integrated in terms of internal access roads, entrances from public streets, access to common parking areas, open space, urban squares, grading and stormwater management systems. Buildings are to be placed in close proximity to the street near transit facilities [9.4.4.7, 9.4.4.8]. During the review of this application, Planning staff, the property owner and owners of adjacent properties explored integration to adjacent lands with internal access roads and sharing of entrances to public streets. After review, this was not deemed to be feasible, given the considerable grade change between the subject lands and 1354 Gordon Street. The developer also expressed concerns to reduce cut-through traffic that could be a safety and operational hazard to residents with special needs on the site. The design of the site makes functional connections for pedestrians, cyclists and vehicles to both Gordon Street and Arkell Road.

In the Neighbourhood Commercial Centre designation, the Official Plan requires a minimum commercial floor space index (FSI) of 0.15. The applicant is proposing a total

257 square metres of commercial space fronting Arkell Road, which equates to an FSI of 0.025.

Commercial function studies are required when a development proposal in a Neighbourhood Commercial Centre designation provides a commercial gross floor area at a floor space index (FSI) of less than 0.15. The commercial function study is to address the availability of commercial floor space to meet daily and weekly needs of the surrounding community, especially for food and drug related stores. The studies also need to address whether there are opportunities for additional commercial floor space elsewhere to sustain the local provision of commercial uses, the ability to access commercial shopping areas nearby and the role in creating a community focal point.

The applicant submitted a commercial function study by Tate Economic Research Group as part of their complete application. The study concluded that the proposed reduction in commercial floor area below an FSI of 0.15 satisfied the tests for such studies in the Official Plan and was justified from a market perspective. The study found that the site's layout is not conducive to most commercial retail developments and that there is a sufficient supply of both existing and designated Neighbourhood Commercial Centre lands in the area to serve the local community.

Ground level residential units are not permitted in the Neighbourhood Commercial Centre designation. The residential component of the development is significantly contained within the portion of the subject lands to the east designated "Medium Density Residential". Given the layout and grading of the subject lands, the commercial floor space was intentionally placed as close to the portion designated "Neighbourhood Commercial" and is easily accessible by pedestrians directly from Arkell Road. Further, as the commercial function study concluded the layout of the lands would not support typical many commercial uses and that there is also a sufficient supply of commercial lands in the area, Planning staff are satisfied that the intent of the Official Plan policy not permitting residential on the ground floor is met.

### **Urban Design**

The Official Plan contains policies regarding urban design that apply to all new development. The Zoning By-law is to be used to implement the urban design policies of the Official Plan and include regulations to promote compatibility in built form and for appropriate infill projects [8.23.2].

Several urban design objectives in the Official Plan apply and are met by the proposed development, including:

- To create neighbourhoods with diverse opportunities for living, working, learning and playing [8 a)];
- To build compact neighbourhoods that use land, energy, water and infrastructure in an efficient manner and encourage walking [8 b)];
- To engage in 'place-making' – developing infrastructure, spaces and buildings that are permanent and enduring, memorable, adaptable and flexible, and valued [8 d)];
- To allow for a range of architectural styles in urban form and design that bring interest and appropriately respond to local context and achieve compatibility [8 i)];
- To design space that is accessible to all, regardless of abilities [8 j)]; and
- To design for a choice of mobility, including walking, cycling, transit and driving [8 m)].

The proposed development is a purpose-built mixed-use community for senior citizens. The applicant has indicated that the building and site design will exceed Accessibility for Ontarians with Disabilities Act (AODA) requirements as residents of the development will have varying abilities and some with special needs. In addition, the development has more

than twice the minimum required amount of common amenity area for residents. This includes both interior and outdoor amenity areas that promote social and physical wellbeing and place-making.

New development is to be integrated with the existing topography where possible to maintain the physical character of the area and to minimize the amount of grading and filling required [8.1.2]. The subject lands currently increase in grade moving west to east. The applicant has revised the design of the building since the initial submission, reducing the amount of retaining wall needed parallel to Arkell Road and having the building front elevation compliment the existing topography.

A clearly identifiable public realm should be established in all residential areas that consist of an interconnected network of streets, parks, school sites and open spaces [8.2.2]. The applicant has revised the layout of the building to achieve a minimum 6 metre setback from the Arkell Road right-of-way after accounting for required road widening. This will allow for terraced landscaping treatments to assist with a transition to the public realm and frame the street. A publicly accessible commercial space will also be located directly facing and be accessible for pedestrians from Arkell Road.

Several urban design policies emphasize compatibility of multi-residential infill sites to existing and established neighbourhoods of the City. Where proposed new buildings exceed the height of adjacent buildings, they should be stepped back, terraced and set back to reduce adverse visual impacts [8.11.2].

In response to public and staff comments since the initial submission, the applicant has revised the placement of the building, particularly in the southeast corner by rotating the south wing. This has resulted in an increased setback to the adjacent low-rise residential area to the east, particularly rear yards of single detached dwellings on Malvern Crescent. Improvements were also made to the southern loading and waste pick-up space by adding additional landscaped space between the lot line and loading bay. For the purposes of regulating building height and massing, the applicant is also requesting to include a zoning regulation requiring a 45-degree angular plane to the southern portion of the property, measured from the southerly lot line. The revised submission includes the addition of a minimum 3 metre wide landscaped buffer around the perimeter of the property.

To provide a detailed analysis of how the development proposal is consistent with and meets the City's urban design policies and guidelines, the applicant submitted an Urban Design Brief and subsequent Comment Response Matrix as part of a revised application. Planning, Urban Design and Landscape staff have reviewed the revised proposed development and are supportive of the overall design of the site as outlined in the Urban Design Brief. Staff acknowledge and support the changes that were made by the applicant in response to comments from the Public Meeting and staff's review of the initial submission.

The built form massing and landscaping treatments in the current development proposal will create a compatible and buffered transition to the adjacent low rise residential area to the southeast. Final comments from Urban Design staff are included in Attachment-13.

### **Sun and Shadow Study**

The applicant submitted a revised shadow study. The opposite sidewalk along Arkell Road will have minor shadow impacts and be partially in shade in early morning in the spring, fall and winter, but meet the four full hours of sunlight criteria year-round in the City's Sun and Shadow Study Terms of Reference. Neighbouring residents expressed concern with possible shadow impacts to rear yards, including to features such as private pools. The Sun and Shadow Study found that adjacent yards may have sunlight after 6 pm during the

spring only, however, existing mature trees in the adjacent rear yards currently create shadows and act as a naturalized buffer. Any shadow impacts to adjacent properties are considered minimal and will not have negative impacts on existing built form context in the surrounding area.

### **Community Energy Initiative (2019) and Climate Change**

Section 4.7 of the Official Plan contains policies on Community Energy. Policy 4.7.4.1 of the Official Plan indicates that the City will utilize the development approvals process, such as site plan control, to ensure that new residential development includes sustainable design features.

The applicant has indicated that they will be including several energy efficiencies throughout the mixed-use development, consistent with the City's Community Energy Initiative (CEI) 2019 update. These initiatives proposed by the applicant will contribute to the City meeting its goal to become a net zero community by 2050. The applicant has provided a letter summarizing how their proposal addresses the CEI update (2019), and it is included in Attachment-12.

Staff are recommending a condition to be implemented at site plan control that the applicant shall provide a commitment to incorporate features into the development that will contribute to meeting the action items from the CEI (see condition number XX in Attachment-3).

### **Affordable Housing Strategy**

The City's Affordable Housing Strategy (AHS) sets an annual City-wide target of 30% for housing that is affordable [7.2.1.2]. It is a goal of the AHS to ensure that affordable housing is included in the range and mix of housing provided for all households across the City. The goals and objectives of the AHS have also been incorporated into the Official Plan in Section 7.2. These policies are intended to encourage and support the development of affordable housing throughout the city by planning for a range of housing types, forms, tenures and densities [9.2.1.1]. They have been applied to staff's review of this proposed mixed-use development.

Implementing the City's affordable housing target is largely dependent upon designating a suitable amount of land and density for residential uses. There is a high correlation between the City's growth management policies and the ability to meet both growth management and affordable housing targets. The proposed Zoning By-law Amendment will continue to ensure lands are designated and zoned for needed residential purposes.

The developer has indicated to staff that the proposed development does not contemplate the inclusion of affordable housing. However, the proposed development represents a form of special needs housing as defined in the Official Plan and as discussed previously in this analysis. It is an overarching residential policy goal of the Official Plan to provide a range and mix of housing options as well as infrastructure and services to accommodate a variety of needs. In addition to being purpose built residential for senior citizens, the development will also have a significant portion of the site designed to accommodate amenities and services for the residents daily needs. As discussed previously, special needs housing is permitted in the Official Plan in any designation where residential uses are permitted, including the Medium Density Residential and Neighbourhood Commercial designations. Further, Planning staff are of the opinion that consideration has been given to criteria in the Official Plan (9.2.2.5) for permitting special needs housing on the subject lands.

## **Urban Forest and Private Tree Protection Requirements**

The subject lands are regulated under the City's Private Tree Protection By-law. A Tree Inventory and Protection Plan was submitted by the applicant as part of a complete application.

A condition has been included in Attachment-3 that requires the preparation of an updated Tree Inventory and Preservation Plan as well as a Tree Compensation Plan prior to any grading, tree removal or Site Plan Approval.

## **Municipal Services and Infrastructure**

Policy 6.1.3 of the Official Plan requires all new development to be on full municipal services. This includes being connected to adequate sanitary sewers, water supply, stormwater management and transportation networks. Engineering staff have reviewed the development proposal and all supporting studies and have confirmed that sufficient servicing capacity exists the development can be supported by full municipal services [6.4.3]. The property owner will be responsible for all costs associated with connecting, decommissioning existing and upgrading municipal services to accommodate their development where necessary. Detailed comments from Engineering staff are included in Attachment-13.

## **Potentially Contaminated Properties**

The Official Plan identifies potentially contaminated sites as properties where the environmental condition may have potential to cause adverse effects on human health, ecological, health or the natural environment. To reduce risks associated with such sites, it is important to identify such properties and ensure they are suitable for the proposed land uses. Redevelopment, restoration and revitalization of land and buildings located on potentially contaminated sites is promoted in the Official Plan [4.4.4].

The property owner submitted a Phase 1 Environmental Site Assessment (ESA) as part of their complete application. The ESA did not find any actual sources of contamination on the subject lands. Potentially contaminating activities associated with the site and surrounding lands were identified, such as the former auto repair garage at 1354 Gordon Street but were not expected to have a significant environmental concern for the subject lands and intended land uses.

## **Noise and Vibration**

Land use conflicts between sensitive land uses such as residential and uses that create noise such as major roads like Gordon Street and Arkell Road are to be minimized [4.4.5]. To understand any conflicts that may arise for the proposed development, a Noise Impact Study was required as part of a complete application submission.

The Noise Feasibility Study concluded that the mixed-use building shall be equipped with central air conditioning systems that will allow windows to remain closed. Noise warning clauses will also need to be provided to all residents. Stationary noise impacts from neighbouring buildings were determined to be below noise limits for all facades of the building. Utilizing these mitigation measures will ensure the site complies with the City's as well as Ministry of Environment, Conservation and Parks' (MECP) noise policies and guidelines.

## **Archaeology**

Stage 1 and 2 Archaeological Assessments were completed by the previous landowners and determined that no further archaeological investigation was required (January 2014-July 2015). In addition, the City's Senior Heritage Planner has reviewed the development

proposal and did not identify any cultural heritage resource impacts from the development.

## **Transportation**

New development is to be limited to areas where adequate transportation facilities can be provided without undue financial burden on the City [5.1.4]. For development proposals that may generate a significant amount of traffic along arterial and collector roads, the City requires the submission of Traffic Impact Studies (TIS) [5.8.7].

The applicant submitted TIS as part of a complete application. The following area intersections were reviewed in the TIS:

- Gordon Street and Edinburgh Road South
- Gordon Street and Arkell Road
- Gordon Street and Vaughan Street
- Site Driveway (full movement) to Gordon Street
- Site Driveway (right-in only) to Arkell Road

The additional traffic from the proposed development was found to not impact any of the turning movements at the intersections above. While several of the intersections above had existing observed turning capacity issues under current conditions, it is anticipated that the planned improvements to Gordon Street to include a two-way centre turn lane among other improvements will accommodate left turns into the subject lands.

Transportation Engineering staff have indicated that the signalization of Gordon Street and Vaughan Street is not included in the scope of the upcoming improvements to Gordon Street. Current traffic volumes and other criteria do not warrant signalization at this intersection. However, with anticipated growth in traffic, conduits will be installed during the Gordon Street improvements to allow for future signalization. The site is anticipated to generate low volumes of traffic and the full movement driveway access to Gordon Street is expected to operate safely under current conditions.

## **Parking**

Adequate parking facilities are required to be provided to meet parking demands generated by various land uses [5.11.1]. Off-street parking requirements are to be established in the Zoning By-law and associated site plan requirements.

The proposed development will have a total of 149 parking spaces. 105 of these parking spaces will be in a surface lot, 44 parking spaces will be underground. 8 parking spaces will be for the use of the commercial retail unit and the remaining 141 parking spaces will be for the use of the retirement residence, including visitors and staff. With a total of 226 units, this equates to a parking ratio of 1.6 parking spaces per unit. For the commercial component, this equates to a ratio of 1 parking space per 33.1 square metres of commercial floor area.

The parking distribution among uses in the proposed development compared to City requirements can be found in Table 1.0 below. Visitor and barrier-free parking spaces are included within the overall rates for the entire development and not counted towards the total parking amounts.

**Table 1.0 – Required and Proposed Parking Rates 77 66**

<b>Land Use</b>	<b>Proposed Parking Rate</b>	<b>Proposed Number of Spaces</b>	<b>Parking Rate: Zoning By-law Requirement</b>	<b>Required Number of Spaces</b>
Seniors Apartments* Units (47 units)	For the first 20 units: 1.5 per unit; For each unit in excess of 20: 1.25 per unit	64	For the first 20 units: 1.5 per unit; For each unit in excess of 20: 1.25 per unit	64
Independent Living Units (114 beds)	1 space per every 2.57 beds (nursing home rate)	77	1 space per every 3 beds (nursing home rate)	66
Memory Care Units (84 beds)	1 space per every 2.57 beds (nursing home rate)	(included above)	1 space per every 3 beds (nursing home rate)	(included above)
Visitor	20% in addition to spaces required for apartments and beds	28	20% in addition to spaces required for apartments and beds	29
Barrier-free	3 Type A + 3 Type B	6	3 Type A + 3 Type B	6
Neighbourhood Commercial (257.3 m <sup>2</sup> )	1 space per 16.5m <sup>2</sup> of GFA	8 (on zoning chart)	1 space per 16.5 m <sup>2</sup> of GFA	16
<b>Total</b>		<b>149</b>		<b>146</b>

\*Note: Visitor parking included in rate for apartment.

Considering the applicant's current proposal, they are exceeding the minimum requirements by 3 spaces. As part of a complete application, the applicant's TIS completed a parking analysis which concluded the proposed parking rates are acceptable based on observed parking surveys at comparable developments (proxy sites), including similar developments by the same developer. Given the variety of propose built residential for senior citizens, including an assisted living memory care component, it is reasonable to conclude that not every resident will have a motor vehicle. Parking provided will also be able to accommodate all on-site staff and visitors. Planning staff agree with the findings of the parking brief and feel the rates proposed will accommodate expected parking demands.

## **Parkland Dedication**

Park and Trail development staff recommended payment in lieu of conveyance of parkland for the proposed development. The conveyance of parkland is not recommended for the subject lands due to the configuration of the property.

Payment in lieu of parkland conveyance will be required for this development in accordance with the Section 42 of the Planning Act, Official Plan Policy 7.3.5.6 and the City's Parkland Dedication By-law (2022)-20717, or any successor thereof. Based off the Parkland Dedication By-law's definition of dwelling unit, 47 units (retirement-oriented apartment suites) will be used for the calculation of parkland dedication.

In accordance with Section 42 of the Planning Act, the parkland dedication rate will be the greater of the equivalent market value of one hectare per 1000 dwelling units, or 5% of the appraised market value of the lands.

Comments from Park Planning staff are included in Attachment-13.

## **Review of Proposed Zoning**

The subject lands are currently zoned "Residential Single Detached" (R.1B) and "Specialized Cluster Townhouse" (R.3A-46) according to Zoning By-law (1995)-14864, as amended. The R.1B Zoning permits single detached dwellings and the R.3A-46 Zoning permits cluster and stacked townhouses. It came into effect from a previous Zoning By-law Amendment approved in December 2011. The applicant is requesting to rezone change the R.1B and R.3A-46 zones to a "Specialized General Apartment" (R.4A-58) Zone to permit a mixed-use retirement residential development.

Staff have reviewed the proposed R.4A-58 Zoning and requirements associated with the current development proposal and are satisfied that it is appropriate for the proposed development. The applicant has confirmed through their most recent development proposal (September 2022) that they are meeting several regulations of the parent R.4A Zone. This includes minimum off-street parking, minimum common amenity area, maximum building height and minimum landscaped open space and buffer strips.

The recommended R.4A-58 zoning is a combination of the specialized or modified regulations requested by the applicant as well as additional specialized regulations determined by Planning staff.

## **Additional Permitted Uses**

- Notwithstanding Section 5.4.1.1, the following uses shall also be permitted, to a maximum Gross Floor Area of 300 square metres:
  - Convenience Store
  - Retail Establishment
  - Medical Clinic
  - Office
  - Financial Establishment
  - Pharmacy (included in retail establishment in new Comprehensive Zoning By-law)
  - Restaurant
  - Restaurant, take-out
  - Service Establishment



**Maximum Density (units per hectare)**

- Despite Table 5.4.2, the maximum density shall be 115 units per hectare for a Nursing Home, Retirement Residential Facility or Home for the Aged.

**Floor Space Index (FSI)**

- Despite Table 5.4.2, Row 9, the maximum Floor Space Index (FSI) shall be 1.3.

**Side Yard Setback**

- Despite Table 5.4.2, Row 8, the minimum left Side Yard Setback shall be 4.5 metres.

**Front Lot Line**

- The minimum lot frontage shall be 25 metres.
- Despite the definition of "Front Lot Line" in Section 3.1, the Arkell Road Frontage shall be deemed the Front Lot Line.

**Building Length**

- Regulations for maximum building length shall not apply.

**Building Height**

- Regulations for minimum Building height shall not apply to portions of a building exclusively devoted to non-residential uses, including indoor common amenity area.

**Rear Yard Setback**

- Despite Table 5.4.2, Row 9, the minimum Rear Yard Setback shall be 42 metres.

**Angular Plane**

- In addition to Table 5.4.2, Row 10 and Section 4.16 of Zoning By-law (1995)-14864, as amended, building height within 46 metres of the Rear Lot Line shall not exceed a 45-degree angular plane projected from the Rear Lot Line.

**Parking**

- The minimum dimensions of a parking space shall be 2.6 metres width by 5.5 metres length.
- Electric vehicle parking requirements shall not apply.

**Bicycle Parking**

- A minimum of 46 long-term bicycle parking spaces shall be provided for a retirement residential facility, including a minimum of 8 spaces that are suitable for tricycles.
- A minimum of 24 short-term bicycle parking spaces shall be provided for all uses on the subject lands.

**New Comprehensive Zoning By-law**

Planning staff have finalized the new Comprehensive Zoning By-law documents in preparation for the April 18, 2023 Council meeting. Before the new Comprehensive Zoning By-law is approved, Council will continue to receive applications for Zoning By-law Amendments such as this application to the existing (1995)-14864 Zoning By-law. Thus, Planning staff have included the Zoning By-law Amendment for the (1995)-14864 Zoning By-law as well as a site-specific zone for the Comprehensive Zoning By-law (Attachments-6 and 7). As the Comprehensive Zoning By-law is not yet in full force and effect, for now, Council is only being asked to decide on the Zoning By-law Amendment for the (1995)-14864 Zoning By-law but can review the site-specific zone for the Comprehensive Zoning By-law. Both by-laws provide the exact same development permissions being reviewed through the application. When the Comprehensive Zoning By-law is brought forward for a

decision in April, Council will consider an amendment to the proposed Comprehensive Zoning By-law to incorporate Council decisions on development applications made at the March 21 and April 18 Council meetings. This is a technical requirement to ensure the new Zoning By-law doesn't take away any Council approved development rights.

A Specialized Medium Density Residential Six Zone (RM.6-?) is recommended for the subject lands in the new Comprehensive Zoning By-law. A 'Retirement Residential Facility' is proposed to be included in the new RM.6-? Zone. The list of site-specific regulations and additional uses above will also be carried forward. A accommodate a transition in regulations, further site-specific regulations for bicycle and electric vehicle parking are being proposed.

The proposed Zoning under the current Zoning By-law is shown in Attachment-6, and the proposed Zoning under the proposed new Comprehensive Zoning By-law is shown in Attachment-7.

### **Comments and Questions Received on Applications**

The following section provides a staff response to concerns and questions raised by Council and the public that have not already been discussed in this analysis.

#### **Waste Management**

Questions were raised at the Public Meeting regarding waste management and pick-up from the proposed development. In addition, specific questions were raised regarding medical waste from the permitted uses. In response, the developer has indicated that a private contractor will be retained to oversee waste pick-up and will be properly qualified to handle all waste generated by the site. During site plan control, the developer will be required to provide a three-stream waste management plan as part of a complete application, including organics, recycling and standard garbage refuse.